

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS for SB 2174

SPONSOR: Transportation Committee and Senator Hargrett

SUBJECT: Transportation and Land Use Planning

DATE: April 7, 1999 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>McAuliffe</u>	<u>Meyer</u>	<u>TR</u>	<u>Favorable/CS</u>
2.	_____	_____	<u>FP</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This CS represents some recommendations of the Transportation and Land Use Study Committee. Created by the 1998 Legislature in Section 30 of CS/SB 2474, the Committee was charged with evaluating transportation and land use planning and coordination issues in Florida. Recommendations were required to include needed changes to the transportation planning requirements in Chapter 163, *Florida Statutes*, and in other statutes as appropriate.

This CS substantially amends sections 163.3177, 186.507, 206.46, 316.0745, 338.001, 339.155, 339.175 and repeals section 341.053 of the Florida Statutes.

II. Present Situation:

Section 163.3177, F.S., provides the optional and required elements of a local government comprehensive plan. The section provides a local comprehensive plan must prescribe principles, guidelines, and standards for the orderly and balanced future economic, social, physical, environmental, and fiscal development of the area.

A major objective of the planning process is the coordination of the elements of the comprehensive plan. The section provides the elements of the comprehensive plan must be consistent, and the plan must be economically feasible.

One of the required elements of a local governments comprehensive plan is a capital improvements element designed to consider the need for, and location of, public facilities to optimize the efficient use of such facilities. The capital improvements element must provide:

- a) A component which outlines principles for construction, extension, or increase in capacity of public facilities, as well as a component which outlines principles for correcting existing public facility deficiencies, which are necessary to implement the comprehensive plan. The components must cover at least a 5-year period.

- b) The estimated costs of public facilities, including when facilities will be needed, the general location of facilities, and the projected revenue sources to fund the facilities.
- c) Standards to ensure the availability of adequate public facilities including acceptable levels of service.
- d) Standards for the management of debt.

The section requires the capital improvements element of the comprehensive plan be reviewed by the Florida Department of Community Affairs (FDCA) annually. Any modifications to the capital improvements element must be reflected in an amendment to the local government's adopted comprehensive plan. However, if a project in the capital improvements element is consistent with the comprehensive plan, any corrections, updates, and modifications concerning costs or revenue sources of the project may be amended by ordinance. The section requires all public facilities to be consistent with the capital improvements element.

The section states the coordination of the local comprehensive plan with the plans of adjacent communities and planning entities is a major objective of the comprehensive planning process. Local governments are required to include as part of their comprehensive plans a policy statement indicating the relationship of the proposed development of the area to the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region and to the state comprehensive plan.

Section 186.507, F.S., requires regional planning councils to develop a strategic regional policy plan. A strategic regional policy plan must contain regional goals and policies addressing affordable housing, economic development, emergency preparedness, natural resources of regional significance, and regional transportation. The plan may also address any other subject which relates to the particular needs and circumstances of the comprehensive planning district as determined by the regional planning council. The section provides regional plans must identify and address significant regional resources and facilities. Further, regional plans must be consistent with the state comprehensive plan.

Section 206.46, F.S., provides for the disposition of the State Transportation Trust Fund.

Section 316.0745, F.S., provides the FDOT must adopt a uniform system of traffic control devices for use on the streets and highways of the state. The uniform system must, insofar as is practicable, conform to the system adopted by the American Association of State Highway Officials and must be revised from time to time to include changes necessary to conform to a uniform national system or to meet local and state needs. The section authorizes the FDOT to call upon representatives of local authorities to assist in the preparation or revision of the uniform system of traffic control devices.

Section 338.001, F.S., provides for the Florida Intrastate Highway System (FIHS) Plan. The section provides the components of the FIHS and the guidelines for developing the proposed FIHS Plan. The section also provides funding for the FIHS at a minimum allocation of \$151.3 million, adjusted annually by the change in the Consumer Price Index, for the FIHS.

Section 339.155, F.S., directs FDOT to develop and annually update a statewide transportation plan, known as the Florida Transportation Plan. The purpose of the Florida Transportation Plan is to establish the long-range goals of the FDOT to be accomplished over a period of at least 20 years within the context of the State Comprehensive Plan and any other statutory mandates and authorizations given to the FDOT. The plan defines the relationship between the long-range goals and the short-range objectives, and specifies those objectives against which the FDOT's achievement of such goals will be measured. The plan provides a policy framework within which the FDOT's legislative budget request, the strategic information resource management plan, and the work program are developed.

Section 339.175, F.S., provides for the powers, duties and responsibilities of the metropolitan planning organizations (M.P.O.). The authority and responsibility of an M.P.O. is to manage a continuing, cooperative, and comprehensive transportation planning process that results in the development of plans and programs which are consistent, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government the boundaries of which are within the metropolitan area of the M.P.O. An M.P.O. is intended be the forum for cooperative decision making by officials of the affected governmental entities in the development of the plans and programs required the section.

Section 341.053, F.S., provides for the Intermodal Development Program within the FDOT to provide for major capital investments in fixed-guideway transportation systems, access to seaports, airports and other transportation terminals, provide for the construction of intermodal or multimodal terminals; and to otherwise facilitate the intermodal or multimodal movement of people and goods.

III. Effect of Proposed Changes:

Section 1

M.P.O. and Local Government Coordination

Section 163.3177, F.S., is amended to require the capital improvements element of a local governments comprehensive plan to be coordinated and developed with the appropriate M.P.O. long-range transportation plan.

Section 2

Section 186.507, F.S., is amended to require the regional planning council's strategic regional policy plan to address and plan for intermodal facilities for the movement of people and freight within and through the region and plan for access to and connections between those facilities.

Section 3

Funding for the Florida Intrastate Transportation System (FITS)

Section 206.46, F.S., is amended to provide funding for the Florida Intrastate Transportation System (FITS). The section provides, in fiscal year 2000-2001, a minimum of 55 percent of all

surface transportation capacity revenues deposited into the State Transportation Trust Fund will be committed to the FITS. This amount is increased to 60 percent in fiscal years 2001-2002 and 2002-2003, and to 70 percent in fiscal year 2003-2004 and each year thereafter.

Section 4

Traffic-Calming Techniques

Section 316.0745, F.S., is amended to require the manual of uniform traffic control devices to provide for the use of traffic-calming techniques, such as roundabouts, raised sidewalks, and narrower road alignments.

Section 5

The FITS

Section 338.001, F.S., is amended to create the Florida Intrastate Transportation System (FITS) to put greater emphasis on multimodal and economic development transportation projects. The Florida Intrastate Highway System (FIHS) becomes a subpart of the FITS.

Section 6

The Florida Transportation Plan

Section 339.155, F.S., is amended to encourage the use of limited-access facilities in those areas that contain or are associated with environmentally sensitive resources. In addition, regional planning councils are required to address and plan for intermodal facilities.

Section 7

Planning Coordination

Section 339.175, F.S., is amended to require an M.P.O.'s planning process to be consistent with adjacent M.P.O.s and for M.P.O.s to provide technical transportation planning assistance to local governments. The section is amended to provide RPCs serve as the cooperative decision making forum for M.P.O. long-range plans and local government's comprehensive plan capital-improvement and transportation elements within its jurisdiction.

The section is further amended to provide, as part of the long range transportation planning process, the M.P.O.s should identify potential negative secondary environmental and land use impacts of, and induced growth resulting from, new transportation projects and new major expansion of existing facilities.

Section 8

Section 341.053, F.S., is repealed. This section provides for the FDOT intermodal program which will become part of the FITS.

Section 9

Provides the CS will take effect upon becoming law.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Unknown.

C. Government Sector Impact:

In the current five year work program, the FIHS is allocated approximately \$3.159 billion. This amount represents approximately 50.8 percent of the total surface transportation capacity revenues from the State Transportation Trust Fund. Gradually increasing the amount to 70 percent to fund the FITS would represent an increase of approximately \$467 million total for five years.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
