

By the Committee on Transportation and Senator Hargrett

306-2046A-99

1                                   A bill to be entitled  
2           An act relating to land use and transportation  
3           planning; amending s. 163.3177, F.S.; providing  
4           for coordination of the capital-improvements  
5           element with Metropolitan Planning  
6           Organizations' long-range transportation plans;  
7           specifying elements of comprehensive plans;  
8           amending s. 186.507, F.S.; requiring regional  
9           planning councils to plan for intermodal  
10          facilities; amending s. 206.46, F.S.; providing  
11          funding for the Florida Intrastate  
12          Transportation System; amending s. 316.0745,  
13          F.S.; requiring the Department of  
14          Transportation to provide for the use of  
15          traffic-calming techniques; amending s.  
16          338.001, F.S.; creating the Florida Intrastate  
17          Transportation System and Plan; amending s.  
18          339.155, F.S.; requiring Regional Planning  
19          Councils to address and plan for intermodal  
20          facilities and the movement of people and  
21          freight in the strategic regional policy plan;  
22          amending s. 339.175, F.S.; requiring  
23          Metropolitan Planning Organizations' plans to  
24          be consistent with those of adjacent  
25          Metropolitan Planning Organizations;  
26          authorizing Metropolitan Planning Organizations  
27          to share data and technical expertise with  
28          local governments; making each Regional  
29          Planning Council the forum for cooperative  
30          decisionmaking for Metropolitan Planning  
31          Organizations within its jurisdiction and

1 responsible for coordinating the Metropolitan  
2 Planning Organizations' long-range plans and  
3 the capital-improvement and transportation  
4 elements of the comprehensive plan of local  
5 governments within its jurisdiction; repealing  
6 s. 341.053, F.S., relating to the intermodal  
7 program; providing an effective date.

8

9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Paragraph (c) is added to subsection (3) of  
12 section 163.3177, Florida Statutes, 1998 Supplement, and  
13 paragraph (a) of subsection (4) and paragraph (j) of  
14 subsection (6) of that section are amended, to read:

15 163.3177 Required and optional elements of  
16 comprehensive plan; studies and surveys.--

17 (3)

18 (c) The capital improvements element must be  
19 coordinated and developed with the appropriate Metropolitan  
20 Planning Organization's long-range transportation plan.

21 (4)(a) Coordination of the local comprehensive plan  
22 with the comprehensive plans of adjacent municipalities, the  
23 county, adjacent counties, or the region; with adopted rules  
24 pertaining to designated areas of critical state concern; and  
25 with the state comprehensive plan shall be a major objective  
26 of the local comprehensive planning process. To that end, in  
27 the preparation of a comprehensive plan or element thereof,  
28 and in the comprehensive plan or element as adopted, the  
29 governing body shall include a specific policy statement  
30 indicating the relationship of the proposed development of the  
31 area to the comprehensive plans of adjacent municipalities,

1 the county, adjacent counties, or the region, to the  
2 appropriate Metropolitan Planning Organization's long-range  
3 transportation plan, and to the state comprehensive plan, as  
4 the case may require and as such adopted plans or plans in  
5 preparation may exist.

6 (6) In addition to the requirements of subsections  
7 (1)-(5), the comprehensive plan shall include the following  
8 elements:

9 (j) For each unit of local government within an  
10 urbanized area designated for purposes of s. 339.175, a  
11 transportation element, which shall be prepared and adopted in  
12 lieu of the requirements of paragraph (b) and paragraphs  
13 (7)(a), (b), (c), and (d) and which shall address the  
14 following issues:

15 1. Traffic circulation, including major thoroughfares  
16 and other routes, including bicycle and pedestrian ways.

17 2. All alternative modes of travel, such as public  
18 transportation, pedestrian, and bicycle travel.

19 3. Parking facilities.

20 4. Aviation, rail, seaport facilities, access to those  
21 facilities, and intermodal terminals.

22 5. The availability of facilities and services to  
23 serve existing land uses and the compatibility between future  
24 land use and transportation elements.

25 6. The capability to evacuate the coastal population  
26 prior to an impending natural disaster.

27 7. Airports, projected airport and aviation  
28 development, and land use compatibility around airports.

29 8. An identification of land use densities, building  
30 intensities, and transportation management programs to promote  
31 public transportation systems in designated public

1 transportation corridors so as to encourage population  
2 densities sufficient to support such systems.

3 9. May include transportation corridors, as defined in  
4 s. 334.03, or as identified in a Metropolitan Planning  
5 Organization's long-range transportation plan intended for  
6 future transportation facilities designated pursuant to s.  
7 337.273. If transportation corridors are designated, the local  
8 government may adopt a transportation corridor management  
9 ordinance.

10 Section 2. Subsection (12) of section 186.507, Florida  
11 Statutes, 1998 Supplement, is amended to read:

12 186.507 Strategic regional policy plans.--

13 (12) In addressing regional transportation, the  
14 council shall address and plan for intermodal facilities for  
15 the movement of people and freight within and through the  
16 region and plan for access to and connections between those  
17 facilities, and may recommend minimum density guidelines for  
18 development along designated public transportation corridors  
19 and identify investment strategies for providing  
20 transportation infrastructure where growth is desired, rather  
21 than focusing primarily on relieving congestion in areas where  
22 growth is discouraged.

23 Section 3. Present subsections (4) and (5) of section  
24 206.46, Florida Statutes, are renumbered as subsections (5)  
25 and (6), respectively, and a new subsection (4) is added to  
26 the section to read:

27 206.46 State Transportation Trust Fund.--

28 (4) For Fiscal Year 2000-2001, a minimum of 55 percent  
29 of the total surface transportation capacity revenues  
30 deposited into the State Transportation Trust Fund must be  
31 committed annually by the department to fund the Florida

1 Intrastate Transportation System. The percentage so committed  
2 shall increase to 60 percent for Fiscal Year 2001-2002 and  
3 Fiscal Year 2002-2003 and to 70 percent for Fiscal Year  
4 2003-2004 and for each year thereafter.

5 Section 4. Paragraph (c) is added to subsection (2) of  
6 section 316.0745, Florida Statutes, to read:

7 316.0745 Uniform signals and devices.--

8 (2)

9 (c) The manual must provide for the use of  
10 traffic-calming techniques, such as roundabouts, raised  
11 sidewalks, and narrower road alignments.

12 Section 5. Section 338.001, Florida Statutes, is  
13 amended to read:

14 338.001 Florida Intrastate Transportation Highway  
15 System Plan.--

16 (1) In recognition of the department's role in the  
17 economic development of this state, the department shall plan  
18 and develop a proposed Florida Intrastate Transportation  
19 System Plan to connect Florida's airports, deepwater seaports,  
20 rail systems serving both passenger and freight, and major  
21 intermodal connectors to the Florida Intrastate Highway System  
22 facilities as the primary system for the movement of people  
23 and freight in this state in order to make the Florida  
24 Intrastate Transportation System a fully integrated and  
25 interconnected system.

26 (2) The Florida Intrastate Transportation System Plan  
27 must:

28 (a) Define and assess the state's freight intermodal  
29 network, including airports, seaports, rail lines and  
30 terminals, and connecting highways.

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1           (b) Prioritize statewide infrastructure investments,  
2 including the acceleration of current projects, which are  
3 found by the Freight Stakeholders Task Force to be priority  
4 projects for the efficient movement of people and freight.

5           (c) Be developed in a manner that will assure maximum  
6 use of existing facilities and optimum integration and  
7 coordination of the various modes of transportation, including  
8 both governmentally owned and privately owned resources, in  
9 the most cost-effective manner possible.

10           (3) The Florida Intrastate Transportation System will  
11 be funded as provided in s. 206.46(4).

12           (4)(1) As a subpart of the Florida Intrastate  
13 Transportation System Plan,the department shall plan and  
14 develop a proposed Florida Intrastate Highway System Plan  
15 which shall delineate a statewide system of limited access  
16 facilities and controlled access facilities. The plan shall  
17 provide a statewide transportation network that allows for  
18 high-speed and high-volume traffic movements within the state.  
19 The primary function of the system is to provide such traffic  
20 movements. Access to abutting land is subordinate to this  
21 function, and such access must be prohibited or highly  
22 regulated. The plan shall be consistent with the goals of the  
23 Florida Transportation Plan developed pursuant to s. 339.155.

24           (a)(2) This system shall consist of the following  
25 components of the State Highway System:

26           1.(a) Interstate highways.

27           2.(b) The Florida Turnpike System.

28           3.(c) Interregional and intercity limited access  
29 facilities.

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1           ~~4.(d)~~ Existing interregional and intercity arterial  
2 highways previously upgraded or upgraded in the future to  
3 controlled access facility standards.

4           ~~(5)(e)~~ New limited access facilities necessary to  
5 complete a balanced statewide system.

6           ~~(b)(3)~~ The department shall adhere to the following  
7 policy guidelines in the development of the proposed Florida  
8 Intrastate Highway System Plan ~~plan~~:

9           ~~1.(a)~~ Make capacity improvements to existing  
10 facilities where feasible to minimize costs and environmental  
11 impacts.

12           ~~2.(b)~~ Identify appropriate arterial highways in major  
13 transportation corridors for inclusion in a program to bring  
14 these facilities up to controlled access facility standards.

15           ~~3.(c)~~ Coordinate proposed system projects with  
16 appropriate limited access projects undertaken by expressway  
17 authorities and local governmental entities.

18           ~~4.(d)~~ Maximize the use of limited access facility  
19 standards when constructing new arterial highways.

20           ~~5.(e)~~ Identify appropriate new limited access highways  
21 for inclusion as a part of the Florida Turnpike System.

22           ~~6.(f)~~ To the maximum extent feasible, ensure that  
23 proposed system projects are consistent with approved local  
24 government comprehensive plans of the local jurisdictions in  
25 which such facilities are to be located and with the  
26 transportation improvement program of any metropolitan  
27 planning organization in which such facilities are to be  
28 located.

29           ~~(c)(4)~~ Projects in the proposed plan are anticipated  
30 to be let to contract for construction within a time period of  
31 20 years. The plan shall also identify when segments of the

1 system will meet the standards and criteria developed pursuant  
2 to paragraph (d)~~subsection (5)~~.

3 (d)(5) The department shall establish the standards  
4 and criteria for the functional characteristics and design of  
5 facilities proposed as part of the Florida Intrastate  
6 Transportation Highway System.

7 ~~(6) For the purposes of developing the proposed plan,~~  
8 ~~beginning in fiscal year 1993-1994 and for each fiscal year~~  
9 ~~thereafter, the minimum amount allocated shall be based on the~~  
10 ~~fiscal year 1992-1993 allocation of \$151.3 million adjusted~~  
11 ~~annually by the change in the Consumer Price Index for the~~  
12 ~~prior fiscal year compared to the Consumer Price Index for~~  
13 ~~fiscal year 1991-1992. No amounts from the funds dedicated to~~  
14 ~~the Florida Intrastate Highway System shall be allocated to~~  
15 ~~turnpike projects after the 1993-1994 fiscal year.~~

16 (e)(7) Any project to be constructed as part of the  
17 Florida Intrastate Transportation Highway System shall be  
18 included in the department's adopted work program. Any Florida  
19 Intrastate Transportation Highway System projects that are  
20 added to or deleted from the previous adopted work program, or  
21 any modification to Florida Intrastate Transportation Highway  
22 System projects contained in the previous adopted work  
23 program, shall be specifically identified and submitted as a  
24 separate part of the tentative work program.

25 (f)(8) A status report on the Florida Intrastate  
26 Transportation Highway System Plan shall be annually submitted  
27 to the legislative transportation committees no later than 14  
28 days after the regular legislative session convenes.

29 Section 6. Paragraph (b) of subsection (5) of section  
30 339.155, Florida Statutes, are amended to read:

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1           339.155 Transportation planning.--The department shall  
2 develop and annually update a statewide transportation plan,  
3 to be known as the Florida Transportation Plan. The plan  
4 shall be designed so as to be easily read and understood by  
5 the general public.

6           (5) ADDITIONAL TRANSPORTATION PLANS.--

7           (b) Each regional planning council, as provided for in  
8 s. 186.504, or any successor agency thereto, shall develop, as  
9 an element of its strategic regional policy plan,  
10 transportation goals and policies. The transportation goals  
11 and policies shall be consistent, to the maximum extent  
12 feasible, with the goals and policies of the metropolitan  
13 planning organization and the Florida Transportation Plan.

14 Each council shall address and plan for intermodal facilities  
15 for the movement of people and freight within and through the  
16 region and plan for access to and connections between those  
17 facilities.The transportation goals and policies of the

18 regional planning council will be advisory only and shall be  
19 submitted to the department and any affected metropolitan  
20 planning organization for their consideration and comments.  
21 Metropolitan planning organization plans and other local  
22 transportation plans shall be developed consistent, to the  
23 maximum extent feasible, with the regional transportation  
24 goals and policies. The regional planning council shall  
25 review urbanized area transportation plans and any other  
26 planning products stipulated in s. 339.175 and provide the  
27 department and respective metropolitan planning organizations  
28 with written recommendations which the department and the  
29 metropolitan planning organizations shall take under  
30 advisement. Further, the regional planning councils shall  
31 directly assist local governments which are not part of a

1 metropolitan area transportation planning process in the  
2 development of the transportation element of their  
3 comprehensive plans as required by s. 163.3177.

4 Section 7. Subsections (4) and (6) of section 339.175,  
5 Florida Statutes, 1998 Supplement, are amended to read:

6 339.175 Metropolitan planning organization.--It is the  
7 intent of the Legislature to encourage and promote the  
8 development of transportation systems embracing various modes  
9 of transportation in a manner that will maximize the mobility  
10 of people and goods within and through urbanized areas of this  
11 state and minimize, to the maximum extent feasible, and  
12 together with applicable regulatory government agencies,  
13 transportation-related fuel consumption and air pollution. To  
14 accomplish these objectives, metropolitan planning  
15 organizations, referred to in this section as M.P.O.'s, shall  
16 develop, in cooperation with the state, transportation plans  
17 and programs for metropolitan areas. Such plans and programs  
18 must provide for the development of transportation facilities  
19 that will function as an intermodal transportation system for  
20 the metropolitan area. The process for developing such plans  
21 and programs shall be continuing, cooperative, and  
22 comprehensive, to the degree appropriate, based on the  
23 complexity of the transportation problems.

24 (4) AUTHORITY AND RESPONSIBILITY.--The authority and  
25 responsibility of an M.P.O. is to manage a continuing,  
26 cooperative, and comprehensive transportation planning process  
27 that results in the development of plans and programs which  
28 are consistent, to the maximum extent feasible, with those of  
29 adjacent M.P.O.'s and with the approved local government  
30 comprehensive plans of the units of local government the  
31 boundaries of which are within the metropolitan area of the

1 M.P.O. An M.P.O. shall provide local governments with  
2 technical assistance in modeling alternative development  
3 scenarios, and allow local governments in the M.P.O.'s  
4 jurisdiction the opportunity to review and approve data sets  
5 used by the M.P.O. prior to the M.P.O.'s submission of  
6 long-range transportation plan updates. An M.P.O. shall be  
7 the forum for cooperative decisionmaking by officials of the  
8 affected governmental entities in the development of the plans  
9 and programs required by subsections (5), (6), (7), and (8).  
10 Regional Planning Councils shall serve as the forum for  
11 cooperative decisionmaking for M.P.O.'s within the Regional  
12 Planning Council's jurisdiction and shall be responsible for  
13 coordinating the plans required under subsection (6) for the  
14 M.P.O.'s and the capital-improvement and transportation  
15 elements of the comprehensive plan of local governments within  
16 its jurisdiction.

17 (6) LONG-RANGE PLAN.--Each M.P.O. must develop a  
18 long-range transportation plan that addresses at least a  
19 20-year planning horizon. The plan must include both  
20 long-range and short-range strategies and must comply with all  
21 other state and federal requirements. The long-range plan must  
22 be consistent, to the maximum extent feasible, with future  
23 land use elements and the goals, objectives, and policies of  
24 the approved local government comprehensive plans of the units  
25 of local government located within the jurisdiction of the  
26 M.P.O. The approved long-range plan must be considered by  
27 local governments in the development of the transportation  
28 elements in local government comprehensive plans and any  
29 amendments thereto. The long-range plan must be consistent  
30 with the plans of adjacent M.P.O.'s. Regional Planning  
31 Councils are responsible for coordinating long-range plans of

1 M.P.O.'s, and the capital-improvement and transportation  
2 elements of the comprehensive plan of local governments within  
3 its jurisdiction.The long-range plan must, at a minimum:

4 (a) Identify transportation facilities, including, but  
5 not limited to, major roadways, airports, seaports, commuter  
6 rail systems, transit systems, and intermodal or multimodal  
7 terminals that will function as an integrated metropolitan  
8 transportation system. The long-range plan must give emphasis  
9 to those transportation facilities that serve national,  
10 statewide, or regional functions, and must consider the goals  
11 and objectives identified in the Florida Transportation Plan  
12 as provided in s. 339.155.

13 (b) Include a financial plan that demonstrates how the  
14 plan can be implemented, indicating resources from public and  
15 private sources which are reasonably expected to be available  
16 to carry out the plan, and recommends innovative financing  
17 techniques that may be used to fund needed projects and  
18 programs. Such techniques may include the assessment of  
19 tolls, the use of value capture financing, or the use of  
20 congestion pricing.

21 (c) Assess capital investment and other measures  
22 necessary to:

23 1. Ensure the preservation of the existing  
24 metropolitan transportation system including requirements for  
25 the operation, resurfacing, restoration, and rehabilitation of  
26 major roadways and requirements for the operation,  
27 maintenance, modernization, and rehabilitation of public  
28 transportation facilities; and

29 2. Make the most efficient use of existing  
30 transportation facilities to relieve vehicular congestion and  
31 maximize the mobility of people and goods.

1           (d) Indicate, as appropriate, proposed transportation  
2 enhancement activities, including, but not limited to,  
3 pedestrian and bicycle facilities, scenic easements,  
4 landscaping, historic preservation, mitigation of water  
5 pollution due to highway runoff, and control of outdoor  
6 advertising.

7           (e) In addition to the requirements of paragraphs  
8 (a)-(d), in metropolitan areas that are classified as  
9 nonattainment areas for ozone or carbon monoxide, the M.P.O.  
10 must coordinate the development of the long-range plan with  
11 the State Implementation Plan developed pursuant to the  
12 requirements of the federal Clean Air Act.

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14 In the development of its long-range plan, each M.P.O. must  
15 provide affected public agencies, representatives of  
16 transportation agency employees, private providers of  
17 transportation, other interested parties, and members of the  
18 general public with a reasonable opportunity to comment on the  
19 long-range plan. The long-range plan must be approved by the  
20 M.P.O.

21           Section 8. Section 341.053, Florida Statutes, is  
22 repealed.

23           Section 9. This act shall take effect upon becoming a  
24 law.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
SB 2174

The CS deletes the provision of the bill requiring local governments to develop access management measures, and the provision which required local government comprehensive plans be consistent with metropolitan planning organizations long-range transportation plan. The CS further provides for a gradual increase in the percentage of the total surface transportation capacity revenues transferred from the State Transportation Trust Fund to fund the Florida Intrastate Transportation System.