

**INFORMATION SHEET  
 ENVIRONMENTAL PROTECTION AND GROWTH MANAGEMENT DEPARTMENT  
 PLANNING AND REDEVELOPMENT DIVISION  
 BROWARD COUNTY COMPREHENSIVE PLAN AMENDMENT  
 PROPOSED TEXT AMENDMENT**

<b>Proposed Amendment</b>	<b>09-1A-T1 - TRANSPORTATION ELEMENT</b>
Commission District	1 through 9
Application/Agent	Planning and Redevelopment Division
Current Objectives and Policies	Policies <b>3.4.1. to 3.4.3., 3.4.13., 3.4.23. and 3.5.9.</b>
Proposed modifications	The proposed amendment reflects updates required due to a petition challenge by the Department of Community Affairs (DCA) to the adoption of Broward County's transportation amendment <b>08-1-T1</b> on June 24, 2008. The following policies are being modified to address those concerns. It amends Policies <b>3.4.1. to 3.4.3., 3.4.13. and 3.4.23.</b> It adds new Policies <b>3.4.24. to 3.4.32.</b> It replaces and expands Policy <b>3.5.9.</b> See Background and Description of Amendment sections below for more information.
Effect of Proposed Change	To revise policies to reflect current requirements, data and information.
Comprehensive Plan Consistency	Consistent. See Consistency section on page 4 for more information.

**ADOPTION RECOMMENDATION**

**Environmental Protection and Growth Management Department, Planning and Redevelopment Division, Local Planning Agency (LPA);** The LPA recommends that the Broward County Board of County Commissioners enact an ordinance adopting amendment (**9-1A-T1**) to the Transportation Element into Volume 2 of the Broward County Comprehensive Plan and transmit to the DCA for their review.

## **BACKGROUND**

On June 24, 2008, the Broward County Commission adopted Transportation Element Amendment **08-1-T1** into the Broward County Comprehensive Plan. The DCA then filed a petition, challenging Broward County's compliance determination. The DCA, the Florida Department of Transportation (FDOT), the South Florida Regional Planning Council (SFRPC) and Broward County then entered into mediation proceedings to address concerns raised by FDOT, SFRPC and the DCA. These concerns surrounded revisions to the Transit Concurrency Management Areas (TCMA's) and associated Level of Service Standards (LOS) Broward County had adopted. They disputed the assertion that Broward County's LOS standards in the TCMA'S were "meaningful and predictable", as required by State statute. FDOT also felt the TCMA's did not address mitigation for impacts to the Strategic Intermodal System (SIS) facilities, SIS connector facilities and the Transportation Regional Incentive Program (TRIP) Facilities.

For several months prior to the adoption of Amendment **08-1-T1**, Division staff worked closely with FDOT in order to avoid a potential challenge, which ultimately proved to be unsuccessful. As a result of the challenge, the DCA, FDOT, the SFRPC and Broward County began several more months of negotiations, resulting in the County and the DCA agreeing to sign a Stipulated Settlement Agreement which provides for additional revisions which address TCMA's, SIS and TRIP facilities in the Transportation Element.

The following is an explanation and summary of Policies within the Transportation Element (**See Attachment A**) which will be revised as a result of the Stipulated Settlement Agreement between Broward County and the DCA:

### **1. Level of Service Standards (Policy 3.4.2)**

The Level of Service Standards for each concurrency district have been modified to reflect an ongoing commitment to maintain many of the transit enhancements of the past four years, and to set a target for ridership growth going forward. In the Port/Airport District, references are included to the ongoing studies of the Intermodal Center and People Mover System, and to the potential for a bypass roadway in the Northport area. The transportation programs which were targeted in the previously adopted amendment are still present in this modified version. The ongoing implementation of the Advanced Transportation Management System (ATMS) is reflected as objectives to reduce traffic signal communications failures by 50% by FY 2013, in the Northeast, Central, and Eastern Core Districts. The commitment to increase ridership in each District reflects two programs: upgrading bus stops, including ADA compliance and adding more shelters; and, purchasing additional vehicles, to maintain the average age of the bus fleet, and enhance reliability of the transit system.

## 2. Pedestrian and Bicycle Transportation (Policies 3.4.24 – 3.4.31)

A series of policies have been added which will lead to adoption of Level of Service Standards for pedestrian and bicycle infrastructure; the identification and prioritization of projects; and the development of a funding strategy to implement bicycle and pedestrian projects.

## 3. Strategic Intermodal System (SIS) Facilities (Policy 3.5.9)

A detailed policy has been crafted to describe how impacts will be addressed on the following types of facilities:

- Strategic Intermodal System connectors
- Strategic Intermodal System corridors
- The I-95 SIS Corridor
- Roadway segments improved with Transportation Regional Incentive Program (TRIP) funds.

All of these will involve a high degree of coordination among FDOT, Broward County, municipalities, and other partners. For some impacts, a process will be established to refer proposed development applications to FDOT, for approval of mitigation measures, prior to Broward County's issuance of a Transportation Concurrency Certificate. FDOT will be meeting with the affected local governments early in 2009, to address these new processes.

In addition, a set of maps (Map 3-14 to Map 3-23) has been added to the Data & Analysis section of the Element, to display information about these facilities. (See **Exhibit 4 on disk**)

### DESCRIPTION OF AMENDMENT

The proposed amendment revises Policies **3.4.1. to 3.4.3.**, **3.4.13.** and **3.4.23.** It adds new Policies **3.4.24. to 3.4.32.** It replaces and expands Policy **3.5.9.**

### DATA & ANALYSIS

Rule 9J-5, F.A.C., requires all plan amendments and their support documents to be based upon data and analysis which is relevant and appropriate to each element. To be based upon data means to react to it in an appropriate way and to the extent necessary indicated by the data available.

9J-5.019 (1), F.A.C., requires that a local government which has all or part of its jurisdiction included within the urban area of a Metropolitan Planning Organization (MPO) include a Transportation Element in its comprehensive plan.

9J-5.0055 F.A.C., Concurrency Management System. The purpose of the concurrency management system is to establish an ongoing mechanism which ensures that public facilities and services needed to support development are available concurrent with the impacts of such development.

Section 163.3180, F.S., ...transportation facilities, including mass transit, where applicable are the only public facilities subject to the concurrency requirement on a state-wide basis.

The data upon which the subject amendment is also based includes: the Broward County Land Development Code; the Broward County Transit Development Plan ( FY 2005-2009); the Year 2025 Long-Range Transportation Plan Update (Final Report) of the Broward County MPO; and the Transit Capacity and Quality of Service Manual.

Additionally, the modifications from excerpts from the Transportation Element Support Document, of Volume 4 of the Broward County Comprehensive Plan, are proposed in support of the proposed amendment. Additions are shown in an underline format while deletions are shown in a ~~strikeout~~ format. Relevant Data and Analysis for the proposed amendment is included as **Exhibit 3**.

### **CONSISTENCY WITH COUNTY, REGIONAL AND STATE PLANS**

The subject amendments are consistent with the following Volume 1, Comprehensive Plan provisions:

**POLICY 8.01.01** Local governments shall implement development review procedures to assure that facilities and services meet established countywide and municipal level of service standards and are available consistent with concurrency requirements and Section 163.3180 Florida Statutes(1993), pursuant to Objective 8.06.00.

**POLICY 8.06.06** Prior to application for a building permit with any local government within Broward County, the applicant shall obtain a Transportation Concurrency Satisfaction Certificate from Broward County, as described in the Transportation Element of the Comprehensive Plan. No municipal government shall accept a building permit application, nor issue a building permit, unless the corresponding Transportation Concurrency Satisfaction Certificate has been presented. The County Commission may adopt land development regulations which exempt from these requirement categories of building permits that clearly do not create additional transportation impacts.

**POLICY 9.12.08** Broward County and its local governments should provide for public transportation, walking and bicycling opportunities to enhance tourism.

- POLICY 9.14.01** Promote mass transit use and discourage automobile travel by encouraging local governments to locate mixed land uses along major roadway corridors with mass transit facilities.
- POLICY 11.01.02** Level of service standards shall be established within the Broward County Comprehensive Plan for countywide public facilities and services including recreation and regional transportation.
- POLICY 12.01.05** Transportation facilities and services should be developed in a manner which encourages infill development and promotes the efficient use of urban services.
- POLICY 12.01.07** Transportation facilities should be planned and located in a manner which minimizes the potential for adverse impacts on adjacent land uses.
- POLICY 17.02.05** Integrated transportation systems, mass transit facilities, bikeways and pedestrian corridors should be encouraged to serve urban infill, urban redevelopment and downtown revitalization area(s) to reduce reliance upon automobile travel.

The subject amendments are internally consistent with the following Volume 2, Comprehensive Plan provisions:

- Policy 3.2.2.8** Continue to coordinate the provision of bus shelters, benches, and stops with proper lighting and signage at those locations which generate 25 passengers or more per day and develop transit facility design standards and guidelines in compliance with the ADA of 1990 and Section 504 of the Rehabilitation Act of 1972 rules and regulations, including 42 U.S.C. §12146, 49 C.F.R. § 37.9 (Standards for Accessible Transportation Facilities:, and 49 C.F.R. § 37.43 (alteration of Transportation Facilities by Public Entities”, and the standards for Accessible Transportation Facilities, 49 C.F.R., Part 37, Appendix A
- Policy 3.3.1.1** Broward County shall complete the installation and maintenance of a fully computerized Advance Traffic Management System (ATMS) signal system throughout the County. The new signalization system will replace outdated copper wire signals with interconnecting fiber optic cable. One third of these signals will be completed by December 2011. Full implementation shall be achieved on 100% of the system by December 2015
- Policy 3.3.2.1** Maintaining public transit vehicles so that they operate at their maximum level, replacing older, inefficient public transit vehicles with energy efficient ones.

- Policy 3.12.2** Broward County shall support the construction, improvement and maintenance of transit facilities countywide including shelters, lighting, trash receptacles and wayfinding systems.
- Policy 13.1.1.** Broward County shall continue to maintain and operate an improved system of synchronized traffic signals along arterial roads and major collector roads in order to minimize localized Carbon Monoxide (CO) emissions produced by motor vehicles.
- Policy 14.1.5.** Capital Improvement needs which are the financial responsibility of Broward County as described in other elements, shall be included within the capital program. These needs will be served concurrently with the impact of new development or the needs to satisfy an existing deficiency or previously approved development.
- Objective 14.3.** Future development shall bear a proportionate share of the cost of providing infrastructure required to maintain adopted levels of service standards contained in other elements of this Comprehensive Plan

**Strategic Regional Policy Plan for South Florida**

State law also requires consistency with the regional policy plan. The subject amendments are consistent with the following Strategic Regional Policy Plan for South Florida provisions:

- GOAL 4** Enhance the economic and environmental sustainability of the Region by ensuring the adequacy of its public facilities and services.

***Guiding Growth***

- Policy 4.2** Optimize the service area and facility size of public facilities in the Region and direct future development and redevelopment first to areas served by existing development.
- Policy 4.3** Utilize the existing infrastructure capacity of regional facilities to the maximum extent consistent with applicable level of service (LOS) standards before encouraging the expansion of facilities or the development of new capacity.
- Policy 4.5** Develop a regional forum and legislative initiatives to address service provision and facility development needs and strategies, as well as to enable the inter-governmental review of regionally significant public facilities.

- GOAL 8** Enhance the Region’s mobility, efficiency, safety, quality of life, and economic health through improvements to road, port, and public transportation infrastructure.

## ***Public Transportation***

**Policy 8.4** Expand use of public transportation, including buses, commuter rail, waterborne transit, and alternative transportation modes that provide services for pedestrians, bikers, and the transportation disadvantaged, and increase its role as a major component in the overall regional transportation system.

## ***Funding***

**Policy 8.5** Identify all possible existing and future funding sources at the local, state, and federal levels and from the private sector, and facilitate access to these sources in order to meet the Region's transportation needs.

## ***Efficiency***

**Policy 8.6** Promote efficiency of the transportation network through the implementation of tools such as Intelligent Transportation Systems (ITS) that incorporate public transportation information, improvement of signalization systems, and other operational improvements.

## ***Regional Transportation***

**Policy 21.7** Achieve a coordinated transportation system planning process across jurisdictions and across issue-areas so that barriers are minimized and consistency and consistency across the Region is achieved.

## **State of Florida Comprehensive Plan (Chapter 187 Florida Statutes)**

Paragraph 163.3177(10) (b), F.S. provides that each local government shall review the state comprehensive plan goals and policies and shall address in its comprehensive plan the goals and policies which are relevant to the circumstances or conditions in its jurisdiction. The relevant state comprehensive plan goals and policies include:

### **GOAL 11 ENERGY**

#### **(b) Policies:**

3. Improve the efficiency of traffic flow on existing roads.

### **GOAL 15 LAND USE**

#### **(b) Policies:**

1. Promote state programs, investments, and development and redevelopment activities which encourage efficient development and occur in areas which will have the capacity to service new population and commerce.
5. Encourage and assist local governments in establishing comprehensive impact-review procedures to evaluate the effects of significant development activities in their jurisdictions.

## **GOAL 16 URBAN AND DOWNTOWN REVITALIZATION**

### **(b) Policies:**

7. Develop concurrency requirements that do not compromise public health and safety for urban areas that promote redevelopment efforts.
9. Encourage the development of mass transit systems for urban centers, including multimodal transportation feeder systems, as a priority of local, metropolitan, regional, and state transportation planning.

## **GOAL 17 PUBLIC FACILITIES**

### **(b) Policies:**

1. Provide incentives for developing land in a way that maximizes the uses of existing public facilities.
3. Allocate the costs of new public facilities on the basis of the benefits received by existing and future residents.
4. Create a partnership among state government, local governments, and the private sector which would identify and build needed public facilities and allocate the costs of such facilities among the partners in proportion to the benefits accruing to each of them.
6. Identify and implement innovative but fiscally sound and cost-effective techniques for financing public facilities.

## **GOAL 19 TRANSPORTATION**

### **(b) Policies:**

2. Coordinate transportation investments in major travel corridors to enhance system efficiency and minimize adverse environmental impacts.
4. Allow flexibility in state and local participation in funding of public transit projects and encourage construction and use of toll facilities in order to meet transportation needs.
8. Encourage the construction and utilization of a public transit system, including, but not limited to, a high-speed rail system, in lieu of the expansion of the highway system, where appropriate.
9. Ensure that the transportation system provides Florida's citizens and visitors with timely and

efficient access to services, jobs, markets, and attractions.

### **ASSESSMENTS & CONCLUSIONS**

Based upon the subject amendments and the information provided in the data and analysis section of this report, the following assessments and conclusions are offered:

1. The subject amendments are internally consistent with Volume 1 and 2 of the Broward County Comprehensive Plan, and consistent with the State of Florida Comprehensive Plan and the Strategic Regional Policy Plan for South Florida.