Development Incentives That Support Transit

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DEVELOPMENT INCENTIVES THAT SUPPORT TRANSIT

Prepared for:

Tri-County Commuter Rail Authority

By:

Center for Urban Transportation Research
College of Engineering
University of South Florida

June 1994
PREFACE

Under contract with the Tri-County Commuter Rail Authority (Tri-Rail), the Center for Urban Transportation Research (CUTR), College of Engineering of the University of South Florida, has reviewed the transportation concurrency management systems for selected cities and counties within the Tri-Rail service area. The purpose of this study was to identify options for making local concurrency management systems better able to balance the need for expanded roadway capacity with the State growth management policy of directing transportation investments to promote efficient urban development. This study clarifies the appropriate application of highway concurrency evaluation with regard to public transit facilities and identifies options for incorporating non-auto travel modes into the measurement of transportation level of service.

CUTR has drawn upon expertise gained from conducting prior research for Tri-Rail. CUTR is currently completing the Transit Development Plan for Tri-Rail. Other recent studies include ridership surveys for use in long-range planning and market assessments of Tri-Rail service expansion options. Additionally, CUTR has conducted related research for other state and local agencies addressing concurrency management systems and joint development. CUTR is currently completing Phase I of the State Transportation Policy Initiative, which examines state and local land use and transportation planning processes within the context of the federal Intermodal Surface Transportation Efficiency Act (ISTEA) and the Florida Environmental Land Management Study (ELMS III) amendments to growth management legislation.

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EXECUTIVE SUMMARY

The Tri-County Commuter Rail Authority (Tri-Rail) operates the only regional commuter rail system in Florida. The system connects major metropolitan areas within one of the most urbanized regions in the state. Tri-Rail's success during its brief history indicates a growing need and desirability for travel alternatives to the automobile. As Tri-Rail works to meet the region's transportation needs, difficulties have occurred as the expansion of rail stations has come under scrutiny for their impact upon the adjacent street network. Because Florida's growth management laws require that public facilities be subject to concurrency, the possibility exists that a rail station expansion may be impeded because more motorists driving to the rail station contribute enough additional localized traffic to existing congestion conditions that the roadway level of service standards are violated.

Tri-Rail requested that the Center for Urban Transportation Research (CUTR) examine the regulatory environment under which commuter rail station facilities and complementary adjacent land are developed within the framework of the growth management system of Florida. This study investigated ways to enable and facilitate public transit station and station area development. The work program included a review of land use regulation and station area development activities of Palm Beach, Broward and Dade Counties and selected municipalities, in addition to those of other urban areas across the nation that use adequate public facilities ordinances comparable to Florida's concurrency requirements. The system used by Montgomery County, Maryland is particularly informative and is described in this report.

The evaluation of transit infrastructure for concurrency and the provision of incentives to encourage the creation of transit-oriented development are the focus of this report. The study resulted in a number of specific recommendations and information, including:

• a recommendation for modifying the Florida Statutes to exempt public transit station development from roadway concurrency requirements;

• a recommendation to modify the Florida Statutes to offer a station area development concurrency exemption for transit-oriented development;

• a discussion of alternative ways that local governments can incorporate transit considerations into their concurrency management systems, including the use of level of service definitions and measurements that can encourage the development of rail stations and transit-oriented development; and

• a general discussion of current practices of land use planning that can support transit-oriented development.
As part of the current local government roadway concurrency review, difficulties arise when public mass transit facilities, such as commuter rail stations, bus park-and-ride facilities and transit terminals are evaluated as traffic generators.

While the auto trips made by those motorists seeking to ride a rail line are removed from those roadways leading to the destination and redistributed onto local roadways accessing the rail station, the rail station itself generates few, if any new trips. The net effect of the rail service is a reduction in total vehicle miles traveled. Therefore, one recommendation of the study is that public mass transit facilities should not be evaluated for roadway concurrency but rather should be exempt.

The legitimate concern over traffic impacts of a transit station would continue to be addressed by the existing planning process. For example, transit station development is subject to consistency requirements with the local comprehensive plan, local zoning, design standards, driveway permitting and other applicable local regulations.

A second major issue addressed by this study concerns the extent to which development regulation supports or inhibits station area development. Because it has been demonstrated that the success of public transit can be enhanced by improving its accessibility to patrons, the concept of transit-oriented development has gained widespread attention. The purpose of transit-oriented development is to create land development of appropriate density and design, combining complementary land uses in close proximity to transit stations, in order to free citizens from the need for an auto and enable them to travel effectively by transit. In order for the concept to be used successfully by communities that are served by transit, the necessary incentives to enable and support transit-oriented development should be available.

In addition to the above proposed changes clarifying that a transportation concurrency exception should automatically apply to public mass transit facilities, we recommend that Chapter 163.3180(5)(b) F.S. be further amended to add a fourth local government roadway transportation concurrency exception area option. This new option would be consistent with the other three exception options currently provided: urban infill development, urban redevelopment and downtown revitalization, in that they all apply to some defined geographic area, rather than to a specific development project, as the fourth exception option in the legislation is currently written. Criteria should be established to require local governments to define the geographic boundaries for the exception area as well as list transit-oriented site design features for use in evaluating the proposed development.

The above recommendations are intended to clarify the appropriate application of transportation concurrency and to provide concurrency exceptions to transit-oriented development on an areawide basis. These exceptions would provide important incentives for rail transit development and the surrounding private land development to be mutually supporting.

In addition to the concurrency exemption and the use of a transportation concurrency exception area option, this study has also described aspects of concurrency management systems presently
in use that have the effect of incorporating transit considerations into the roadway concurrency evaluation. These aspects include the manner in which the roadway LOS standard is varied, the manner in which the roadway level of service is measured, and thirdly, the manner in which trip generation of the new development is calculated.

While these incentives would strongly contribute to development conditions supportive of transit, they are probably not sufficient to achieve conditions necessary for effective and successful transit service. It is urged that other mechanisms be used in concert with the recommended refinements to the local government concurrency management systems. These might include some combination of station area master plans, transit district overlays or mixed-use zoning, reduced parking for private development surrounding the transit stations, and flexible development financing. These development tools are beginning to be used in other urban areas in Florida and in other states. As incentives to development that support public transit are incorporated into the planning and regulatory framework of growing communities, public transit will be able to provide an increasingly effective travel alternative to the automobile.
INTRODUCTION

The Tri-County Commuter Rail Authority (Tri-Rail) requested that the Center for Urban Transportation Research (CUTR) examine the regulatory environment under which commuter rail station facilities and complementary adjacent land is developed within the framework of the growth management system of Florida. This framework includes state, regional and local goals and policies that guide planning as well as state requirements for the preparation of local government comprehensive plans. This development context also includes required local land development regulations, such as concurrency management ordinances, which implement the local comprehensive plans.

Concurrency is the enforcement keystone of growth management in the state of Florida. The purpose of a concurrency management system, as adopted by each local government, is to establish an ongoing mechanism that ensures that public facilities and services needed to support development, including transportation facilities, are available concurrent with the impacts of such development.\(^1\)

Despite the intention of roadway concurrency evaluation, the results have included new land development at densities lower than the maximum allowed and sprawling land development directed outwards to the fringe of urban areas where existing roadway capacity still exists. These two land development qualities—sprawling development and lower densities—increase auto travel dependency while inhibiting successful use of public transportation. Higher-density, compact development, on the other hand, produces more trips within a smaller geographic area than local roads can handle without congestion. Because many roadway concurrency evaluation systems have precluded compact, higher density development in areas where roadway facilities are constrained, they also have precluded the conditions necessary to establish successful high capacity public transportation, such as commuter rail.

In light of the recent legislative changes to Florida growth management laws, this study serves as a timely review of the transportation concurrency management systems for selected cities and counties within the Tri-Rail service area. It identifies options for improving local regulatory systems, including ways to recognize the contribution of rail transit in roadway concurrency evaluation. While focused on Tri-Rail, the findings from this study also may be useful to those municipalities that may be served by future commuter rail systems in other regions in Florida.

The new emphasis upon multimodalism and intermodalism since the passage of the federal Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 has focused more interest nationwide upon proper land development design and regulations to optimize transportation alternatives and accessibility. Recent amendments to Florida's system of growth management legislation and programs now recognize the need for coordination between transportation and land use planning and regulations. As a result, renewed attention has been given to "transit-oriented

\(^1\) Florida Administrative Code 9J-5.0055.
development" (TOD). This includes a range of integrated land uses within some specified radius of a transit station, carefully designed to enable mobility for daily activities without the use of a car.

The results of this study are intended to assist Tri-Rail in its goal to plan and construct needed rail stations and enhancements under equitable and appropriate compliance with concurrency. In order to facilitate the achievement of transportation and mobility goals promoted by growth management efforts at the state, regional and local levels, this study also reviews and makes recommendations for planning policies and practices that enable and encourage transit-supportive land development.

Study Methodology

Information was compiled through a review of planning documents of Palm Beach, Broward and Dade counties and selected municipalities, including Boynton Beach, Boca Raton and Pompano Beach. The most current literature on the subject of concurrency was also reviewed. A list of references is included at the end of this report. Additionally, visits to the planning offices of the municipalities listed above were made to interview transportation and land use planning staff. Phone interviews also were conducted with officials from other states, including staff of departments of transportation, transit authorities, and city and county governments. A list of interviewees is included in Appendix D of this report. As an example of alternative methods for evaluating transportation level of service, the Montgomery County, Maryland concurrency management system was reviewed in depth.

Organization of the Report

This report first presents an overview of the facilities and services provided by Tri-Rail, as well as its plans for service expansion. "Transit Development Issues" describes two issues relating to transportation concurrency that challenge the development of regional commuter rail in South Florida. To provide historical context, "Planning and Regulatory Climate" briefly summarizes the evolution of comprehensive planning in the state since the 1970s, the development of concurrency as a hallmark of Florida's growth management system, and the opportunities created by the most recent legislative amendments. The evolving planning framework of Palm Beach County is highlighted as an example of transportation planning at the local level.

"Development Incentives That Support Transit" presents arguments in support of recommendations for revisions to the application of transportation concurrency to public transit facilities as prescribed by state law. In addition to these recommendations, this section also presents other alternatives for incorporating transit considerations into concurrency. Concluding remarks raise the point that refinements to the local government concurrency management systems are just one means to encourage the development of public transit and the development of land use patterns that enable public transit to be a more effective transportation alternative.
Ultimately, as Palm Beach County has recognized in their recent planning efforts, a more comprehensive approach is needed for achieving these goals. "Concurrency Management Systems: Existing Practices" and "Urban Areas Outside Florida" contain summaries describing existing concurrency management systems in selected South Florida municipalities as well as one particularly instructive example from outside Florida. Finally, "Urban Areas Outside Florida" is followed by several appendices containing supporting information.

An Overview of Tri-County Commuter Rail Authority

The Tri-County Commuter Rail Authority, as created by the state legislature in Chapter 343, F.S., owns and maintains the only operational commuter rail system in the state of Florida. The rail system, consisting of 15 existing stations and six proposed stations, runs along 67 miles of the CSX railroad line (owned by FDOT) parallel to I-95 and serves municipalities and unincorporated areas in Dade, Broward, and Palm Beach counties. Table 1 summarizes Tri-Rail Station development.

Since the beginning of rail service operations in January 1989, Tri-Rail ridership has grown steadily each year, with an average daily ridership exceeding 10,000 during the peak season in 1993.\(^2\) Table 2 shows the magnitude of total commuting trips among Broward, Dade, and Palm Beach counties. This amount of regional travel illustrates potential commuter rail ridership.

Although Tri-Rail was originally a temporary demonstration project during the reconstruction of I-95, the Florida Legislature in 1991 provided Tri-Rail with long-term funding after 1994, securing the commuter rail line as a permanent part of the regional transportation system of South Florida. Tri-Rail service will continue to play an important regional transportation role because of the increasingly limited amount of developable land available for road construction to serve the narrow corridor between the Atlantic Ocean and the environmentally sensitive lands to the west.

Tri-Rail provides weekday, late-evening, Saturday and Sunday rail service, as well as shuttle buses that circulate through surrounding business and residential areas to make Tri-Rail more accessible to adjacent communities. County bus service connects with two Tri-Rail stations and free transfers can be made from Tri-Rail to Dade County's Metrorail/Metromover system. The Corridor Master Plan for the Southeast Florida Rail Corridor was completed in February 1992, calling for reconstruction of the rail corridor and a second main line track parallel to the existing line. A state-of-the-art computerized signal system will greatly improve on-time performance.

Service expansion considerations include extending the northern terminus to the new Veterans Administration Medical Center. At the south end of the Tri-Rail corridor in Dade County, there

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<table>
<thead>
<tr>
<th>Station Name</th>
<th>Status</th>
<th>Location</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Palm Beach County</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>VA Hospital</td>
<td>Proposed</td>
<td>Bee Line Hwy.</td>
<td></td>
</tr>
<tr>
<td>West Palm Beach Station</td>
<td>Existing</td>
<td>Okeechobee Blvd.</td>
<td></td>
</tr>
<tr>
<td>Palm Beach Int'L Airport Station</td>
<td>Existing</td>
<td>Belvedere Rd.</td>
<td>Considered for relocation</td>
</tr>
<tr>
<td>Lake Worth Station</td>
<td>Existing</td>
<td>Lake Worth Rd.</td>
<td>Identified for parking expansion and considered for relocation</td>
</tr>
<tr>
<td>Boynton Beach Station</td>
<td>Existing</td>
<td>Hypoluxo Rd./High Ridge Road</td>
<td>Identified for parking expansion</td>
</tr>
<tr>
<td>Delray Beach Station</td>
<td>Existing</td>
<td>South Congress Avenue</td>
<td></td>
</tr>
<tr>
<td>Boca North Station</td>
<td>Proposed</td>
<td>Congress Avenue Park-N-Ride</td>
<td></td>
</tr>
<tr>
<td>Boca Raton Station</td>
<td>Existing</td>
<td>Yamato Rd.</td>
<td>Will be removed in the future</td>
</tr>
<tr>
<td>Boca South Station</td>
<td>Proposed</td>
<td>Glades Rd.</td>
<td></td>
</tr>
<tr>
<td><strong>Broward County</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deerfield Beach Station</td>
<td>Existing</td>
<td>Hillsboro Blvd.</td>
<td>Considered for property expansion</td>
</tr>
<tr>
<td>Pompano Beach Station</td>
<td>Existing</td>
<td>Sample Rd./N.W. 8th Ave.</td>
<td>Identified for parking expansion</td>
</tr>
<tr>
<td>Cypress Creek Station</td>
<td>Existing</td>
<td>Cypress Creek Rd./Andrews Way</td>
<td>Considered for relocation</td>
</tr>
<tr>
<td>Ft. Lauderdale Station</td>
<td>Existing</td>
<td>Broward Blvd.</td>
<td>Considered for relocation</td>
</tr>
<tr>
<td>Ft. Lauderdale Int'l Airport Station</td>
<td>Existing</td>
<td>Ravenswood Rd./Tigertail Blvd.</td>
<td></td>
</tr>
<tr>
<td>Sheridan Park-N-Ride Station</td>
<td>Proposed</td>
<td>Sheridan Street Park-N-Ride</td>
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</tr>
<tr>
<td>Hollywood Station</td>
<td>Existing</td>
<td>Hollywood Blvd.</td>
<td></td>
</tr>
<tr>
<td><strong>Dade County</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Golden Glades Station</td>
<td>Existing</td>
<td>N.W. 167th St.</td>
<td></td>
</tr>
<tr>
<td>Opa Locka Station</td>
<td>Proposed</td>
<td>Ali Baba Ave./Opa Locka Blvd.</td>
<td>Historic train station restoration</td>
</tr>
<tr>
<td>Tri-Rail/Metrorail Station</td>
<td>Existing</td>
<td>N.W. 79th St./37th Ave.</td>
<td>Identified for parking expansion</td>
</tr>
<tr>
<td>Miami Int'l Airport Station</td>
<td>Existing</td>
<td>N.W. 36th St./SR 112</td>
<td></td>
</tr>
<tr>
<td>Miami Airport extension</td>
<td>Proposed</td>
<td>N.W. 21st St./39th Ave.</td>
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</tbody>
</table>

Source: Tri-County Commuter Rail Authority, Goals, and Objectives Worksheet, FY 1993/94.
are discussions concerning a new Tri-Rail station for the City of Opa Locka, and plans are under way for relocating the Miami Airport Station into the proposed multi-modal center at the Miami International Airport. In the longer term, Tri-Rail is also considering an extension northward to Jupiter along the Florida East Coast Railroad right-of-way.

TABLE 2
Journey-To-Work Flows within the Tri-County Service Corridor

<table>
<thead>
<tr>
<th>County of Employment</th>
<th>Broward</th>
<th>Dade</th>
<th>Palm Beach</th>
</tr>
</thead>
<tbody>
<tr>
<td>County of</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Broward</td>
<td>471,595</td>
<td>77,285</td>
<td>31,809</td>
</tr>
<tr>
<td>Dade</td>
<td>31,561</td>
<td>844,722</td>
<td>2,909</td>
</tr>
<tr>
<td>Palm Beach</td>
<td>25,462</td>
<td>3,483</td>
<td>343,100</td>
</tr>
</tbody>
</table>

TRANSIT DEVELOPMENT ISSUES

Rail Station Development

Due to steady ridership growth, station parking needs have increased. In recognition that attracting new riders partly depends upon adequate station parking, Tri-Rail has pursued property acquisitions at several station sites including those in Boynton Beach, Pompano Beach and Boca Raton, to enable parking expansion. Because of the original temporary nature of Tri-Rail, no new land was acquired. Planners knew that there would be insufficient parking if the rail system were a success.

Both the Boynton Beach and Boca Raton Stations suffer from parking shortages. A survey of parking usage recently conducted by CUTR, indicates that all 31 regular parking spaces at the Boynton Beach Station were used and 44 cars were parked illegally on the day of the survey. Similarly, at the Boca Raton Station, all 53 regular parking spaces were occupied and 10 cars were illegally parked on the day of the survey. Parking capacity problems have been observed at several other stations.

As Tri-Rail service attracts more riders, vehicle trips are taken off the regional road network and redistributed along roadways that lead to the rail stations. While diminished highway level of service may result in localized areas surrounding rail stations, positive effects accrue to the regional throughways resulting from Tri-Rail service.

In an attempt to develop and expand facilities at commuter rail stations, Tri-Rail has encountered the roadway concurrency review requirements of local governments. A survey of local governments in the Tri-Rail service corridor indicates the following:

- In Palm Beach County, Tri-Rail parking lots have been treated as traffic generators for roadway concurrency evaluation purposes.
- In Dade County, parking lots and garages for use by transit facilities are not evaluated for concurrency. If the land use is not listed in the ITE Trip Generation Manual, then it is not reviewed for concurrency.

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3 Center for Urban Transportation Research, "Tri-Rail Transit Development Plan, Draft" (December 1993).

4 Discussion with Dan Weisberg, P.E., Senior Engineer, Traffic Division, Engineering and Public Works, Palm Beach County, October 28, 1993.

5 Discussion with Mark Woerner, Transportation Planner, Metropolitan Dade County Planning Department, November 17, 1993.
For the Pompano Beach Station parking expansion, Broward County did not consider parking facilities as a use that generates traffic for the purpose of assessing road impact fees or performing traffic concurrency analysis. However, to satisfy the concurrency requirements of the City of Pompano Beach, the additional proposed parking was evaluated as a traffic generator.

Because Tri-Rail plans to expand the existing supply of parking at rail stations to accommodate Tri-Rail patrons, questions have arisen about the appropriate evaluation of rail station development for roadway concurrency.

Land Development Surrounding Rail Stations

A major policy issue identified during the preparation of the Tri-Rail Transit Development Plan was the need for station area complementary land use combinations and opportunities for joint development.

Tri-Rail proposes to replace the existing Boca Raton Station at Yamato Road with a Boca North Station at Congress Avenue to serve Arvida Park of Commerce, IBM and other industrial development in that area. To the south of the existing station, a new Boca South Station is proposed to be located at Glades Road, where Tri-Rail can serve a higher potential ridership from several developments, including:

- High density residential and office development along Military Trail;
- Crocker Center, a mixed-use facility;
- Town Center, the second largest regional shopping mall in South Florida, employing over 5000 employees; and
- Florida Atlantic University, which is projected to serve over 30,000 students and which plans to build an on-site research and development park.

Close proximity of the station site to these developments creates a potential for reducing roadway traffic congestion. The vicinity of the Boca Raton Station was identified as one of four locations with the greatest market potential in terms of ridership and real estate development, particularly...

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6 Letter of Elliot Auerbahn, Acting Director, Department of Strategic Planning and Growth Management, Broward County, to Cathy Sweetapple, Director of Transportation Planning, Keith and Schnars, P.A., January 28, 1993, concerning concurrency evaluation relating to Tri-Rail parking and programmed roadway improvements.

7 Discussion with Cynthia Bertschinger, Planning Director, City of Pompano Beach, October 27, 1993.

8 Center for Urban Transportation Research, "Tri-Rail Transit Development Plan, Draft" (December 1993).
as a model for high-density, mixed-use development where it will have the least traffic impact on the community.\textsuperscript{9}

Tri-Rail has completed an Environmental Assessment as a prerequisite for receiving a FY 94 Section 9 FTA grant, which will be used to acquire 12 acres of a 20-acre site. The 12 acres are planned to contain the new Tri-Rail Station and a parking facility.

In order for rail transit to maximize its ability to provide transportation service to the most people, land development must be designed to enable patrons to access the station easily. Transit officials are concerned not only with an existing lack of transit-oriented development near rail stations but also the lack of local regulatory mechanisms to encourage or ensure that appropriate development takes place.

These two development issues -- the evaluation of transit infrastructure for concurrency and the provision of incentives to encourage the creation of transit-oriented development -- are the focus of this report.

\textsuperscript{9} Goodkin Research Corporation, memorandum to the Tri-County Commuter Rail Authority Board, April 10, 1991.
PLANNING AND REGULATORY CLIMATE

Given the issues identified above, CUTR reviewed the most recent changes to the state growth management legislation and summarized those aspects that affect public transit and related development. Regional and local goals, objectives and policies were also reviewed, with a closer look at planning initiatives in Palm Beach County, to determine the receptivity to transit and supporting development.

Development of the Local Comprehensive Planning Process

In 1975, Chapter 163, F.S. was enacted by the Florida Legislature. Also known as the Local Government Comprehensive Planning and Land Development Regulation Act, it requires local governments to establish and implement local comprehensive plans and processes in order to guide and control future development. All public and private land development must conform to the local government comprehensive plan of the jurisdiction within which it is located.

Due to a lack of effectiveness, Chapter 163 F.S. was amended in 1985, in a bill known as the Growth Management Act, which requires local government comprehensive plans to be consistent with the newly adopted State Comprehensive Plan. The amendments also established concurrency, which requires that specified public facilities and services needed to support new development must be available concurrent with the impacts of that development.

Rule 9J-5, F.A.C., established minimum criteria for the preparation, review and determination of compliance of comprehensive plans pursuant to Chapter 163, F.S., including criteria for the establishment of concurrency management systems.\textsuperscript{10}

Beginning in 1988 and according to a staggered schedule of submission dates, all counties and municipalities were required to submit their comprehensive plans, revised to conform to the new requirements, to the Department of Community Affairs for a determination of compliance with the provisions of Chapter 163, F.S. This process is now largely complete.

One additional provision in Chapter 163, F.S. of potential interest to the discussion of compliance with concurrency is the use of development agreements, as provided by Chapter 163.3220, F.S., the Florida Local Government Development Agreement Act. This Act was created with the intent to ensure that concurrency requirements are met while providing flexibility in the development process and minimizing the economic cost of development. Any local government may adopt an ordinance establishing procedures for entering into a development agreement with a land developer, which must be consistent with the local government comprehensive plan and must not exceed five years. Requirements of a development agreement must include a description of public facilities that will serve the development, the name(s) of the provider of the

\textsuperscript{10} 9J-5.0055, Concurrency Management System.
facilities, the date of construction and a schedule to assure that public facilities are available concurrent with the impacts of the development.

Development agreements have rarely been used. For example, Metro-Dade County has provisions in its Service Concurrency Management Program for the use of development agreements but to date, no development agreements have been employed as an alternative to meeting concurrency requirements for land development at MetroRail stations. A review of the use of development agreements was pursued in reference to questions regarding whether Metro-Dade County has previously issued concurrency credits to development at MetroRail stations as part of a development agreement. According to the Concurrency Administration Office at Metro-Dade County, no such credits have ever been issued.

Recent Changes to the State Legislative Framework

In 1991, the third Environmental Land Management Study Committee (ELMS III) was assembled by Governor Lawton Chiles to review several issues regarding the state's planning and growth management framework. The ELMS III Committee's recommendations were presented before the Florida State Legislature as CS/HB 2315 and passed into law in Spring 1993. In the long term, these amendments may have a positive effect upon development opportunities as they relate to the provision of public transportation. Appendix A summarizes those aspects of the ELMS amendments that will affect the way state, regional and local transportation and land use planning is carried out with regard to public transit facilities and related land development. A brief overview is provided here.

Chapter 186, F.S., which governs state and regional planning, was amended to require the state comprehensive plan to contain strategic guidance for growth management, including guidelines for the appropriate location of urban growth and transportation corridors. Regional policy plans must also contain recommendations for minimum density guidelines for development along public transportation corridors.

While several sections of the Florida Statutes were changed by the ELMS bill, including Chapter 186, F.S., most of the amendments to Florida's system of growth management were made to Chapter 163, F.S., the Local Government Comprehensive Planning Act. Local governments are now encouraged to formulate a "vision" of the future appearance and quality of their communities, using the Evaluation and Appraisal Report (EAR) process as a starting point. The EAR must assess the success or failure of the local government comprehensive plan in accordance with 9J-5.0053, F.A.C., including a review of how well policies were implemented and the achievement of goals and objectives. The EAR must also address any development problems that the community has experienced, including issues relating to concurrency and the location of development relative to public infrastructure. The EAR process provides an

11 Phone discussion with Mark Woerner, Metro-Dade County, November 17, 1993.
opportunity for planning program refinements. It will also be an opportunity to focus attention
on the land use/transit service relationship.

Local planning agencies must submit draft EARs to the Department of Community Affairs 90
days prior to a submission schedule set forth in 9J-33, F.A.C. The schedule for counties in the
Tri-County corridor is as follows:

Dade County, November 1, 1995
Broward County, March 1, 1996
Palm Beach County, June 1, 1996

Local governments may submit their EARs prior to the due dates. Any comprehensive plan
amendments subsequent to the transmittal of the EARs must be consistent with the
recommendations of the EARs. EAR recommendations in the form of plan amendments must
be adopted within one year of the adoption of the EAR.

While the EAR is subject to a sufficiency determination that all review requirements of Chapter
163.3191, F.S. have been met, comprehensive plan amendments are subject to a compliance
review.

As part of their respective comprehensive plans, all local governments located within an urban
area served by an MPO must combine the traffic circulation element, the mass transit element
and other transportation-related elements into a new transportation element that addresses all
modes. The amended Rule 9J-5, F.A.C., which implements Chapter 163, F.S., became effective
March 23, 1994. It requires policies relating to land use and building design standards that
enhance accessibility to public transit corridors.

The amendments to Chapter 163, F.S. also allow greater time flexibility for the achievement of
transportation concurrency. Prior to the amendments to Chapter 163, F.S. and 9J-5, F.A.C., the
existing law and implementing regulations allowed local governments the option of adopting
transportation concurrency management areas (TCMA). A TCMA is a geographically compact
area that contains multiple, viable alternative travel paths or modes for common trips. They are
to be used to direct mixed-use land development into more intensive patterns and to promote
public transit and management of traffic congestion. The TCMA option requires the development
of a transportation mobility element as a means to meet minimum level of service criteria. The
ELMS III amendments to Chapter 163, F.S. and 9J-5, F.A.C. has attempted to simplify the use
of the TCMA option, which had been rarely used by local governments.

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12 Chapter 163.3187(5), F.S.
13 Rule 9J-5.019(4)(c)9, F.A.C.
In addition to the existing option allowing local governments to designate TCMAs, the amendments create a number of new options, such as the provision for the creation of long-term transportation concurrency management systems to be established in areas with severe transportation backlogs, and the allowance to use areawide level of service averaging, which is discussed on page 30.

Most significant to this study is the new provision requiring all public facilities to be subject to concurrency and the creation of the transportation concurrency exception area option for local governments, which allows exception areas to be defined for projects that promote public transportation.

Transportation Concurrency Exception Areas

One of the most promising changes to Chapter 163, F.S. is the creation of the optional Transportation Concurrency Exception Areas. Representative Steven Geller of Broward County originally sponsored CS/HB 503, which contained the draft language for the transportation concurrency exceptions. Representative Geller's concerns stemmed from the threat of moratoria in Broward County due to congested roadways and the recognition that the former concurrency requirements tended to promote sprawl by forcing development projects out to less developed areas where roadway capacity still existed.

Developments that qualify as exceptions from the transportation concurrency requirement were identified in the legislative amendments in order to resolve the conflict between unintended effects of transportation concurrency and the state goals of achieving compact urban growth patterns and developing public transportation. The intent is "...to provide flexibility for concurrency management in order to encourage the application of a wide range of planning strategies that correspond with local circumstances of a specific geographic area." A local government may grant an exception from transportation concurrency to projects that are otherwise consistent with the local government comprehensive plan and are located in geographic areas designated by the comprehensive plan for urban infill development, urban redevelopment, or downtown revitalization. The exception applies to all land uses and development and types of facilities within expressly excepted areas.

Projects That Promote Public Transportation. A fourth exception from transportation concurrency may also be granted to projects that promote public transportation. Such projects are defined in Chapter 163.3164(28), F.S. as:

14 Chap. 163.3180(5), F.S.
15 Rule 9J-5.0055(6), F.A.C.
16 Definitions for downtown revitalization, urban redevelopment and urban infill were added to Chap. 163.3164 F.S.
...those projects that directly affect the provisions of public transit, including transit terminals, transit lines and routes, separate lanes for the exclusive use of public transit services, transit stops (shelters and stations), and office buildings or projects that include fixed rail or transit terminals as part of the building.

Rule 9J-5.0055(7), F.A.C. requires that local governments must establish how a project qualifies as one that promotes public transportation through the establishment of guidelines and/or policies for granting the exception.

When creating exception areas, local governments also must demonstrate through supporting data and analysis that consideration has been given to the impact of the projects on the Florida Intrastate Highway System. Tri-Rail station development projects should not experience difficulty with this criterion, considering that the original purpose of Tri-Rail was to provide congestion relief to I-95 during its reconstruction. Tri-Rail continues to function today as a transportation alternative to I-95.

Appendix B outlines the process required by the state, for adopting a local government plan amendment, which must be done in order to establish a transportation concurrency exception area. Plan amendments may be made no more than twice per year.

Regional and Local Goals and Policies Framework

Goals and policies of jurisdictions and planning areas within the Tri-Rail service area, as contained in the regional policy plans and the local government comprehensive plans, were reviewed to evaluate the planning climate for development that supports transit.

While the legislative amendments to the state growth management laws now require that regional policy plans contain recommendations for minimum density guidelines for development along public transportation corridors, the South Florida Regional Planning Council has not yet begun to develop these guidelines. Their target date for preparation of a draft Strategic Regional Policy Plan for the South Florida region is Spring 1995.

Appendix C lists selected transit-related goals and policies of the two planning regions and three counties served by Tri-Rail, including the Treasure Coast Region, which contains Palm Beach County and the South Florida Region, which contains Broward and Dade Counties. The review

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17 Rule 9J-5.0055(7), F.A.C.

18 Phone discussion with Tim Murphy, Deputy Director, South Florida Regional Planning Council, December 10, 1993.
indicates that there is consistency between the regional and local level goals and that a generally positive policy framework is presently in place at the local level for supporting transit-oriented development. These include policies promoting the use of compatible and complementary land use mixes, compact land development to support transit usage, transportation corridor right-of-way protection, the promotion of travel demand management methods to reduce auto use, policies to support multi-modal system planning for greater integration and ease of transfer, and policies to increase transit ridership and to coordinate with Tri-Rail.

A survey of planning staff representing local governments in the Tri-Rail corridor indicates that local governments are now considering comprehensive plan amendments that incorporate the use of transportation concurrency exception options under the newly adopted guidelines contained in 9J-5, F.A.C. For example, Palm Beach County, described in detail below, has initiated comprehensive plan amendments in order to make use of the transportation concurrency exception area option. Metro-Dade County has also drafted amendments to their comprehensive development master plan (CDMP). If no objections are raised by the Department of Community Affairs about the language of the amendments, Metro-Dade County may adopt the amendments in the fall of 1994. These policy amendments will establish as the highest funding priority, capacity improvements to roadways and transit services to relieve congestion on the Florida Intrastate Highway System.

Draft amendments to the concurrency management program of Metro-Dade County include a revision that prohibits denial of a concurrency approval for transportation facilities, provided that the proposed development directly and significantly promotes public transportation by incorporating within the development, a bus terminal that serves multiple routes or a rail station or an office or residential development located within 1/4 mile of such facilities. The complete text of relevant portions of the proposed amendment is included in Appendix C.

Palm Beach County Planning and Regulatory Climate

Palm Beach County's interest in public transit stems from a recognition of the potential benefits of a developed system as well as the problems that public transit can help solve. This study has focused upon the planning and regulatory climate of Palm Beach County due to the specific interest of Tri-Rail in the conditions affecting the future development of the proposed Boca North and South Stations, located within Palm Beach County.

The Land Use Element of the Palm Beach County Comprehensive Plan, adopted in October 1992, contains several county long-term planning "directions" that are used as the basis for County goals, objectives and policies. The directions include an emphasis on urban design to guide physical development, the encouragement of infill in urban areas to take advantage of existing

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19 Palm Beach County Department of Planning, Zoning & Building, "Mass Transit and Land Use Options: A Vision for Palm Beach County, Draft" (June 1993): 19.
public facilities and the concept of land use compatibility to ensure that densities and intensities of land uses are not in conflict with those of surrounding areas.

Higher density mixed land uses near transit nodes such as rail stations have not been promoted due to the concern that higher densities may not be compatible with the existing development.

The Traffic Circulation Element of the Palm Beach County Comprehensive Plan addressed issues and opportunities relating to the use of the Traffic Performance Standards that contain the transportation level of service requirements of new development. The Element cited density reductions imposed on projects as a means to reduce potential traffic impacts.\(^{20}\)

Changes to Rule 9J-5, F.A.C. were finalized in March 1994, subsequent to the ELMS legislative amendments to Chapter 163, F.S., creating guidelines for transportation concurrency exception area options. Since then, the Planning and Traffic Engineering Division staff of Palm Beach County have determined that a 100 percent transportation facilities concurrency exception provision with strictly limited application should be created as a new policy to the Traffic Circulation Element of the local comprehensive plan. To fulfill internal consistency requirements, the Mass Transit Element is proposed to contain an identical new policy. Palm Beach County has scheduled the adoption of these amendments to plan elements on July 18, 1994 as a means to support the efforts of Tri-Rail and CoTran to improve public transit in the County. The Traffic Circulation Element would also contain guidelines and standards to be used in granting the exception. The complete text of the proposed policy and guidelines are contained in Appendix C.

The Planning and Traffic Divisions have interpreted the standard defined in Chapter 163.3164(28), F.S. for projects that promote public transportation to mean that a project qualifies for the exception if it is directly related to or contributes to the progress of public transportation. The staff recommended a more restrictive standard that required by state law. This more restrictive standard requires that projects must be "integrially related" to the public transportation system. This more restrictively defined standard is intended to extend the exception option only to projects of Tri-Rail and CoTran.

Projects that are eligible for an exception are those that are consistent with the County comprehensive plan and applicable municipal comprehensive plan. The project developer must also be a government agency, or a quasi-government agency with mass transit authority. Eligible projects are specifically defined as:

- . . . local bus terminals, commuter rail terminals, and intermodal facilities terminals, but excluding ports and aviation terminals;

• transit passenger amenities, . . . including shelters, stations and their parking facilities, fringe parking and park-and-ride lots; and

• ancillary maintenance, repair and office facilities serving public transportation.21

Prior to the proposed policy described above, Palm Beach County had considered a previous policy draft, in which transportation concurrency exceptions could be granted to projects that fall under two categories, expressly eligible projects and implied eligible projects. Those projects meeting the qualifying criteria to be considered expressly eligible would receive a 100 percent exemption and those projects meeting the qualifications as implied eligible projects would be given a partial exemption from the transportation concurrency requirements. Implied eligible projects would have included:

1. park-and-ride lots;
2. commuter rail station parking lots;
3. employer-based transportation management programs;
4. area-wide rideshare programs, such as carpool matching programs, etc.;
5. parking management programs, such as preferential parking for high occupancy vehicles;
6. bicycle and pedestrian programs;
7. mixed use developments;
8. other elements integral to a multimodal transportation system;
9. high density (at least 6 dwelling units per acre) residential developments with at least 100 dwelling units, and
10. transit oriented developments.22

Due to recommendations of the Traffic Division staff, office buildings and projects that include fixed rail or transit terminals have not been included at this time as eligible for an exception. While the proposed policy that is scheduled for adoption by Palm Beach County does not provide for extending transportation concurrency exceptions to transit-oriented development, it does address Tri-Rail's most immediate concern, by exempting Tri-Rail station parking facilities from concurrency.

21 Palm Beach County Department of Planning, Zoning and Building, Text Amendments for 94-1, Section IX. Transportation Concurrency Exception Amendments (June 1994): 94-100.

22 Palm Beach County, Department of Planning, Zoning and Building, "Transportation Concurrency Exception Amendments to the Traffic Circulation Element, Draft Number 1" (January 26, 1994).
Urban Forms Conference. As part of an implementation policy for carrying out the Land Use Element, a growth management/urban form study began in 1990 to develop threshold criteria for future urban service areas and urban expansion areas in order to minimize urban sprawl and provide efficient provision of facilities.

In August 1993, Palm Beach County held the Northern Palm Beach County/Southern Martin County Planning Forum as part of the Urban Form Study for the purpose of engaging local citizens and community leaders in discussion and to set direction guiding urban form and development patterns. Three alternative development patterns were reviewed by Forum participants. These included a suburban/dispersed growth scenario, a major centers scenario that concentrates growth in a few locations, and a corridor/multi-center scenario. The third was preferred by the majority for the future growth pattern of the county. The corridor/multi-center scenario would include mixed-use development in numerous medium-sized urban centers. Higher levels of service for public facilities would be provided in the centers and along transit lines.\(^{23}\)

A Policy Statement was developed from the Forum, which summarizes identified strategies for accomplishing the preferred urban form. These include a transfer of development rights (TDR) program, which currently operates as an Interim Program of phased growth. TDR sends development rights from environmentally sensitive areas in the west part of the County to the receiving areas in the east, where urban development already exists. This will have the beneficial effect of further increasing densities, which is a condition for successful transit operation.

Other identified strategies include developing and maintaining effective public/private partnerships, streamlining the permitting and approval process, and improving and diversifying infrastructure and the transportation system.

The Policy Statement also recognized that in order to concentrate development in the eastern corridor, an extension of Tri-Rail should serve the Northern Palm Beach County/Southern Martin County area and an east-west feeder transit system should be established to connect rail stations with activity nodes. It was recognized that the pursuit of the modified corridors/multi-centers form of urban development could also be supported by flexible concurrency requirements that do not inhibit concentration of development in activity centers.

The Policy Statement also supports using community design approaches that provide for access to transit in the future, allowing for higher densities and mixed uses within the community activity centers where transit access will be necessary, and revising Palm Beach County's Transportation Performance Standards to reflect preferences in urban form.

\(^{23}\) Palm Beach County, "Background Paper, Northern Palm Beach County/Southern Martin County Planning Forum," coordinated by The Florida Atlantic University/Florida International University Joint Center for Environmental and Urban Problems and The Florida Atlantic University Institute of Government. (August 26-28, 1993): 24.
Land Use Considerations for Mass Transit. The recent draft publication of "Mass Transit and Land Use Options: A Vision for Palm Beach County" by the Palm Beach County Department of Planning, Zoning and Building also indicates favorable consideration of public transportation and what is required to make it work. Not only does "Mass Transit..." cite the benefits of mass transit, but also concludes that land use strategies must be part of Palm Beach County's transit plan to promote mass transit.24

Specific recommendations included the designation of land uses surrounding the station/stop area with appropriate intensities and densities that would support mass transit, and the encouragement of compact, mixed use, transit-oriented development with improved pedestrian connections.

While density reductions have proven useful to reduce auto traffic congestion to satisfy roadway level of service standards, increased densities in certain areas, such as in the vicinity of rail stations, may contribute to the success of public transportation.

These recent planning efforts of Palm Beach County, in addition to an earlier study conducted for Palm Beach County by the Institute of Transportation Engineers, "Transportation Options for Palm Beach County"25, will provide a good foundation for addressing the requirements for the new transportation element of the local government comprehensive plan, as created by the ELMS amendments.

Land Development Regulations. Beyond the planning policy framework, it is the set of land development regulations that controls development on a project by project basis and that subsequently implements the plans.

Some land development regulations, such as land subdivision, sign regulation, and concurrency management ordinances are examples of locally adopted regulations that are required by Chapter 163 F.S. to be consistent with and implement the local comprehensive plans.

The adoption of land development regulations by a local government is legislative in nature and must be compiled within a unified land development code. Although the Department of Community Affairs (DCA) must see to it that local governments adopt the required land development regulations, DCA does not review the regulations for compliance with Chap. 163, F.S. or for consistency with the local comprehensive plan. Local governments use their home rule prerogative to ensure that regulations carry out the policies in the plans. Chapter 163.3213,


25 Recommendations of the Institute of Transportation Engineers Symposium, Prepared for Palm Beach County, March 1988.
F.S. also contains provisions for "substantially affected persons" to challenge land development regulations that are deemed inconsistent with the local comprehensive plan.

Unless a regulation is challenged, the possibility exists that some regulations are inconsistent and may actually impede the plan. CUTR is currently studying the relationship between local land use regulations and the comprehensive plans for selected areas in the state as part of Phase II of the State Transportation Policy Initiative.

Land development regulations can be amended by a local government at any time, provided there is adherence to the required local administrative procedures and a public hearing process.

Other types of land development regulations are optional in the state of Florida. For example, a general zoning code is optional, provided that the local government adopt a set of land development regulations that meet the requirements of Chapter 163, F.S. However, zoning is among the most widely used types of land development regulations.

In September 1991, Palm Beach County added a Traditional Neighborhood Zoning District (TND) to its Land Development Code to provide alternative development patterns that are residentially based and to require the integration of residential uses with commercial and industrial uses. The uses must be coordinated with recreation and open space systems to reduce infrastructure impacts. While the TND land use category encourages mixed-use, compact development, it does not encourage increased densities within or adjacent to the TND. Traditional neighborhoods are described as pedestrian-oriented, allowing residents to walk to the neighborhood center within five minutes, including a mix of horizontally and vertically integrated residential, commercial and employment, recreation and civic land uses to provide for residents' daily needs, with a hierarchy of streets to serve pedestrians and motorists equitably.²⁶ A TND must be spaced 10 miles from any other TND and provide a minimum of 51 percent residential development.

A concurrency management ordinance is a required land development regulation that provides the administration and technical process for implementing locally adopted level of service standards as contained in the comprehensive plan. The next section of this report examines concurrency management systems as they relate to the new ELMS legislation and as they provide incentives to development that, by their location, can benefit from public transit.

²⁶ Palm Beach County Comprehensive Plan, Land Use Element (adopted October 30, 1992): 45.
DEVELOPMENT INCENTIVES THAT SUPPORT TRANSIT

The previous sections have provided an overview of the comprehensive planning framework at the state, regional and local levels. Palm Beach County was highlighted to describe several planning initiatives that provide a generally positive planning climate within which commuter rail and other forms of public transit can develop. However, two issues remain, not only for Palm Beach County but also for the other municipalities served by Tri-Rail. The first issue concerns the evaluation of station facilities for concurrency. The second issue concerns the need for complementary land use combinations and design in the vicinity of public transit stations that maximize opportunities to use transit. This section presents several alternative solutions.

Transportation Concurrency Application to Public Transit Facilities

As part of the current local government roadway concurrency review, public mass transit facilities, such as commuter rail stations, bus park-and-ride facilities and transit terminals can be evaluated as traffic generators. The legislative amendments define land development categories that are eligible as exceptions to the transportation concurrency evaluation.

Amended Concurrency Provisions
Florida Statutes

163.3164 Definitions.

(28) "Projects that promote public transportation" mean projects that directly affect the provisions of public transit, including transit terminals, transit lines and routes, separate lanes for the exclusive use of public transit services, transit stops (shelters and stations), and office buildings or projects that include fixed-rail or transit terminals as part of the building.

163.3180 Concurrency.

(4) The concurrency requirement as implemented in local comprehensive plans applies to state and other public facilities and development to the same extent that it applies to all other facilities and development, as provided by law.

(5)(a) The Legislature finds that under limited circumstances dealing with transportation facilities, countervailing planning and public policy goals may come into conflict with the requirement that adequate public facilities and services be available concurrent with the impacts of such development. The Legislature further finds that often the unintended result of the concurrency requirement for transportation facilities is the discouragement of urban infill development and
redevelopment. Such unintended results directly conflict with the goals and policies of the state comprehensive plan and the intent of this part. Therefore, exceptions from the concurrency requirement for transportation facilities may be granted as provided by this subsection.

(b) A local government may grant an exception from the concurrency requirement for transportation facilities if the proposed development is otherwise consistent with the adopted local government comprehensive plan and is a project that promotes public transportation or is located within an area designated in the comprehensive plan for:

1. Urban infill development,
2. Urban redevelopment, or
3. Downtown revitalization.

By including transit facilities in the definition of projects that promote public transportation for the purpose of applying a concurrency evaluation, the legislation implies that without local exemption policies, these facilities are subject to concurrency review. The overlooked fact in the roadway concurrency evaluation process is that public mass transit facilities such as bus and rail stations are as much a part of the urban transportation system as are interchange entrance and exit ramps of limited access highway facilities. Therefore, public mass transit facilities should not be evaluated for roadway concurrency but rather should be completely exempt. For example, while the auto trips made by those motorists seeking to ride a rail line will be removed from those roadways leading to the destination and redistributed onto local roadways accessing the rail station, the rail station itself does not generate new trips. The net effect of the rail service is a reduction in vehicle miles traveled.

Part of the problem is that present statutory language pertaining to transportation concurrency in Chapter 163, F.S. addresses transportation facilities exclusively in terms of roadway facilities and it defines transportation concurrency in terms of highway level of service. For example, the transportation concurrency exception areas, which are new options created by the ELMS legislation, pertain to development projects under which roadway concurrency exceptions may be granted.

To describe the flawed logic in the present application of roadway concurrency evaluation to public transit facilities, we can compare the similar transportation function of various rail and highway facilities, yet see concurrency application disparities. For example, highway links between intersections operate in the same way as the line haul portion of a rail facility. Similarly, interchanges of limited access highway facilities function in much the same way as rail stations. The creation of an interchange results in the redistribution of traffic on adjacent streets directly accessed, in much the same way that traffic is redistributed due to the placement of a rail station. Although the rail station is just as much a part of the rail system as an
interchange is part of the limited access highway, rail stations are currently evaluated for roadway concurrency while highway interchanges are not.

Given that both transit and highways provide transportation service, why is transit treated as a cause of congestion, rather than as a congestion mitigator? If transit facilities are evaluated for roadway concurrency, it might also be argued that a consistent application of roadway concurrency would mean that roadway projects should also be evaluated for their impact upon adjacent road segments. For example, the installation of new traffic signals, while solving safety problems, almost invariably increases traffic delay. Should an impact fee be assessed for the new signal? The North Suncoast Highway in west central Florida, when built, can be shown to degrade the level of service on such crossroads as SR 52 and SR 54. If it can be demonstrated that the redistributed traffic onto SR 52 and SR 54 will cause a violation of their LOS standards, should the North Suncoast Highway project be held accountable for mitigation measures for those roads? What about toll road entrance and exit ramps or park and ride lots for express bus service?

The contradictions in the application of concurrency in these examples illustrate that roadway concurrency evaluation should not be applied to other transportation facilities, whether they be highway or mass transit facilities. This conclusion is consistent with the original intent of transportation concurrency, to ensure that transportation facilities are available to address the impact of land development projects, such as commercial, industrial and residential development. Roadway concurrency evaluation should be revised to recognize that public mass transit facilities such as bus stations, bus park-and-ride facilities, rail stations and transit depots are part of the roadway traffic congestion solution, not part of the problem. The legitimate concern over traffic impacts of a transit station would still be addressed in the planning process just as are traffic issues associated with demands created by the addition of new roadway interchanges. For example, transit station development is subject to consistency requirements with the local comprehensive plan, local zoning, design standards, driveway permitting and other applicable local regulations.

The present exception applies only if local governments exercise their option to establish a transportation concurrency exception area. The existence of the exception option for projects that promote public transportation, as presently defined, implies that public mass transit should be evaluated for concurrency. Therefore, the statutory language pertaining to exceptions to transportation concurrency in Chapter 163.3180, F.S. should be clarified to exempt all public mass transit facilities from transportation concurrency.

Chapter 163.3180(4), F.S. contains the new requirement that concurrency must apply to state and other public facilities. This new requirement recognizes that government facilities such as hospitals and universities use service capacity of other public facilities subject to concurrency, such as water, sewer and transportation. However, this amendment may cause confusion about whether transportation concurrency evaluation should be applied to public transportation facilities. It is recommended that subsection (4) be clarified to exempt public transportation facilities from transportation concurrency requirements:
163.3180 Concurrency.

(4) The concurrency requirement as implemented in local comprehensive plans applies to state and other public facilities and development to the same extent that it applies to all other facilities and development, as provided by law. However, transportation facilities such as roadways, toll roads, interchanges, stations, terminals, intermodal centers, station parking, park-and-rides lots, and other elements integral to a multimodal transportation system are not subject to transportation concurrency requirements.

Transportation Concurrency Exception For Transit-Oriented Development

Because it has been demonstrated that the success of public transit can be enhanced by improving its accessibility to patrons, the concept of transit-oriented development has gained widespread attention. The purpose of transit-oriented development is to create land development of appropriate density and design, combining complementary land uses in close proximity to transit stations, in order to free citizens from the need to use an auto and enable them to travel effectively by transit. In order for the concept to be used successfully by communities that are served by transit, the necessary incentives to enable and support transit-oriented development should be available.

In addition to the above proposed amendments clarifying that a transportation concurrency exception should automatically apply to public mass transit facilities, Chapter 163.3180(5)(b), F.S. should be amended further to add projects that promote public transportation as a fourth local government roadway transportation concurrency exception area option.

(5)(a) The Legislature finds that under limited circumstances dealing with transportation facilities, countervailing planning and public policy goals may come into conflict with the requirement that adequate public facilities and services be available concurrent with the impacts of such development. The Legislature further finds that often the unintended result of the concurrency requirement for transportation facilities is the discouragement of urban infill development and redevelopment. Such unintended results directly conflict with the goals and policies of the state comprehensive plan and the intent of this part. Therefore, exceptions from the concurrency requirement for transportation facilities may be granted as provided by this subsection.

(b) A local government may grant an exception from the concurrency requirement for transportation facilities if the proposed development is otherwise consistent with the adopted local government comprehensive plan and is a project that
promotes public transportation or is located within an area designated in the comprehensive plan for:

1. Urban infill development, or
2. Urban redevelopment, or
3. Downtown revitalization, or
4. Projects that promote public transportation.

This additional exception option would be available for a transit-oriented development area, as described by the recommended revised definition for "projects that promote public transportation" below:

163.3164 Definitions.

(28) "Projects that promote public transportation" mean projects that directly affect the provisions of public transit, including transit terminals, transit lines and routes, separate lanes for the exclusive use of public transit services, transit stops (shelters and stations), and office buildings or projects that include fixed rail or transit terminals as part of the building. Land development, including residential, commercial, industrial and institutional projects that increase transit ridership potential by virtue of their proximity to transit stations and their design qualities that support transit use such as a complementary mix of land uses, higher development densities, enhanced accessibility such as direct access pedestrian walkways and weather protection, and the provision of pedestrian amenities.

The difference between projects that promote public transportation, as presently defined by statute, and the other three exceptions is that downtown revitalization, urban infill and urban redevelopment are all defined for the purpose of exempting private land development within defined exception area boundaries. However, the definition for projects that promote public transportation list only examples of projects that are transit infrastructure, rather than private land development. There is also ambiguity whether projects eligible for the exception are only those that are transit infrastructure as listed in the definition or if a broader interpretation was intended, in which the projects given in the definition are only examples rather than a complete list of qualified projects. Writers of the amended Rule 9J-5, F.A.C. had chosen to interpret the definition narrowly to ensure that the guidelines did not overstep the authority given by Chapter
163, F.S.; however, it was also felt that the narrow interpretation gives little leeway for use of the exception.\(^{27}\)

It was also recognized by authors of Rule 9J-5, F.A.C. that the definition of projects that promote public transportation as the law presently defines them, differs from the other three exception categories in that it is project-related, while the categories of downtown revitalization, urban infill and urban redevelopment are all defined as geographic areas. Because of this, Rule 9J-5, F.A.C. has set projects that promote public transportation apart from the other three exceptions in terms of implementation requirements.

The definition for projects that promote public transportation was made intentionally narrow by the original drafters of the statutory amendments due to the concern that a broad definition would cause confusion over which developments qualify for the exception and would create subsequent potential for abuse of the exception.\(^{28}\) However, an overly narrow definition precludes the use of this exemption option for transit-oriented development, a concept that is being tried in other parts of the nation and which demonstrates great potential. It is not impossible to draft criteria in 9J-5, F.A.C. to determine exception area qualification.

The recommended fourth exception area option for projects that promote public transportation should be located within some defined radius surrounding rail stations and any other permanent transit station directly serving rail passengers. This new option would be consistent with the other three exception options currently provided--urban infill development, urban redevelopment and downtown revitalization--in that they all apply to some defined geographic area, rather than to a specific development project, as the fourth option in the legislation is currently written. Rule 9J-5 would then require revision to reflect that the transportation concurrency exception area option for projects that promote public transportation is based on a geographic area and therefore should be subject to the same criteria as the other three exception area options. This can be done by incorporating Subsection (7), "Concurrency Exception - For Projects That Promote Public Transportation," into Subsection (6), "Transportation Concurrency Exception Areas" to place projects that promote public transportation as a fourth category of geographically defined exception areas:

\[
9J-5.0055(6)(a) 4. \text{A specific geographic area, or areas, delineated in the local government comprehensive plan for projects that promote public transportation pursuant to Section 163.3164(28), F.S. The local comprehensive plan shall contain objectives and policies which specify actions and programs to promote}
\]

\(^{27}\) Phone discussion with Dale Eacker, Department of Community Affairs, December 8, 1993.

\(^{28}\) Phone discussion with Gail Schwartz, Staff to State Representative Steven Geller, Broward County, December 9, 1993.
projects that promote public transportation. The guidelines must establish how a project will qualify as a project that promotes public transportation.

The "projects that promote public transportation" option could then be established by local governments according to additional criteria defined in 9J-5, F.A.C. These criteria should require local governments to define the geographic boundaries for the exception area as well as list public transit supportive site design features for use in evaluating the proposed development. These may include:

1. distance from the development entrance to the permanent transit station;
2. provision of feeder transit stops and shelters with seating and other amenities;
3. provision of walkways that provide direct access;
4. provisions for direct, sheltered accessways to the transit station;
5. reduced parking supply standards and availability of bike and high occupancy vehicle parking;
6. Aesthetic amenities, and
7. Programs, actions or commitments that support transit, such as subsidized transit passes, and provision of passenger support services, shelter and security.

Close proximity of a proposed development to a rail station should be a necessary but not a sufficient condition for granting a concurrency exception. In order to make the concurrency exception for projects that promote public transportation useful by extending the definition to include private land development within some radius of the rail station, an attempt should be made to craft a definition of projects that promote public transportation, so as to allow transit-oriented development to occur but at the same time prevent arbitrary and uneven interpretation and application of the exception.

Alternatives To Incorporating Transit Into Concurrency Evaluation

In addition to the recommendations for a concurrency exemption for public transit facilities and the creation of a Transportation Concurrency Exception Area option for transit-oriented development, as defined by the recommended revised definition of projects that promote public transportation, the discussion below describes other measures presently exercised by local governments that incorporate transit considerations into the roadway concurrency evaluation. These methods could be used in addition to the above recommendations. The following discussion summarizes the basic concepts and refers the reader to a more complete summary of the concurrency management systems presented in a later section of the report.

Three concurrency management systems are highlighted. These include those for Metro-Dade County, for the City of Miami and one example from another state, Montgomery County, Maryland. All three use different methods to incorporate transit into roadway concurrency evaluation, based upon the manner in which:
1. the roadway LOS standard is varied, or
2. the roadway LOS is measured, or
3. trip generation of the new development is calculated.

Varying the Level of Service Standard

In 1995, Metro-Dade County will lower the LOS standards for roadways serving development that is located within the urban development boundary and the urban infill area and within 1/2 mile of transit service. Roadway LOS standards will be the lowest in areas provided with "extraordinary transit" service, namely express bus and rail services.

A more detailed discussion of the concurrency management system of Metro-Dade County is presented later, with a table that outlines the change in roadway LOS standards as a development is located closer to the urban infill area.

In Montgomery County, Maryland, the LOS standard is set on an areawide basis and becomes less stringent based upon that area's "Group" designation. Groups are defined according to the level of transit coverage, frequency, accessibility and usage. As the quality of transit service increases, the roadway LOS standard becomes less stringent. The Montgomery County system differs from the Metro-Dade system in that the level of transit service is defined more explicitly, incorporating pedestrian and bicycling measures. A more detailed discussion of the concurrency management system of Montgomery County, Maryland is presented later, with tables that detail the areawide roadway LOS standards based upon transit availability and the "bundle" of measures used to comprise an overall transit service measure.

Measuring Level of Service

In addition to altering the LOS standard, transit considerations can also be incorporated into the roadway traffic impact evaluation by changing the way level of service is measured. Presently, the concurrency management systems of most local governments in Florida measure and set standards for roadway level of service on a roadway link by link basis. One alternative is areawide LOS measures that enable those roadway links operating below the LOS standard to "borrow" service capacity from links operating above the standard within the same area. Areawide level of service averaging would allow for a higher tolerance of localized traffic congestion if excess service capacity still exists in other parts of the defined area.

The use of areawide level of service averaging is now officially sanctioned by Florida's growth management law. The ELMS amendments to Chapter 163, F.S. enhance concurrency flexibility by allowing local governments to establish areawide level of service averaging, applied within a transportation concurrency management area.
This areawide approach must be justified based upon a demonstration that its use promotes urban infill development, redevelopment or public transit. Rule 9J-5 F.A.C. does not specify the basis for averaging; however, it does specify that level of service averages will be computed for facilities with similar functions serving common origins and destinations.

The use of areawide averaging in Florida did not begin with the ELMS amendments. Lee County averages the level of service of roadways within designated Traffic Districts to determine a districtwide surplus or deficiency in roadway service capacity. This approach was established by settlement agreement with DCA in 1990 as an interim measure to enable Lee County to eliminate service deficits on backlogged facilities over time.

The approach of the City of Orlando includes the use of Transportation Management Areas, within which 85 percent of the lane miles must meet LOS standards. This system of aggregation was the basis for the state's original adoption of a TCMA policy in 9J-5.0057, F.A.C. Orlando's TMAs are compact geographic areas that offer higher density, mixed-use development and alternative modes of transportation. This flexible approach enables Orlando to target transportation improvements in order to advance long-term congestion management goals and support higher densities in activity centers.

Areawide LOS measures can also be used to incorporate transit by aggregating facilities across modes for the determination of LOS. The City of Miami Concurrency Management System uses this approach, as described later. The effect is that roadway LOS can drop if transit LOS remains high for a resultant average LOS that satisfies the standard.

In the measurement of level of service, the City of Miami combines transit and highway service capacity as an aggregate LOS measure for a transportation corridor. This puts transit on a more even playing field with highway improvements and may reduce the priority of investment in roadway facilities if transit capacity is still available. Miami's Transportation Corridors concept aggregates people-moving capacities across parallel rail, bus and highway facilities that are located in the same corridor.

Montgomery County, Maryland is presently studying the possibility of adopting a measure of total transportation level of service (TTLOS) that incorporates all modes within defined areas. The net effect of both Miami's Transportation Corridors approach and Montgomery County's proposed TTLOS approach is that, as long as an overall transportation LOS is maintained by whatever combination of service across modes the community chooses, the LOS of any one mode, such as roadway, may be permitted to deteriorate. The LOS standard will not be violated

29 Chap. 163.3180(7), F.S.

30 Rule 9J-5.0055(5)(a), F.A.C.

31 Center for Urban Transportation Research, "City of Tampa Traffic Circulation Element Update, Alternative Methods for Calculating Level of Service" (May 1993).
even if roadway congestion increases because excess capacity still exists in the other modes. A remaining question in the use of this approach is how to determine a proper balance of service among travel modes.

A more detailed description of the Miami Transportation Corridors concept is presented in a later discussion. A description of Montgomery County's consideration of the use of a TTLOS measure is also presented later with a table that details a variety of transit LOS measures being considered by Montgomery County. These measures evaluate not only the transit trip itself, but also the quality of the access and egress trips from transit which may be made by auto, bicycle or on foot. While use of the Transportation Concurrency Exception Area is an ideal option as a development incentive that supports transit, the use of measures and methods considered by Montgomery County may have application to transit stations as an alternative to those local governments who choose not to exercise the TCEA option.

*Trip Generation Of New Development*

A third way to incorporate transit considerations into roadway LOS evaluation is the method of quantifying trips generated by the development under review. Transportation concurrency evaluation includes the analysis of traffic impact of a new development, which is partly determined by the number of trips generated.

Montgomery County reduces its calculation of trips generated by new development based upon some percentage as determined by distance from a rail station. Montgomery County estimates the percentage of trips generated by the development that will use transit, based upon distance from a rail station. Special trip generation rates are given for general office development located outside the Beltway and within 1000 feet of a MetroRail station. For the AM peak period, a 50 percent reduction in estimated trips is used in the evaluation of impact of a new development. For the PM peak period, the percent reduction applied is based upon the distance of the development from the MetroRail station. This is further described later with a table that illustrates the reduction applied to vehicle trips generated by office buildings.

Metro-Dade County has considered the use of modifying trip generation estimates:

Peak trip generation assumptions may be moderated if it is demonstrated that effective measures will be employed by the applicant which will cause the peak traffic generation characteristics of the proposed development to be significantly lower than the normal project of the same type on which the peak trip generation factors are based.32

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Inquiries to the Metro-Dade Planning Department indicate that the above clause has never been employed for proposed developments for the purpose of demonstrating that rail station area development may generate less auto trips due to a greater number of trips taken by rail transit. However, this clause might be useful for this purpose.

Toward A More Comprehensive Approach

This study has focused upon remedies for regulatory barriers that exist within local government transportation concurrency management systems to encourage the development of transit and transit-oriented development. However, the concurrency management system should be just one facet of a strategic planning program of compatible land development regulations that might include zoning, parking caps or reductions of the minimum number of required parking spaces, provision of floor area bonuses, and the use of travel demand management measures. Provided below are a few brief examples of how this can be done. These examples are drawn from diverse areas of the country, including Metro-Dade County, Orlando, Portland and San Diego.

Strategic planning for transit stations and surrounding areas is not new to South Florida. In 1978, Metro-Dade County adopted a Fixed-Guideway Rapid Transit System Development Zone for the purpose of creating comprehensive development master plans to guide land development at fixed rail stations.

The capability of a transportation network, acting in conjunction with other urban services to establish general development trends, is well recognized. A maximum coordination of transportation and land use policy decisions is therefore essential to optimize the role of transportation as a potent tool for implementing the desired patterns of metropolitan development.\(^\text{33}\)

The County designated a rapid transit zone, which included all station sites, parking areas, and yard and maintenance shop facilities. The Code lists permitted land uses within the rapid transit zone, including parking lots and parking structures, and commercial, office and residential uses. A joint Municipal-County program for station area design and development had prepared a set of development standards for review and adoption by the affected municipality. A rapid transit developmental impact committee was established to review the proposed development standards and prepare a report for review and adoption by the municipality and the County as the land use plan for developments within the rapid transit development impact zone. While the master plans for the rail stations were created in the early 1980s, they have since been folded into the Metropolitan Dade County Comprehensive Development Master Plan.

The relationship between land use density, mix, and configuration and the success of rail transportation has long been demonstrated. As the use of rail increases, more people will travel

\(^{33}\) Metro-Dade County Ordinance No. 78-74, adopted October 17, 1978.

33
to the station. One way to minimize auto traffic to the station is to provide residential, commercial, office, and other complementary uses at higher densities within walking distance of the rail station. The Miami MPO recently completed the "Metromover-Bayside Pedestrian Promenade Concept and Master Plan." It describes land use and design concepts to increase pedestrian activity and improve connections between transit, local businesses and the community college.34

The City of Orlando serves as an example of a Florida community that has actively implemented a variety of mechanisms, in addition to its Transportation Management Area approach to transportation concurrency, to encourage development that benefits from public transit.

To provide for mixed-use land development where high levels of mass transit service are available or programmed, Orlando has established a High Intensity Mixed-Use Corridor District (MU-2) as part of their zoning code. This is appropriate for areas of mixed residential and office uses along and oriented to (at a minimum) arterial and four-lane collectors at high intensities. Commercial, public recreational, and institutional uses and conservation uses are also consistent as part of mixed use development, subject to appropriate limitations, conditions, and safeguards.

In concern for ensuring mixed-use compatibility with adjacent residential neighborhoods, Orlando has also established a Medium Intensity Mixed-Use Corridor District (MU-1) where mass transit service is available or programmed.

Floor area bonuses are provided in Mixed-Use Corridors to encourage multiple family residential and moderate cost housing as part of the mixed-use development. This increases potential mass transit ridership residing on the corridor.

Orlando also provides for three Activity Center Districts in locations where a combination of arterials and four lane collectors and mass transit services are available to provide access to other activity centers. The Community Activity Center District (AC-1) is for concentrated urban and community service areas at higher densities than in surrounding neighborhoods. The Urban Activity Center District (AC-2) is for concentrated mixed-use areas serving major subregions and at significantly higher intensities than neighborhood service areas. The Metropolitan Activity Center District (AC-3) is for large concentrated mixed-use service areas serving the entire metropolitan area and at higher intensities than normally found outside the downtown area.

Floor area bonuses are also provided for Activity Center Districts if the development provides three or more land uses. Additional floor area bonuses are provided for the provision of multi-family housing. Bonuses are further awarded as an incentive for developers who provide at least one percent of the total construction cost of development of access to mass transit. This one percent set-aside may be reduced or waived if the developer provides part or all of the necessary

transit access facilities. The reduction in set-aside is equal to the cost of the provided improvements.

The City of Orlando has also established parking caps (maximums) in the downtown and in activity centers in order to promote transit. However, excess parking spaces up to 25 percent more than the maximum permitted for non-residential uses downtown and in activity centers, are allowed in exchange for a contribution to the City Mass Transit Facilities Fund.

The Mass Transit Administration (MTA) of the Maryland Department of Transportation has recognized the need for developers to give early design consideration to transit service access. MTA initiated the Access by Design Program, which includes a developer's manual containing transit vehicle access requirements and design guidelines. Detailed information is provided to developers on transit vehicle specifications, transit stop design, signage, pedestrian walkways, transit shelter standards, and location criteria and roadway geometric design standards for intersections, entrances, and driveways and site selection guidelines for park and ride facilities.\(^{35}\)

On the West Coast, a national demonstration project is presently underway, known as "Making the Land Use Transportation Air Quality Connection" (LUTRAQ), the result of which is the development of alternative suburban land use patterns and design standards to increase mobility, foster a sense of community, and reduce air pollutants, energy consumption, and auto dependency. This is the first time that a land use design is being considered in an Environmental Impact Study as an alternative to an expressway facility.

Sponsored by 1000 Friends of Oregon with assistance from Oregon Department of Transportation and funding from FHWA and other public agencies and private enterprises, LUTRAQ used the proposed Western Bypass freeway in Portland as a case study for developing transportation alternatives based upon the concept of transit-oriented development. While their market research indicates the need for densities no higher than several existing developments in the study area, the crucial emphasis is on land use location and site design to reduce substantially auto demand and increase transit use as a means to address long range transportation needs.

The LUTRAQ project includes the identification of study area land use and transportation opportunities and constraints and an evaluation of the land use and transportation modeling system for the study area, in comparison to modeling practices in other U.S. urban areas as well as state-of-the-art modeling practices. The results of this research enable the improvement of the study area modelling system in order to measure more accurately the three alternatives reviewed in the Environmental Impact Study:

- the no action alternative,
- the Western Bypass freeway alternative; and

\(^{35}\) Mass Transit Administration, Maryland Department of Transportation, "Access by Design: Transit's Role in Land Development, A Developer's Manual" (September 1988).
• the LUTRAQ alternative.

The LUTRAQ alternative consists of transit service and facility expansion, alteration of area land uses, densities, and development design standards, and changes in land use policies and other policies relating to travel demand management.36

The San Francisco Bay area, served by three major rail transit systems, is beginning to experience residential proximity to transit as a positive marketing factor for new development. Addressing a housing shortage in a region that suffers chronic road congestion, most Bay Area transit-based housing projects have sold at the market rate. From the success of housing near rail stations, a new land use pattern, the transit village, is beginning to emerge.

A transit village is characterized by concentrated development within a quarter-mile radius of a station, as well as by other features that make the area attractive to residents: easy pedestrian access to the station, mixed-use development, a plaza or open space around the station, and a sense of place.37

Interest in this concept has spread as several Bay Area cities, including Hayward, Pleasanton, and Oakland, are commissioning station area designs.

In 1992, the City of San Diego adopted Transit-Oriented Development Design Guidelines, which are now being incorporated into their Municipal Code. The work of the Land Guidance Subcommittee of San Diego's Mobility Planning Advisory Committee and the result of extensive citizen outreach, this ordinance complements their travel demand management ordinance, which was adopted in 1989. The Subcommittee worked with the San Diego Association of Governments (SANDAG) to coordinate with the regional growth strategy.

The guidelines specifically encourage TODs to be incorporated into redevelopment and infill areas. To prevent infringement of inappropriate uses upon existing neighborhoods, the TOD guidelines specify different development patterns for Urban TODs and Neighborhood TODs. Single-family residential development that is too dispersed to be adequately served by transit is to be developed no further than one mile from a transit stop. Multiple street and bikeway connections also are to be provided from these areas to a TOD.38


Recent research suggests that where market conditions are favorable, rail transit has a positive impact on station area office markets. While it is too early to determine the degree of success and impacts of residential transit-oriented development, 40 such projects built in the last six years have been identified across the country that connect the development to rail transit through pedestrian or shuttle access.\(^{39}\)

Experience on both west and east coasts for station area development indicates the importance of station area plans, early community involvement, the participation of local government and redevelopment agencies to successful project financing arrangements, the provision of shuttle access to peripheral areas, and reduced parking requirements.

The state of Florida has recognized that transportation concurrency, as customarily implemented by local governments, may unintentionally discourage those development conditions necessary for the success of public transportation alternatives. As recommended in this report, the state law for transportation concurrency should be further clarified to exempt appropriately all public transit facilities from being evaluated for roadway impacts for transportation concurrency purposes. The law should also be further refined to include projects that promote public transportation as a fourth areawide option to local governments for transportation concurrency exception areas. Beyond state action, it is the responsibility of local governments to make full use of the transportation concurrency exception area option by adopting criteria for their establishment. Local government should also consider other alternatives for incorporating transit considerations into the transportation evaluation. Finally, local governments should look strategically at the opportunities of the transit and land use relationship by considering the implementation of complementary policies that will encourage the most appropriate station area development that supports transit so that, in turn, transit can most ably provide an effective transportation alternative to more citizens.

CONCURRENCY MANAGEMENT SYSTEMS: EXISTING PRACTICES IN SOUTH FLORIDA

This section contains a summary of the features of concurrency management systems of selected urban areas in southeast Florida. These include those for the City of Miami, Dade County, Broward County, and Palm Beach County. In addition, a review of practices in urban areas of other states was undertaken to identify practices of possible use to Florida metropolitan areas. One out-of-state example, Montgomery County, Maryland, has been highlighted. Table 3 summarizes selected aspects of the concurrency management systems under review.

City Of Miami Concurrency Management System

The most progressive concurrency management systems in the state of Florida for incorporating transit considerations are those used by the City of Miami and Metro-Dade County.

The City of Miami evaluates the adequacy of its transportation facilities by aggregating the service capacities of parallel highway and transit facilities in designated corridors. Instead of measuring service capacity by how many vehicles can be accommodated by the system, service capacity is measured by how many person-trips can be made within the designated peak period. For example, if a highway within one of the corridors is operating at capacity but few people are riding MetroRail, then the aggregated measure of the level of service will indicate that capacity is still available within that corridor. No other local government in Florida evaluates their transportation system in this way. This method shifts some of the emphasis away from highways.\textsuperscript{40}

The concurrency management system of Metro-Dade County will also incorporate transit considerations into their assessment of adequate transportation facilities. However, instead of achieving this by their method of measuring level of service, Metro-Dade County will incorporate transit considerations through their application of level of service standards based upon proximity to existing urban development and proximity to public transit service. Generally, the level of service standards become less stringent as one travels toward the urban core.

Dade County Concurrency Management System

Outside of the urban development boundary in Dade County, the level of service for all county roads, state principal arterials, and freeways is LOS C; for state minor arterials, the level of service is D.

\textsuperscript{40} City of Miami Planning Department, "Transportation Corridors; Meeting the Challenge of Growth Management in Miami" (September, 1990).
TABLE 3
Characteristics of Local Government Concurrency Management Systems Comparative Summary

<table>
<thead>
<tr>
<th></th>
<th>Unit of Roadway LOS Analysis</th>
<th>Concurrency Evaluation of Public Transit Station Parking Facilities</th>
<th>Transit Considerations in the Evaluation of Roadway LOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Palm Beach County</td>
<td>Roadway Segment</td>
<td>Roadway Traffic Concurrency Applied</td>
<td>• Designated geographic areas of exception may use lowered roadway LOS standards to balance growth management goals such as promoting alternative transportation.</td>
</tr>
<tr>
<td>Broward County</td>
<td>Roadway Segment</td>
<td>Roadway Traffic Concurrency Not Applied</td>
<td>• Urban core and designated redevelopment areas are eligible for reduced levels of highway service.</td>
</tr>
<tr>
<td>Dade County</td>
<td>Roadway Segment</td>
<td>Roadway Traffic Concurrency Not Applied</td>
<td>• Beginning 1995, roadway LOS standards will be lowered based on proximity to transit service.</td>
</tr>
<tr>
<td>City of Miami</td>
<td>Transportation Corridors: overall LOS is measured by aggregating the LOS across modes located parallel to each other.</td>
<td>Roadway Traffic Concurrency Not Applied</td>
<td>• Service capacity of transportation facilities is measured by the number of person-trips accommodated rather than the number of vehicle-trips accommodated.</td>
</tr>
<tr>
<td>Montgomery County, Maryland</td>
<td>LATR - Roadway Intersection</td>
<td>Roadway Traffic Concurrency Not Applied</td>
<td>• Areawide roadway LOS standards is based upon availability of transit service.</td>
</tr>
<tr>
<td></td>
<td>PATR - Policy Area</td>
<td></td>
<td>• Trip generation rates account for transit use, based on distance of development from rail station.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• Alternative concurrency review procedures for Metro Station Policy Areas incorporate mode share goals.</td>
</tr>
</tbody>
</table>

40
<table>
<thead>
<tr>
<th></th>
<th>Prior to 1/1/95</th>
<th>Beginning 1/1/95</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Outside UDB</strong></td>
<td>C: County roads&lt;br&gt;State princ. arterials&lt;br&gt;Freeways - I-95</td>
<td>Same as prior to 1/1/95</td>
</tr>
<tr>
<td></td>
<td>D: State minor arterials</td>
<td></td>
</tr>
<tr>
<td><strong>Inside UDB</strong></td>
<td>E: All roads at LOS E or above</td>
<td>D: No Transit&lt;br&gt;All roads except SUMA (State urban minor arterials)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>E: No Transit&lt;br&gt;SUMA</td>
</tr>
<tr>
<td></td>
<td>10% over year 1989 existing traffic volume for roads operating below LOS E</td>
<td>E: Transit&lt;br&gt;within 1/2 mi.&lt;br&gt;20 min. hdwy.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>120% capacity:&lt;br&gt;Commuter rail&lt;br&gt;Express bus&lt;br&gt;within 1/2 mi.</td>
</tr>
<tr>
<td><strong>Inside UIA</strong></td>
<td>E: All roads at LOS E or above</td>
<td>E: No Transit</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>15% over year 1989 existing traffic volume for roads operating below LOS E</td>
<td>120% capacity:&lt;br&gt;Transit&lt;br&gt;within 1/2 mi.&lt;br&gt;20 min. hdwy.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>150% capacity:&lt;br&gt;Commuter rail&lt;br&gt;Express bus&lt;br&gt;within 1/2 mi.</td>
</tr>
</tbody>
</table>

Within the urban development boundary but outside the urban infill area, the level of service is E for all roads presently operating at LOS E or above. For roads operating below LOS E, roadway traffic is permitted to increase 10 percent over the 1989 existing traffic volumes. Within the urban infill area, the level of service is E for all roads presently operating at LOS E or above. For roads operating below LOS E, roadway traffic is permitted to increase 15 percent over the 1989 existing traffic volumes.

**New County LOS Standards That Incorporate Transit**

Beginning January 1, 1995, proximity to transit service will determine the level of service standard. For example, within the urban development boundary where no transit exists, state urban minor arterials must operate at LOS E. All other roads must operate at LOS D.

If transit service operates at 20-minute headways within 1/2 mile of the proposed development, then road facilities may operate at LOS E. If "extraordinary" transit service such as passenger rail or express bus service exists within 1/2 mile of the proposed development, then roadways may operate at 120 percent of capacity. Within the urban infill area where no transit service exists, roadways must operate at LOS E. However, if transit service does exist and operates at 20-minute headways within 1/2 mile of the proposed development, then road facilities may operate at 120 percent of capacity. If passenger rail or express bus service exists within 1/2 mile of the proposed development, then roadways may operate at 150 percent of capacity.41

Outside of the urban development boundary, the standards are to be kept the same as prior to January 1, 1995; however, the recent growth management legislative amendments requiring local governments to adopt the level of service as established by FDOT for the Florida Intrastate Highway System may require some revisions to these local standards in the future.

Development is evaluated for impact on the nearest roadways in the traffic network accessed by the subject development. If the development accesses more than one roadway, projected trips generated by the development are assigned to roadways in accordance with standard traffic engineering principles.42

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**Broward County Concurrency Management System**

Broward County does not calculate an average areawide roadway level of service, but measures level of service on a roadway link by link basis, which is the method most frequently used by localities in Florida. Applicable roadway level of service standards vary according to the degree of urbanization surrounding a development under evaluation and according to roadway type. LOS maximum volumes for a given level of service, as designated by FDOT, are assigned according to the functional classification of the roadway. Broward County developed the TRIPS computer model, which adds together the existing trips, measured in annually updated average daily traffic, plus committed trips from approved development. The sum total of these trips are distributed by the TRIPS model, with resulting totals compared against the FDOT Generalized Maximum Volumes Tables to determine the level of service. Apart from the concurrency evaluation, the TRIPS model was originally developed to assess impact fees by distributing the trips that will be placed on the regional roadway network by development of platted property.

Those areas eligible for reduced levels of highway service are those identified by Broward County as urban core and designated redevelopment areas. Urban core and designated redevelopment areas are considered to be developing activity centers, which will require higher levels of public transit service.

One of Broward County's objectives for achieving the goal of providing and maintaining a balanced multi-modal transportation system (Goal 1, Traffic Circ. Element) is to give increasing priority to public transportation (Obj. 4) by developing a long-range transit overlay to the year 2010 Highway Network which will include the identification of high-priority transit corridors. 43

Broward County has undertaken a study of transit and highway needs of downtown Fort Lauderdale to analyze the effects of lowered level of service standards on the ability to travel within the downtown and analyze options for improving downtown circulation and transit access. The result of this study will be the adoption of a comprehensive plan amendment implementing selected strategies for addressing the lowered level of service on roadways serving the urban core.

Broward County does not conduct traffic concurrency analysis for parking facilities, as these facilities are not considered a use which generates traffic.

**Palm Beach County Concurrency Management System**

Palm Beach County evaluates roadway level of service on a link by link basis and has devised a concurrency management system that includes the application of a Traffic Performance

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Standard to all major thoroughfares which may be affected by traffic generated by a proposed development project. Two tests are applied using the Traffic Performance Standard.

Test 1 requires that traffic from the proposed development project at build-out, when added to existing traffic plus background traffic growth, does not exceed the adopted LOS standard on roads within the maximum radius of development influence. The maximum radius of development influence is measured in road miles from the point at which the proposed project enters a major thoroughfare. This test is applied for both average annual daily traffic (AADT) and average peak hour traffic. The evaluation includes I-95 if the net trips are greater than one percent of the LOS D AADT volume. Table 5 describes how the traffic impact area is defined in Test 1.

If the maximum radius of development influence is greater than 0.5 mile, then the proposed project must evaluate only those links beyond the 0.5 mile radius where net trips are greater than one percent of the LOS D AADT volume of the affected link.

If the LOS standard is violated on a link, an alternate test may be employed to evaluate the link's peak hour, peak season volume. If the alternate test shows that the standard is not violated, then a detailed analysis of affected signalized intersections must further show that the critical volume does not exceed the standard for peak hour, peak season operation, in order for a development order to be granted.

TABLE 5
Test 1--Link/Buildout Test
Palm Beach County

<table>
<thead>
<tr>
<th>Net Trip Generation</th>
<th>Maximum Radius of Development Influence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-200</td>
<td>Address first accessed link only directly</td>
</tr>
<tr>
<td>201-500</td>
<td>0.5 mi.</td>
</tr>
<tr>
<td>501-1000</td>
<td>1 mi.</td>
</tr>
<tr>
<td>1001-5000</td>
<td>2 mi.</td>
</tr>
<tr>
<td>5001-10,000</td>
<td>3 mi.</td>
</tr>
<tr>
<td>10,001-20,000</td>
<td>4 mi.</td>
</tr>
<tr>
<td>20,001-up</td>
<td>5 mi.</td>
</tr>
</tbody>
</table>

Detailed analysis of the critical volume in an intersection may also be required when the net trips from a project contribute 10 percent or greater to the AADT volume on a link that connects to a major intersection within the project's maximum radius of development influence.

Selected roadway links that are operating below the standard LOS D may exceed the LOS D AADT volume by five percent provided that the standard is maintained for the average peak hour. This excess five percent is allocated on a first-come-first-served basis. No project may use more than one-fifth of the excess five percent on any link.

A second test (Test 2) is applied using the Traffic Performance Standard method. Test 2 requires that the adopted LOS standard not be exceeded by the total model traffic within the model maximum radius of development influence. Total model traffic includes existing traffic, net trips from the proposed project, and background traffic growth, that have been estimated and assigned to the major thoroughfare system, representing all approved projects and expressed as average annual daily traffic. Table 6 describes how the traffic impact area is defined for Test 2.

<table>
<thead>
<tr>
<th>Net Trip Generation</th>
<th>Maximum Radius of Development Influence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-50</td>
<td>--</td>
</tr>
<tr>
<td>51-1000</td>
<td>Address first directly accessed major thoroughfare only</td>
</tr>
<tr>
<td>1001-4000</td>
<td>1 mi.</td>
</tr>
<tr>
<td>4001-8000</td>
<td>2 mi.</td>
</tr>
<tr>
<td>8001-12,000</td>
<td>3 mi.</td>
</tr>
<tr>
<td>12,001-20,000</td>
<td>4 mi.</td>
</tr>
<tr>
<td>20,001-up</td>
<td>5 mi.</td>
</tr>
</tbody>
</table>

Source: Palm Beach County Sec. 7.9 Traffic Performance Standards, Land Development Code, adopted June 16, 1992.

Land development represented in the Model Plan is the basis for the Test 2 analysis. The AADT for use in Test 2 is established by the FSUTMS modeling process. If net trips of a proposed
project cause the AADT on any link within the model maximum radius of development influence to exceed the LOS standard, then no development order would be issued.

Selected links may exceed LOS D by five percent. For example, a list of selected links in Section 7.9, Traffic Performance Standards, includes Glades Road between Butts Road and Perimeter Road. This excess five percent is allocated to proposed development projects on a first-come-first-served basis, provided that no one development uses more than one fifth of the five percent excess available on the directly accessed link or three fifths of the five percent excess available on any other link within the model radius of development influence.

The Palm Beach County traffic engineer computes trip generation rates for local conditions and applies these instead of the trip rates established by the Institute of Transportation Engineers. In determining the trip generation of non-residential trips of a proposed project, pass-by trips are recognized and credited against the trip generation of the proposed project, as approved by the county engineer. For example, for general commercial development, a formula is used:

\[
\text{Pass-By\%} = 45.1 - 0.0225(A)
\]

where A is the area in 1,000 gross square feet of leasable area.

Use of this formula results in pass-by trip rates, reduced by the following percentages, for general commercial retail of these sizes:

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>45%</td>
<td>10,000 sq. ft.</td>
</tr>
<tr>
<td>44%</td>
<td>50,000 sq. ft.</td>
</tr>
<tr>
<td>43%</td>
<td>100,000 sq. ft.</td>
</tr>
<tr>
<td>34%</td>
<td>500,000 sq. ft.</td>
</tr>
<tr>
<td>23%</td>
<td>1,000,000 sq ft.</td>
</tr>
</tbody>
</table>

Percentage credit is also given for a number of specific uses such as day care centers (10 percent), fast food restaurant (30 percent) and convenience store (45 percent). Credit proposed to be taken in excess of that given in Section 7.9 must be satisfactorily justified in the required traffic impact study. Factors considered in determining a modified pass-by rate include type and size of land use, location with respect to the service population, location with respect to competing land uses, location with respect to the surrounding major thoroughfare system, and existing and projected traffic volumes.

Palm Beach County also exercises the use of geographic areas of exception (GAE) from roadway concurrency, which include three types: Downtown Core, Special Project and Community

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Redevelopment. While the Downtown Core GAE allows for lowered LOS standards on designated links and intersections, the principle of the GAE is similar to the concept of the transportation concurrency exception areas.

Downtown core GAEs may be established by local governments as a means to balance competing goals, objectives, and policies, such as the need to meet roadway level of service standards versus promoting alternative transportation and promoting urban infill. Downtown Core GAEs may be established only east of I-95. An application to create a Downtown Core GAE must specify the area boundaries, the affected links and intersections, and the Test 1 and Test 2 LOS standards to be applied.

Only areas that have or are proposed to have urban downtown character may be approved as a downtown core GAEs. Several criteria are used to determine the extent of an area's downtown urban character, including street pattern, structures built to front and side property lines, pedestrian orientation, building scale, compactness of development, and a sense of place and organization.
URBAN AREAS OUTSIDE FLORIDA

Several other states were investigated for transit-supportive policies and programs. These included Washington, California, Oregon, New Jersey, and Maryland. Because the development climate in Florida is profoundly influenced by concurrency, exercised elsewhere through the use of adequate public facilities ordinances (APFOs), a closer look was given to those states that provide enabling legislation for local governments to adopt APFOs.

While Maryland, California, and Oregon have state legislation allowing local governments to adopt APFOs, only Florida and Washington require local governments to adopt them. The state of New Jersey has no state enabling legislation to allow local governments to adopt APFOs.

Several municipalities in Washington, such as the City of Bellevue, the City of Seattle, and King County, are presently developing transportation adequacy measures. This is a multi-modal approach, using a system of ratings and weights to determine the transportation adequacy of zones. For example, the City of Bellevue's Mobility Management System establishes performance standards, known as mobility indicators, which are set separately for each of five modes, including auto, transit, bicycling, walking and ridesharing. Their areawide auto level of service measure is actually a composite measure because it takes into account the availability and effectiveness of other modes.

The City of Seattle uses travel time to compare the competitiveness of transit to single-occupant vehicle travel for various categories of trip origins and destinations. Their auto level of service measure establishes acceptable travel times along arterial corridors. The City is considering adding fuel cost, parking supply and expense to the auto LOS standard.

It was observed that growth management goals differ among the various states and localities surveyed. For example, in California, a major thrust of its growth management efforts is balancing the supply of middle-income housing with jobs. A two-hour commute from a job to an affordable residential area is not uncommon in some urban areas in California. On the other hand, Florida is more concerned with providing public facilities and finding the means to pay for them. As a result, the various techniques used by other states were studied, keeping in mind that these techniques might be inappropriate unless otherwise tailored for use by Florida.

Montgomery County, Maryland

Montgomery County, Maryland, has been highlighted in this report because its planning staff has been fine-tuning the County's concurrency management system for the past 20 years. Not only has Montgomery County experienced the problems of rapid growth, as have Florida communities, but at the same time, transit has played a serious role in its development. As a result, existing methods and new methods currently under consideration by Montgomery County may be of interest to Florida communities.
Montgomery County adopted its adequate public facilities ordinance (APFO) in 1973 as part of its county subdivision ordinance. A summary is presented here to describe some alternatives for including transit into the evaluation of transportation level of service. This summary includes a brief description of the County's existing concurrency management system as it relates to transit considerations in the measurement of roadway LOS. A summary of proposed changes currently under consideration by Montgomery County planning staff is also presented.

To implement the APFO, the County has adopted an annually updated Annual Growth Policy (AGP) that identifies public facilities needs and provides a mechanism to balance the amount of private subdivision approvals with the availability of public facilities. The AGP controls the timing, or staging, of development but does not control the location, amount, type, or mix of land development.

Development applications must pass two transportation tests for plan approval: a Policy Area Transportation Review (PATR) for all proposed development generating more than five trips, and a Local Area Transportation Review (LATR) for proposed development generating more than 50 trips.

**Policy Area Transportation Review (PATR)**

The goal of the PATR is to maintain an overall transportation level of service within each of 25 transportation "policy areas" in the county. The policy areas are derived from 292 traffic zones and are delineated by physical features (e.g., rivers) and grouped by similarities in transportation characteristics. Like the concurrency management systems of municipalities in Florida, Montgomery County compares estimated traffic impacts to the availability of transportation facilities. However, unlike Florida, a "staging ceiling" is established for each policy area, which defines the number of jobs and the number of housing units that can be accommodated by the established roadway areawide average level of service standard for that policy area. A computerized traffic simulation model computes a balanced relationship between a programmed set of transportation facilities and a geographical pattern of jobs and housing, based upon market forecasts, to determine an appropriate staging ceiling.45

The Montgomery County Council sets the areawide roadway level of service standards based upon transit availability and service. Their approach essentially allows trade-offs between auto and transit modes by enabling improvements in transit service to warrant a lower roadway LOS, thereby allowing more congestion. This trade-off approach is considered more financially feasible than setting separate minimum LOS standards for both auto and transit travel. The LOS standards are represented by six Groups, ranging from Group I, which describes rural policy areas with little transit service, to Group VI, which describes a policy area like the Silver Spring central business district (CBD) that provides the highest level of transit, consisting of MetroRail

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and expanded bus service. Table 7 describes areawide roadway LOS assigned to policy areas based upon transit availability. As a special case, the jobs and housing ceilings for the Silver Spring policy area are based upon several specific guidelines such as achieving commuting goals for transit, auto occupancy rates, and implementing parking constraints.

The measure of transit service is actually based upon a "bundle" of measures, including the degree of coverage of the area, frequency, accessibility, and use as assessed by specific measures. These measures enable policy areas to be assigned to a Group requiring attainment of a particular roadway LOS standard. Table 8 describes these measures. This present method considers transit and auto modes as the only available modes. Walking and bicycling are included as part of the transit accessibility measures.

Proposed development in a Metro Station Policy Area undergoes alternative review procedures. These applicants are not required to conduct a LATR if they enter into a contract with the County Planning Board and the County DOT to make their best effort to meet established mode share goals, join a transportation management organization (TMO), pay an annual contribution to fund the TMO, and pay a development approval payment (DAP) over a multi-year period starting when the building permit is issued and indexed to reflect inflation in construction costs.

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### TABLE 7
Areawide LOS Standards Based On Transit Availability
Montgomery, Maryland

<table>
<thead>
<tr>
<th>Average Roadway Transport Level of Group Alternatives to Automobile Standards</th>
<th>Public Transport Alternatives to Automobile Travel</th>
<th>Auto Dependent System and/or Bus Base Systems and/or Fixed Guideway Systems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transit Services Available or Programmed</td>
<td>Park/Ride Access</td>
<td>Community and Local Bus Service Regional Park/Ride Express Bus and High Occupancy Vehicle Priority Systems Commuter Rail or Light Rail Metrorail</td>
</tr>
<tr>
<td>Representative Quantification Measures</td>
<td>1. Number of Park/Ride Spaces Serving the Policy Area</td>
<td>2. Average Bus Frequencies in AM Peak Hour on Combined Routes</td>
</tr>
<tr>
<td><em>(Continued on next page)</em></td>
<td><em>(Buses per hour)</em></td>
<td><em>(Trains per hour)</em></td>
</tr>
</tbody>
</table>

* I Marginal
  - Marginal access to stations or bus routes outside of the area
  - Limited number of park/ride spaces
  - Limited coverage and frequency
  - Limited park/ride spaces or lots with local bus service
  - Limited park/ride access and walk access
  - Park/ride and kiss/ride access limited to nearby stations outside of the area
  - 100 to 500
  - 2 to 3.5
  - 100 to 500
  - 3 to 6
  - 0

C II Limited
  - Limited number of park/ride spaces, limited kiss/ride service
  - Limited coverage, service limited to policy frequencies
  - Limited express bus service in conjunction with a system of park/ride lots
  - Limited parking or walk access with system transfers
  - Moderate station coverage and train frequencies in the area with associated feeder access
  - 500 to 1,000
  - 3.5 to 5
  - 500 to 2,250
  - 6 or more
  - 0 to 15

C/D III Moderate
  - Moderate number of park/ride spaces, limited kiss/ride service
  - Moderate coverage, service limited to policy frequencies
  - Moderate express bus service in conjunction with a system of park/ride lots
  - Moderate parking or walk access with system transfers
  - Moderate station coverage and train frequencies in the area with associated feeder access
  - 500 to 1,000
  - 3.5 to 5
  - 500 to 2,250
  - 6 or more
  - 0 to 15

*(Continued on next page)*
### Average Roadway Level of Service Standards

<table>
<thead>
<tr>
<th>Average Roadway Level of Service Standards</th>
<th>Public Transport Alternatives to Automobile Travel</th>
<th>Auto Dependent Systems</th>
<th>Bus Base Systems and/or</th>
<th>Fixed Guideway Systems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group Classifications</td>
<td>Park/Ride Access</td>
<td>Community and Local Bus Service</td>
<td>Regional Park/Ride Express and High Occupancy Bus Service</td>
<td>Commuter Rail or Light Rail Metrorail</td>
</tr>
</tbody>
</table>

**Representative Quantification Measures**

1. **Number of Park/Ride Spaces Serving the Policy Area**

<table>
<thead>
<tr>
<th><strong>D</strong> IV</th>
<th>Frequent</th>
<th>Very good number of park/ride spaces and moderate kiss/ride service</th>
<th>Moderate coverage combined policy and frequent demand-based service</th>
<th>Priority treatment for frequent express buses, local circulation feeder services in conjunction with a system of park/ride lots</th>
<th>Same as Group III above</th>
<th>More dense spacing of stations and bus routes, frequent train service</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1,000 to 1,500</td>
<td>5 to 8</td>
<td>More than 2,250</td>
<td></td>
<td>15 to 35</td>
</tr>
</tbody>
</table>

2. **Average Bus Frequencies in AM Peak Hour on Combined Routes**

<table>
<thead>
<tr>
<th><strong>D/E</strong> V</th>
<th>Full</th>
<th>Substantial park/ride with full reliance on kiss/ride access</th>
<th>Full area coverage and a large number of routes with frequencies based on demand</th>
<th>Same as Group IV above</th>
<th>Same as Group III above</th>
<th>Full Frequency reliance on kiss/easier walk and bicycle access</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>1,500 to 2,250</td>
<td>8 to 10</td>
<td></td>
<td></td>
<td>More than 35</td>
</tr>
</tbody>
</table>

3. **Number of Parking Spaces of Fringe Parking Lots**

<table>
<thead>
<tr>
<th><strong>VI</strong> Expanded</th>
<th>Expanded park/ride with reliance on kiss/ride access</th>
<th>Expanded bus frequencies, 100 buses on all routes in PM Peak Hour</th>
<th>Same as Group IV above</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. **Average Frequency of Metrorail in AM Peak Hour**

<table>
<thead>
<tr>
<th><strong>VI</strong> Expanded</th>
<th>Full frequency, station in designated CBD with controlled parking and Transportation Mgmt. District</th>
<th>More than 35</th>
</tr>
</thead>
</table>

*Special methods and standards of measuring traffic for Groups I and VI are specified in the yearly adopted Annual Growth Policy.

Source: Montgomery County Planning Department, June 1991 as presented in the FY 94 Annual Growth Policy, July 1, 1993.
**TABLE 8**
Transit LOS Measures Used To Determine Group Assignment
Montgomery County, Maryland

<table>
<thead>
<tr>
<th>Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Percent of households</td>
</tr>
<tr>
<td>within 1/4 mile of bus stops</td>
</tr>
<tr>
<td>within 1/2 mile of rail stations</td>
</tr>
<tr>
<td>2. Percent of jobs</td>
</tr>
<tr>
<td>within 1/4 mile of bus stops</td>
</tr>
<tr>
<td>within 1/2 mile of rail stations</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Average bus frequency</td>
</tr>
<tr>
<td>2. Average train frequency</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Accessibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Ratio of sidewalk miles to street miles</td>
</tr>
<tr>
<td>2. Ratio of bikeway miles to street miles</td>
</tr>
<tr>
<td>3. Number of secure bicycle parking spaces</td>
</tr>
<tr>
<td>4. Number of park-and-ride spaces</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Percent of non-auto driver work origin</td>
</tr>
<tr>
<td>2. Percent non-auto driver work destination</td>
</tr>
<tr>
<td>3. Percent walk/bike to Metro Stations</td>
</tr>
</tbody>
</table>


**Local Area Transportation Review (LATR)**

The LATR test is used to ensure that proposed development will not cause unacceptable roadway congestion at intersections. In the traffic impact analysis, the county estimates the percentage of trips generated by the development that will use transit. Special trip generation rates are given for general office development located outside the Beltway and within 1000 feet of a MetroRail station. For the AM peak period, a 50 percent reduction in estimated trips is used in the evaluation of impact of a new development. For the PM peak period, the percent reduction applied is based upon the distance of the development from the MetroRail station. This is calculated using the formula:
Percent trip deduction = \(4(1000-D)/100\),

where \(D\) is the straightline distance to the MetroRail station in feet.

Using this formula for a sample of distances yields a percentage reduction as listed in Table 9.

**New Methods Under Review**

The Montgomery County Council recently asked its Planning Board to study some issues concerning the methods used for evaluating level of service. These included investigating alternatives for changing the level of service standards for LATR and PATR to be more sensitive to ridesharing, transit, and non-motorized transportation alternatives.

The present method of assigning an areawide level of service standard is to put policy areas into one of six Groups based upon transit availability, as described in Table 7. The problem with the Groups is that small improvements in transit service may not result in elevating a policy area to the next Group with a less stringent roadway LOS standard because each Group represents a large range of transit levels of service. It was originally proposed, but ultimately not recommended, that this might be remedied by further dividing the six Groups into nine, to recognize smaller improvements in transit.

**Use of Total Transportation Level of Service for PATR**

An alternative to the groups method has also been reviewed and recommended by the Montgomery County Planning Board. This involves the establishment of a countywide standard for acceptable total transportation level of service (TTLOS). The total transportation level of service would be measured for each policy area. Unlike the Group system, improvements in either auto or transit LOS would result in proportionate increases in staging ceilings for housing units and/or jobs. An average LOS for the entire transportation system countywide could be calculated by combining both auto and transit LOS measures, weighted by mode share:

\[
TTLOS = (\text{auto LOS} \times \text{auto MS}) + (\text{transit LOS} \times \text{transit MS})
\]

where TTLOS is Total Transportation Level of Service and MS is Mode Share.

This approach represents a direct relationship between modes rather than an inverse relationship represented by the Groups method described above. While the Groups method also achieves a
generally constant overall level of transportation service, it is not as explicitly defined as the TTLOS method. The use of a TTLOS approach is another means of making a trade-off between auto and transit modes. As long as the TTLOS standard is maintained, a transit service better than the standard could allow the auto service to be worse than the standard or vice versa.

The mode share would govern the extent to which congestion would be permitted to get better or worse. The peak-period work-trip mode shares to be used could either be a targeted mode share or be based on the land use and transportation network in place in the AGP model database.

**Computing Transit LOS**

In order to better quantify and account for small improvements in transit service, Montgomery County planning staff reviewed a number of transit level of service measurements, including those that measure opportunity, peak frequency, coverage, and volume/capacity. Staff recommended that transit LOS be based on Regional Transit Accessibility, a measure of opportunity that indicates the ease of commuting from home to work by transit. This measure considers all jobs in each traffic zone within all policy areas in the region and is deemed advantageous because it relates transit to land use patterns and comprises all non-auto travel, including rail, bus, walking, and bicycling.

This measure is in the form of an accessibility index that is rated highest for a policy area that connects the most houses to the most jobs in the least time by transit. This transit LOS measure is considered easy to compute for the CBD and the Sector Plan Metro Stations.

Accessibility is measured for each traffic zone and is calculated by using the number of jobs in each of the other traffic zones in Montgomery County, multiplied by a distance factor. The distance factor is measured by transit travel time estimated from travel surveys, giving greater weight to close jobs, than to distant jobs. These measures are computed at the traffic zone level for both jobs and households, then averaged to obtain policy area scores, which represent regional transit accessibility to jobs and households. A composite transit level of service is then computed as the weighted average of household and jobs accessibility.

\[
\text{Transit LOS} = \frac{1 - \text{policy area composite transit accessibility}}{\text{composite transit accessibility denominator}}
\]

The equation is used to transform transit accessibility to a level of service scale. The transit LOS scale would apply specifically to Montgomery County conditions. The Transit Accessibility Denominator is that computed for the policy area with the high composite transit level of service.
### TABLE 9

Reductions Applied to Vehicle Trips Generated by Office Buildings

Montgomery County, MD Local Area Transportation Review

<table>
<thead>
<tr>
<th>Straight Line Distance (in feet) to MetroRail Station</th>
<th>Percent Reduction in Vehicle Trips</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>AM Peak Period</td>
</tr>
<tr>
<td>0</td>
<td>50</td>
</tr>
<tr>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>100</td>
<td>50</td>
</tr>
<tr>
<td>150</td>
<td>50</td>
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<tr>
<td>200</td>
<td>50</td>
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<td>250</td>
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<td>850</td>
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<tr>
<td>900</td>
<td>50</td>
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<tr>
<td>950</td>
<td>50</td>
</tr>
<tr>
<td>1000</td>
<td>50</td>
</tr>
</tbody>
</table>

Measuring Non-Auto Level of Service for LATR

Aside from considering the TTLOS method versus the Groups method of trading off auto LOS with non-auto LOS, Montgomery County has also been considering the development of measures of non-auto LOS and possible applications of these measures. Montgomery County is considering the use of a broader "transportation impact study" as a use for incorporating non-auto

<table>
<thead>
<tr>
<th>TABLE 10</th>
<th>Considered LOS Measures Relating to Overall Transit Trip</th>
<th>Montgomery County, Maryland</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Measures of Quality of Transit Trip</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Opportunity:</strong></td>
<td>the number of destinations reachable from an origin within a certain time.</td>
<td></td>
</tr>
<tr>
<td><strong>Frequency:</strong></td>
<td>headway of transit service along a route.</td>
<td></td>
</tr>
<tr>
<td><strong>Coverage:</strong></td>
<td>percentage of buildings of persons in an area within a certain walking distance of a transit route.</td>
<td></td>
</tr>
<tr>
<td><strong>Reliability:</strong></td>
<td>on-time performance of transit service.</td>
<td></td>
</tr>
<tr>
<td><strong>Comfort:</strong></td>
<td>degree of crowding and opportunity to sit.</td>
<td></td>
</tr>
<tr>
<td><strong>Directness:</strong></td>
<td>overall travel time.</td>
<td></td>
</tr>
<tr>
<td><strong>Measures of Quality of Auto Access to Transit</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Access:</strong></td>
<td>access to a park-and-ride lot.</td>
<td></td>
</tr>
<tr>
<td><strong>Parking:</strong></td>
<td>availability and cost.</td>
<td></td>
</tr>
<tr>
<td><strong>Measures of Quality of Pedestrian Access to Transit</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Sidewalk ratio:</strong></td>
<td>ratio of sidewalk miles to street miles.</td>
<td></td>
</tr>
<tr>
<td><strong>Circuity:</strong></td>
<td>comparison of shortest sidewalk travel path with straight line distance from origin to transit station.</td>
<td></td>
</tr>
<tr>
<td><strong>Connectivity:</strong></td>
<td>the number of cross streets per linear mile.</td>
<td></td>
</tr>
<tr>
<td><strong>Delay:</strong></td>
<td>average stopped delay of a pedestrian at a signalized intersection.</td>
<td></td>
</tr>
<tr>
<td><strong>Hazard:</strong></td>
<td>pedestrian accident rates within a defined area.</td>
<td></td>
</tr>
<tr>
<td><strong>Measures of Quality of Bicycle Access to Transit</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Bikeway ratio:</strong></td>
<td>ratio of bike routes to street miles in an area.</td>
<td></td>
</tr>
<tr>
<td><strong>Parking:</strong></td>
<td>presence of secure bicycle parking facilities at a transit station.</td>
<td></td>
</tr>
</tbody>
</table>

LOS measures, in place of the traditional traffic impact study in the LATR. Presently, the critical lane volume (CLV) method is the main measure for the LATR, in which traffic volumes for conflicting turning movements measure the level of congestion of the intersection as a whole. Staff recommended that a "bundle" of measures be used for measuring non-auto transportation level of service, similarly to that now used for transit LOS for the PATR. It was recognized, however, that the use of other measures besides auto LOS for an overall transportation impact study would require consideration of what is an appropriate balance of modes.

Several supply measures for level of service that are under consideration include those for the quality of the transit trip and the quality of the access trip to transit by driving, bicycling, and walking. These could be applied as a bundle of measures. Table 10 describes these measures.

Application of some combination of these measures is being considered for use in the LATR for various sizes of geographic analysis areas. The system currently used applies the critical lane volume method to determine roadway intersection LOS. The LOS standards applied to the intersection differ by group according to transit availability.

An alternative option is to establish separate measures and standards for non-auto LOS around transit stations for use as a trade-off to allow increased auto congestion in LATR process. Identified advantages of incorporating the use of a non-auto LOS in the LATR is that it would encourage non-auto modes of travel and promote planned development.48

On an even smaller scale, a point system for measuring non-auto LOS could be applied to transit-oriented sites, whereby improved non-auto LOS would allow for worsened auto LOS. A final alternative under consideration is to eliminate the LATR test altogether in certain areas such as transit station areas.

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CONCLUSION

In addressing the concerns of Tri-Rail as they develop rail facilities and services, this report has found that problems have resulted from a lack of clarity about the appropriate application of transportation concurrency to transit facility expansion. This report recommends modifying Chapter 163.3180(4), F.S. to explicitly exempt transit facilities from roadway concurrency evaluation. This report also recommends modifying the Florida Statutes to revise the definition of projects that promote public transportation to be an areawide exception option applied to transit-oriented development.

The effectiveness of the transportation concurrency exception area option as it presently exists in the Florida Statutes will begin to be tested as local governments in the Tri-Rail service corridor adopt local comprehensive plan amendments for its application. While the use of the transportation concurrency exception area option may prove to be an ideal development incentive that supports transit, the use of other methods described in this report may provide alternatives to be used instead of or in addition to the exception area option. For example, three concurrency management systems were highlighted in this report, in which methods are used to incorporate consideration of transit into the roadway concurrency evaluation.

Determining the traffic impact of a new development includes quantifying the number of trips generated by that new development. For those areas in proximity to transit service, estimations could be made of the percentage of generated trips that could be served by transit, thus reducing the overall number of estimated new auto trips using available roadway capacity. This might allow increased development opportunity in locations easily accessed by transit and delay the point at which roadway LOS standards will be violated.

Another approach is to lower the roadway LOS standard in corridors where transit service provides an effective alternative to the automobile or where it is desired to create conditions conducive to successful transit. A lower LOS standard might also be applied on an areawide basis in defined urban infill areas or downtown locations.

Another alternative is to measure roadway level of service on an areawide basis instead of on a link by link basis in order to allow a higher tolerance of localized roadway congestion, particularly in areas of higher density, mixed-use development where conditions can be created to make transit more effective. This method can promote transportation projects that address long term congestion management goals while at the same time deemphasizing spot improvements that are often the result of link by link LOS measuring.

At a time when increased emphasis is being placed upon intermodalism and the overall effectiveness of the transportation system, planners in metropolitan areas within Florida and outside the state are now considering the quality of the entire trip from origin to destination rather than the level of service of one roadway or transit trip link. While the complex concurrency management system of Montgomery County, Maryland that was reviewed in this report is probably not wholly suitable for counties and municipalities in Florida, aspects of the
methods used to determine the adequacy of the transportation system may be worth exploring. These might include:

- the use of a "bundle" of measures to evaluate transit service;

- the application of guidelines for achieving commuting goals for transit, auto occupancy rates and parking constraints;

- the development of a total transportation level of service evaluation; and

- the development of LOS measures relating to the quality of the transit trip and the quality of auto, pedestrian and bicycle access to transit.

Finally, it is emphasized that while this report has focused upon concurrency management systems, a comprehensive approach should be used to promote development incentives that support transit. A concurrency management system designed to allow a balance between transit and auto levels of service can be complemented by appropriate use of zoning, parking management, station area plans and other options described in this report.
APPENDIX A

ELMS III Legislative Changes to Florida Growth Management Laws

State Strategic Guidance

State planning requirements will now integrate land use planning and non-auto transportation alternatives into the transportation planning process. Chapter 186, F.S., which governs state and regional planning, has been amended requiring a growth management portion to be included in the state comprehensive plan in order to give more strategic guidance in the form of goals, objectives and policies. Several purposes were identified, including:

• integrating future growth policies as they relate to transportation and land development,
• providing guidelines for the appropriate location of urban growth, and
• providing guidelines for state transportation corridors and public transportation corridors.

The Governor's Growth Management Plan Advisory Committee has recommended that the new growth management portion be devised after the necessary data and analyses have been completed and as part of a complete revision of the State Comprehensive Plan.49

Regional Guidelines for Minimum Densities

On the regional planning level, Chapter 186.507, F.S., has been amended so that the comprehensive regional policy plans give strategic direction. The regional transportation component of the Strategic Regional Policy Plan will address several items including the one below.

In addressing regional transportation, the council may recommend minimum density guidelines for development along designated public transportation corridors and identify investment strategies for providing transportation infrastructure where growth is desired, rather than focusing primarily on relieving congestion in areas where growth is discouraged. (Chapter 186.507(12), F.S.)

New Local Comprehensive Transportation Element

Chapter 163, F.S., was amended to include the requirement that for all local governments within an urbanized area served by an MPO, a transportation element must be prepared in lieu of a separate traffic circulation element, a mass transit element and other transportation-related elements. The new transportation element must address all modes of travel and must identify land use densities, building intensities, and transportation management programs to promote public transportation systems in designated public transportation corridors so as to encourage population densities sufficient to support such systems. The element must also contain one or more policies for the establishment of land use, site and building design standards for development in exclusive public transit corridors to assure the accessibility of new development to public transit.

Local Government Assessment of Planning Program Success

Local governments must amend their comprehensive plans through their evaluation and appraisal reports (EAR) to reflect changes in the state comprehensive plan, the minimum criteria of Rule 9J-5, F.A.C., and the appropriate strategic regional policy plan. The latest amendments to Chapter 163 also encourage local governments to articulate an overall "vision" of the future physical appearance and qualities of its community as a part of its local comprehensive plan, using the evaluation and appraisal report process as a starting point for determining the vision. These evaluation and appraisal reports must be prepared no later than seven years after the adoption of the local government comprehensive plan. Requirements for the EAR include an evaluation of the degree of success in achieving local government comprehensive plan goals and objectives and the implementation of the plan's policies. The EAR must address major problems of development including:

- the effect of concurrency requirements;
- the maintenance and/or achievement of adequate Level of Service Standards;
- coordination with development over the provision of public facilities and services;
- consideration of the location of development with regard to existing infrastructure; and
- consideration of the location of development in relation to where development was anticipated in the adopted plan, such as within areas designated for urban growth.

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50 Chapter 163.3177(6)(j)8, F.S.
51 Rule 9J-5.019(4)9, F.A.C.
52 Rule 9J-5.0053(2)b, F.A.C.
Greater Time Flexibility to Achieve Concurrency

Previous to the amendments to the concurrency requirements of Chapter 163, F.S., minimum requirements for receiving a development order were met when the necessary facilities and services are in place, or under construction when the development order is issued or at the time impacts from the development occur.

A new subsection to Chapter 163, F.S., was created to afford greater time flexibility for the provision of transportation facilities. It states that transportation facilities needed to serve new development shall be in place or under actual construction no more than three years after issuance by the local government, of a certificate of occupancy (Chapter 163.3180(2)(c), F.S.)

Concurrency Applies to All State Facilities

The concurrency requirement of local governments now applies to all state and other public facilities and development (Chapter 163.3180(4), F.S.)

An incentive is provided by the revisions to Chapter 163, F.S., for urban redevelopment. Within the existing urban service area, 110 percent of the actual transportation impact caused by a previously existing development must be reserved for the proposed urban redevelopment, even if it results in the reduction of level of service below the adopted standards (Chapter 163.3180(8), F.S.)

Long-Term Transportation Concurrency Management Systems

In designated districts where significant transportation service backlogs exist, a local government may adopt within its plan a long-term transportation concurrency management system with a planning period of up to ten years. The system must be designed to correct the deficiencies and may include interim level of service standards. For areas with severe deficiencies, a 15-year plan may be developed (Chapter 163.3180(9), F.S.)

LOS Standards for State Roads

The amendments to Chapter 163, F.S. also establish that while local governments must adopt the level of service standard for facilities on the Florida Intrastate Highway System as established by FDOT, the local governments may adopt their own standards for all other state roads (Chapter 163.3180(10), F.S.)
Developments of Regional Impact

Statewide guidelines and standards for developments of regional impact (DRI) were also amended during the 1993 legislative session. In order to reduce barriers to infill, encourage a higher proportion of residential development in mixed use projects and to promote compact development, thresholds for determining whether a development project qualifies as a DRI were raised for those located in urban central business districts and in regional activity centers. The Department of Community Affairs amended Rule 9J-5, F.A.C. to revise the definitions of those areas that qualify as urban CBDs and regional activity centers.

Areawide Level of Service Standards

The amendments to Chapter 163, F.S. attempt to simplify the use of optional transportation concurrency management areas (TCMA). TCMA's are geographically compact areas that contain multiple, viable alternative travel paths or modes for common trips. The amendments enhance concurrency flexibility by allowing local governments to establish an areawide level of service standard applied within a TCMA.

An areawide level of service standard must be justified based upon a demonstration that its use promotes urban infill development, redevelopment or public transit. Rule 9J-5, F.A.C. does not presently specify the basis for averaging; however, it does specify that level of service averages will be computed for facilities with similar functions serving common origins and destinations.

Transportation Concurrency Exception Areas

Developments that qualify as exceptions from the transportation concurrency requirement were identified in the legislative amendments in order to resolve the conflict between unintended effects of transportation concurrency and the state goals of achieving compact urban growth patterns and developing public transportation. The intent was "...to provide flexibility for concurrency management in order to encourage the application of a wide range of planning

53 Chapter 380.06(2)(e), F.S.

54 According to Rule 9J-5.003(11), F.A.C., a central business district is a single urban core area of a municipality with a population of 25,000 or greater, which is located within an urbanized area as identified by the 1990 Census. The land use intensities for this area are consistent with those on the local government comprehensive plan future land use map and this area contains high density, multi-use development.

55 Chapter 163.3180(7), F.S.

56 Rule 9J-5.0055(5)(a), F.A.C.
strategies that correspond with local circumstances of a specific geographic area. A local government may grant an exception from transportation concurrency to projects that are otherwise consistent with the local government comprehensive plan and are located in geographic areas designated by the comprehensive plan for urban infill development, urban redevelopment, or downtown revitalization. The exception applies to all land uses and development and types of facilities within expressly excepted areas.

**Projects That Promote Public Transportation**

A fourth exception from transportation concurrency may also be granted to projects that promote public transportation. Projects that promote public transportation are defined in Chapter 163.3164(28) F.S. as:

...those projects that directly affect the provisions of public transit, including transit terminals, transit lines and routes, separate lanes for the exclusive use of public transit services, transit stops (shelters and stations), and office buildings or projects that include fixed rail or transit terminals as part of the building.

To establish transportation concurrency exception areas for development that promotes public transportation, Rule 9J-5.0055(7), F.A.C., requires that local governments must:

1. Establish how a project qualifies as a project that promotes public transportation through the establishment of guidelines and/or policies for granting the exceptions.
2. Demonstrate through supporting data and analysis that consideration has been given to the impact of the projects on the Florida Intrastate Highway System.

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57 Rule 9J-5.0055(6), F.A.C.

58 Definitions for downtown revitalization, urban redevelopment and urban infill were added to Chapter 163.3164, F.S.
APPENDIX B

Process for Local Comprehensive Plan Amendment Adoption

The summary below outlines the process for adopting a local government plan amendment, which must be done in order to establish a transportation concurrency exception area. The ELMS amendments to Chapter 163.3184, F.S., have changed the process of local government transmittal of their comprehensive plan amendments for state agency determination of compliance to include review by FDOT.

1. The local government prepares its comprehensive plan amendments, abiding by the minimum criteria in Rule 9J-5, F.A.C., for compliance with Chapter 163, F.S.
2. The local government must present the proposed plan amendment at an advertised public hearing.
3. The local government must transmit a copy of the proposed plan amendment and other materials specified by 9J-5, F.A.C., to its regional planning council and water management district, the state Department of Environmental Protection, the state Department of Transportation and any other state or local agency that requests to review it.
4. A process of intergovernmental review follows in which the reviewing agencies provide written comments to the Department of Community Affairs within 30 days.
5. The Department of Community Affairs will review comments, objections and suggestions for modifications from agencies within 30 days of receipt. DCA will also review the proposed local comprehensive plan amendment at its discretion or if requested to do so by another agency.
6. Upon receipt of comments, recommendations and objections from the Department of Community Affairs, the local government has 60 days to adopt the amendment, adopt the amendment with changes, or not adopt the amendment, during a public hearing.
7. Upon adoption of a plan amendment, the local government submits five copies of the amendment and amended plan to the Department of Community Affairs.
8. The Department of Community Affairs has 45 days to determine if the amended plan is in compliance with Chapter 163, F.S.
9. The local government comprehensive plan may be determined not in compliance only if there is a preponderance of evidence to support this finding.
10. If the plan amendment is determined not in compliance, the Division of Administrative Hearings of the Department of Administration shall specify remedial actions that would bring the plan amendment into compliance. Sanctions, such as the withholding of funds, may also be specified, if the local government proceeds to make the amendment effective, notwithstanding a determination of noncompliance.
11. If the amended plan is determined to be in compliance, the plan amendments become effective when the Department of Community Affairs issues a final order determining the adopted amendment to be in compliance.
APPENDIX C

Regional and Local Goals and Policies Framework

A review of transit-related goals and policies of jurisdictions within the Tri-Rail service area was undertaken to gain an understanding of the present framework for guiding the direction, magnitude and characteristics for future growth at the regional and local levels. Specifically, the regional policy plans for the Treasure Coast and South Florida regions and the comprehensive plans for Palm Beach, Broward and Dade Counties were reviewed. Goals and policies having some relevance to setting the groundwork for providing a positive climate for development that supports transit are compiled below. A brief discussion about this policy framework is also provided in the section Planning and Regulatory Climate of this report.

Treasure Coast Region

The following selected transit-related goals and policies for the Treasure Coast Region were compiled from the "Regional Comprehensive Policy Plan, Treasure Coast Regional Planning Council", April, 1987.

GOAL 16.1.2: To provide for a balanced, well planned, compatible mix of land uses which are appropriately located.

Policies:

16.1.2.7 Changes which increase land use intensities associated with the rapid rail terminals should be encouraged to the extent consistent with State, regional, and local goals and policies.

16.1.2.8 Rapid rail terminals shall only be located in areas capable of being supported by levels of service required for such intensely developed land use activity.

16.1.2.9 Development shall not occur in future rights-of-way designated in local, regional, or Florida Department of Transportation thoroughfare right-of-way protection maps.

GOAL 19.1.1: To provide for the safe and efficient movement of people and goods at a reasonable cost and at minimal detriment to the environment.
Policies: 19.1.1.1 To maximum extent consistent with regional interests, per capita use of private automobiles shall be minimized within the Region through a combination of the following:

1. provision of public transportation alternatives;
2. provision of housing opportunities in proximity to employment opportunities;
3. provision of essential services in proximity to demand; and
4. concentration of commercial and other essential services.

19.1.1.2 A comprehensive and fully integrated transportation system shall be developed which as a minimum includes the following components:

1. two commercial seaports linked to and developed in coordination with Water Port System Plan;
2. at least two regular service commercial airports linking the region to major business centers within the State and outside of Florida consistent with Continuing Florida Aviation System Planning Process;
3. rapid rail service with stations serving the region;
4. a regional mass transit system linking rapid rail stations, major commercial airports, and principal urban areas within the Region;
5. urban bus and shuttle service linked to each regional mass transit system station;
6. a road system designed to complement and supplement the core mass transit system;
7. adequate pedestrian and bicycle connections; and
8. land use and density changes necessary to support such a system.

19.1.1.4 The expansion of mass transit service in the Treasure Coast Region shall be supported by assisting local governments in applying and qualifying for federal assistance funding where consistent with other regional policies.

19.1.1.5 Public policy governing parking requirements and rates in high density activity areas should be reviewed and where necessary amended to support "transit first policies". Parking requirement shall be designed to promote public transit as a viable alternative in high density areas and central business districts.

19.1.1.8 Implementation of Transportation Systems Management (TSM) objectives that reduce the number of single occupant auto trips shall be encouraged.
Palm Beach County

The following selected transit-related goals and policies for Palm Beach County were compiled from the "1989 Comprehensive Plan for Palm Beach County, Florida," revised October, 1992.

**Land Use**

**GOAL:** It is the **GOAL** of Palm Beach County to provide for a distribution of land use by type and by density and intensity that balances the physical, social, cultural, environmental and economic needs of the current and future resident and tourist population in a manner that protects and improves the quality of the natural and manmade environment and ensures the timely, cost-effective provision of public facilities and services while retaining the unique variety of lifestyles and quality of life.

**Objective 1:** Implementation

Upon adoption of the Comprehensive Plan, all public and private activities concerning the use, development and redevelopment of land and provision of urban services and facilities shall be consistent with the future uses provided by the Official Land Use Plan Map and section entitled "Implementation of the Land Use Element". The "Implementation of the Land Use Element" section is designed to encourage the elimination or reduction of uses inconsistent with the County's diverse character and future land uses.

**Policy 1-c:** The Traditional Neighborhood Development Land Use Category provides for innovative and alternative development patterns that are residentially based and require the integration of residential uses with commercial and industrial uses. These uses must be coordinated with recreation and open space systems in order to provide opportunities for a variety of lifestyle arrangements and experiences, and to reduce infrastructure impacts. The Traditional Neighborhood Development Category is defined in the section entitled "Implementation of the Land Use Element." By September 1991, Palm Beach County shall add provisions for a TND Zoning District to the Land Development Code.

**Policy 1-k:** By October, 1990, Palm Beach County shall begin a Growth Management/Urban Form Study. The conceptional framework of the study shall be completed by June, 1992. The study shall seek to identify a land use form that minimizes urban sprawl and provides for the most efficient provision of services and facilities.

**Policy 1-p:** Transferable Development Rights shall be an integral part of the Urban Form Study. The Urban Form Study shall:
• investigate and designate sending and receiving areas;
• assign densities within the sending areas on an equitable basis, based on the parcel's location, development potential and value to the community;
• investigate and establish, if feasible, a Countywide TDR program; and
• investigate an overall County density cap which would require that densities no longer be granted above the current Comprehensive Plan designation (to be revised or updated on a five year basis). Densities within the County would remain constant overall; however, density/intensity may be shifted or transferred from one location to another.

Policy 1-v: Within the time frame provided by 163.3202(1), F.S., Palm Beach County shall amend its Land Development Codes to include innovative land development regulations, including:

• Incentives for planned unit developments, and
• Criteria for mixed use planned developments.

Objective 3: Balanced Growth
Within the time frame provided by 163.3202(1), F.S., Palm Beach County shall assure balanced growth throughout the County by designating an adequate number of acres for residential, commercial, industrial and other appropriate land uses while maintaining agricultural activities and rural environments. The Land Use Plan Map and the Implementation section of this Land Use Element shall be used to review developments' impacts on: the natural environment, including topography, soils and other resources; the availability of facilities and services; the availability of suitable land for utility facilities; the economy; the coordination of coastal population densities with the Regional Hurricane Evacuation Study; and the proliferation of urban sprawl.

Policy 3-m: For the following reasons, the County shall not approve densities higher than eight units per acre as amendments to the Comprehensive Plan unless such densities are pursuant to Policy 1-k (Urban Form/Growth Management) of the Land Use Element or within a designated community redevelopment area (CRA):

• Policy 7-a of the Land Use Element provides that Land Use Plan amendments are not necessary for affordable housing developments, under certain conditions; and
• Densities higher than 8 units per acre are not compatible with unincorporated area development and do not further the County's desire to direct growth to the coastal communities, and promote development in those areas.
Capital Improvements

GOAL: It is the GOAL of Palm Beach County to utilize a capital improvements program to coordinate the timing and to prioritize the delivery of public facilities and other capital projects; a project that supports the growth management Goals, Objectives, and Policies of the Palm Beach County Comprehensive Plan and encourages efficient utilization of its public facilities and financial resources.

Objective 11: Adequate Funding to Assure Multi-Modal Mobility
Within 36 months after the adoption of Comprehensive Plan amendment round 92-2, the CIE shall be amended to include a schedule of capital projects needed to ensure that a multi-modal transportation system is adequately funded. To the maximum extent possible, the County shall consider non-capital projects implementation strategies necessary in order to achieve a safe, convenient and energy efficient multi-modal transportation mobility system.

Policy 11-a: The County shall consider the existing revenue source and funding mechanisms available for funding a multi-modal, multi-optional transportation system.

Policy 11-b: The County shall consider the establishment of an impact fee, and/or an in lieu of fee, for funding the multi-modal mobility system.

Mass Transit Element

GOAL: It is the GOAL of Palm Beach County to provide a public transportation system that will increase utilization of mass transit opportunities, to provide a more viable alternative to the automobile user, and to improve service to the non-driving public including the transportation disadvantaged.

Objective 1: Upgrade the Mass Transit Program
Palm Beach shall improve and expand public transportation and paratransit services increasing ridership five percent from 1988 totals by January 1995.

Policy 1-b: Increase the transit presence in the County to achieve a 3/4 of one percent modal split by 1995 through modification of the existing route system and increased service in areas with high propensity for transit use.

Policy 1-c: Palm Beach County, through the MPO, shall conduct feasibility studies for the proposed construction of a downtown West Palm Beach multi-modal transit transfer station, with loop shuttle service connecting the major downtown employment centers to selected park-and-ride facilities.

Policy 1-d: Palm Beach County shall provide express and feeder service to the Tri-County Commuter Rail, High Speed Rail, and major employment centers in the County.
Objective 3: Marketing Program
Palm Beach County shall design and implement a comprehensive marketing program to orient and familiarize the County's residents on the CoTran system and alternative transit modes by October, 1990.

Policy 3-d: The County shall promote information on the use of alternative means of travel (i.e., Tri-County Commuter Rail).

Objective 5: Alternative Modes
The County shall design and implement a program to encourage the use of alternative modes of travel by 1992.

Policy 5-a: The County shall develop a program of incentives to increase ridership on the Tri-County Commuter Rail and other public transportation systems through the use of promotional material, special events and low-cost parking.

Policy 5-b: The County shall review ridership, revenues and costs, and user characteristics relative to the operations of the Tri-County Rail through December, 1990, to determine the feasibility of expanded service.

Policy 5-c: The County shall coordinate land use and transportation services planning with the Florida High Speed Rail franchisee to ensure consistency of this transportation mode with the County's Comprehensive Plan and to ensure an HSR stop in the Central County.

Policy 5-d: The County shall encourage the use of alternative transportation means, such as ridesharing, car/vanpool, bicycles, rail and park-and-ride programs, to reduce overall roadway demand and improve air quality through the provision of incentives for those using other modes and disincentives for individual auto users.

Objective 6: Plan Coordination
The County shall provide for the coordination of mass transit plans and programs among the appropriate implementing organizations on a continuing basis.

Policy 6-a: Mass transit plans shall be coordinated with the land use plans to reflect the demand created by existing and anticipated development.

Policy 6-b: The County shall investigate the use of transit services to promote more efficient urban development through increased services in the coastal communities.
Policy 6-c: The County shall coordinate any mass transit plans with the MPO Transit Development Program and the FDOT Five-Year Work Program through the MPO planning process.

Policy 6-d: The provision of exclusive lanes and separate rights-of-way in the expansion or extension of major transportation corridors shall be identified and protected in the Thoroughfare Right-of-Way Plan.

Traffic Circulation
GOAL: It is the GOAL of Palm Beach County to provide a safe, efficient, convenient and economical traffic circulation network which has sufficient capacity to efficiently, conveniently and safely move people, goods, and services throughout the County with minimal adverse impact to the natural environment.

Objective 4: Level of Service Standards
By 2010, the countywide roadway network shall operate at the adopted Level of Service standard.

Policy 4-k: Wholly owned and operated government facilities identified in the Future Land Use Element and Capital Improvements Element of a local government's Comprehensive Plan shall be measured against level of service D standard for State principal arterials, level of service E standard for State minor arterials, and one-hundred and ten percent (110 percent) of level of service E standard for all other major thoroughfare roadways. If the wholly owned and operated government facility does not satisfy the requirements of Policy 4-1, it shall satisfy level of service D standards for the 2010 Interim Transportation Plan unless as of December 31, 1990, the property has been acquired by the local government, or a contract has been entered into for the acquisition of the property, for the government facility. If the level of service standards cannot be satisfied, wholly owned and operated government facilities identified in the local government's Future Land Use Element and Capital Improvements Element of its Comprehensive Plan may receive a lower level of service standard by a specific amendment to this element.

Draft language: Proposed new Policy 4-k

The Board of County Commissioners finds that under certain limited circumstances dealing with transportation facilities, countervailing planning and public policy goals may come into conflict with the requirement that adequate public facilities be available concurrent with the impacts of such development. Oftentimes the unintended consequences of the transportation facilities concurrency requirement is the redirection of growth and development from the
urban area to the suburban, exurban and rural areas, thereby discouraging urban infill development, urban redevelopment, and downtown revitalization. Consequently, this policy provides for an exception from the transportation facilities concurrency requirements of the Comprehensive Plan and Unified Land Development Code for a project that is:

1. Internally consistent with the County's Comprehensive Plan, and if the project is located within a municipality, consistent with the County and with the municipality's Comprehensive Plan; and

2. Integrally related to the provision of public transportation.

The specific guidelines for granting a total exception from the transportation facilities concurrency requirements pursuant to this policy are detailed in Part III, Existing Conditions, Section J., Projects Integrally Related to Public Transportation.

Proposed new Subsection J, Section III, Existing Conditions

J. PROJECTS INTEGRALLY RELATED TO PUBLIC TRANSPORTATION

Policy 4-k of the Traffic Circulation Element is intended to be construed and applied along with the implementation provisions contained herein.

1. Eligible projects. A project shall be eligible for an exception from the transportation facilities concurrency requirement of the local government comprehensive plan provided the project is consistent with the County Comprehensive Plan and, if applicable, municipal Comprehensive Plan and provided the project is integrally related to the provision of public transportation. Eligible projects as used here shall include:

   a. transit terminals, which shall include local bus terminals, commuter rail terminals, and intermodal facilities terminals but excluding port and aviation terminals;

   b. transit passenger amenities, which shall include shelters, stations and their parking facilities, fringe parking, and park-and-ride lots; and

   c. ancillary maintenance, repair and office facilities serving public transportation.
2. **Guidelines for granting the exception.** These guidelines are intended to serve as a means for determining whether an otherwise eligible project shall qualify for an exception from the transportation facilities concurrency requirement.

**Eligible projects.** Eligible projects shall qualify for a 100 percent exception from the transportation facilities concurrency requirements provided the supporting data and analysis affirmatively demonstrates:

a. the project developer is a government entity or quasi-government entity with transportation mass transit authority: and

b. the project does not cause the level-of-service standard established by the Department of Transportation for transportation facilities on the Florida Intrastate Highway System as defined in section 338.001., F.S. to be exceeded.

**South Florida Region**

The following selected transit-related goals and policies for the South Florida region were compiled from the "Regional Plan for South Florida," August 1991.

**GOAL 20.1:** By 1995, enhance the regional transportation system's role in strengthening the process toward a more compact, efficient development pattern to improve the overall quality of life.

**Policies:**  
20.1.1 Encourage and support multimodal transportation system planning coordinated with land use planning to enhance a more compact, efficient development pattern.

20.1.2 Continue the development of the urban core concept and criteria in order to:

a) provide incentives for high density urban centers;  
b) allow for flexibility in the expenditure of transportation system capital funds to create a more balanced mix of highways and transit; and
20.1.3 Encourage high density, mixed use land development patterns in urban core areas and adjacent travel corridors.

20.1.4 Transportation improvement should be used as a tool to guide development toward locations more suitable for urban development and away from environmentally sensitive areas.

20.1.5 First priority for improved accessibility should be given to the presently developed areas of the Region and major travel corridors.

20.1.6 Promote measures to enhance the existing and continuing operation of the Tri-County Commuter Rail service to support a compact development pattern in the Region.

20.1.7 Encourage the use of transportation demand management strategies to reduce congestion and to maximize the use of existing transportation facilities.

20.1.8 Promote measures to enhance the intermodal linkages among the ground transportation system, airports and seaports in the Region.

20.1.10 Identify and support the use of new, stable and adequate funding sources at the local and state level to meet the Region's transportation needs.

20.1.12 Promote the participation of the private sector in transportation planning and ensure that public and private responsibilities for transportation improvements are determined equitably and on a fair share basis.

20.1.13 Local governments should adopt or amend ordinances to protect or preserve transportation corridors and rights-of-way identified in local government comprehensive plans or in State and regional plans.
20.1.14 State and regional agencies will give priority in programming public facility improvements to local governments which adopt local right-of-way protection ordinances.

20.1.15 Encourage cost-effective operation and maintenance practices for the Region's transportation system and provision of transportation services.

20.1.16 The High Speed Rail or similar service and its associated development should be used as a tool to encourage compact and efficient urban growth patterns, and in coordination with the local planning process, to promote an effective multi-modal transportation system. Specifically, it should also achieve the following:

a) promote redevelopment and urban infill;
b) promote mixed-use development; and
c) promote the integration and usage of the Region's transit system.

GOAL 20.3: By 1995, transit's share of total person trips in the Region will be increased by 50 percent during the peak hour and 30 percent during the off-peak hours from the 1986 levels.

Policies: 20.3.1 The Region's mass transit system should be designed and expanded to function as an alternative to the automobile. Mass transit planning should ensure availability of the system to a majority of the population.

20.3.2 Encourage high density, mixed use land development patterns in urban core areas and adjacent to urban transit corridors.

20.3.3 Coordinate among state, regional, and local governments on the identification and development of future transit corridors and services to create a more integrated transit system in the Region.

20.3.4 Encourage the coordination of existing transit services to improve the system efficiency. Mass transit facilities should incorporate provisions to enhance ease of transfer with other modes.

20.3.5 Promote the use of mass transit through incentives, site design and public education.
20.3.6 Encourage the appropriate use of transportation impact fees for improvement of the transit system when deemed as a more effective long term tool to enhance mobility.

20.3.7 Promote measures to enhance the existing and continuing operation of the Tri-County Commuter Rail service.

20.3.8 Future developments should provide transit amenities (shelters, route information, and schedules) and incentives whenever transit use is assumed or required to maintain acceptable roadway level of service.

20.3.9 Improve transit information systems and fare structures to make the transit system more easily understood and usable by the public.

20.3.10 Provide incentives to improve public transportation and increase the availability of transportation modes.

20.3.11 Local governments are encouraged to adopt a balanced transportation policy governing parking requirements and rates in high density areas with the goal of complementing automobile and transit modes.

GOAL 20.4: By 1995, the transportation disadvantaged, (including persons who are elderly and persons who are handicapped) in the Region will have access to the same level of transit services as available to the general public.

Policies: 20.4.1 Provide regular and/or specialized transit services to those areas of the Region whose residents have limited transportation options.

20.4.2 Para-transit services (taxis, limousines, and jitneys) for the transportation disadvantaged and other groups should be considered when appropriate in the development of local plans for the transportation disadvantaged.

20.4.3 Local comprehensive plans should explicitly include the objectives of lowering public and private costs of accessibility.

20.4.4 Establish a coordinated system for the transportation disadvantaged in all counties of the Region and assure
coordination of service delivery between the transportation disadvantaged and the public transit system.

**GOAL 20.5:** By 1995, all regional activity will be linked to public transportation systems.

**Policies:**

- **20.5.1** Ensure the provision of efficient inter-activity center transit service.

- **20.5.2** Transit routes and information should facilitate and encourage tourist ridership connecting transportation terminals and heavily developed hotel areas with popular tourist destinations.

- **20.5.3** Local government should consider policies which facilitate the provision of transit or para-transit services.

**Broward County**

The following selected transit-related goals and policies for Broward County were compiled from the "1989 Comprehensive Plan for Broward County, Florida, Volume 2," revised December, 1992.

**Land Use**

**GOAL:** Maintain a growth management system for the Unincorporated Area of Broward County which insures that development and redevelopment will only be permitted in areas where adequate public facilities and services are available concurrent with the impact of development while protecting, enhancing or restoring identified natural and historical resources.

**Objective 8:** Discourage the proliferation of urban sprawl.

**Policy 36:** The Plan Implementation Division shall recommend against proposed land use plan amendments which increase the density and/or intensity of land uses when sufficient vacant acreage exists in proximity to the proposed amendment to accommodate the projected population.

**Objective 10:** Provide innovative land development regulations which encourage planned unit and mixed-use developments.

**Policy 38:** The Plan Implementation Division shall maintain and recommend amendments, as necessary, to land use categories which permit mixed land use developments.
Traffic Circulation

GOAL: Provide and maintain a balanced multi-modal transportation system with a mixture of highway and public transit services, which coordinates transportation system development with the planned, orderly growth of Broward County, and which fosters a cooperative approach to provide safe and efficient operating conditions on the roadway network throughout Broward County.

Objective 4: Give increasing priority to public transportation in the development of the county's long range transportation plans so that the county will increasingly attract ridership by choice.

Policy 14: Within one (1) year of plan adoption, Broward County, in cooperation with Broward County MPO, will develop, test, and adopt a long range transit overlay to the 2010 Highway Network which will identify priority transit corridors, general system characteristics, and potential ridership in accordance with the goal, objectives, and policies of the Mass Transit Element of the Comprehensive Plan and the anticipated technical and financial support of the Florida DOT.

Objective 5: Make all reasonable efforts to protect, reserve and acquire rights of way for identified transportation corridors in a timely manner so as to preclude encroachment by incompatible land uses. Upon plan adoption, immediate emphasis will be placed on protecting the integrity of the adopted 2010 Highway Network.

Policy 15B: In the preparation and update of the transit system overlay, Broward County recognizes those urban core and redevelopment areas which are identified and mapped in the Broward County Land Use Plan and therefore eligible for reduced level of highway service, to be developing activity centers which will require higher levels of public transit service and an increasing investment by the private sector in the sharing of the costs of maintaining such higher levels of service.

Policy 15C: Broward County shall actively participate in a cooperative program with the State of Florida, the City of Ft. Lauderdale, the Downtown Development Authority (DDA), and the private sector to incrementally improve transit service to the downtown Ft. Lauderdale Urban Core, including the following elements:

- Participate with the City of Ft. Lauderdale and DDA in the implementation of a downtown trolley service.
- Immediately initiate a monitoring program of actual traffic conditions, including level of service, on arterial roadways approaching the downtown.
- By the end of 1993, Broward County shall complete a comprehensive evaluation of downtown transit and traffic service on the ability of people to circulate to and within the urban core.
This evaluation shall evaluate a variety of options, including but not limited to:

1. expanded feeder bus service (including Saturday and Sunday service) connecting downtown Ft. Lauderdale to Tri-Rail,
2. preferential treatment of buses entering or exiting the new downtown county transit passenger terminal,
3. improved pedestrian access to transit passenger facilities within the urban core,
4. incorporation of private sector transportation initiatives as mobilized by DDA in cooperation with state and local government,
5. minimum thresholds in highway level of service degradation which require institution of transit service improvements.

**Mass Transit GOAL:**

Develop and maintain a level of transit service which will meet existing and future demand, and which provides safe, economical, efficient, and convenient travel for all people.

**Objective 1:**

Increase the level of annual BCT ridership to 16.4 million linked trips (20 million unlinked) by 1995, and 20.4 million linked trips (25 million unlinked) by 2000.

**Policy 4:**

Broward County supply its employees with a subsidized bus/rail transit pass option rather than subsidized parking only, and encourage other employers in areas with limited parking to do similarly.

**Objective 2:**

Establish higher levels of public transportation service, considering all potential modes, and provide for the protection of existing and future rights-of-way, in priority transit corridors and economic centers as greater service becomes necessary to increase corridor capacity and enhance traffic circulation.

**Policy 9:**

Through the development permitting process, initiate procedures whereby up to 50 parking spaces are allocated towards potential park-and-ride usage in commercial developments at appropriate locations.

**Policy 11:**

Support the Tri-Rail service by ensuring the provision of adequate feeder and distributor bus service for Broward County stations.

**Objective 6:**

Ensure consistency among locally applicable mass transit plans and plans for transportation disadvantaged people through coordination with the Broward County Mass Transit Division, the Metropolitan Planning Organization, the
Policy 19: Through the Technical Coordinating Committee and by direct contact, involve the various agencies in the development and review process for all applicable transportation plans, in order to ensure compatibility regarding the establishment of locally desired level of service standards.

Metropolitan Dade County

The following selected transit-related goals and policies for Metropolitan Dade County were compiled from the "Comprehensive Development Master Plan for Metropolitan Dade County, Florida," revised July, 1992.

Land Use

GOAL: Provide the best possible distribution of land use, by type and density, to meet the physical, social, cultural and economic needs of the present and future resident and tourist population in a manner that will maintain or improve the quality of the natural and man-made environment and amenities, and ensure the timely and efficient provision of services.

Objective 3: The location and configuration of Dade County's urban growth from 1989 through the year 2010 shall emphasize concentration around centers of activity, renewal and rehabilitation of blighted areas, and contiguous urban expansion when warranted, rather than sprawl.

Policy 3A: High intensity, well designed activity centers shall be facilitated by Metro-Dade County at locations having high county-wide multimodal accessibility.

Policy 3B: Land in the vicinity of public mass transit stations shall be planned and developed in a manner that is compatible with, and supports the transit system.

Objective 7: Beginning in 1989 Dade County shall maintain a process for periodic amendment to the Land Use Plan map, consistent with the adopted Goals, Objectives, and Policies of this Plan, which will provide that the Land Use Plan Map accommodates urban expansion at projected countywide rates.

Policy 7A: Activity Centers, industrial complexes, regional shopping centers, large-scale office centers and other concentrations of significant employment shall be recognized as potential structuring elements of the Metropolitan area and shall
be sited on the basis of metropolitan-scale considerations at locations with good county-wide, multi-modal accessibility.

Traffic Circulation

GOAL: Develop, operate, and maintain a safe, efficient, and economical traffic circulation system in Metropolitan Dade County that provides the ease of mobility to all people and for all goods, is consistent with desired land use patterns, conserves energy, and protects the natural environment.

Objective 1: It is desirable that all roadways in Dade County operate at level of service (LOS) C or better. By the year 2000 no roadways in Dade County should operate at a level of service lower than the base level of service standard contained herein.

Draft language: Proposed new Policy 1G of the Traffic Circulation Element

In highway and transit planning activities of the County and the Metropolitan Planning Organization (MPO), Dade County will give highest priority to the funding of necessary capacity improvements to roadways on the Florida Intrastate Highway System (FIHS) as defined in Section 338.001, F.S., and to proximate facilities and services that would serve to relieve congestion on FIHS facilities which are operating above their capacity.

Proposed Transportation Concurrency Exception Provision to the Concurrency Management Program

A proposed development will not be denied a concurrency approval for transportation facilities provided that the development is otherwise consistent with the adopted Comprehensive Development Master Plan and it meets the following criteria pursuant to Section 163.3180, Florida Statutes:

1. The proposed development is located within the Urban Infill Area; or

2. The proposed development is located in an existing urban service area within the UDB [urban development boundary] and is located in a Community Development Target Area or Redevelopment Area established pursuant to the Housing and Community Development Act of 1974, as amended, and 24 CFR Part 570, or Chapter 163, Part 3, F.S., respectively, or in an Enterprise Zone established pursuant to Chapter 290, F.S., or in an Empowerment Zone established pursuant to Federal law; or

3. The proposed development is one which poses only special part-time demands on the transportation system as defined in Section 163.3180(5)(c),
Florida Statutes, and is located in an existing urban service area inside the UDB; or

4. The proposed development is located inside the UDB, and directly and significantly promotes public transportation by incorporating within the development a Metrorail, Metromover or TriRail station, or a Metrobus terminal for multiple Metrobus routes, or is an office or residential development located within one-quarter mile of a Metrorail, Metromover or TriRail station, or a Metrobus terminal for multiple Metrobus routes; and

5. If the project would result in an increase in peak-period traffic volume on an FHIS roadway that is operating below the CDMP-adopted LOS standard, which increase would exceed 5 percent of the capacity of the roadway at the CDMP-adopted LOS standard, the County shall require the developer and successors to implement and maintain trip reduction measures to reduce travel by single-occupant vehicles so that the resultant increase in traffic volume does not exceed 5 percent.

Dade County shall include in its concurrency management program ordinance or administrative rules appropriate criteria and methodologies to implement the exceptions authorized in foregoing paragraphs 1 through 5, consistent with requirements of Chapter 163, Part 2, Florida Statutes.

**Objective 6:** Plan and develop a transportation system that preserves environmentally sensitive areas, conserves energy and natural resources and promotes community aesthetic values.

**Policy 6E:** The County shall pursue and support transportation programs (e.g., rapid transit, express buses, high occupancy vehicles [HOV], bikeways) that will help to maintain or provide necessary improvement in air quality and which help conserve energy.

**Mass Transit Goal:** Maintain, operate, and develop a mass transit system in Metropolitan Dade County that provides efficient, convenient accessible, and affordable service to all residents and tourists.

**Objective 4:** Provide convenient, accessible, and affordable mass transit services and facilities.
Policy 4A: Dade County, with private sector assistance, shall provide mass transit service appropriate for the mix and intensity of development of activity centers identified in the Land Use Element.

Policy 4B: Dade County, with appropriate private sector contributions shall provide a network of regular and/or special services to facilitate access to major centers of employment, commercial, medical, educational, governmental, and recreational activity.

Policy 4C: Dade County, with assistance from the Florida Department of Transportation (FDOT), shall provide service that is competitive with automobile travel in terms of reliability and overall travel time and cost.

Objective 6: Continue to coordinate Dade County's Mass Transit Element, and the plans and programs of the State, region and local jurisdictions.

Policy 6B: Dade County shall coordinate with FDOT in its efforts to develop intrastate transit systems, including regional transit systems and a high speed intrastate rail system linking Tampa, Orlando, and Miami.

Policy 6D: Where appropriate, Dade County shall coordinate its mass transit plans and programs with those of adjacent counties to ensure regional mobility in major travel corridors.


Policy 7B: Dade County shall investigate and adopt strategies for the preservation of planned mass transit rights-of-way and exclusive corridors, including consideration of railroad and utility rights-of-way which may be appropriate or cost effective in the construction of rapid transit lines, express bus lanes, or high occupancy vehicle (HOV) lanes.

Policy 7C: Dade County will include provision for high capacity transit modes in planned highway improvements in congested urban corridors.

Objective 8: Encourage the ease of transfer between mass transit and all other modes, where it improves the functioning of the transportation network.

Policy 8A: Mass transit facilities shall incorporate provisions to enhance ease of transfer with other modes (e.g., park-ride garages and lots bicycle lockers and racks, pedestrian walkways, taxi and jitney stands).
Intergovernmental Coordination

GOAL: Use intergovernmental coordination as a major means of ensuring consistency among local, county, and regional government plans and policies and of implementing Dade County's comprehensive development plan.

Objective 1: Maintain and improve coordination of planning, development and impact assessment among governmental entities with applicable responsibilities within Dade County's area of concern.

Policy 1J: Dade County shall increase interaction between its Metropolitan Planning Organization and those of Broward, Monroe, and Palm Beach Counties and with Dade municipalities to improve intraregional and intracounty transportation coordination.
APPENDIX D

List of Individuals Contacted

City of Boca Raton
John Reilly, Transportation Analyst  
Suzanne Page, Economist/Planner  
Michael Strasser, Land Development Coordinator

City of Boynton Beach
Michael Rumpf, Senior City Planner

City of Pompano Beach
Cynthia Bertschinger, Planning Director

Metropolitan Dade County
Thomas Spehar, Principal Planner, Development Division  
Mark Woerner, Planning Department  
Howard Williams, Planning Department  
Helen Brown Fogaros, Concurrency Administration

Broward County
Martin Berger, Development Management, Department of Strategic Planning and Growth Management

Palm Beach County
Dan Weisberg, P.E., Senior Engineer, Traffic Division  
Earl Hahn, Department of Planning, Zoning & Building

Holland & Knight, Fort Lauderdale, FL
Sue Delegal, Attorney

State of California, Department of Transportation
Philip Simpson, AICP, Chief, Office of System Performance

City of Carlsbad, California
Donald Rideout, Director, Growth Management Program

National Transit Access Center, University of California at Berkeley
Michael Bernick, Co-Director

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Bay Area Rapid Transit
Jeff Ordway, Manager of Property Development

AMTRAK
Bill Negron, Project Manager, Asset Management, Real Estate Division
Bob Burns, Manager, Station Development, Real Estate Division

King County, Washington
David Hull, Transportation Planner

City of Bellevue, Washington
Christine Dreaney, Planner

New Jersey State Department of Transportation
J. Neil Longfield, Supervising Planner, Bureau of Statewide Planning
Helene Rubin, Authorities Coordination and Local Transportation Planning Unit

Los Angeles County Metropolitan Transportation Authority
James Amis, Senior Manager, Joint Development

Bay Area Rapid Transit, San Francisco, California
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David Levinson, Transportation Planner, The Maryland-National Capital Park & Planning Commission

Prince George's County, Maryland
George Cardwell, AICP, Transportation and Public Facilities Planning Division, The Maryland-National Capital Park & Planning Commission
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