

AGENDA

BROWARD COUNTY PLANNING COUNCIL STAFF WORKSHOP

OCTOBER 29, 2009 – 1:30 p.m.

Broward County Governmental Center – Room 422

Welcome and Introductions

1. Model “Smart Growth” Land Use Plan Amendment Evaluation
2. Review of Broward County Land Use Plan Transportation Goals, Objectives and Policies
3. Review of Broward County Land Use Plan Amendment Transportation Analysis Methodology

Next Step

UPDATED DRAFT FOR DISCUSSION

**MODEL “SMART GROWTH” LAND USE PLAN AMENDMENT EVALUATION
OCTOBER 19, 2009**

A. Characteristics of Land Use Plan Map/Text Amendment	Possible Points	Points Earned
<p>1. Does the amendment propose a “mixed-use” land use plan designation? (e.g. “Regional Activity Center,” “Local Activity Center,” “Transit Oriented Development,” “Transit Oriented Corridor,” “Mixed Use – Residential”), <u>and/or</u> a minimum of twenty-five (25) dwelling units per gross acre, <u>and/or require non-residential development to have a minimum Floor Area Ratio of 1.0 or greater?</u></p>	5	
<p>2. Does the amendment designation incorporate the preservation and/or creation of sufficient local-level publicly accessible open space areas designed to functionally serve the amendment area, <u>in accord with or greater than adopted level-of-service requirements?</u></p>	5	
<p>3. Will at least 75% of the amendment area be serviced (i.e. within <u>¼ mile</u>) by existing and/or short-term-planned (i.e. 10 <u>5</u> years or less) financially feasible high performance transit stations or stops?</p>	5	
<p>4. Is the amendment area integrated with existing or planned bikeways and pedestrian systems? <u>Qualitative measures, such as convenience standards (e.g. protection from elements, adjacent land uses, system connectivity) should be considered in the evaluation.</u></p>	5	
<p>5. Did the amendment result from a public participation or visioning process, beyond minimum legal notification requirements, which specifically addressed the amendment area in detail, and which resulted in a plan approved by the local government?</p>	5	

6. Does the application include written support from community members, stakeholders and affected and concerned citizens?	5	
7. Does the amendment propose to redevelop an identified brownfield, or similarly identified disturbed land?	2	
8. Does the amendment propose the development of a <u>public</u> community/ <u>civic</u> facility such as a school, health facility or cultural center;	2	
9. Would the designation(s) proposed by the amendment increase the tax base in comparison to what would have reasonably been created under the existing land use plan designation(s)?	2	
10. Would the amendment result in an increase in jobs in comparison to what would have reasonably been created under the existing land use plan designation(s)?	2	

<i>B. Characteristics of Adopted Applicable Municipal Code</i>	<i>Possible Points</i>	<i>Points Earned</i>
1. Will affordable and/or workforce housing be required?	3	
2. Will public access to parks be required?	3	
3. Will the subject parcel be connected to and/or be integrated within an existing or planned mixed-use center or area?	3	
4. Will the project be required to be designed consistent with the vernacular architecture of the surrounding area?	3	
5. Will the project be required to be designed consistent with inclusive, safe, human-scale streetscapes (e.g. sidewalks, street trees, street frontage, attractive street lighting, pedestrian friendly parking designs, accommodate the handicapped and the elderly, traffic calming, <u>defensible space</u> , etc.)?	3	
6. Will the project be required to use lighting mechanisms that do not pollute the night sky or negatively affect the surrounding area?	3	
7. Will the project be required to incorporate usable public open space and public civil spaces?	3	
8. Will the project be required to be developed consistent with Broward County's "NatureScape," or similar, criteria?	3	
9. Will the project be required to promote a vertical integration of land uses (e.g. housing above commercial), or be required to include three (3) or more uses, one of which must be residential?	3	

<p>10. Will the project be required to be designed and constructed with convenient and attractive access to pedestrian, bicycle and transit facilities through well-marked cross-walks on-site and links to external areas?</p>	<p>3</p>	
<p>11. Will the project be required to contribute to or participate in transportation demand management program, <u>which may include parking limitations</u>, (State required “concurrency” provisions do not qualify.) and/or will the project be integrated with and existing or short-term planned local traffic circulator (e.g. trolley)?</p>	<p>3</p>	
<p>12. Will the project be required to fully connect with the road system of the surrounding area?</p>	<p>3</p>	
<p>13. Will the project be required to reduce stormwater runoff by providing for on-site retention, infiltration or staged release?</p>	<p>3</p>	
<p>14. Will the project require the re-use of “grey water?”</p>	<p>3</p>	
<p>15. Will the project be required to provide, protect or restore on-site wildlife habitat?</p>	<p>3</p>	
<p>16. Will the project be required to protect existing native trees on-site?</p>	<p>3</p>	
<p>17. Will the project be required to apply for LEED, FGBC or similar certification?</p>	<p>3</p>	
<p>18. Will the project be required to reduce construction waste or use recycled materials, <u>and/or adaptively reuse existing buildings</u>?</p>	<p>3</p>	
<p>19. Will the project be required to protect any identified historic/archeological resources within the boundary?</p>	<p>3</p>	
<p>20. Will the project be required to protect any identified environmentally sensitive lands within the boundary?</p>	<p>3</p>	

<i>C. Characteristics of Applicant Voluntary Commitments</i>	<i>Possible Points</i>	<i>Points Earned</i>
1. Will project be developed in accord with any item listed in “B” above, but which is not required by the adopted municipal code, or other commitments relevant to promoting smart growth principles?	2 per separate item	

(NOTE: Underlined and ~~Struck through~~ wording are proposed additions/deletions since July, 2009, draft.)

“RESPONSE DOCUMENT”
BROWARD COUNTY PLANNING COUNCIL STAFF
OCTOBER 19, 2009

MODEL “SMART GROWTH” LAND USE PLAN AMENDMENT EVALUATION
COMMENTS RECEIVED CONCERNING JULY, 2009 DRAFT

Comment Received

- **(1) Section A.1** - Recommend that specific minimum thresholds for non-residential (FAR) intensities be evaluated, in addition to residential minimum densities that are supportive of transit.

Response: A minimum non-residential Floor Area Ratio (FAR) of 1.0 has been added to the draft Evaluation form for discussion purposes.

Comment Received

- **(2) Section A.1** - Supposed to prevent “sprawl” but not convinced that this type of dense housing is “smart” given the state of unfunded transportation, and the absence of large green open space areas around each development.

Response: One of the main purposes of a “smart growth” evaluation for land use plan amendments includes promoting the connectivity of housing with existing and funded transit and non-automotive transportation options, and the provision and protection of publicly accessible open space and recreation areas.

Comment Received

- **(3) Section A.2** – Clarify that there should be open space even if the city as a whole already satisfies the legal requirement of open space. Also what is the definition of “sufficient”?

Response: The term “sufficient” has been deleted from the draft. Wording has been added to the draft providing that publicly accessible open space be in accord with or greater than adopted level-of-service requirements for the individual project.

Comment Received

- **(4) Section A.3** - What is the standard to determine how well transit “services” an amendment area? Is it transit located within ¼- to ½ -mile? Frequency of service? Proximity to transit stops?

Response: Wording has been added to the draft clarifying that an area is “serviced” if within ¼ mile of a transit station or stop.

Response Document

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Comment Received

- **(5) Section A.3** - Recommend that the entire amendment area be serviced by existing or planned (short-term) transit facilities.

Response: Planning Council staff recommends that reference to 75% of the area being serviced be retained to allow flexibility for the determination of an amendment boundary, yet still provide credit for amendment areas that are largely serviced by transit.

Comment Received

- **(6) Section A.3** – Suggest that transit be existing or already funded, why subject the residents to 10 years of choking traffic before having relief?

Response: The draft has been revised to provide that short-term planned transit be funded within a 5-year horizon, rather than a 10-year horizon.

Comment Received

- **(7) Section A.4** - Is there an expectation of the quality of bikeways and pedestrian systems? LOS? Qualitative measures, such as convenience standards (protection from elements, adjacent land uses, connectivity of system)?

Response: The draft has been revised to include clarifying language stating that qualitative measures, such as convenience standards (e.g. protection from elements, adjacent land uses, system connectivity) should be considered in the evaluation.

Comment Received

- **(8) Section A.5** - Is the question about public participation or visioning purposely vague to give the applicant leeway on the type of public outreach? Are there standards for assigning points based on the quality of the public outreach?

Response: The draft language proposes that credit be given for public participation and/or visioning processes which are beyond minimum legal notification requirements. Users of the evaluation form may incorporate additional criteria that assign points based on “quality of public outreach.”

Comment Received

- **(9) Section A.6** - Regarding written support from local stakeholders, is there a means to ensure that opposing viewpoints are part of the evaluation?

Response: The subject “smart growth” evaluation would only supplement and not in any way pre-empt the standard land use plan amendment evaluation or participation procedures which fully incorporates and considers opposing viewpoints as part of the record and such evaluation.

Comment Received

- **(10) Section A.7** - Recommend that adaptive reuse of existing buildings be included in the evaluation.

Response: The draft evaluation has been revised to consider adaptive reuse in Section B.18. It is felt that consideration of adaptive reuse is more a function of the adopted municipal code or an applicant’s voluntary commitment rather than a characteristic of a land use plan map or text amendment.

Comment Received

- **(11) Section A.8.A** – Suggest revising to “The collocation of public/civic facilities with community facilities such as health facility, or the collocation of public/civic facilities with public school facilities.”

Response: It is felt that a proposed and committed collocation of public/civic facilities would be eligible for evaluation points under the current draft wording.

Comment Received

- **(12) Section A.8** - Observation: Item A – Community Facility does not seem consistent with the other two Items: B – increase to tax base, and C – Increase in jobs. Why are these three grouped together? Should Item A be separate?

Response: Section A.8 has been revised to separate the items into Sections A.8 through A.10.

Comment Received

- **(13) Section B.9** - What if this is a large scale, multi-building project and the applicant chooses to have single use buildings in close proximity to each other. It's more cost effective to have single use buildings, so say you have retail shops next door to a multi-family building which is next to office space, but they are all part of the same project. If they are not in the same building, will you lose points?

Response: The current draft wording permits single use buildings to be eligible for points, as long as the overall project includes three (3) or more uses, one of which must be residential.

Comment Received

- **(14) Section B.11** - Recommend that the transportation demand management (TDM) program be specified and points be awarded according to the specific TDM strategy.

Response: Users of the evaluation form may incorporate additional criteria that assign points based on a specific TDM strategy.

Comment Received

- **(15) Section B (General)** - How would someone use this checklist for an "Adopted Municipal Code"? Is this meant, instead, for a "proposed Municipal Code"?

Response: The draft evaluation form proposes points only for items already adopted as part of municipal codes.

Comment Received

- **(16) Section B (General)** - Overall, the wording seemed odd to me until I assumed that the questions are not for a private developer, but instead are for a municipality that is writing new code or that is revising existing code. Is this assumption correct?

Response: It is contemplated that such an evaluation form would be utilized by local government planners as part of their review of proposed map amendments to the land use plan. Information to address the questions in the evaluation form could of course be provided by applicants for land use plan map amendments.

Comment Received

- **(17) Section B** – Suggest adding “Will the amendment require that the traffic signal system be enhanced within its area? If so, how and will the enhancement will be coordinated with Broward County Traffic Engineering Division?”

Response: Users of the evaluation form may incorporate additional criteria that assign points based on traffic signal systems enhancements required by the municipal code or voluntarily offered by an applicant.

Comment Received

- **(18) Section B** – Recommend that parking limitations be added to the checklist to encourage TDM strategies. For example, for sites that have access to high frequency transit, they would be subject to higher people to parking space ratios – 10 people to 1 Parking space or would pay to park at equivalent rates. For those sites that have to lower frequency transit, they could access – 5 people to 1 parking space or would pay to park at equivalent rates.

Response: Section B.11 has been revised to include parking limitations as a potential component of TDM strategies.

Comment Received

- **(19) Section B** - Recommend specific criteria be identified that address land use and transportation needs associated with demographic changes.

Response: Additional information needed. It is noted, however, that land use plan amendments, and associated modifications to the transportation system, may be justified via information/data concerning demographic trends which are submitted and considered as a separate part of the land use plan amendment evaluation process.

Comment Received

- **(20) Section B** - Recommend incorporating criteria for renewable energy (such as solar panels on facilities) and water conservation.

Response: Section B.17, regarding LEED, FGBC or similar certification, is intended to address the above referenced issues.

Comment Received

- **(21) Section B (General)** – If the model is used to analyze LUPAs, suggest removing some of the criteria that not all sites could attempt to achieve. For example, it may not be fair to dock points from an application if the project is required to provide, protect or restore on-site wildlife habitat, when not all sites have this condition.

Response: The draft model is not intended to be used as a method to penalize, or “dock,” applicants, but as a means to recognize applications that further “smart growth” development and plans. Regarding the example raised concerning wild-life habitat, it is understood that the location of some land use amendment proposals, and the requirements such amendments may be subject to, will better serve the furtherance of “smart growth” objectives than others.

Comment Received

- **(22) Section B (General)** – This section is site plan related and should be dealt with at a municipal level. I don’t know that it is appropriate to apply these types of conditions countywide at the LUPA stage.

Response: The “smart growth” land use plan amendment evaluation form is intended to be a model which may or may not be used by municipalities. There is no direction from the Broward County Planning Council or County Commission to utilize such an evaluation form at the County LUPA stage. However, it is noted that even if used by municipalities, any site plan related criteria would not be “imposed” at the LUPA stage, but would be noted as part of the LUPA evaluation whether such criteria or requirement is already part of the adopted municipal code, or if the applicant is voluntarily offering such commitment to receive recognition as part of the land use plan amendment evaluation.

Comment Received

- **(23) General** – Coordinate draft for the (County) Urban Design Guidelines Checklist with the Smart Growth amendment checklist.

Response: Council staff has met with County staff in this regard. Although a land use plan amendment “smart growth” checklist may address a stage of the development process different from when an “Urban Design Guidelines Checklist” would be used, it is recognized that the concepts and strategies referenced in each may be similar and overlap. Therefore, Council staff will continue to work with County staff as they prepare an “Urban Design Guidelines Checklist,” and seek to coordinate the preparation and presentation of each in a complimentary fashion.

Comment Received

- **(24) General** - The model should evaluate comprehensive land use/transportation financing techniques available under Florida law. This may include revisions to impact fees ordinances to encourage redevelopment at designated nodes and centers, as well as in downtowns. Impact fees should be coordinated with the effort described in Section A. If the LOS is coordinated with comprehensive policies to encourage growth in downtowns and corridor centers and to link land use with anticipated increases in infrastructure capacity, the impact fees should decline in built-up areas with existing infrastructure. This will create an incentive for development to occur in locations that have would have otherwise been bypassed for Smart Growth Development.

Response: It is felt that presently, an evaluation of land use/transportation financing techniques to be incorporated into the model is beyond the scope of the same. Additional information, and specific recommended criteria, would be welcome for consideration.

Comment Received

- **(25) General** - The model should evaluate mechanisms to ensure that the growth is coordinated with infrastructure capacity and infrastructure financing capability; providing a suitable range of choices in neighborhoods to accommodate projected needs from all age and income groups; and assure environmental land preservation.

Response: It is felt that all land use plan amendments, including amendments furthering “smart growth” objectives, are subject to such coordination and consideration.

Comment Received

- **(26) General** - A point scale should be considered to rate a land use plan amendment’s relative consistency with “smart growth” principles.

Response: Based on the current draft for discussion, the maximum number of points that could be awarded is 98 (38 points under Part A, and 60 points under Part B – note that points awarded under Part C would be for voluntary commitments to address items that are not required by code under Part B). Identification of a point total that would be deemed “significant,” “good,” “excellent,” etc. would be somewhat arbitrary. However, for the sake of discussion, it is noted that a score of 90% of possible points would be 88 and could be rated as “excellent.” A score of 80% of possible points would be 78 and could be rated as “good.”

**Broward County Land Use Plan
Planning Council Staff
Review of Transportation Goals, Objectives and Policies**

October 19, 2009

PRELIMINARY – FOR DISCUSSION

Current County Land Use Plan (BCLUP) Goals, Objectives and Policies (GOP's)

- Goal A – “Smart Growth” and “Green/Energy Efficient” Land Use Patterns
OBSERVATION
 - Policies A.01.05, 06 and 11 support a variety and integration of transportation/transit modes, and walkability, but note Policies applicable only to “lands owned by the County or within unincorporated areas.” Policies also indicates that County “promotes and encourages” others.

- Goal 1 – Residential
OBSERVATIONS
 - Except for Policy 1.03.02 which encourages the availability of mass transit for Medium High to High densities, BCLUP GOP's regarding housing do not speak to coordination with transit/alternative modes of transportation.
 - Objective 1.07.00 – Affordable Housing – not tied to policy regarding availability of transit/alternative transportation modes.
 - Objective 1.08.00 – Special Residential Facilities - not tied to policy regarding availability of transit/alternative transportation modes.

- Goal 2 – Commercial
OBSERVATION
 - Not tied to policy regarding availability of transit/alternative transportation modes.

- Goal 3 – Industry/Tourism
OBSERVATION
 - Not tied to policy regarding availability of transit/alternative transportation modes. Policy 3.01.02 speaks to industrial lands and access to highways, airports, railroads and seaports.

PRELIMINARY – FOR DISCUSSION

- Goal 5 – *Recreational and Open Spaces*
OBSERVATIONS
 - Objective 3 – Promotes countywide bicycle and non-motorized transportation network.
 - Objective 5 – Promotes countywide greenway and trail network.

- Goal 8 – *Public Facilities and Phased Growth*
OBSERVATIONS
 - Objective 1 – Requires coordination of regional facilities/services.
 - Policy 8.03.04 and 8.03.05 – These locational policies for public regional and community centers encourage concentrated activity to allow multi-purpose trips, and also access to mass transit.
 - Policy 8.06.02 – Concurrency systems – “traffic circulation” and “transit” subject to levels-of-service standards.

- Goal 10 – *Mixed Land Uses*
OBSERVATIONS
 - Includes “Regional Activity Center,” “Local Activity Center,” Transit Oriented Corridor,” “Transit Oriented Development,” and “Mixed Use” land use classifications.
 - All above referenced land use classifications are generally supportive of and require coordination with the availability of transit/alternative transportation modes.

- Goal 11 – *Levels of Service*
OBSERVATION
 - Transit is subject to levels-of-service standards.

PRELIMINARY – FOR DISCUSSION

- Goal 12 – *Land Use and Transportation*

 - OBSERVATIONS

 - Policy 12.01.02 – levels-of-service tied to “highway capacity methodology.”
 - Policy 12.01.08 – encourages multi-modal transportation facilities and services as part of land use planning decisions.
 - Policy 12.01.09 - promotes bicycle and pedestrian access between land uses.
 - Objective 12.02.00 – Trafficways Plan established – traditionally, the design of such has been auto oriented as per Trafficways typical cross-sections. Recently, the Trafficways implementation rules have been revised to include the “context sensitive design” alternative.
 - Policy 12.02.06 speaks to transit/alternative modes, although unclear if speaking independent of or in addition to Trafficways Plan right-of-way.

- Goal 17 – *Urban Infill Areas, etc.*

 - OBSERVATION

 - Policies 17.02.05 and 17.02.06 speak to promotion and coordination with mass transit/alternative modes.

Preliminary Conclusions/Potential Recommendations

1. Currently, BCLUP policy under goals specifically concerning housing, commercial, and industrial/tourism either do not or weakly addresses the availability of mass transit/alternative modes within these contexts.
2. Transit/alternative modes are strongly tied to newer “mixed use” BCLUP land use classifications (“Transit Oriented Development,” “Transit Oriented Corridor,” etc.), and Goals (“Smart Growth,” “Green/Energy Efficient Patterns”). Transit/alternative modes are also supported, encouraged, or recommended in other select portions of the BCLUP. However, it is felt that, currently, the BCLUP may not comprehensively integrate transit/alternative modes as a principal component of the future countywide urban land use fabric.
3. **Example/Potential new BCLUP policy could include:**
 - Revise BCLUP policy concerning housing, commercial and industrial/tourism to better integrate, when appropriate, with transit/alternative modes.
 - Review BCLUP to ensure consistency with updated Long Range Transportation Plan.
 - Consider reduced housing costs via location near transit stations/stops.
 - Policy concerning the Broward County Trafficways Plan could be reviewed to consider greater weight or clarification regarding accommodation of transit/alternative modes within identified Trafficways corridors.
 - Policy concerning levels-of-service methodology could be reviewed to consider factors other than “highway capacity methodology.”
 - Potential revisions to policies and procedures addressing land use plan amendment transportation analyses, especially for those amendments adjacent to or served by transit corridors/stations.

**Broward County Land Use Plan
Planning Council Staff Review of
Transportation Analysis**

October 19, 2009

PRELIMINARY – FOR DISCUSSION

State of Florida Transportation Analysis Requirements

- 9J-5 Florida Administrative Code
- Best Practices

Existing BCLUP Amendment Transportation Analysis

- Determination of Net Impacts
- MPO models and assigns net trips to Long Range Transportation Plan
- Impacts
- Staff Recommendation

Evolution of Analysis

- Daily versus peak hour
- 1% versus 3% significance threshold
- Pass by credits for “commercial” properties
- Standard Internalization credits for mixed use: RAC LAC TOC TOD
- Case by case additional Internalization credits based on ITE formulas and tables
- TOC/TOD policies

Issues Related to Transportation Analyses

- 1) How to transcend roadway orientation and evolve into transit orientation, including transit propensity credits?
- 2) Previous efforts to formalize transit credits
- 3) Formalizing Transportation Analysis
- 4) Changing how we conduct analysis
- 5) Status Quo
- 6) Anomalies

BCLUP Policy Review