

# Community Planning Handbook

Florida Department of Transportation

Office of Policy Planning

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The purpose of the Community Planning Handbook, hereafter referred to as the Handbook, is to implement the Florida Department of Transportation's (FDOT's) [Community Planning Policy](#) and provide guidance to FDOT's staff for carrying out their community planning responsibilities and activities. The Handbook addresses the value of coordinating and collaborating with local governments, regional planning councils (RPCs), metropolitan planning organizations (MPOs), developers, and other partners to better integrate transportation and land use decisions. It promotes community partnerships and engagement that lead to desired planning outcomes at the local, regional, and state level. It presents a streamlined alternative to the traditional comprehensive plan review process to allow more time for FDOT staff to engage local governments early and often in the planning process.

The Handbook is developed and maintained by FDOT staff in the Office of Policy Planning (OPP) and is a living document. OPP will update the Handbook, as necessary, to reflect changes to state law, offer additional guidance, and share new best practices. This version of the Handbook was finalized on July 8, 2022, and supersedes the Handbook dated June 21, 2019.

This Handbook is not intended to provide legal advice or interpretation of laws and regulations. The FDOT Office of the General Counsel should be consulted for the purpose of legal interpretations and/or legal guidance.

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# Introduction

Community planning is the process of guiding or shaping the conditions of a community, based on the desires and needs of the residents and businesses. Land use planning and transportation planning are part of community planning and when successfully integrated, ensure mobility and accessibility and support the quality and sustainability of Florida’s built and natural environment.

Through community planning, local governments establish policies and processes that guide economic development, land use, and transportation. Land use policies and processes may include densities and intensities for new neighborhoods or businesses, zoning requirements, and development timeframes. Transportation policies may require access to transit; development patterns that support multimodal transportation; bicycle and walking facilities; and addressing the impact of development on state and local transportation facilities.

Community planning also affects FDOT’s day to day work (see Figure 1). Planning decisions are used by FDOT in context classifications determinations, speed management solutions, safety, traffic operations, and access management. Context classifications, land use, zoning, and types of transportation users

**FIGURE 1. HOW DOES COMMUNITY PLANNING AFFECT OUR WORK?**



influence decisions about modes, connectivity, speed management, parking, preservation of community character, freight routes and delivery, and the balance between destination versus through traffic. Community planning decisions also affect a local government’s need for new transportation projects, improvements, or changes to existing facilities.

In addition, community planning is central to achieving FDOT’s Mission, Vision, and Values. Community planning also implements the Florida Transportation Plan, and in particular, key strategies addressing the integration of land use and transportation decisions as well as protecting water, air, lands, and habitats.

Fully integrating land use and transportation planning requires meaningful, value-added strategies that improve decision making, invest resources appropriately, and align FDOT and community visions.

This must begin with engaging not only with local and

regional governments and development and community partners, but also within and among FDOT offices and staff. By working collaboratively, FDOT can address transportation-related challenges and opportunities throughout the planning process. This supports local government visions; promotes good planning outcomes that benefit people, communities, and the environment; reduces impacts on state transportation facilities; and ensures the safety and mobility of people and goods on Florida’s transportation system.

This aligns with FDOT's [Community Planning Policy](#), which directs FDOT staff to *proactively coordinate and collaborate with local governments, RPCs, developers, and other partners to better integrate transportation and land use decisions*. Doing so results in a *safer transportation network that enhances mobility, promotes economic prosperity, and preserves the quality of our environment and communities*.

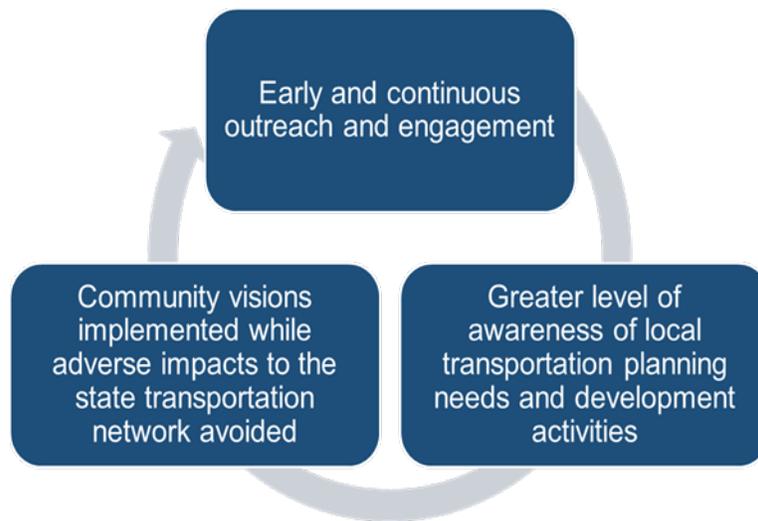
The policy recognizes that the review of local government comprehensive plans is only one tool in the community planning toolbox. While FDOT's [Community Planning Coordinators](#) (CPCs) are key to implementing the Community Planning Policy, the responsibility of partnering with local governments is shared by all areas of FDOT. This Handbook focuses on the value of community partnerships and engagement, and provides ideas, tools, case studies, and alternatives to traditional practices to support FDOT's efforts to spend more time engaging with local governments early and often in the planning process.

# Community Partnerships and Engagement

## Section 1: Introduction

Building relationships with local governments and other transportation partners is a win-win for all involved. As Figure 2 demonstrates, working together aligns local and regional visions while coordinating land use and transportation decision-making. It generates greater trust and confidence among partners as well as a greater understanding of FDOT processes and procedures and leads to desired planning outcomes at the local, regional, and state level.

**FIGURE 2: EARLY AND CONTINUOUS OUTREACH**



Through a series of internal strategy sessions, surveys, and facilitated discussions, the FDOT CPCs and Intermodal System Development Managers identified the following strategies for integrating land use and transportation planning while engaging local governments and other FDOT partners early and often as part of a proactive and continual planning process:

- Provide on-going technical assistance to local governments on transportation and land use integration.
- Foster a mutual understanding of context-based<sup>1</sup> design and planning.
- Foster a mutual understanding of FDOT and community visions.
- Promote alignment of community visions and policies with the FTP.
- Ensure the Department’s corridor and planning studies integrate FDOT and community visions to help identify needs and solutions.

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<sup>1</sup> FDOT’s [Context Classification Guide](#) explains that context-based design incorporates the context (characteristics of a roadway), user needs, and transportation functions into the design process, to “put the right street in the right place.” Context-based design increases safety and enhances mobility for all users of Florida’s roadways.

- Engage external transportation and community planning partners.
- Improve cross-functional coordination within FDOT, particularly with respect to community planning expertise and activities.
- Help local governments understand how projects are programmed and funded and how connectivity and mobility support the statewide transportation system.
- Promote data sharing and data integration to foster more informed decision making.
- Collaborate with local governments to address funding challenges and appropriately invest resources.
- Enhance the local and regional connection of health and safety with first/last mile solutions, the Americans with Disabilities Act, and land use and the build environment.

Within each of these strategies is an extensive list of actions that FDOT staff can take to engage with local governments, RPCs, MPOs, developers, and other partners, as well as with one another. These actions fall into these five categories: Listen and Share, Participate, Collaborate, Communicate, and Assist.

## Section 2: Opportunities to Engage

FDOT engages with its transportation planning partners in a variety of ways and through unique approaches that can be duplicated among the Districts. Each section below provides suggestions and examples for how FDOT engages in the local government planning process and helps local governments better understand FDOT’s programs and processes. In addition, the call-out boxes identify other specific actions FDOT staff can take to engage with local governments and other transportation planning partners.

### A. LISTEN AND SHARE

**Resources:** The Districts and Central Office offer a variety of resources to help local governments work with FDOT and understand its priorities. OPP created a [Local Government Resource Guide](#) to provide guidance to local governments on how to partner with FDOT; an overview of transportation planning and programming; insight on how FDOT can assist with advancing and completing local priority projects; and a listing of FDOT funding programs and eligibility. OPP also developed a series of [subject briefs](#) for both FDOT staff and external partners on topics that include broadband, community planning, Complete Streets, equity, funding, resiliency, MPOs, and other topics.

#### LISTEN AND SHARE

- Workshops
- Listening sessions
- Partner briefings
- Training opportunities
- Funding opportunities

Using the Resource Guide as a model, District 3 created an [Planning Outreach website](#) to help local governments, developers, and other transportation stakeholders work more efficiently with District staff. The site includes an overview of the District and explanation of the planning process and project development phases; identifies funding mechanisms; and explains the importance of safety. Each page links to additional offices, making it a one-stop-shop for transportation resources.

**Workshops and Educational Opportunities:** FDOT Districts offer workshops (virtually and in person) and other educational options for local governments to address challenges and brainstorm solutions, build relationships, address District initiatives, and share information on key topics and funding opportunities. Examples include District-wide workshop series on Complete Streets and context classification; annual local agency transportation symposiums; open houses; partnership exchanges; and listening sessions.

**TransPlex:** TransPlex (Transportation Planners Exchange) brings together transportation planners, engineers, and policy makers throughout the state to plan, connect, and innovate as they plan for Florida's future. TransPlex addresses cutting edge content through a variety of in-person and virtual conferences, including a web series. This includes topics focused on issues important to Community Planning's role in developing and enhancing communities; pressing and complex transportation issues including equity and electric vehicles; and most recently the Safe System Approach to eliminating fatalities and serious injuries on Florida's roadways. For more information, visit <https://www.fdot.gov/planning/transplex/index.shtm>.

## B. PARTICIPATE

**Local Government Meetings:** Although each District has a Community Planning Coordinator, the responsibility to work with local governments is shared by all areas of FDOT. Some Districts meet weekly with key county staff to review local rezoning and site development applications. In District 7, these meetings allow the District to discuss current corridor and PD&E studies and design activity that might impact the applicants. District planning, transportation operations, design, and other staff attend. Local government participants might include site development, stormwater, traffic, planning, and zoning staff.



In other examples, participating in monthly local government preapplication meetings provides an opportunity for FDOT staff to connect with local

planning staff, bring in technical modeling support, and seek assistance from Complete Streets Coordinators. In District 1, through these meetings, the District was able to demonstrate to developers the positive results of slowing down traffic in a historical downtown area.

**Local Government and Regional Visions:** Local government and regional visioning initiatives are another opportunity to engage with local governments and other transportation partners while addressing and balancing FDOT and local government priorities. Districts participated in several regional visioning

### PARTICIPATE

- Development of community and regional visions
- Planning processes and studies
- Development review, pre-application, and access management meetings
- Scope development meetings
- Project selection, funding, and kick-off meetings
- Planning/zoning meetings/hearings
- Commission/council meetings/hearings
- Advisory committee or project public/stakeholder meetings/workshops

efforts around the state, including the Heartland 2060 (Central Florida RPC); Seven50 (South Florida RPC); and How Shall We Grow (East Central Florida RPC). To help implement the StPete2050 vision, District 7 is working with the City of St. Petersburg and Forward Pinellas to conduct the Downtown St. Petersburg Mobility Study to understand how the downtown transportation network can help meet the area's needs for improved access, connectivity, and mobility in the long term. To support a downtown vision for the City of Jacksonville, District 2 is constructing shared-use bicycle and pedestrian facilities, which in combination with planned riverwalk expansions and roadway improvements, will create a loop for walkers, runners, and cyclists.

## C. COLLABORATE

**Corridor Planning:** Many Districts engage local governments in their corridor planning activities, which result in integrated land use and transportation visions and provide a framework for multi-modal transportation needs and complementary land use policies. A key component of this process is collaborating with local and regional stakeholders to identify existing transportation and land use issues. This thoughtful outreach effort not only results in effective planning, but it also allows the planning process to be a venue for community leaders to take ownership and support the corridor plan from planning and design through implementation.

**Context Classification Meetings:** Context classification evaluation is the first step toward building a partnership with local government. Regions and communities have diverse needs and expectations, and the flexibility of context-based planning and design is key to supporting each area's unique character and vision. FDOT works collaboratively with local governments to understand their land development decisions and limitations as well as the community's planning and transportation goals. FDOT develops project alternatives that support those goals, while also supporting safety by indicating appropriate speed ranges for roadways. A network of Complete Streets cannot be built entirely within the state roadway system. FDOT, local governments, MPOs, and other transportation partners must work together to achieve a connected roadway network.

**Problem Solving:** Local government challenges and needs also present opportunities for collaboration. For instance, District 4 is working with local governments in its region to address chronic flooding conditions on roadways. District 5 is working with the Villages to develop a mitigation agreement to address planned impacts across all jurisdictions. District 3 is supporting the Emerald Coast Regional Councils efforts to address the movement of people and freight throughout its urban and rural transportation network through development of a Rural Regional Transportation Plan.

### COLLABORATE

- Context Classification determination
- Plan and implement transportation/land use decisions
- Corridor planning
- Scenario planning
- Promote community and regional visions
- Mobility week
- Community planning month

## D. COMMUNICATE

**Internal Communication:** Working across offices within FDOT is valuable to understanding local and regional issues that impact state facilities. District 4 created an internal Transportation Oriented Development (TOD) working group made up of the Multi-Modal Development, Right-of-Way, and Planning-Environmental Management offices to pool expertise on key subjects and share internal and external information. Issues discussed include the pros and cons of improving existing transit hubs/commuter rail stations as compared to developing new facilities on vacant property; sharing comments on local projects and station upgrades; and educating local governments on how their projects could be used for TOD purposes.

### COMMUNICATE

- Other FDOT staff
- MPO Liaisons
- MPO staff
- Local government staff
- Newly elected officials
- Regional planning councils
- Developers
- Stakeholders

**External Communication:** Establishing open lines of communication early and often with local governments and developers on community planning issues is critical to implementing the [Community Planning Policy](#). District 1's Community Planning Outreach Plan encompasses many of the ideas discussed above and below and highlights the value of communicating early and often to build relationships with local governments. The Outreach Plan's components include:

- An initial Meet and Greet with local planning staff.
- Sharing the District's priority corridors with local staff.
- Providing technical assistance on issues such as multimodal site impact assessment, context classification, and land use.
- Providing educational materials.
- Coordinating internally with other FDOT offices as needed.
- Meeting consistently with local governments every three to four months.

## E. ASSIST

**Technical Assistance:** Some Districts take advantage of the comprehensive plan review process and review of zoning applications to share important information in the response letters that may impact the local government, developer, or applicant, such as:

- Explaining to the local government that a driveway permit will be needed on a state facility.
- Providing a brief paragraph on which context classification the local government should use.
- Pointing out that an access permit might be needed.
- Including hyperlinks to pertinent PD&E studies or design projects that are underway.

District staff also help local governments with land use changes for a variety of purposes, such as:

- Promoting mixed-use urban villages that transform suburban commercial development.
- Revitalizing downtowns by maximizing parking potential, enhancing landscaping, including pedestrian crosswalks, or reassessing access points.
- Demonstrating how land use changes can promote economic growth, improve safety and mobility, and enable multimodal transportation options near housing and jobs.
- Developing bicycle, pedestrian, and transit facilities that provide better access and mobility along roadway corridors.

### **ASSIST**

- Application reviews
- Comprehensive plan reviews
- Traffic data
- GIS
- Grant application assistance
- Transportation impact analyses
- Resources
- Technical assistance

Other forms of technical assistance include helping local governments apply for, access, and manage state and federal transportation grants as well as helping them understand the Work Program Cycle and how projects are prioritized.

## ***Section 3: Additional Resources***

- [Partnering with FDOT: A Resource Guide for Local Governments](#)
- [Community Planning Website](#)
- [Complete Streets](#)
- [FDOT's Community Planning Subject Brief Series](#)
- [Land Use Changes and SIS Functionality](#)
- [Florida Department of Economic Opportunity, Community Planning Technical Assistance Grants](#)
- [FHWA's Transportation Planning Process Briefing Book: Key Issues for Transportation Decisionmakers, Officials, and Staff](#)
- [FHWA Tool Kit for Integrating Land Use and Transportation Decision-Making](#)
- [FHWA Regional Models of Cooperation](#)

# Planning and Development Review

## Section 1: Introduction

Community planning laws ensure that as population grows, adequate services are available to meet demand. Florida’s community planning framework balances the availability of infrastructure and resources with economic development and community sustainability. Table 1 identifies key Florida Statutes governing community planning as it relates to the roles and responsibilities of FDOT.

**TABLE 1: KEY FLORIDA STATUTES GOVERNING COMMUNITY PLANNING**

Statute	Title	Description
Chapter 163, F.S.	Intergovernmental Programs, Part II, Growth Policy; County and Municipal Planning; Land Development Regulation	Comprehensive plans, including Future Land Use and Transportation Elements, plan amendments, state agency reviews, compliance determinations and challenges, timelines, and procedures. Special planning topics, including sector plans, rural land stewardship areas, and development agreements.
Chapter 186, F.S.	State and Regional Planning	State comprehensive plan and the role of the regional planning councils in community planning.
Chapter 380, F.S.	Land and Water Management, Part I, Environmental Land and Water Management	Areas of critical state concern, developments of regional impact (DRI).

The most recent version of Florida Statutes is available on the official internet site of the Florida Legislature at <http://www.leg.state.fl.us/>.

Section 163.3184(1)(c), F.S., identifies FDOT, along with several other state and regional agencies, as a reviewing agency. FDOT is statutorily authorized to review local government comprehensive plans and amendments to comment on issues within its jurisdiction that relate to adverse impacts on transportation resources and facilities of state importance. FDOT considers important state transportation resources and facilities to include the Strategic Intermodal System (SIS), State Highway System (SHS), National Highway System, and other transportation resources and facilities within its jurisdiction that are owned and maintained by the state.

However, there are inherent challenges to the comprehensive plan review process, which limit the effectiveness of FDOT’s reviews. Prior to a CPC’s review, local governments typically spend several months reviewing proposed comprehensive plan amendments. During this time, local governments often address their requirements with the developer resulting in a “preliminary approval” of the comprehensive plan amendment. Therefore, the local government may not be receptive to comments from FDOT suggesting changes. Furthermore, in practice, it is estimated that most comprehensive plan amendments are missing the data and analysis that is needed to determine impacts on the SHS or SIS. Therefore, a streamlined approach to reviewing comprehensive plans is recommended to ensure efficiency in FDOT’s review process and make time available for CPCs to strengthen relationships with their local governments

early in the planning process to ensure better planning outcomes and lessen impacts to state transportation facilities as discussed above in Community Partnerships and Engagement.

## *Section 2: Streamlining the Comprehensive Plan Review Process*

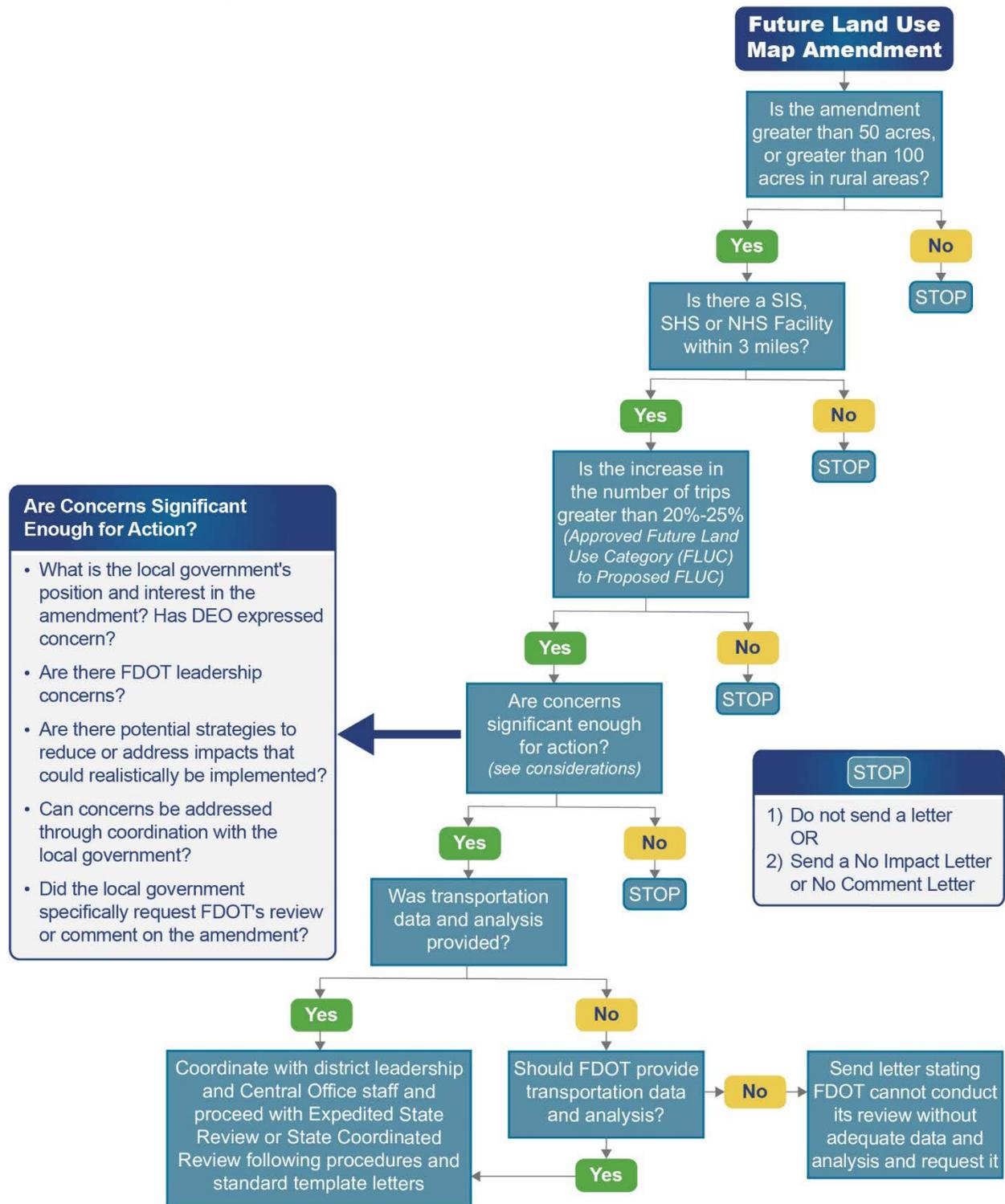
FDOT District CPCs are responsible for reviewing local government comprehensive plans and plan amendments, preparing a response, and coordinating with the local government, other agencies, FDOT's Statewide CPC, and the Florida Department of Economic Opportunity (DEO) to address potential adverse impacts to important state transportation resources and facilities. The FDOT Statewide CPC is responsible for supporting interagency coordination, offering input and guidance from Central Office when needed, and providing technical assistance to the Districts.

In keeping with FDOT's [Community Planning Policy](#) to proactively engage with local government and other partners, and to provide CPCs and other FDOT staff with the time needed to implement that policy, a streamlined approach to reviewing comprehensive plan future land use and text amendments is provided below. This streamlined approach focuses on whether appropriate data and analysis are provided by the local government to determine impacts to facilities of state importance as shown in Figures 3 and 4 below.

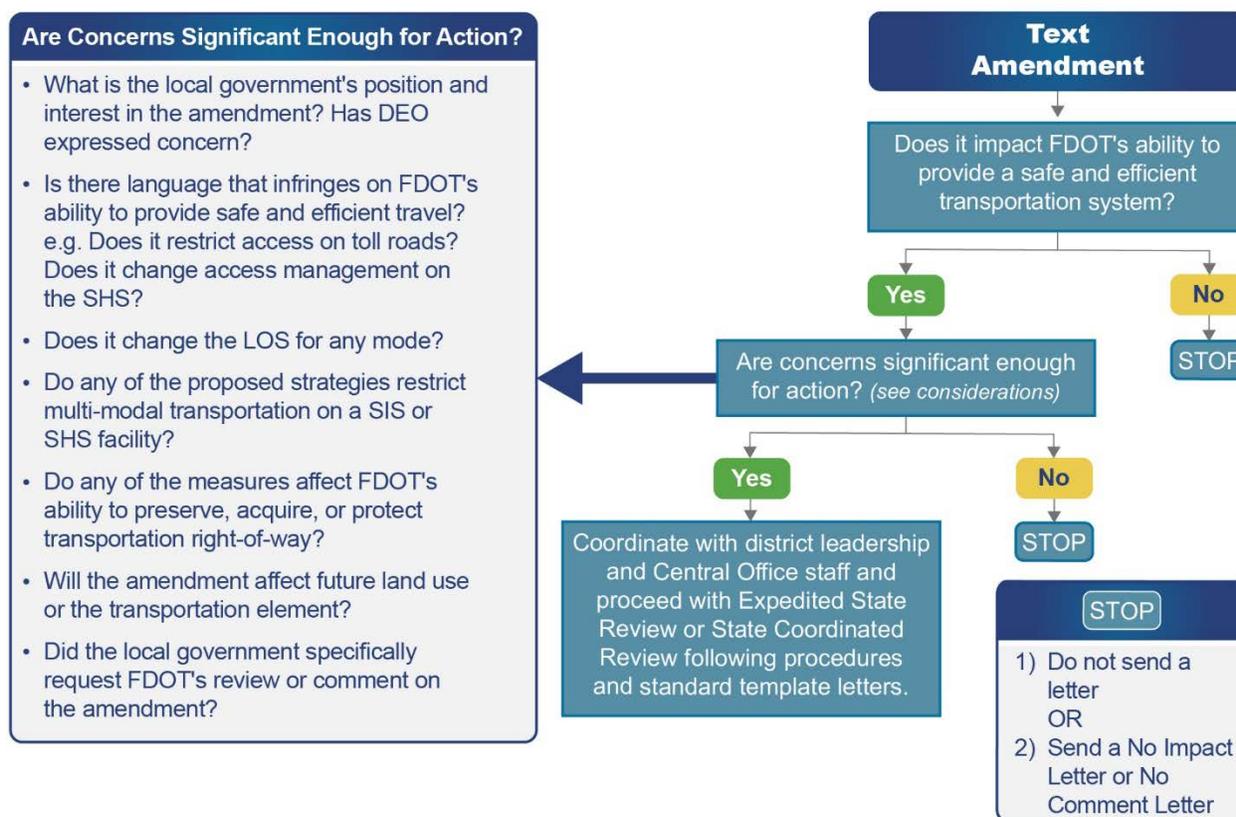
For future land use map amendments, after determining that the amendment is greater than 50 acres or 100 acres in a rural area and that there is a SIS, SHS, or NHS facility within three miles, the CPC needs to determine whether the increase in the number of trips is greater than 20%-25%. If the answer is yes, then questions need to be asked to determine whether concerns are significant enough for action, as noted in Figure 3 below. If the answer is yes again, then the CPC needs to determine whether appropriate supporting data and analysis was provided, and if not, whether FDOT should provide it. The decision tree carries reviewers through each of these steps, with appropriate stopping points when answers to many of these questions are no, or to the point of moving forward either with review or sending a letter to the local government stating that FDOT cannot conduct its review without appropriate supporting data and analysis.

A similar decision-making process is followed for text amendments. The first question asked is whether the text amendment impacts FDOT's ability to provide a safe and efficient transportation system. If the answer is yes, then again, questions need to be asked to determine whether the concerns are significant enough for action, as noted in Figure 4 below. If yes, then the CPC proceeds with review. This decision-tree also provides stopping points when answers to these questions are no.

**FIGURE 3: FUTURE LAND USE MAP AMENDMENT DECISION TREE**



**FIGURE 4: TEXT AMENDMENT DECISION TREE**



Whether Districts choose to follow this streamlined approach or the traditional review process, legislative deadlines must still be met, which are outlined in [Appendix A](#). In addition, reviewing a comprehensive plan amendment always provides an opportunity for the District to offer technical assistance to the local government, develop a greater level of awareness of local transportation planning needs and development activities, and build positive, long-lasting relationships, which is strongly encouraged.

### *Section 3: Developments of Regional Impact*

#### **A. RECENT HISTORY**

The Legislature enacted recent changes to Chapter 380, F.S., which dramatically reduced and eliminated the role of DEO and other state agencies in the review of new developments of regional impact (DRIs) and amendments to DRI development orders. Section 380.06(1), F.S., defines a development of regional impact (DRI) as "any development which, because of its character, magnitude, or location, would have a substantial effect upon the health, safety, or welfare of citizens of more than one county."

In 2015, the Legislature amended the DRI law to provide that proposed developments, previously subject to a state and regional DRI review process, shall instead be approved by a local government comprehensive plan amendment pursuant to s. 163.3184(4), F.S., unless the development is consistent with the current comprehensive plan. In 2016, the Legislature also amended Chapter 163, F.S., to require

the review of such plan amendments under the newly created State Coordinated Review process (s. 163.3184(4), F.S.). In 2016 and 2017, amendments to existing DRI development orders were reviewed pursuant to Chapter 380.06, F.S.

Furthermore, in 2018, the Legislature amended Chapter 380, F.S., to eliminate the state and regional level review process for amendments to development orders for existing DRIs. Accordingly, amendments to DRI development orders must be considered by the local government that issued the development order in accordance with its local development review procedures. In addition, s. 380.06(7)(b), F.S., was amended to specify that any new conditions in the amendment to the development order issued by the local government may address only those impacts directly created by the proposed change **and must be consistent with s. 163.3180(5), F.S.**, the adopted comprehensive plan, and adopted land development regulations. There are several requirements in s. 163.3180(5), F.S., and the one applicable to FDOT is the requirement in 163.3180(5)(h)1., F.S., which directs local governments that continue to implement a transportation concurrency system to consult with the Department when proposed plan amendments affect facilities on the SIS.

## **B. APPLICATION OF CURRENT LAW**

The revisions to Chapter 380.06(7)(b), F.S., requiring consistency with s. 163.3180(5), F.S, means a local government that continues to implement a transportation concurrency system must consider the requirements in s. 163.3180(5), F.S., when evaluating incremental impacts of a proposed amended DRI development order. Therefore, FDOT encourages local governments to consult with staff on amendments to DRI development orders that may potentially impact the SIS or any other state transportation facilities. Coordination provides FDOT with the opportunity to facilitate a dialog between the local government and developer on transportation issues; share information on the status of transportation facilities that may be impacted by the proposed development order amendment; and provide information on planned projects, corridor studies, and scheduled improvements in the FDOT Five-Year Work Program. This level of coordination with the developer and local government will optimize the timing and deployment of transportation resources for all involved.

# Integrating Complete Streets and Local Planning

## Section 1: Introduction

In September 2014, the Florida Department of Transportation (FDOT) adopted the Statewide Complete Streets Policy ([Topic No. 000-625-017-a](#)). Implementation of the Complete Streets Policy is an FDOT department-wide priority. It utilizes context-based planning and design, which offers a flexible approach to using existing tools in creative ways to address multimodal needs in different contexts. It also considers community needs, trade-offs between those needs, and alternatives to achieve multiple objectives. The FDOT Complete Streets policy captures three core concepts:

- Serve the transportation needs of transportation system users of all ages and abilities, including pedestrians, bicyclists, transit riders, motorists, and freight handlers.
- Develop context-sensitive transportation system design that considers local land development patterns.
- Promote safety, quality of life, and economic development.

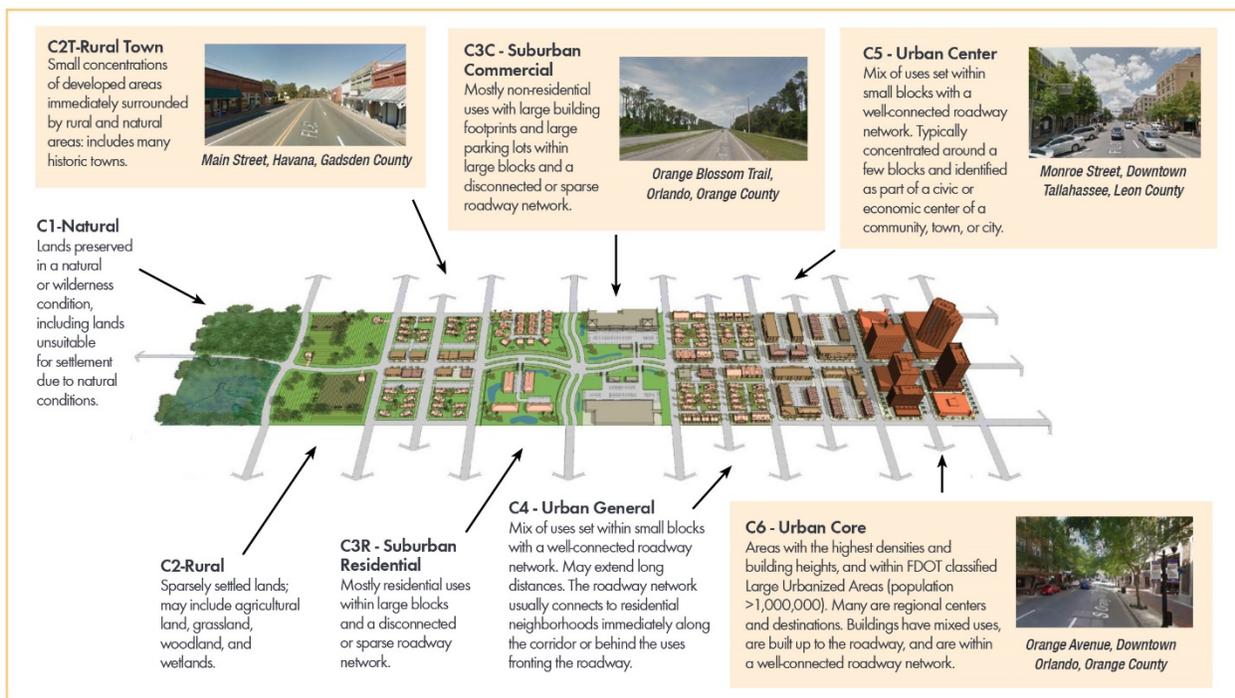
Numerous entities recognize the value and benefits of context-based planning and design including the Federal Highway Administration (FHWA), national organizations such as Smart Growth America/National Complete Streets Coalition, FDOT, other state Departments of Transportation, metropolitan planning organizations, and local governments. These values and benefits include:

- Supporting an efficiently planned and connected transportation network of pedestrian, bicycle, transit, and roadway facilities that reduces gaps, increases overall capacity, and reduces congestion.
- Integrating intermodal connections encouraging mode shift to non-motorized transportation and transit.
- Improving safety through context-appropriate vehicle speeds that help reduce crash rates, the severity of crashes, and the chance of pedestrian fatalities.
- Providing opportunities for increased physical activity and improved public health and fitness and foster strong communities and neighborhood vibrancy by incorporating features that promote regular walking, bicycling, and transit use and encourage active living such as schools, parks, lighting, and shade.
- Strengthening economic development by increasing the number of people who can easily and independently access commercial destinations, providing accessible connections between residences, public transportation, offices, and retail destinations; encouraging private investment; and enhancing economic prosperity.
- Improving transportation equity by providing choices for viable transportation modes for those who cannot or choose not to drive.
- Improving returns on transportation expenditures by integrating sidewalks, bike lanes, transit amenities, and safe crossings into the initial design of projects that spare the expense of retrofits.

- Improving environmental health by reducing vehicle related noise impacts and pollutants and reducing dependence on oil.

Land use patterns and local visions have a significant impact on context-based planning and design. Roadway design should be compatible with the existing land use context or a planned land use context that reflects the community vision. FDOT's context classification system (Figure 5) describes the typical characteristics of the land use, development patterns, and roadway connectivity along a roadway, providing cues as to the types of uses and user groups that will utilize the roadway. After determining the context classification, FDOT identifies the elements that are appropriate for the context and assesses design and implementation options.

**FIGURE 5: FDOT CONTEXT CLASSIFICATIONS**



Every non-limited-access state roadway project, including those on the SIS, is uniquely planned and designed to serve the context of that roadway and the safety, comfort, and mobility of all users. For instance, in a high-speed rural context, where increased truck traffic is anticipated and walking and bicycling are infrequent, wider travel lanes with paved shoulders or a shared use path may be appropriate. In urban contexts, where high volumes of pedestrians, bicyclists, and transit users are expected or desired, a roadway could include features such as wide sidewalks, bicycle facilities, transit stops, and frequent, safe pedestrian crossing opportunities.

This paper explains the role of land use and community visions in context-based planning and design and how FDOT Districts and local governments can collaboratively partner to address multimodal needs and achieve multiple objectives that benefit FDOT and the local government. The paper includes a brief discussion on implementation of the Florida Transportation Plan (FTP) through the application of

Complete Streets principles, provides guidance for working with partners on context-based solutions, and concludes with a list of additional resources.

## Section 2: Complete Streets and the Florida Transportation Plan

FDOT’s Complete Streets policy implements the goals of the FTP regarding innovation and flexibility in design, collaboration, and coordination with partners to create better transportation solutions and a safer environment for all modes of travel. Context-based planning and design use existing tools in creative ways to address multimodal needs in different contexts, calling for a holistic consideration of community needs, trade-offs between needs, and alternatives to achieve multiple objectives. FDOT’s Complete Streets principles align with the FTP’s goals as shown in Figure 6 and serve to guide the implementation of FDOT’s Complete Streets Policy:

**Safety First** – Safety and security for residents, visitors, and businesses is FDOT’s top priority and a goal of the FTP. Roadways with context-appropriate speeds can result in reduced fatalities and serious injuries in locations with higher levels of pedestrian and bicycle activity. Context-based approaches consider the mobility, convenience, accessibility, and safety of all road users, and places an emphasis on the most vulnerable users of a given roadway.

**Invest in Existing and Emerging Communities** – The FTP goal of agile, resilient, and quality transportation infrastructure focuses on investing resources wisely. Context-based planning and design help match roadways with the needs of urban areas as well as emerging growth centers, investing in the right road for the right location. The approach calls for design flexibility to develop roadway projects that consider local character and vision, the role and characteristics of the roadway within the transportation system, and the roadway’s physical characteristics.

**FIGURE 6: FTP GOALS AND COMPLETE STREETS PRINCIPLES**



**Enhance System Performance** – Connected, efficient, and reliable mobility for people and freight is a goal of the FTP. Context-based planning and design match the roles of each roadway with customized solutions that consider local access and regional and interregional mobility for people and freight. This facilitates a complete network of transportation facilities made up of unique streets, each supporting the role and function it has within the system. A complete network enhances efficiency and reliability for all

modes by providing direct and multiple route choices, improving access to all modes, and reducing trip lengths.

**Enhance All Modes** – Transportation choices that improve accessibility and equity is a goal of the FTP, reflecting the desire of residents, visitors, and businesses to have mobility options based on travel preferences, user’s needs and ability, convenience, cost, or time. A context-based approach provides opportunities to expand mobility options by considering all users and all modes during roadway planning and design. This is important for short-distance and local trips, where walking, bicycling, and transit are most desired.

**Connect Community Centers** – Transportation solutions that strengthen Florida’s economy is a goal of the FTP. Context-based planning and design connect communities and support Florida’s existing economic centers, employment centers, and visitor destinations by striving to provide the highest level of multimodal infrastructure in these core areas.

**Create Quality Places** – Transportation systems that enhance Florida’s communities is a goal of the FTP. Context-based planning and design help align transportation decisions with land use, resulting in quality places offering transportation choices where transportation investments support a community’s economic competitiveness and quality of life.

**Support the Context** – Transportation solutions that enhance Florida’s environment is a goal of the FTP. A context-based approach uses design flexibility to develop roadways that consider the local character and vision, which often reflect a desire for a future in which a community manages land more efficiently, preserves environmental resources and natural countryside, and creates distinctive places in which to live in both rural and urban settings.

### *Section 3: Partnerships, Collaboration, and the Role of Community Visions*

Context-based planning and design breaks down the traditional separation of highways, transit, and biking/walking, and instead focuses on the desired outcome of a transportation system that supports safe use of all modes, as appropriate.<sup>2</sup> It helps align transportation decisions with land use, resulting in quality places offering transportation choices where transportation investments support a community’s economic competitiveness and quality of life.

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<sup>2</sup> <https://smartgrowthamerica.org/resources/complete-streets-policy-analysis-2011/>

Regions and communities have diverse needs and expectations, and the flexibility of context-based planning and design is key to supporting each area’s unique character and vision. For state roads, achieving the state’s goals and the community’s goals requires a balancing of priorities, constraints, and opportunities. FDOT, local governments, and other transportation partners must work together across sectors, modes, and disciplines to achieve individual objectives while effectively and efficiently achieving shared and related goals to deliver a connected roadway network and a safe and quality transportation system, as depicted in the image below.



Source: FDOT Design Office

Table 2 identifies FDOT’s and local governments’ roles in a collaborative approach to transportation planning across the state. FDOT relies on local governments to develop and actively communicate their visions and goals and provide clear direction not only to FDOT but to public and private partners engaged in community development. Local governments should help FDOT understand their visions and their commitment to those visions.

**TABLE 2: FDOT’S AND LOCAL GOVERNMENT’S ROLE**

FDOT’s Role	Local Government’s Role
<ul style="list-style-type: none"> <li>• Manage statewide and regional mobility</li> <li>• Allocate and manage state/federal transportation funds</li> <li>• Maintain and improve state transportation infrastructure</li> <li>• Work with municipalities to understand their land development decisions and limitations</li> <li>• Understand the community’s planning and transportation goals and identify project alternatives that support these goals</li> <li>• Participate in local visioning efforts</li> </ul>	<ul style="list-style-type: none"> <li>• Develop and communicate the local vision</li> <li>• Plan for the future of communities</li> <li>• Manage local mobility and local circulation system</li> <li>• Manage and control land use and development</li> <li>• Deal with most aspects of community-building – physical, social, economic</li> <li>• Improve local network connectivity</li> <li>• Encourage developments that support multimodal needs</li> <li>• Consider access management ordinance</li> <li>• Plan regionally and work with all levels of government</li> <li>• Ensure public engagement</li> <li>• Integrate context classification policies into comprehensive plans, land development regulations, and design standards</li> </ul>

FDOT needs to know not just what a local government wants, but how it plans to achieve it. Conversely, FDOT should help local governments become familiar with the context classification system to help create

a common language that FDOT and the local government can use to describe streets, places, and intentions. Working together allows FDOT and the local government to bring solutions to the table, perhaps using resources or knowledge that may not otherwise be available to the local government.

To ensure context classification discussions are most productive, local governments should be prepared with the following:

- Familiarity with the FDOT context classification system and design criteria.
- A Clear vision based on:
  - Recently permitted development projects.
  - Programmed infrastructure plans for new local streets, bike, and pedestrian facilities.
  - Adopted plans vetted through community discussion.
  - Land development code.
  - Public participation process.

Similarly, FDOT should be prepared as well by doing the following:

- Assign staff to oversee context classification evaluation and begin building that partnership with the local government.
- Involve multiple offices/groups to ensure all interests are represented.
- Use local government form-based codes and zoning to inform FDOT's context classification determination.
- Continue to calibrate context classification on projects where FDOT currently coordinates with local governments.

Community visions provide the basis for policies used to implement community goals. FDOT collaborates with its partners and supports local governments by building projects that further support local and regional visions to the maximum extent feasible. Local and regional visions can take many forms, such as standalone vision documents; comprehensive plans; neighborhood or sub area plans, including community redevelopment areas; or land development regulations.

Where context-based planning and design was not previously envisioned, FDOT relies on existing development patterns and plans to determine the context classification. If the future vision of an area for a proposed transportation project is intended to be different from the existing one, clear and documented direction from the local or regional government on that vision is imperative.

## *Section 4: How Land Use Supports Complete Streets*

The transportation system and development pattern (including land use, development density and intensity, building design, building height, building setback, and site layout) are inextricably linked. Each plays a significant role in creating a human-scale environment that invites walking, bicycling, and transit

and that supports community economic development. Thoughtful application of context-based design provides for all modes of transportation.

Transportation and land use both influence roadway network connectivity. An extensive, connected network provides route options for goods delivery and vehicular access to land uses, as well as the foundation for safe and comfortable multimodal travel. A fine-grained roadway network with the appropriate design elements also provides multiple pedestrian and bicycling routing, shortens trip distances, and reduces the need to widen intersections and roadways, which may impact ease of walking and bicycling.

Similarly, development form and pattern complete the necessary elements of a multimodal environment. A mix of uses, located where people live, work, shop, and spend leisure time, that are thoughtfully integrated within a building, a parcel, or a few blocks, provides multiple destinations within walking and bicycling distance. Buildings located at the back of sidewalks with active store fronts, such as restaurants and retail, provide a comfortable sense of enclosure, visual interest, passive surveillance, and comfortable access to destinations. Direct, logical, and comfortable connections between destinations encourage walking and bicycling. The best multimodal transportation strategy is the right land use strategy.<sup>3</sup>

Local governments are responsible for land use and transportation planning to create supportive infrastructure and development patterns that match community goals and visions and support a context-based transportation system. Local government land use and transportation planning should also work to preserve the capacity of important regional roadways through the creation of a well-connected roadway network that accommodates short-distance and local trips, thus removing these trips from the regional roadways.

In a truly integrated land use and transportation planning approach, potential transportation changes should be anticipated and help inform decision-making related to land uses.

FDOT plans and designs transportation projects to be consistent with the existing or future land use context of the areas served. However, this process is not a one-sided relationship in which state roadways are constantly expected to respond to land-use-generated travel demands. In a truly integrated land use and transportation planning approach, potential transportation changes should be anticipated and help inform decision-making related to land uses. Land use decisions should be made to help manage travel needs and support the desired mobility patterns of a community. For example, if a community desires a higher level of transit investment, land use decisions should be made to encourage the intensity and density of transit-supportive development. Local governments should coordinate not just with FDOT, but also with adjacent jurisdictions, to provide a seamless transportation system that supports all users.

Local governments have several transportation planning tools available to support a Complete Streets network. Some of these tools include:

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<sup>3</sup> Charlotte-Mecklenburg Planning Department, "Centers, Corridors, Wedges Growth Framework," (August 10, 2010), [http://www.charmeck.org/Planning/Land%20Use%20Planning/CentersCorridorsWedges/CentersCorridorsWedges\(Adopted\).pdf](http://www.charmeck.org/Planning/Land%20Use%20Planning/CentersCorridorsWedges/CentersCorridorsWedges(Adopted).pdf)

**Local Network Connectivity** – In new development areas and large-scale redevelopment areas, local governments may recommend a block length of 300 to 800 feet and/or develop internal or external street connectivity ratios or intersection densities that will create a well-connected street network.

**Investments in Local Multimodal Infrastructure** – Local governments can encourage or require property owners and developers to provide infrastructure for all modes, such as sidewalks and crosswalks, bicycle facilities, streetscapes, and bicycle parking, as part of new development and redevelopment. A complete pedestrian network includes direct, convenient, and safe connections from the public sidewalk to the building.

**Multimodal Network Plans** – Many local and regional governments prepare multimodal network plans that outline a long-term commitment to provide a well-connected multimodal system.

**Zoning** – Single-use zoning (Euclidean zoning) codes can lead to a separation of land uses that creates long distances between residents and jobs, services, and recreational activities. One alternative tool is a form-based code, which uses physical form, rather than separation of land uses, as the organizing principle.<sup>4</sup> Another option is to introduce more mixed-use districts and development of higher intensity and density activity centers, or arrange land uses in closer proximity, to reduce the overall demand for vehicular trips.

**Site design and building placement** – Large building setbacks surrounded by parking increase walking distances and create isolated and unwelcoming environments for pedestrians and bicyclists. In areas where local municipalities would like to support multimodal travel, cities should consider building scales, placement, and design that support pedestrian activity. Form-based codes can be used to address site design and building placement requirements.

**Access Management** – Where development occurs along state roadways, local governments can use land use policies and regulations to address access management. This can be in the form of requiring multiple roadways to access a development or allowing for cross-access easement and shared driveways between different properties. This not only helps to accommodate improved traffic flow along roadways but also helps to reduce the number of curb cuts along a roadway, improving walking and bicycling conditions. A more connected network of roadways also allows for internal site circulation by multiple modes

**Parking Standards** – Large surface parking lots are a barrier to connectivity, as these can create longer distances between destinations and contribute to an uncomfortable walking environment. Some local governments are beginning to implement parking maximum requirements instead of parking minimum requirements for private developments. Establishing a maximum allowable amount of parking can prevent developers from building excessively large lots or limit the parking supply in an area based on community priorities. Communities looking to increase tax revenue through redevelopment of parking lots, improve pedestrian safety and comfort downtown, or reduce stormwater runoff and heat island impacts of parking can also consider parking maximums to achieve those goals.<sup>5</sup> Establishing parking maximums, allowing

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<sup>4</sup> Form-Based Codes Institute, <https://formbasedcodes.org/definition/>

<sup>5</sup> Metropolitan Area Planning Council, “Maximum Parking Allowances,” last modified March 8, 2010, <https://www.mapc.org/resource-library/maximum-parking-allowances/>

for shared parking across properties and uses, and allowing on-street parking to count towards maximums, can also support a park-once environment to support multimodal travel.

Context-appropriate on-street parking is important to implementing a Complete Streets policy that promotes and balances safety, quality of life, and economic development. On-street parking can manage motorists' travel speeds, protect pedestrians from vehicular traffic, reduce the demand for on-site parking, provide valuable "front-door" parking for businesses, and increase sidewalk activity as drivers walk from car to destination. Depending on the context, on-street parking can be provided on one or both sides of streets.

## *Section 5: Documenting Complete Streets Policies*

The context of existing and future conditions along a roadway should be clearly documented in a well-defined, community-supported, and implementation-focused plan or in policies such as the land use element of a local comprehensive plan, zoning overlays, form-based codes, community redevelopment plans, or permitted development plans. Future desired conditions should be consistently documented across all appropriate local policies and should be well-understood and accepted by local stakeholders. In short, the future conditions should be those that are predictable and that will occur over an anticipated timeframe rather than broad goals and ideas that do not have a clear timeline for actual implementation.

Clear policies delineated in a community's comprehensive plan to retain current development patterns, such as in historical or rural towns, or to promote changes in development patterns, such as in urbanizing areas, provide direction to private and public partners in land development, infrastructure, and provision of services. Local government comprehensive plan policies help FDOT determine context classification as part of a project.

Examples of comprehensive plan goals, objectives, and policies from around Florida as of April 2021 are provided in Appendix B.

## *Section 6: Working with Local Governments to Implement Context-Based Solutions*

Several agencies and organizations, including FHWA<sup>6</sup> and Smart Growth America<sup>7</sup> identify recommendations, activities, and best practices for integrating context-based solutions and transportation planning. This section synthesizes much of that information with a focus on how FDOT can work with local governments to implement context-based solutions.

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<sup>6</sup> U.S. Department of Transportation, Federal Highway Administration, Integrating Context Sensitive Solutions in Transportation Planning, 2007, [https://www.fhwa.dot.gov/planning/css/key\\_references/integrating/index.cfm](https://www.fhwa.dot.gov/planning/css/key_references/integrating/index.cfm)

<sup>7</sup> Smart Growth America, National Complete Streets Coalition Website, <https://smartgrowthamerica.org/program/national-complete-streets-coalition/>

## A. EDUCATION

Elected officials need ongoing engagement to understand how context-based solutions will be translated into projects on the ground. Providing transportation officials with appropriate training on context-based planning and design principles and techniques is key. Officials that are familiar with context-based solutions will be better able to identify projects that could benefit from this approach.

FDOT Districts, metropolitan planning organizations, and other organizations conduct workshops to help local governments understand context-based solutions, how these solutions have worked in other communities, and how they will work in their community. A list of Complete Streets and related resources is provided in the final section of this paper. In addition, each FDOT District has a [Complete Streets Coordinator](#) who can provide information on upcoming workshops.

Other forms of education include a more informal approach that encourages dialogue regarding context-based solutions between FDOT and local governments in the normal course of day-to-day business. “Experiential” learning, through activities such as walking audits and bicycle tours, is helpful in building support and camaraderie among staff, elected officials, and community members. Some produce or share short videos that focus on the health, economic, and safety benefits of changing street design.

Regular updates on goals and successes are key. Suggested educational activities include the following:

- Provide technical training (e.g., engineering/design).
- Provide non-technical training (e.g., process changes within the department to consider all users of all abilities).
- Provide training on non-transportation topics such as environment and public health benefits.
- Provide sensitivity training to learn about all users of the road such as those with disabilities.
- Include multiple departments in training, such as utilities, public health, transit agencies, and economic development.
- Conduct educational campaigns, which may include information about new road markings and signs, coaching on sharing the road with other users, benefits of walking, biking, and taking public transportation.
- Conduct a workshop or charrette to help crystalize a community vision.

## B. PUBLIC INVOLVEMENT

Community input is a core tenet of context-based planning and design that state departments of transportation use to ensure transportation projects best meet the needs and expectations of their customers. Communication with the public about what they want out of their streets, and what is happening to their roads, is essential for implementation to be successful. The channel of communication between transportation officials and community members is established through various means. Commonly used methods include planning groups, presentations, small group stakeholder meetings, e-newsletters, social media, and citizen advisory committees. All state Departments of Transportation that

are committed to implementing Complete Streets encourage citizen engagement and the voicing of their opinions and concerns<sup>8</sup>.

Suggested public involvement activities include:

- Engage with the community to explain the importance of context-based planning and design, when and how it will be applied, from a multi-disciplinary view. Engage through:
  - Public meetings.
  - Presentations at city council or county commission meetings.
  - Presentations at District offices.
  - Video presentations made available online.
  - Printed materials such as newsletters, pamphlets, and posters.
  - Walking and/or biking audits or tours.

## C. IMPLEMENTATION

Successful implementation of Complete Streets includes strengthening relationships between FDOT and local governments. Suggestions for implementation include:

- Conducting a Complete Streets Implementation Workshop for local government officials and staff involved in planning, public works/transportation, transit, parks, economic development, and health as well as other stakeholders, such as advocacy groups.
- Participating on a local government committee or advisory group charged with implementing a Complete Streets approach, including different agencies, departments, and interest groups.
- Supporting a local implementation plan that goes beyond updating specific documents or guidance by assigning task responsibilities and timelines. An implementation plan can maintain momentum and help partners remain engaged.
- Conducting an audit of existing policies and procedures within state Departments of Transportation that should be consistent with a Complete Streets policy. This may include:
  - Procedures that do not yet consider all users of all ages and abilities as routine.
  - Current training processes.
  - Design standards and guides.
  - Current performance measures and outcomes.

Remember to report when documents listed above are updated or revised.

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<sup>8</sup> University of Delaware, Complete Communities Toolbox, <https://www.completecommunitiesde.org/>

## D. BEST PRACTICES

FHWA and others identified several best practices that are common to the successful implementation of Complete Streets. These include the following:

- Build relationships among agencies and stakeholders such as public health, law enforcement, and businesses.
- Cultivate new partnerships by seeking out individuals and organizations that can serve as resources for advisory committees, leadership, public outreach, and information/data sources on context.
- Designate a lead person, agency, and/or committee that will move the process forward; having a champion is invaluable.
- Strive to instill a sense that context-based planning and design are part of everyone's job.
- Provide regular updates to community and agency elected officials and media on implementation and successes.
- Ask your Metropolitan Planning Organization to provide training for its member jurisdictions.
- Share project successes in the context of overall policy implementation.

In addition, consider the following:

- Formal advisory committees can be an effective catalyst for achieving other implementation steps.
- Community engineers and planners must hear from their professional peers.
- Outreach to community members is an on-going process and must not end with a policy's adoption.
- The first projects are the hardest to sell. Communicate on a project-by-project scale as well as in more general terms. Go to the public so they hear about the project and your goals directly from you first.
- Start with temporary or pilot projects or choose projects with relatively simple implementation; be sure to tie these projects back to the Complete Streets objective.

## Section 7: Additional Resources

### A. FDOT RESOURCES

[FDOT's Complete Streets Website](#): The FDOT Complete Streets website has a variety of resources including the 2020 Context Classification Guide, Complete Streets brochure, Complete Streets Implementation Plan, and links to the FDOT Context Classification webinar series and videos.

[FDOT Design Manual \(FDM\)](#) – Recognized by Smart Growth America as one of 12 of the best Complete Streets Initiatives of 2017.

[FDOT's National Synthesis of Transit and Complete Streets Practices](#)

[FDOT District 5's Completing Florida's Streets – Frequently Asked Questions](#)

[FDOT District 7 Tampa Bay Traffic Safety Academy/Webinars](#)

FDOT TransPlex (October 2020 Web Series): [The Art and Science of Community Planning – Linking Transportation and Land Use](#)

FDOT Transportation Symposium:

- [Speed Management – The Latest Techniques and Approaches](#) (07/15/2021)
- [Vital Few Safety Update](#) (10/28/2021)
- [The SIS and Context-based Design](#) (12/9/2021)
- [FDOT Context Classification Guide 2020 Update](#) (2020)
- [Context Classification Framework for Bus Transit](#) (2020)
- [Placement of Trees in Context Sensitive Design](#) (2020)
- [Lane Elimination Guidance/Project Example](#) (2020)
- [Context Classification](#) (2019)
- [Speed Management Techniques – FDM Chapter 202](#) (2019)
- [Safe Transportation for Every Pedestrian \(STEP\) Efforts in Florida](#) (2019)

## **B. FEDERAL AND NATIONAL RESOURCES**

[American Association of State Highway and Transportation Officials Complete Streets/Urban Corridors](#)

[American Planning Association Complete Streets: Best Policy and Implementation Practices](#)

[Congress for New Urbanism Health Initiatives](#)

[FHWA Bikeway Selection Guide](#)

[FHWA Speed Management Safety](#)

[National Association of City Transportation Officials Design Guidance](#)

[National Association of City Transportation Officials Urban Street Design/Public Space](#)

[Smart Growth America Central Florida Complete Streets Report](#)

[Smart Growth America Complete Streets Policy Atlas](#)

[Smart Growth America/National Complete Streets Coalition](#)

[Transportation Research Board, NCHRP 855: An Expanded Functional Classification System for Highways and Streets](#)

[US Department of Transportation Complete Streets Resources](#)

[Institute of Transportation Engineers \(ITE\) Complete Streets Technical Resources](#)

## C. REGIONAL RESOURCES

[Broward MPO Complete Streets Program and Guidelines](#)

[Forward Pinellas Complete Streets Program](#)

[Forward Pinellas Safe Streets Pinellas](#)

[MetroPlan Orlando Regional Complete Streets Policy \(March 2020\)](#)

[Miami-Dade MPO Complete Streets Manual](#)

[Safe Streets Summit](#): A collaborative effort between the Miami-Dade Transportation Planning Organization (TPO), the Broward Metropolitan Planning Organization (MPO), and the Palm Beach Transportation Planning Agency (TPA) to provide a local yet regionally connected approach to prioritizing and implementing Complete Streets throughout southeast Florida.

## D. LOCAL RESOURCES

Until the American Association of State Highway and Transportation Officials (AASHTO) releases the next addition of the “Green Book,” the pre-eminent industry guide to current highway and street design research and practice, the following local government resources may help other local governments in Florida apply context-based design to **local roads**.

- [City of Bonita Springs Downtown Form-Based Code](#)
- [City of Bradenton Form Based Code](#)
- [City of Jacksonville Context Sensitive Streets Standards Committee](#)
- [City of Neptune Beach Complete Streets Policy](#)
- [City of Ft. Lauderdale Complete Streets Policy](#)
- [City of Ft. Lauderdale Complete Streets Guideline](#)
- [City of St. Petersburg Complete Streets Policy and Implementation Plan](#)
- [Broward County Complete Streets Website](#)
- [Miami-Dade County Complete Streets Design Guidelines](#)
- [Sarasota County Complete Streets Implementation Strategies Plan Draft \(October 2020\)](#)

# Appendix A: Comprehensive Plan Review Process

In support of FDOT’s mission and the Florida Transportation Plan, and in compliance with Section 163.3184, F.S., FDOT may review local government comprehensive plans and plan amendments for potential adverse impacts to important state transportation resources and facilities.

## Section 1. Overview of the Review Process

A local government may submit a comprehensive plan or plan amendment at any time to DEO or the reviewing agencies in accordance with the requirements outlined in Table 3, triggering either an Expedited State Review or a State Coordinated Review. Do not assume that amendments submitted under Expedited State Review are smaller in scope, scale, and impact. They may be large in scope and have significant impacts on state transportation resources and facilities and therefore, are reviewed with the same attention to detail and importance as amendments under State Coordinated Review.

**TABLE 3: TYPES OF REVIEW AND FDOT’S ROLE**

	Expedited State Review	State Coordinated Review
Statute	Section 163.3184(3), F.S.	Section 163.3184(4), F.S.
Review Scope	Comment on important state transportation resources and facilities within FDOT’s jurisdiction that will be adversely impacted by the amendment, if adopted; and identify measures the local government may take to eliminate, reduce, or mitigate the adverse impacts.	
Amendments	Comprehensive plan amendments not covered under State Coordinated Review.	Comprehensive plan amendments involving sector plans, rural land stewardship area, areas of critical state concern, DRIs, evaluation and appraisal review amendments, and newly incorporated municipalities.
Review Role	<p>Comment on important state transportation resources and facilities that will be adversely impacted by the amendment, if adopted; and identify measures the local government may take to eliminate, reduce, or mitigate the adverse impacts.</p> <p>NOTE: DEO may use FDOT’s comments to challenge an amendment.</p>	<p>Comment on important state transportation resources and facilities that will be adversely impacted by the amendment, if adopted; and identify measures the local government may take to eliminate, reduce, or mitigate the adverse impacts.</p> <p>NOTE: Only DEO may issue an Objections, Recommendations, and Comments (ORC) report and may use FDOT’s comments that it carries forward as Objections to find an amendment not in compliance.</p>

Coordination	Decentralized review: Comments are provided directly to the local government with a copy to DEO.	Centralized review: DEO has the authority for plan review, coordination, and preparation of an ORC Report and transmittal of the ORC Report to the local government.
Proposed Amendment Comment Period	Comments must be transmitted to the affected local government no later than 30 days from receipt of amendment by the District office.	Comments must be transmitted to DEO within 30 days from DEO's receipt of the amendment from the local government.
Adopted Amendment Challenges	DEO may challenge the adopted amendment based on FDOT's comment (or those of other reviewing agencies) within 30 days of its notice to the local government that the plan amendment package is complete.	DEO may find the adopted amendment not in compliance (based only on Objections raised in the ORC Report) within 45 days of its notice to the local government that the plan amendment package is complete.

Comprehensive plans and plan amendments are reviewed at the proposed and adopted phases. As noted above, only issues identified at the proposed phase can form either the basis of a challenge (under Expedited State Review) or compliance finding (under State Coordinated Review) by DEO, unless the plan or plan amendment is substantially changed from the one on which DEO or a state agency commented. Therefore, it is very important to provide comments as appropriate during the proposed phase to reserve FDOT's right to address these issues, as necessary, during the adopted phase.

### 1. Types of Comments

A comment is an observation of a condition that, if not addressed, would lead to unmitigated impacts to important state transportation resources or facilities. When reviewing comprehensive plans or plan amendments, DEO uses FDOT's comments in different ways, depending on whether they submit them under the Expedited State Review or State Coordinated Review process (see Table 4).

**TABLE 4: TYPES OF COMMENTS**

Comments under Expedited State Review	Comments under State Coordinated Review
<ul style="list-style-type: none"> <li>Comments submitted to the local government <b>must include identified measures</b> the local government may take to eliminate, reduce, or mitigate the adverse impacts.</li> <li>All Comments are treated with <b>equal weight</b>.</li> <li>All Comments to proposed amendments, if not subsequently addressed by the local government, <b>may provide the legal basis for DEO to challenge an adopted amendment</b> through an administrative hearing.</li> </ul>	<ul style="list-style-type: none"> <li>Comments submitted to DEO must include identified measures the local government may take to eliminate, reduce, or mitigate the adverse impacts.</li> <li>Comments, along with mitigation measures (Recommendations) submitted to DEO may be included by DEO in its <b>Objections, Recommendations, and Comments (ORC) report</b>.</li> <li>The District <b>may also recommend to DEO that certain comments be included in</b></li> </ul>

Comments under Expedited State Review	Comments under State Coordinated Review
<ul style="list-style-type: none"> <li>• FDOT may offer written “<b>technical assistance comments</b>” to a local government using the clause provided below, so the <b>local government and DEO clearly understand that the technical assistance “comments” are advisory in nature</b>:</li> <li>• We are providing the following technical assistance comment(s) consistent with Section 163.3168(3), Florida Statutes. <b>The technical assistance comment(s) will not form the basis of a challenge.</b> The technical assistance comment(s) can strengthen the local government’s comprehensive plan to foster a vibrant, healthy community or is technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S.</li> </ul>	<p><b>DEO’s ORC report as Objections or Comments.</b></p> <ul style="list-style-type: none"> <li>• All ORC Report Objections to proposed amendments, if not subsequently addressed by the local government, <b>may provide the legal basis for DEO to find a comprehensive plan amendment not in compliance.</b></li> <li>• Comments in an ORC report are <b>advisory in nature</b> and <b>provide technical assistance</b> to the local government. DEO also includes all reviewing agencies’ correspondence as an attachment to the ORC Report.</li> </ul>

**2. Comment Letter Content**

When providing comments to local governments or DEO, use the comment letter templates for each type of review provided on the Community Planning SharePoint Site. These templates differentiate between an Expedited State Review response, which may include provisional language for distinguishing technical assistance comments, and State Coordinated Review response, which includes suggested language for encouraging DEO to carry forward a comment into the ORC Report as an Objection of Comment. It is acceptable to copy and paste the body of a comment letter template into an email, in lieu of a letter, provided the language and format remain the same. Deviating from the templates causes confusion for the local government and DEO. FDOT comment letters, whether provided by email, are legal documentation and strengthened by the following approach:

- **Briefly summarize** the changes proposed by the local government.
- **Identify** the important state resources or facilities impacted, using a map if available.
- **Explain** how the proposed plan or plan amendment would adversely impact the state transportation resource or facility, using data and analysis, and including a summary table of a planning-level transportation analysis if performed.
- **Provide** comments and as appropriate, distinguish technical assistance comments (Expedited State Review) or include language asking DEO to carry forward certain comments as Objections or Comments (State Coordinated Review).
- **Cite** applicable Florida Statutes including sections and subsections.
- **Provide** recommended solutions or mitigation.

## A. TYPES OF PLAN AMENDMENTS

A few of the more common types of comprehensive plan amendments that may impact state transportation resources and facilities include:

### ***1. Future Land Use Map (FLUM) Amendments (s. 163.3177(6)(a), F.S.)***

The FLUM is a representation of the local government's vision for the planning horizon. The Future Land Use Element (FLUE) defines each future land use category in terms of uses allowed and includes standards for controlling and distributing population densities and building and structure intensities. The FLUM depicts the proposed distribution, location, and extent of the various categories of land use, supplemented by goals, measurable objectives, and policies. FLUM and FLUE amendments change an adopted land use classification as depicted on the map. These changes have the potential to affect the transportation system. The amendment identifies the impacts that the proposed change will have on the transportation system and any improvements needed to mitigate these impacts. FDOT staff review FLUM amendments for increases in density or intensity standards, evaluate new or modified land use categories for impacts to transportation facilities, and give heightened attention if the area in question only has access through state-maintained roadways.

### ***2. Transportation Element Amendments (s. 163.3184, F.S.)***

The purpose of the transportation element is to plan for a multimodal transportation system that places emphasis on public transportation systems, where feasible. The element must provide for a safe, convenient multimodal transportation system, coordinated with the FLUM, and designed to support all elements of the comprehensive plan. The element is coordinated with the plans and programs of any applicable metropolitan planning organization, transportation authority, Florida Transportation Plan, and FDOT's adopted work program. Local governments retaining concurrency must coordinate with FDOT on level-of-service for SIS facilities and should include a plan policy reflecting this requirement.

The transportation map series reflects the local government's existing and proposed transportation system features in coordination with the FLUM or map series. The maps show the existing and future conditions (number of lanes and level-of-service standards) for all modes with adopted levels of service conditions in the planning horizon. A text change to the Transportation Element may result from a FLUM amendment, evaluation and appraisal review-based amendment, or a need to update or revise the element. Any change to the Transportation Element may influence land use strategies and capital projects. FDOT staff review Transportation Element amendments for changes in level-of-service standards for any mode; land use strategies to promote multimodal transportation; and measures to preserve, acquire, or protect transportation right-of-way. The text amendment is also reviewed for required multimodal components and consistency with the FLUE. The District CPC and local government staff may communicate frequently during development of the element or its amendment.

### ***3. Transportation Concurrency-Related Amendments (s. 163.3180, F.S.)***

Many local governments are replacing transportation concurrency, which is no longer mandatory, with mobility fees to fund transportation improvements to achieve level-of-service standards. Comprehensive plan amendments rescinding transportation concurrency are not subject to state review. However, if the local government has not rescinded transportation concurrency, the comprehensive plan must provide principles, guidelines, standards, and strategies, including adopted level-of-service, to guide its application. In addition, local governments that continue to implement a transportation concurrency system must consult with FDOT when proposed plan amendments affect facilities on the SIS. Furthermore, as local governments propose amendments to adopt new approaches for funding improvements, coordination with the local government and review of those amendments encourages the development of policies that reserve and direct funds to state facilities commensurate with the impacts to those facilities to protect the state's investment in transportation.

### ***4. Sector Plans (s. 163.3245, F.S.)***

Sector planning applies to large geographic areas of at least 10,000 acres. Sector plans emphasize urban form and the protection of regionally significant resources. A local government initiates a sector plan, which includes a high level of public involvement and is subject to the State Coordinated Review process. Sector planning encompasses two levels: the first level is the adoption of a long-term master plan in accordance with s. 163.3184, F.S.; the second is adoption by a local development order of two or more detailed specific area plans (DSAPs) that implement the long-term master plan. This two-level planning process provides a method for dealing with a planning period longer than the planning period of the comprehensive plan while still maintaining consistency over time.

The adoption of the long-term master plan must include maps, illustrations, and text supported by data and analysis to address, among other requirements, a general identification of the transportation facilities to serve the future land uses in the long-term master plan, including guidelines that establish each modal component intended to optimize mobility. When reviewing the long-term master plan, DEO must consult with FDOT and any applicable MPO or urban transit agency regarding the location, capacity, design, and phasing of major transportation facilities in the planning area. The transportation facilities identified in the long-term master plan should be consistent with the adopted MPO long-range transportation plan to the maximum extent feasible, as well as consistent with other state and regional plans. Furthermore, the local government submits to DEO any development order it adopts approving a DSAP, but not to any other reviewing agency. Therefore, working collaboratively with the local government and DEO during the review of the long-term master plan is critically important. DEO may appeal the development order within 45 days of receipt based on inconsistency with the applicable comprehensive plan or the long-term master plan.

## ***5. Evaluation and Appraisal Review-Based Amendments (s. 163.3191, F.S.)***

Local governments must evaluate their comprehensive plan at least every seven years based on the schedule published by DEO to determine if amendments are needed to reflect changes in state law since the previous update. A local government must submit a letter notifying DEO of its determination. If the local government determines amendments are necessary, it will have one year to submit the amendments for review, under the State Coordinated Review process. Although evaluation and appraisal review-based amendments only reflect changes in state law, they may include updates that reflect changes in local circumstances and community goals.

## ***6. Rural Land Stewardship Areas (163.3248, F.S.)***

This program authorizes counties to designate Rural Land Stewardship Areas (RSLAs) where planning and economic incentives encourage implementing innovative and flexible planning and development strategies as well as creative land use planning techniques for areas classified as predominantly rural. An area designated under the RLSA program must be at least 10,000 acres, located outside of municipal boundaries and/or established urban service areas, and designated by a comprehensive plan amendment by the jurisdictional local government. An RLSA can include more than one county, and landowners must consent to being in the designated area. A local government or one or more property owners may request technical assistance and participation from state agencies in the development of a plan for the RLSA, including FDOT. Comprehensive plan amendments proposing an RLSA are subject to the State Coordinated Review process, and each local government with authority over an RLSA must designate the area through a comprehensive plan amendment. The amendment must include criteria for the designation of receiving areas to provide for the adequacy of suitable land to accommodate development and avoid conflict with environmentally sensitive areas, resources, and habitats; innovative planning and development strategies and a process to implement them; and a mix of densities and intensities not characterized as urban sprawl.

## **B. STATUTORY REFERENCES**

Comments provided to a local government under Expedited State Review or to DEO under State Coordinated Review should be supported by statutory citations and legal authority that guides FDOT's review of local government compressive plans. Key provisions from Chapter 163, Part II, F.S., are:

- Section 163.3177, F.S. – Required and optional elements of the comprehensive plan
- Section 163.3180, F.S. – Concurrency
- Section 163.3184, F.S. – Process for adoption of comprehensive plan or plan amendment
- Section 163.3191, F.S. – Evaluation and appraisal of the comprehensive plan
- Section 163.3245, F.S. – Sector Plans

Detailed citations with subsections are in Appendix A.

## *Section 2: Expedited State Review*

This section addresses the Expedited State Review process and role of FDOT's CPCs. Most plan amendments fall under the Expedited State Review process. Exceptions are those subject to the State Coordinated Review process (see Section 3) and those that qualify as small-scale amendments (s. 163.3187, F.S.), which state agencies no longer review. Amendments submitted under Expedited State Review are not necessarily smaller in scope, scale, and impact. They may be large in scope and have significant impacts on state transportation resources and facilities. Staff should review these amendments with the same attention to detail and importance as amendments under State Coordinated Review.

### **A. OVERVIEW OF THE PROCESS**

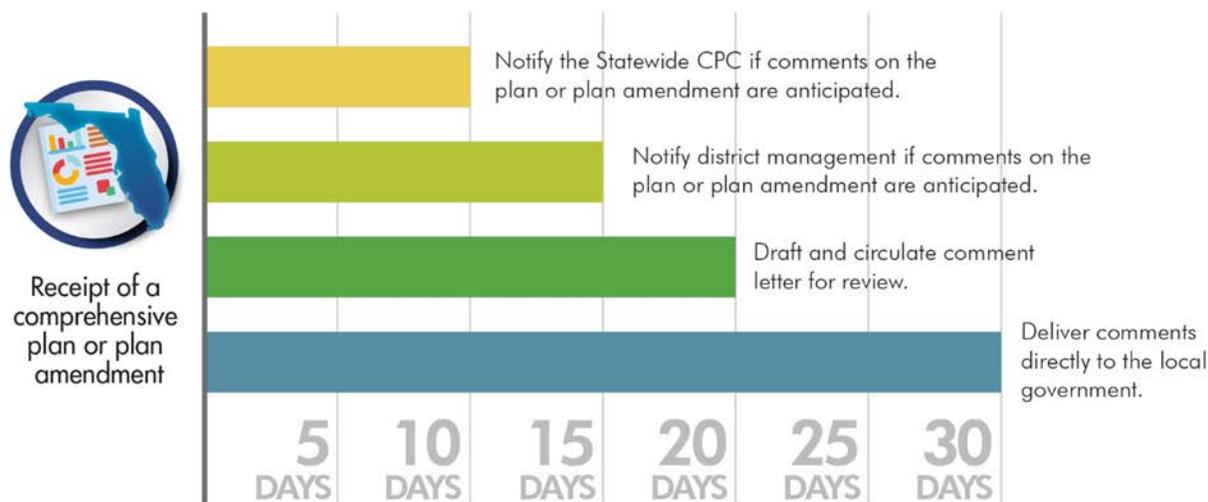
A local government must transmit a proposed comprehensive plan or plan amendment, along with any supporting data and analysis to the reviewing agencies, including FDOT, within 10 working days following its initial public hearing. At the proposed phase, FDOT conducts a review and may provide comments to the local government, which are limited to issues within FDOT's jurisdiction as it relates to transportation resources and facilities of state importance. When providing comments, FDOT must include measures the local government may take to eliminate, reduce, or mitigate adverse impacts. During the adopted phase, FDOT may review the adopted amendment to determine whether or to what extent its comments were addressed or to determine if it substantially changed from the one on which it commented. Under the authority of the District Secretary and in coordination with Central Office, FDOT may recommend DEO challenge an adopted amendment. DEO and any affected person as described in 163.3184(1)(a), F.S., is authorized to challenge an adopted amendment based on comments from the reviewing agencies. Figure 7 summarizes FDOT's internal review process, described in further detail below.

### **B. PROPOSED STAGE**

#### *1. Timeframes and Identification of Impacts*

Upon receipt of a proposed comprehensive plan or plan amendment by FDOT, the department has 30 days to provide comments to the local government. Therefore, it is important to identify whether an amendment has a significant impact on state transportation resources or facilities within 10 days. In addition, since the 30-day clock for submitting comments to the local government starts when the reviewing agencies receive the proposed comprehensive plan or plan amendment, DEO and FDOT may not have the same deadline. Therefore, if FDOT anticipates submitting comments under expedited state review, staff should reach out to DEO early and often to discuss FDOT's concerns and seek support from DEO.

**FIGURE 7: EXPEDITED STATE REVIEW FDOT INTERNAL TIMELINE**



## 2. Agency Comments

For identified impacts, FDOT may issue “comments,” which DEO may use as the basis to challenge the amendment if not addressed by the local government. FDOT may also issue “technical assistance comments,” which DEO would not use as the basis to challenge an amendment.

- **Comments.** If impacts to important state transportation resources or facilities are identified, the draft response letter must clearly identify the adverse impacts and the affected facilities, include statutory references as appropriate, and include measures the local government may take to eliminate, reduce, or mitigate the adverse impact.
  - If the District CPC anticipates issuing comments on the proposed comprehensive plan or plan amendment, the District CPC should notify the Statewide CPC of identified adverse impacts within 10 days of receipt of the plan or plan amendment and coordinate with District management within 15 days. The Statewide CPC can facilitate conversations between DEO and the Districts to ensure DEO fully understands FDOT’s concerns. The Statewide CPC can also coordinate with FDOT’s Office of General Counsel if needed.
- **Technical Assistance Comments.** Through the process noted above, the District CPC in consultation with District management and the Statewide CPC, may determine there are comments they would like to offer to the local government in the form of written “technical assistance comments,” that do not rise to the level of a challenge. This could be to recommend context-sensitive approaches to land use changes or other suggestions to improve a planning outcome. In this situation, for the sake of clarity and to ensure there are no misunderstandings by the local government or DEO, use the following statement to introduce any written technical assistance comments:

- We are providing a technical assistance comment consistent with Section 163.3168(3), Florida Statutes. The technical assistance comment will not form the basis of a challenge. The technical assistance comment can strengthen the local government’s comprehensive plan to foster a vibrant, healthy community or is technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S.
- **No comments.** If there are no impacts to important state transportation resources or facilities, the District CPC should send a no comment letter to the local government.

### ***3. Transmittal Letter***

Following a review of the proposed amendment and discussions with District management and the Statewide CPC, the District CPC drafts a response letter no later than 20 days into the review period. The Community Planning SharePoint site provides comment and no comment letter templates, which include language requesting a copy of the adopted amendment to ensure FDOT receives a copy for its records. State law requires that local governments send adopted plan amendments only to agencies that provide timely comments.

Once District management and the Statewide CPC provide feedback on the letter, changes are incorporated, and the letter is completed for the appropriate signature. Each District should have a process for approval of the comment or no comment letter, including briefing of the District Secretary as warranted. To meet statutory timeframes, the District CPC emails a copy of the letter to the local government. The local government must receive the letter **not later than 30 days after the date on which the District received the amendment**. The District reviewer may also mail via USPS the original, signed letter to the official local government address. A copy of the letter must also be sent via USPS or email to DEO and to the Statewide CPC.

## **C. ADOPTED STAGE**

### ***1. Review Adopted Plan or Plan Amendment***

DEO has 30 days from the date it notifies a local government that the comprehensive plan or plan amendment package is complete to file a petition with the Division of Administrative Hearings requesting a formal hearing to challenge whether a comprehensive plan or plan amendment is in compliance. The petition must clearly state the reason for the challenge. DEO has five working days from receipt of the amendment to notify the local government of any deficiencies in the adopted amendment package; otherwise, it is deemed complete. Therefore, if FDOT commented on the proposed amendment, the District CPC quickly determines whether the local government adequately addressed its comments in the adopted amendment or if the adopted amendment substantially changed from the proposed amendment.

- If the adopted amendment sufficiently addressed FDOT’s comments, no further action is needed.
- If FDOT’s comments were not sufficiently addressed through mitigation or other steps, the District CPC discusses a course of action with District management and brief the Statewide CPC.

- Possible courses of action include:
  - Request DEO challenge the adopted amendment; or
  - Provide technical assistance to the local government through outreach and coordination to continue to mitigate impacts to the affected transportation resource or facility.

If the District management in coordination with Central Office determine a challenge to the adopted amendment may be a course of action, the Statewide CPC will confer with the FDOT Office of General Counsel and DEO. This consultation occurs within 10 days of receipt of the adopted amendment, given the time constraints noted above. FDOT may also provide additional documentation to DEO regarding the adverse impacts or suggested measures to eliminate, reduce, or mitigate the adverse impacts.

If, after consultation, the FDOT District Secretary determines that the adopted amendment warrants a challenge, the District CPC prepares a letter to DEO requesting a challenge, and submits that letter to the Statewide CPC, who obtains approval to proceed from the FDOT Office of the General Counsel and Central Office management. Once approved, the District Secretary or designee signs the letter and transmits it by email to DEO within 25 days of receipt of the adopted amendment.

## ***2. Challenge***

DEO must file a petition to challenge the amendment within 45 days of receipt of the adopted amendment by the District. The final determination on filing such a petition rests with DEO. Therefore, if FDOT requests a challenge and DEO agrees, the FDOT Office of General Counsel and District counsels provide support to DEO in drafting a petition regarding issues involving adverse impacts to important state transportation resources or facilities. Since DEO must prove its challenge, the District CPC and other staff may need to assist DEO in providing adequate documentation.

DEO's challenge to comprehensive plans or plan amendments adopted under the Expedited State Review process is limited to FDOT's comments on the proposed amendment and may also include comments from other reviewing agencies. DEO may also challenge a plan or plan amendment that has substantially changed from the proposed amendment, but only if DEO determines an important state resource or facility will be adversely impacted.

## Section 3: State Coordinated Review

This section addresses the State Coordinated Review process and the role of FDOT's CPCs. Plan amendments that are in an area of critical state concern (s.380.05, F.S.); propose a rural land stewardship area (s.163.3248, F.S.); propose a sector plan (s. 163.3245, F.S.) or an amendment to an adopted sector plan; update a comprehensive plan based on an evaluation and appraisal review (s. 163.3191, F.S.); propose a development that is subject to the State Coordinated Review process (s. 380.06, F.S.); or are new plans for newly incorporated municipalities (s. 163.3167, F.S), are subject to State Coordinated Review. DEO coordinates the State Coordinated Review process. This process differs from the Expedited State Review process in the following ways:

- FDOT's submits comments directly to DEO.
- DEO issues an Objections, Recommendations, and Comments (ORC) report and may carry forward a comment by FDOT as an Objection or Comment in the report.
- DEO may find an adopted local government comprehensive plan or plan amendment "not in compliance" based only on Objections in the ORC report.

Like Expedited State Review, FDOT's comments are limited to issues within its jurisdiction that relate to adverse impacts on state transportation resources and facilities. Figure 2 summarizes FDOT's internal review process, described in further detail below.

### A. OVERVIEW OF PROCESS

A local government must transmit a proposed comprehensive plan or plan amendment, along with any appropriate supporting data and analysis to the reviewing agencies, including FDOT, within 10 working days following its initial public hearing. At the proposed phase, FDOT conducts a review and may provide comments to the local government, which are limited to issues within FDOT's jurisdiction as it relates to transportation resources and facilities of state importance. When providing comments, FDOT must include measures the local government may take to eliminate, reduce, or mitigate adverse impacts.

DEO may choose to carry forward any of FDOT's comments as an Objection or Comment in its ORC Report, and FDOT may also ask DEO to carry certain comments forward as an Objection or Comment. Comments in the ORC Report are deemed to be advisory in nature. DEO attaches a copy of all reviewing agencies' comment letters to its ORC report.

During the adopted phase, FDOT may review the adopted amendment to determine whether or to what extent any of its comments were addressed. Under the authority of the District Secretary and in coordination with Central Office, FDOT may recommend DEO find an amendment not in compliance. However, DEO may only find an amendment not in compliance based on the Objections in the ORC report. In addition, any affected person as described in 163.3184(1)(a), F.S., may file a petition with the Division of Administrative Hearings to request a formal hearing to challenge whether a plan or plan amendments are in compliance. Figure 8 summarizes FDOT's internal review process, described in further detail below.

## B. PROPOSED STAGE

### 1. Timeframes and Identification of Impacts

Upon receipt of a complete proposed comprehensive plan or plan amendment by DEO, FDOT has 30 days from that date of receipt to provide comments to DEO. In many cases, the local government will also email or mail the proposed amendment to the FDOT District Office. In either case, it is important to identify whether an amendment has a significant impact on state transportation resources or facilities within 10 days of receipt of the amendment or notification by DEO of receipt of the amendment, whichever comes first. If there are significant impacts, the District CPC notifies the Statewide CPC and DEO of its intent to issue comments.

**FIGURE 8: STATE COORDINATED REVIEW FDOT INTERNAL TIMELINE**



### 2. Agency Comments

For identified impacts, FDOT may issue “comments,” which DEO may use as the basis to find a comprehensive plan or plan amendment not in compliance. If the District identifies impacts to important state transportation resources or facilities, the letter to DEO must clearly specify the adverse impacts and the affected facilities, include statutory references as appropriate and include measures the local government may take to eliminate, reduce, or mitigate the adverse impact.

DEO may carry forward a comment from FDOT as Objections or Comments in the ORC Report. Only DEO can find an adopted comprehensive plan or plan amendment not in compliance based on objections in the ORC report. Therefore, it is imperative for the District CPC to notify the Statewide CPC of identified adverse impacts within 10 days of receipt of the plan or plan amendment and coordinate with District management within 15 days to determine what comments will be provided and whether FDOT will recommend to DEO that any of those comments be carried forward into the ORC report as an Objection or Comment. Comments in the

ORC report are advisory in nature and provide technical assistance to the local government. The Statewide CPC can facilitate conversations between DEO and the Districts to ensure DEO fully understand FDOT's concerns. The Statewide CPC can also coordinate with the Office of General Counsel if needed.

If there are no impacts to important state resources or facilities, the District CPC sends a no comment letter to DEO.

### ***3. Transmittal Letter***

Following a review of the proposed amendment and discussions with District management and the Statewide CPC, the District CPC drafts a response letter no later than 20 days into the review period.

The Community Planning SharePoint site provides comment and no comment letter templates, which include language requesting a copy of the adopted amendment to ensure FDOT receives a copy for its records. State law requires that local governments only send adopted comprehensive plans or plan amendments to agencies that provide timely comments.

Once District management and the Statewide CPC provide feedback on the letter, changes are incorporated, and the letter is signed by the appropriate person. Each District should have a process for approval of the comment or no comment letter, including briefing of the District Secretary as warranted. To meet statutory timeframes, the District CPC emails a copy of the letter to DEO with a copy to the Statewide CPC. DEO must receive the letter **within 30 days of DEO's receipt of the plan or plan amendment**. The District reviewer may also mail via USPS the original, signed letter to DEO.

## **C. ADOPTED STAGE**

### ***1. Review Adopted Plan or Plan Amendment***

DEO has 45 days from the date it notifies a local government that the comprehensive plan or plan amendment package is complete to issue a notice of intent to find the plan in compliance or not in compliance. DEO has five working days from receipt of the amendment to notify the local government of any deficiencies in the adopted amendment package, otherwise it is deemed complete. Therefore, if DEO included any of FDOT's comments as Objections in the ORC report, the District CPC must quickly determine whether the local government adequately addressed its concerns in the adopted amendment or if the adopted amendment substantially changed from the proposed amendment.

- If the adopted amendment sufficiently addressed FDOT's comment(s), whether carried forward into the ORC as Objections or not, no further action is needed.
- If FDOT provided comments that were not included in the ORC report and not adequately addressed by the local government, District staff may choose to work with the local government

toward resolution of those issues. The Statewide CPC will help facilitate coordination among FDOT, DEO, and the local government.

- If the adopted amendment does not include sufficient mitigation or other steps to address any of FDOT's comments that were included as Objections in the ORC report, the District may recommend to DEO that the adopted amendment be found not in compliance.

If the District management in coordination with Central Office determine that the amendment warrants a finding of not in compliance, the Statewide CPC will confer with the FDOT Office of General Counsel and DEO within 10 days of receipt of the adopted amendment. The District may provide to DEO additional documentation regarding the adverse impacts or suggested measures to eliminate, reduce, or mitigate the adverse impacts.

If, after consultation, the FDOT District Secretary determines that a comprehensive plan or plan amendment is not in compliance, the District CPC prepares a draft letter to DEO requesting this finding and submits it to the Statewide CPC, who obtains approval to proceed from the FDOT Office of the General Counsel and Central Office management. The District Secretary or designee signs the letter and transmits it by email to DEO within 25 days of receipt of the adopted amendment. This is necessary to provide time for DEO's internal review, consideration of FDOT's request, and enough time for DEO to prepare a petition challenging the amendment.

## ***2. Finding of Not in Compliance***

If DEO issues a notice of intent to find the comprehensive plan or plan amendment not in compliance, it forwards the notice of intent to the Division of Administrative Hearings of the Department of Management Services, which conducts a proceeding under ss. 120.569 and 120.57, F.S. Therefore, if FDOT requests a finding of not in compliance, and DEO supports that request, FDOT's Office of General Counsel and District counsels should provide support to DEO in drafting a petition regarding issues involving compliance. Since DEO must prove its challenge by clear and convincing evidence, the District reviewers may need to assist DEO in providing adequate documentation.

Finally, DEO's challenge may also address a comprehensive plan or plan amendment that has substantially changed from the version on which the agencies provided comments. The District CPC, in coordination with the Statewide CPC, advise DEO when an amendment substantially changes resulting in compliance issues related to transportation.

# Appendix B: Statutory References

**TABLE 5: STATUTORY REFERENCES**

Topic	Citation	Provision
Required and optional elements	s. 163.3177(1), F.S.	Describes required and optional elements of a comprehensive plan; requires principles and guidelines typically expressed as goals, objectives, policies, and strategies; requires procedures for monitoring, evaluating, and appraising implementation of the plan; and requires all mandatory and optional elements to be based on relevant and appropriate data and analysis.
Comprehensive plan data and analysis	s. 163.3177(1)(f), F.S.	Requires all elements of a comprehensive plan and plan amendments to be based on relevant and appropriate data and an analysis by the local government, which may include surveys, studies, community goals and visions, and other available data at the time of adoption.
Comprehensive plan data and analysis	s. 163.3177(1)(f)2., F.S.	Requires accepted sources for all data. Allows for the evaluation of a utilized methodology to determine if it is professionally acceptable.
Comprehensive plan data and analysis	s. 163.3177(1)(f)3., F.S.	Requires comprehensive plans to be based on permanent and seasonal population estimates and projections.
Consistency among elements	s. 163.3177(2), F.S.	Identifies coordination of the several elements of the comprehensive plan to be a major objective of the planning process and requires them to be consistent.
Capital improvements element	s. 163.3177(3)(a), F.S.	Requires a comprehensive plan to include a capital improvements element designed to consider the need for and location of public facilities.
Capital improvements element	s. 163.3177(3)(a)4., F.S.	Requires a capital improvements schedule with identified projects that are necessary to ensure that adopted level-of-service standards are achieved and maintained for the five-year period, and projects must be identified as either funded or unfunded and given a level of priority funding.
Capital improvements element	s. 163.3177(3)(a)5., F.S.	Requires the capital improvements schedule to include the applicable MPO's transportation improvement program to the extent that these improvements are needed to ensure concurrency and financial feasibility and requires coordination of the schedule with the applicable MPO's long range transportation plan.

Topic	Citation	Provision
Future land use element	s. 163.3177(6)(a), F.S.	Requires a comprehensive plan to include a future land use element designating proposed future distribution, location, and extent of land uses for residential, commercial, industry, agriculture, recreation, conservation, education, public facilities, and other uses; requires standards to be followed in controlling the distribution of population densities and building structure intensities; and requires land uses to be shown on a land use map or map series.
Future land use element	s. 163.3177(6)(a)8.a., F.S.	Requires future land use map amendments to be based on an analysis of the availability of facilities and services; an analysis of the suitability of the plan amendment for its proposed use; and an analysis of the minimum amount of land needed to achieve the goals and requirements of this section.
Future land use element	s. 163.3177(6)(a)9.a.(VIII), F.S.	Includes in the criteria for determining whether a future land use element or amendment to the element does not discourage the proliferation of sprawl is if it allows for land use patterns or timing that disproportionately increase the cost in time, money, and energy of providing and maintaining facilities, including roads and emergency response.
Future land use element	s. 163.3177(6)(a)9.b.(III), F.S.	Includes in the criteria for determining whether a future land use element or amendment to the element discourages the proliferation of sprawl is if it promotes walkable and connected communities and provides for compact development and a mix of uses and densities and intensities that will support a range of housing choices and a multimodal transportation system including pedestrian, bicycle, and transit, if available.
Future land use element	s. 163.3177(6)(a)9.b.(VIII), F.S.	Includes in the criteria for determining whether a future land use element or amendment to the element discourages the proliferation of sprawl is if it provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns.
Future land use map series	s. 163.3177(6)(a)10.b.(II) and (III), F.S.	Requires the future land use map or map series to include transportation concurrency management area boundaries or transportation concurrency exception area boundaries and multimodal transportation district boundaries.

Topic	Citation	Provision
Transportation element	s. 163.3177(6)(b)1., F.S.	Requires each transportation element to address traffic circulation, including the types, locations, and extent of existing and proposed major thoroughfares and transportation routes, including bicycle and pedestrian ways. Requires the map or map series to show the general location of the existing and proposed transportation system features, which must be coordinated with the future land use map or map series.
Transportation element	s. 163.3177(6)(b)1.a.-e., F.S.	Requires the transportation element reflect the data, analysis, and associated principles and strategies related to existing transportation levels of service; system needs and the availability of transportation facilities and services; growth trends and travel patterns and interactions between land use and transportation; existing and projected intermodal deficiencies and needs; projected transportation levels of service and system needs based on the future land use map and the projected integrated transportation system; and how the local government will correct existing facility deficiencies, meet the identified needs of the projected transportation system, and advance the purpose of this paragraph and other elements of the comprehensive plan.
Transportation element	s. 163.3177(6)(b)2.a.-e., F.S.	Requires local governments within an MPO to also address all alternative modes of travel; aviation, rail, seaport facilities, access to those facilities, and intermodal terminals; the capability to evacuate the coastal population before an impending disaster; airports, projected airport and aviation development, and land use compatibility around airports; and identification of land use densities, building intensities, and transportation management programs to promote public transportation systems in designated public transportation corridors.
Transportation element	s. 163.3177(6)(b)3.a.-c., F.S.	Requires municipalities having populations greater than 50,000 and counties having populations greater than 75,000 to include mass-transit provisions that address the provision of efficient public transit services; plans for port, aviation, and related facilities; and plans for the circulation of recreational traffic.

Topic	Citation	Provision
Transportation element	s. 163.3177(6)(b)4., F.S.	Requires local governments that optionally choose to integrate an airport master plan to address land use compatibility regarding airport zoning; the provision of regional transportation facilities; consistency with the local government traffic circulation element and applicable MPO long-range transportation plans; the execution of any interlocal agreements to provide public facilities and services to maintain adopted level-of-service standards for facilities subject to concurrency; and may address airport-related or aviation-related development.
Concurrency	s. 163.3180(1), F.S.	Requires sanitary sewer, solid waste, drainage, and potable water concurrency and authorizes local governments to extend concurrency requirements to additional public facilities within its jurisdiction and provides requirements for doing so.
Concurrency	s. 163.3180(1)(a), F.S.	Requires the local government comprehensive plan to provide principles, guidelines, standards, and strategies, including adopted levels of service, to guide the application of concurrency to other public facilities [including transportation]; requires a comprehensive plan amendment to rescind optional concurrency under the expedited state review process but specifies that the amendment is not subject to state review and is not required to be transmitted to the reviewing agencies for comment; however, requires a copy of the amendment to be provided to FDOT for informational purposes if the amendment rescinds transportation concurrency.
Concurrency	s. 163.3180(1)(b), F.S.	Requires local government comprehensive plans to demonstrate that the levels of service adopted can be reasonably met; requires identification of the infrastructure needed to ensure that adopted level-of-service standards are achieved and maintained for the five-year capital improvements schedule; and requires the inclusion of principles, guidelines, standards, and strategies for the establishment of a concurrency management system.
Transportation concurrency	s. 163.3180(5)(a), F.S.	Requires the local government comprehensive plan to include principles, guidelines, standards, and strategies, including adopted levels of service to guide the application of transportation concurrency, if applied to transportation facilities.

Topic	Citation	Provision
Transportation concurrency	s. 163.3180(5)(b), F.S.	Requires local governments to use professionally accepted studies to evaluate the appropriate levels of service, which should include considering the number of facilities that will be necessary to meet level-of-service demands; and requires the capital improvements element to include the schedule of facilities that are necessary to meet the adopted level-of-service.
Transportation concurrency	s. 163.3180(5)(c), F.S.	Requires local governments to use professionally accepted techniques for measuring levels of service when evaluating the potential impacts of a proposed development.
Transportation concurrency	s. 163.3180(5)(d), F.S.	Requires inclusion of appropriate amendments to the capital improvements element, which must identify facilities necessary to meet the adopted levels of service during a five-year period.
Transportation concurrency	s. 163.3180(5)(e), F.S.	Encourages local governments to develop policy guidelines and techniques to address potential negative impacts of future development in urban infill, redevelopment, and urban service areas; with special part-time demands on the transportation system; with de minimis impacts; and on community desired types of development.
Transportation concurrency	s. 163.3180(5)(f), F.S.	Encourages local governments to develop tools and techniques to complement the application of transportation concurrency.
Transportation concurrency	s. 163.3180(5)(g), F.S.	Encourages local governments to coordinate with adjacent local governments for using common methodologies for measuring the impacts on transportation facilities.
Transportation concurrency	s. 163.3180(5)(h), F.S.	Requires local governments that implement a transportation concurrency system to consult with FDOT when proposed plan amendments affect facilities on the SIS; requires the exemption of public transit from concurrency; allows applicants for a DRI development order, development agreement, rezoning, or other land use development permit to satisfy transportation concurrency requirements, the local government's transportation concurrency management system, and s. 380.06 under certain circumstances; provides the basis on which landowners are assessed a proportionate share of the cost of addressing transportation impacts from a proposed development, how its calculated, and how its applied; and defines transportation deficiency.

Topic	Citation	Provision
Transportation concurrency	s. 163.3180(5)(i), F.S.	Encourages local governments that repeal transportation concurrency to adopt an alternative mobility funding system.
Adoption of comprehensive plan and plan amendments	s. 163.3184, F.S.	Specifies the process for adoption of comprehensive plans or plan amendments, including the expedited state review process and state coordinated review process, as well as requirements for reviewing agency comments and administrative challenges, among other provisions.
Reviewing agencies	s. 163.3184(1)(c), F.S.	Identifies FDOT as one of the reviewing agencies under the process for adoption of a comprehensive plan or amendment.
Amendments subject to state coordinated review	s. 163.3184(2), F.S.	Specifies the type of comprehensive plan amendments that are subject to state coordinated review, including those in an area of critical state concern; those that propose a sector plan, rural land stewardship area, or development subject to state coordinated review pursuant to s. 380.06, F.S.; those based on an evaluation and appraisal review; or new plans for a newly incorporated municipality.
Expedited state review	s. 163.3184(3), F.S.	Requires all comprehensive plan amendments except as provided in s. 163.3184(2), F.S., to be processed under the expedited state review process as described.
Comments on important state resources and facilities	s. 163.3184(3)(b)4.c., F.S.	Limits reviewing agency comments to specific criteria, including FDOT's comments, which are limited to issues within the agency's jurisdiction as they relate to transportation resources and facilities of state importance.
State coordinated review	s. 163.3184(4), F.S.	Specifies the process for state coordinated review of comprehensive plan amendments identified in s. 163.3184(2)(c), F.S.
Evaluation and appraisal review	s. 163.3191, F.S.	Requires each local government to evaluate its comprehensive plan at least once every seven years to determine if plan amendments are necessary to reflect changes in state requirements since the last update of the plan and notify the state land planning agency as to its determination; and requires amendments, if necessary, to be prepared and submitted for review under the state coordinated review process.

Topic	Citation	Provision
Sector plans	s. 163.3245, F.S.	Describes the sector plan process and its requirements, which includes review of the long-term master plan by the state land planning agency in consultation with FDOT and others regarding the location, capacity, design, and phasing or staging of major transportation facilities in the planning area.
Rural land stewardship area	s. 163.3248, F.S.	Describes the process for designating rural land stewardship areas and associated requirements, which allows a local government or property owner(s) to request assistance and participation in the development of a plan for the rural land stewardship area from various parties, including FDOT.



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