
Florida's Consultative Planning Process for Non- Metropolitan Areas

Florida Department of
Transportation

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Introduction

Pursuant to 23 United States Code Section 135, each state must have a documented process for consulting with non-metropolitan local officials during development of the long range statewide transportation plan and the statewide transportation improvement program (STIP).

Additional requirements for consulting with non-metropolitan local officials are included in Title 23, Part 450 of the Code of Federal Regulations. These regulations provide, “The state shall have a documented process(es) for consulting with non-metropolitan local officials representing units of general purpose local government and/or local officials with responsibility for transportation that is separate and discrete from the public involvement process and provides an opportunity for their participation in the development of the long-range statewide transportation plan and the STIP.” In addition, at least once every five years states must review and solicit comments from non-metropolitan local officials and other interested parties, for a period of not less than 60 calendar days, regarding the effectiveness of the consultation process and any proposed changes. A specific request for comments must be directed to the state association of counties, state municipal league, regional planning agencies, or directly to non-metropolitan local officials.

The Florida Department of Transportation (FDOT) first documented its consultative planning process for non-metropolitan areas in May 1999.¹ The department updated its consultative process document in February of 2004 after soliciting comments from various partners (e.g. Small County Coalition, Florida Association of Counties) and posting the document on its website for a 60-day review period.

Transportation Planning in Florida

Transportation decisions in Florida are made continuously at all levels of government and by the private sector. The roles and responsibilities of each level of government influence the planning and decision making process. Planning in Florida takes place under the shared vision of the State Comprehensive Plan, found in state law.²

Each of Florida’s 67 counties and over 400 municipalities has adopted, and periodically revises, a comprehensive plan to guide growth, development and the provision of government services for periods of 5 to 20 years. Future development and public facilities, such as those for transportation, must be consistent with those plans. Counties and municipalities are responsible

¹ Florida Department of Transportation, Office of Policy Planning, first documented Florida’s consultative planning process for non-metropolitan areas in “Florida’s Consultative Planning Process for Non-metropolitan Areas, May 1999.”

² Chapter 187, Florida Statutes, includes the adopted State Comprehensive Plan.

for planning, building and maintaining local road systems. Local governments are also responsible for most public transit systems, airports and seaports, either directly or in conjunction with special authorities created to manage and provide services.

FDOT districts review local government comprehensive plans and comment on any inconsistencies with the goals of the Strategic Intermodal System³ (SIS), and the Transportation Regional Incentive Program⁴ (TRIP) and Florida Transportation Plan. The districts coordinate these reviews with the Department of Community Affairs (DCA). DCA determines whether local government comprehensive plans are in compliance with state regulations. This same process is conducted as part of the reviews of developments of regional impacts. These efforts involve coordinating and communicating with various local and state government officials.

Regional planning councils (RPCs), composed of local elected and appointed officials and lay citizens, consider planning and development issues from a multi-county perspective. Florida's 11 RPCs review and comment on local government comprehensive plans, particularly for regional issues. They are responsible for the development of strategic regional policy plans containing regional goals and policies for transportation, economic development, natural resources and other issues.

There are 26 metropolitan planning organizations (MPOs) in Florida's urbanized areas.⁵ Each MPO is responsible for developing long range transportation plans, transportation improvement programs and setting transportation funding priorities. The MPO planning area includes the urbanized area plus the area expected to become urbanized in 20 years.

Some MPOs and rural counties have formed regional partnerships to develop regional visions to guide future growth and plans to identify and implement regional transportation priorities. For example, to be eligible for TRIP funding, regional transportation partners must develop a regional transportation plan identifying regionally significant transportation facilities and prioritizing regional transportation projects. As of September 2008, 58 out of 67 Florida counties entered into TRIP partnerships.

FDOT is responsible for planning, operating and maintaining the State Highway System. FDOT assists local governments, metropolitan and regional agencies and the private sector in providing

³ The Strategic Intermodal System is the statewide network of high priority transportation facilities established in accordance with Chapter 339, Florida Statutes.

⁴ The Transportation Regional Incentive Program is designed to encourage regional planning by providing state matching funds for improvements to regionally significant transportation facilities identified and prioritized by regional partners.

⁵ Every ten years, the U.S. Census designates urbanized areas, which are densely populated areas containing 50,000 or more people.

public transit, aviation, rail, seaport, bicycle and pedestrian and other transportation facilities and services. The department develops numerous statewide long range transportation plans. FDOT also annually adopts a five-year Work Program, which balances priorities and production schedules for transportation improvements with expected state and federal transportation funds. All projects in the Work Program must be consistent, to the maximum extent feasible, with local government comprehensive plans.

Each year, DCA reviews the FDOT Work Program and MPO transportation improvement programs to ensure consistency with local government comprehensive plans, including those in non-metropolitan areas. The Department of Environmental Protection works closely with FDOT and local governments on natural resource, air quality and other environmental issues, during planning, development, design and construction of transportation projects. Five Water Management Districts are responsible for assessing potential impacts of transportation projects on water resources. Other state agencies and organizations participate in transportation decision making on issues such as economic development and human services.

Statewide Transportation Planning

FDOT is responsible for developing the Florida Transportation Plan and long range plans for highways, transit, railroads and other major modes of transportation. The processes for consulting with local government officials (including those in non-metropolitan areas) are tailored to the roles, responsibilities and issues unique to the long range plan, but are consistent with the department's overall framework for public and partner involvement. This framework is based on the three tenets and three components shown below.

Framework for Public and Partner Involvement			
Tenets for Involvement		Components of Process	
Early	Inform and provide opportunities to voice ideas at the beginning of project/plan	Awareness	Make parties aware and informed
Often	Communicate at each stage of project/plan development	Input	Seek involvement before the project/plan is completed
Continuously	Keep a dialogue going with those who participated earlier	Feedback	Show how input was addressed in the project/plan

The Florida Transportation Plan (FTP) is the state's long range statewide transportation plan and is developed in consultation with non-metropolitan local officials and other partners. The FTP

identifies long range goals, objectives, and strategies to address the needs of the entire transportation system. The FTP is updated at least every five years. A public involvement plan is published for each update of the plan and is available from the Office of Policy Planning. Consultation with non-metropolitan local officials is provided through statewide summits, public workshops held throughout the state including rural areas and direct communication with the FDOT, including presentations at scheduled local government meetings. Officials from non-metropolitan areas served on the Steering Committee, appointed by the Secretary of FDOT, to draft the most recent update, the 2025 FTP.

The department has consulted with non-metropolitan local officials and other partners in the development of the Strategic Intermodal System (SIS), which comprises corridors, facilities and services of statewide and interregional significance. A SIS Steering Committee was formed in 2002 to recommend criteria for designating SIS facilities. This Committee included representatives of the various transportation modes (e.g. airports, rail), business interests (e.g. freight, economic development), local and regional government (e.g. Small County Coalition) and other stakeholders. The department's SIS Strategic Plan helps guide future investments in and management of the SIS and must be updated every five years. The first strategic plan was adopted in 2005 and developed by FDOT in consultation with partners from throughout the state, including non-metropolitan local officials.

Statewide modal plans developed by the department include the Transit Strategic Plan, Florida Aviation System Plan, Seaport Plan and State Rail Plan. A consultation process is tailored to meet the roles, responsibilities and issues related to each mode. For example, in the development of the Rail System Plan, the department is seeking advice on policy issues from a committee made up of people from various interests around the state. These interests include not only the rail industry, but also shippers, seaports, passenger rail agencies, legislative, state and local entities, and growth management and environmental interests.

Statewide Transportation Improvement Program

The department annually develops and adopts a five-year Work Program, a listing of all projects planned by the department for the following five years. The first four years of the Work Program are incorporated into the federally-required state transportation improvement program (STIP).

The Work Program is developed cooperatively with officials from non-metropolitan areas. Between July and October of each fiscal year, the MPOs and the board of county commissioners from non-MPO areas provide department's districts with transportation project priorities. These project priorities are included, to the maximum extent feasible, in the district Work Programs.

The Federal Highway Administration annually provides the department with a list of projects from the current Indian Reservation Road Transportation Improvement Program and the current

Public Lands Transportation Improvement Plan. These projects are included in the STIP and applicable MPO transportation improvement programs.

The department administers various public transportation block grant and competitive grant programs. Funded projects from transit systems, airports and other eligible providers are included in the work program.

The department presents the proposed district Work Program to the counties and MPOs to determine if changes are needed. At least one public hearing is held in each district to review the proposed district Work program and to determine whether changes should be made before it is submitted to the department's central office. The central office prepares a Tentative Work Program representing a compilation of all district work programs.

A final statewide public hearing is held by the Florida Transportation Commission prior to submitting the department's Tentative Work Program to the Executive Office of the Governor and legislative appropriations committees. Once the Tentative Work Program is adjusted to mirror the annual appropriations act; this Adopted Work Program takes effect on July 1st, the beginning of the state's fiscal year.

When the department proposes an amendment (with certain exceptions) to the Adopted Work Program, the proposed amendment is submitted to the Governor for approval. The department also notifies appropriate state legislative committees and affected state legislators, units of local government and metropolitan planning organizations. The amendment provides a complete justification of the need for the proposed amendment. All parties have 14 days to express their views to the Governor before the Governor can approve the proposed amendment.

Other Consultation and Coordination

The department consults and coordinates with non-metropolitan local officials in many ways. The department also provides financial assistance to some rural counties in the development and maintenance of their long-range transportation plans as well as technical and financial assistance to support various regional and rural county visioning efforts.

The department is a key player in the consultative process of developing statewide strategies for increasing economic opportunities in Florida's rural communities and incorporating those strategies into the transportation planning processes. The department has worked closely with members of the multi-agency Rural Economic Development Initiative (REDI) since its inception to resolve transportation and economic development related issues at the local government level. Through consultation and negotiation, as well as through the provision of technical assistance, the department continues to strengthen transportation activities in the non-metropolitan areas. The REDI program is administered by the Governor's Office of Tourism, Trade and Economic

Development. Most state agencies, including FDOT, have a REDI representative to coordinate various rural-related issues.

Florida Statutes

A number of Florida statutes help to ensure the non-metropolitan consultative planning process achieves balance regarding the roles of state and local officials. Relevant sections of several of these statutes are summarized below.

- Section 163.3204, F.S. - Requires all state and regional agencies to cooperate with local governments in the preparation and adoption of their comprehensive plans.
- Section 288.0656, F.S. - Creates the Rural Economic Development Initiative, known as "REDI," within the Office of Tourism, Trade, and Economic Development. REDI is responsible for coordinating and focusing the efforts and resources of state and regional agencies on the problems which affect the fiscal, economic, and community viability of Florida's economically distressed rural communities, working with local governments, community-based organizations, and private organizations having an interest in the growth and development of these communities to find ways to balance environmental and growth management issues with local needs.
- Section 339.135(2)(b)4, F.S. - Requires projects in the department's Work Program to be consistent with an approved local comprehensive plan of any local government within whose boundaries the project is located in whole or in part, or, if inconsistent, is accompanied by an explanation of why the inconsistency should be undertaken.
- Section 339.135(4)(b)3, F.S. - Provides the first three years of the department's Adopted Work Program stand as the commitment of the state to undertake transportation projects local governments may rely on for planning and concurrency purposes, and in the development and amendment of the capital improvements elements of their local government comprehensive plans.
- Section 339.135(4)(c)1, F.S. - States the board of county commissioners shall serve as the MPO in those counties which are not located in an MPO and shall be involved in the development of the department's Work Program to the same extent as an MPO.
- Section 339.135(7)(d)1, F.S. - Requires when the department proposes an amendment to the Adopted Work Program, the proposed amendment be submitted to the Governor for approval. The department also notifies appropriate legislative committees and affected legislators, units of local government and metropolitan planning organizations. The amendment provides a complete justification of the need for the proposed amendment.

All parties have 14 days to express their views to the Governor before the Governor can approve the proposed amendment.

- Section 339.155(3)(a), F.S. - Requires the Florida Transportation Plan to be developed in consultation with affected local officials in non-metropolitan areas and with any affected Indian tribal governments.
- Section 339.175, F.S. - Requires MPO membership to be determined on an equitable geographic-population ratio basis as approved by the Governor. Therefore, officials responsible for rural areas within a metropolitan planning area may be involved in the MPO through the mandatory county commission membership on the MPO or through direct representation of a small rural community included in a metropolitan planning area to provide geographic balance.
- Sections 427.011 - 427.017 F.S. - Establishes a Commission for the Transportation Disadvantaged to accomplish the coordination of transportation services provided to the transportation disadvantaged.

Evaluation of Consultative Process

The department has been analyzing the satisfaction of local officials from non-metropolitan areas regarding their input in the development of statewide transportation plans and the work program through its ongoing customer surveys of government officials. FDOT surveys officials from cities, counties, MPOs and the state legislature about the transportation system and intergovernmental coordination issues. Department has been reviewing the satisfaction of local officials from non-metropolitan areas as compared to those from MPO areas.

The satisfaction of local officials from non-metropolitan has been high and comparable to local officials from urban areas. For example, over 67% of the non-metropolitan officials responding in 2007 strongly agreed or agreed that “FDOT District officials seek our government unit’s input when establishing priorities for roadway constructions projects.” Also, in 2007 77% of the non-metropolitan officials and 77% of MPO area officials strongly agreed or agreed that “FDOT officials seek our government’s inputs when developing statewide plans.”

In addition, the department has periodically (at least every 5 years) reviewed and solicited comments from non-metropolitan local officials and other interested parties for a period of at least 60 calendar days regarding the effectiveness of its consultative process and any proposed changes. A specific request for comments has been directed to the Florida Association of Counties, Small County Coalition, Florida League of Cities, and Florida Regional Planning Council Association. In addition to specific outreach to these organizations, the document has also been posted on the department’s website to solicit feedback from a broader range of interested parties.

The department reviews all comments and if a proposed modification is not adopted, the department will make publicly available its reason for not accepting the proposed modification. FHWA and FTA will be notified of the comment process commencement and provided a copy of the revised process once finalized.