

Transportation Investments and Land Use Changes

*Coordinating Transportation Investments with Land
Use Changes Through Legal, Financial and
Developmental Actions*

Group 1

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Topic Areas

- *Case studies of state and regional smart growth plans linking transportation funding to growth*
 1. Maryland Smart Growth Plan
 2. Oregon Transportation Growth Management Program
 3. Regional Transportation Plans
- *Georgia zoning and transportation law*
 4. Law and history
 5. Background on initiatives
 6. Legal Alternatives for Georgia



Case Study: Maryland

The Beginning of Smart Growth

Four Goals of Smart Growth

- Support existing communities by targeting resources to support development in areas where infrastructure exists
- Save our most valuable natural resources before they are forever lost
- Save taxpayers from the high cost of building infrastructure to serve development that has spread far from our traditional population centers
- Provide Marylanders with a high quality of life, whether they choose to live in a rural community, suburb, small town or city

PFAs in Maryland

- Municipalities
- Baltimore City
- Areas inside the Baltimore and Washington Beltways
- Neighborhoods designated for revitalization by the Department of Housing and Community Development ("Designated Neighborhoods")
- Enterprise and Empowerment Zones
- Certified Heritage Areas within county-designated growth areas.

Local Government Retains Control

- The Smart Growth Act gives counties the authority to designate the PFAs, although they must use criteria found in the Act to draw the boundaries
- Maryland's PFAs are flexible and can be revised at the county's discretion with state approval



Case Study: Oregon



Transportation and Growth Management Program (TGM)

TGM: Grants



- Focused on linking smart land use and transportation planning
- Incentive based
- Funded by SAFETEA-LU and the State of Oregon
- Two Categories:
 - Transportation Systems Planning
 - Transportation Land Use Planning

TGM: Quick Response

- Focused on design elements
- Assists with an immediate need for design assistance with an imminent development
- Used when a project does not address the community's vision for efficient transportation and quality development
- Includes school siting



TMG: Code Assistance

- Very specific help to local governments to identify and update comprehensive plan policies and land use regulations
- Draft plans that link land use and transportation based on TGM principals



TMG: Outreach and Publications



- Working together with local governments
- Workshops and other public forums
- Tailored to individual communities
- Services provided at no charge



Regional Transportation Planning

Examples from Baltimore, Boston, San Francisco and Seattle

Regional Transportation Planning

- Starting to become a pressing issue
- Increase in the amount of time and effort
- Some good examples include:
 - Baltimore
 - Boston
 - Seattle
 - San Francisco



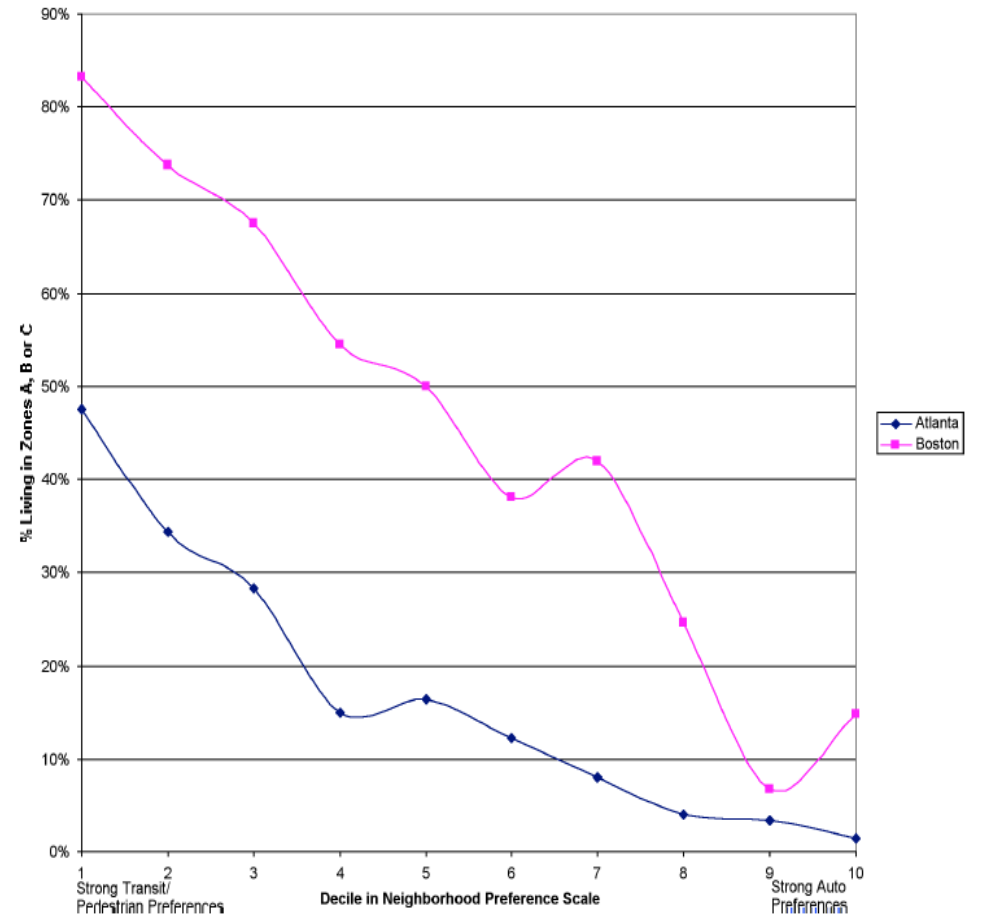
Mineta Transportation Institute Boston vs. Atlanta

Affords a relatively close fit between the preferences of its residents on the one hand, and their actual choices on the other.

Can I/Do I really live where I want to?

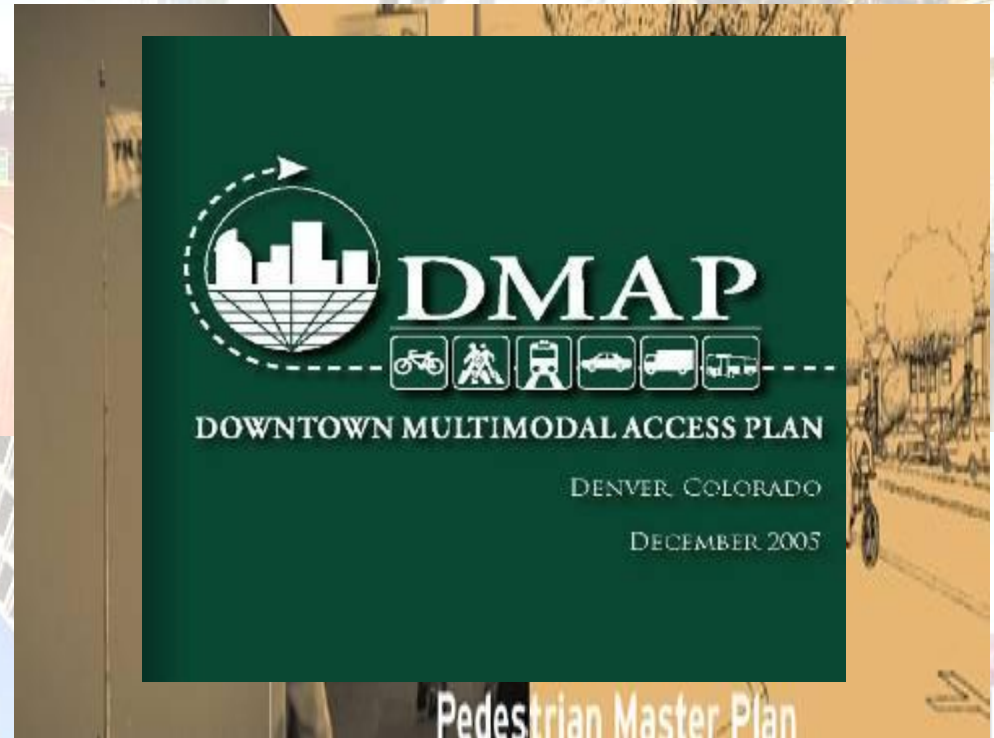
Boston- 75%

Atlanta- 35%



Interesting Approaches

- Oakland Pedestrian Master Plan
- Sacramento Blueprint
- Denver Multi-Modal Street Type Designation System



Baltimore & San Francisco

- Acknowledges the importance of integrating transportation and land-use
 - Sustainable Development
 - BTRB- understands this will be an ongoing process
- San Francisco BART
 - Rezoning as a major tool
 - Phased infrastructure improvements
 - Community organization and leadership
- Utilizes a combination of rezoning and redevelopment led land assembly
 - Collaboration with BART Department of Real-Estate

Seattle Washington MTA

- Urban design guidance, development strategies and financial incentives.
- Compact communities, urban corridors and mixed-use development/activity
- Regulatory reforms, financial incentives,

MTC 2030 Plan For San Francisco Bay Area

- Special Programs & Affiliations
 - TLC
 - HIP
- **PRINCIPLES**
 - *Focus Growth Around Transit*
 - *Provide Community Benefits*
 - *Reinvest in Existing Benefits*
 - *Reinvest in Existing Infrastructure*
 - *Create Smarter Suburbs*
 - *Build More Affordable Housing in the Right Places*
 - *Develop Stronger Partnerships With Public Agencies, Neighboring Regions and Private Sector*



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Transportation 2030 Plan for the San Francisco Bay Area

FINAL February 2005

TRANSPORTATION
2030

3: Regional Transportation Planning

Implementation Strategies

- Prioritize transportation investments that maintain the existing core transportation network
- Reserve an appropriate percentage of funding from the TLC/HIP program for land-use planning efforts
- Coordinate transportation/land-use coordination beyond major transit corridors

Early Transportation and Land Use

“The old convoy had stated me thinking about two lane highways, but Germany had made me see the wisdom of broader ribbons across the land” –Dwight Eisenhower

- The National Road
- 1920’s growth in highway construction
- The “Turnpike Era”
- The “Interstate Era”



ISTEA (Intermodal Surface Transportation Efficiency Act of 1991)

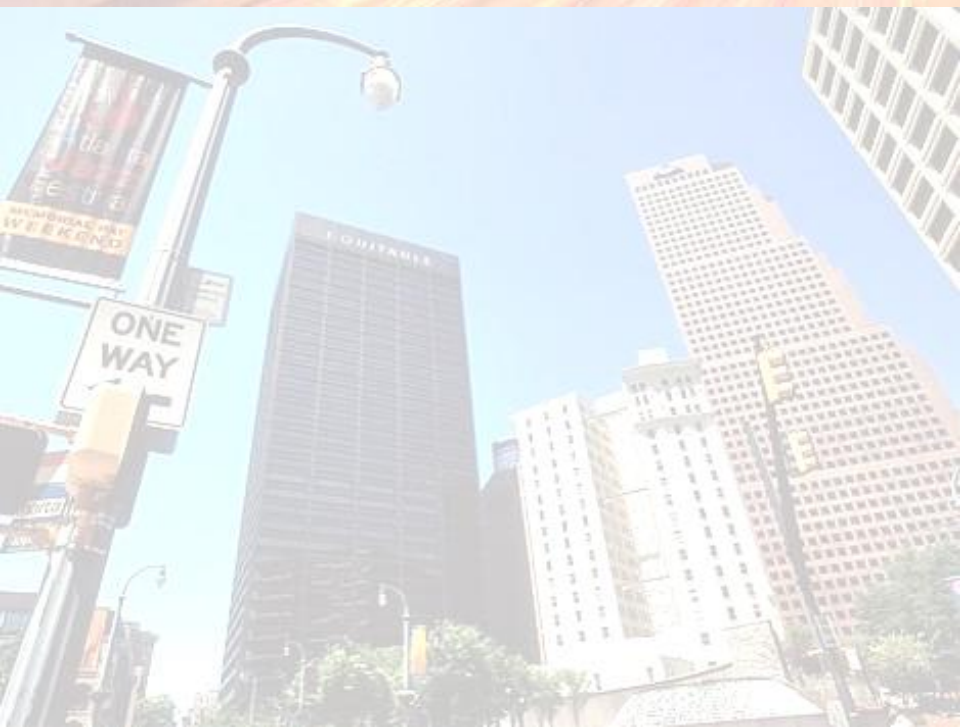
- First U.S. federal legislation accounting for the post interstate highway system area
- Presents an intermodal approach to transit funding
- Focus on broadening participation in transportation planning (including stakeholders that were not previously included)

ISTEA main points

- Support the economic vitality of the region
- Increase safety and security
- Increase the accessibility and mobility options
- Protect and enhance the environment, promote energy conservation and improve quality of life
- Enhance the integration of connectivity
- Promote efficient system management and operation
- Emphasize the efficient preservation of existing transportation system

TEA-21 (Transportation Equity Act for the 21st Century)

- June 9, 1998
- Increased transportation funding more than 40%
- Same main points as ISTEA



SAFTEA-LU (Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for All Users)

- Represents the largest transportation investment in the history of the United States!
- Guaranteed \$244.1 billion in funding for highways, highway safety, and public transportation
- The act also retains the Federal-Aid Highway Program's core projects: The Surface Transportation Program (STP), the National Highway System (NHS), Interstate Maintenance Program, Bridge Program, and Congestion Mitigation and Air Quality Program, but adds one additional program, the Highway Safety Improvement Program (HSIP)

Background on Georgia Initiatives

- Regional State Agencies
- Atlantic Station: Project XL, TCM
- Transportation: MARTA, Transit Planning Board, The BeltLine, The Brain Train
- Livable Centers Initiative (LCI)



Regional State Agencies

- Atlanta Regional Commission (ARC)
- City of Atlanta & the Bureau of Planning
- Department of Community Affairs (DCA)
- Georgia Department of Transportation (GDOT)
- Georgia Rail Passenger Authority (GRPA)
- Georgia Regional Transportation Authority (GRTA)
- Metropolitan Atlanta Rapid Transit Authority (MARTA)
- Transit Planning Board (TPB)

Atlantic Station as a Project XL Transportation Control Measure

- EPA
 - National Ambient Air Quality Standards (NAAQS)
 - Project XL
 - EPA: Transportation Control Measure
 - Georgia State Implementation Plan
- Atlantic Station Access+mobility Program (ASAP+)



Transportation

- Transportation at Neighborhood, City and Regional levels:
 - MARTA
 - Transit Planning Board (TPB)
 - The BeltLine
 - The Brain Train



Livable Centers Initiative (LCI)



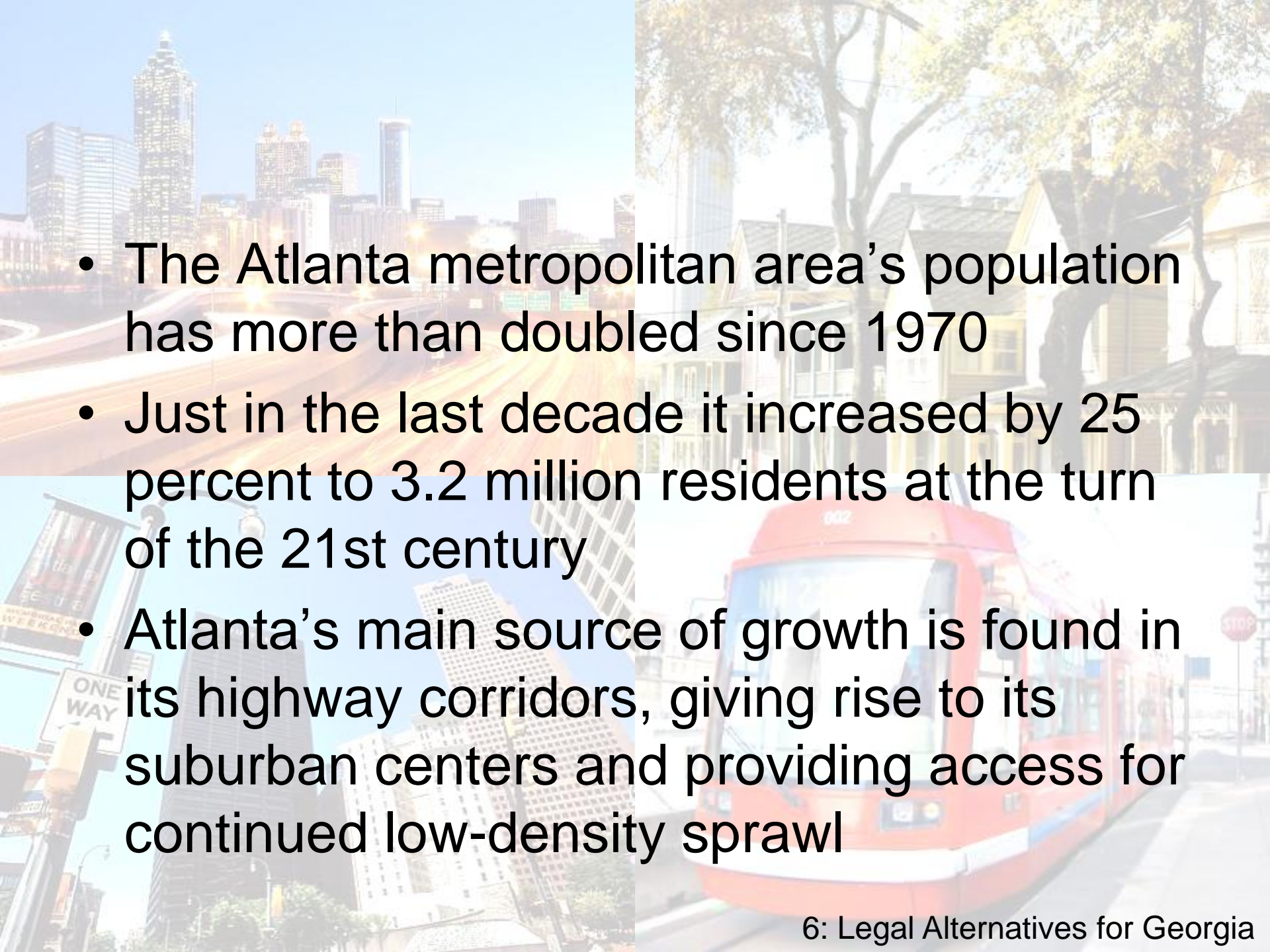
- ARC Resolution
- Implementation
- LCI Transportation Program
- LCI Qualification Process
- LCI Program Policies



Legal Alternatives for Georgia:



Agencies, Land Use and Transportation

- 
- The Atlanta metropolitan area's population has more than doubled since 1970
 - Just in the last decade it increased by 25 percent to 3.2 million residents at the turn of the 21st century
 - Atlanta's main source of growth is found in its highway corridors, giving rise to its suburban centers and providing access for continued low-density sprawl

- As a result, the suburban population is traveling longer distances to work, and as commuters increase, so does congestion, and 90% of the regions' commuters drive to work
- In 1980, the City of Atlanta accounted for 22.4 percent of the metropolitan area population, it now is home to only 13.3 percent
- Suburbs in the year 2000 grew 100 times more than the city
- Low-density housing in the city of Atlanta leads to low-density employment centers, most reachable only by car

Local Government Power

- Georgia has legal mechanisms, mainly through state agencies, to disperse funding to areas based on quality growth standards
- Local governments can include these growth stipulations in their comprehensive plan
- Georgia planning law enables each local government to have a comprehensive plan and land use regulations. The comprehensive plan must include environmental, transportation, land use, and developmental factors. This was enabled by the Georgia Planning Act of 1989, O.C.G.A. 45-12-200
- By 1995, comprehensive plans were built into local planning and zoning requirements. All zoning decisions are made by the local government in that district
- In 1999 Georgia also created a regional transportation authority to coordinate land use and transportation

State Agencies and Priority Funding

- Georgia's state agencies distribute funds in order to coordinate transportation needs with zoning and land use regulations.
- The Department for Community Affairs and the Georgia Regional Transportation Authority were created under O.C.G.A. 50-32-11(28).
- These agencies are given the right to access to state and federal funds and the right to approve or deny transportation projects requesting these funds as they see fit. Their decisive control allows them to control funds.

Department of Community Affairs

- Georgia law gives the DCA the power to withhold funding as a result of their assessments

Georgia code states:

- In any case where a development of regional impact, as determined by DCA, any expenditure of [state or federal] funds shall be prohibited unless and until the plan for such development and such expenditures is reviewed and approved by the authority
- The decision by the DCA is final and non-reviewable, unless vetoed by a $\frac{3}{4}$ vote of the county commission or city council. O.C.G.A. § 50-32-14 (2007)
- The DCA has the authority to expend or withhold federal and state funds based on its findings

DCA Funding Programs

- The first is the Atlanta Commercial Revitalization Deduction Program—this is a federal tax credit, issued under DCA approval
- The federal and state housing tax programs include the Housing Tax Credit Program
- In 2004, the Georgia General Assembly also created “opportunity zones” through the Opportunity Zone Tax Credit Program, “allowing the DCA to designate as a “less developed area” an area that is contained by two or more census block groups with 20% or greater poverty”
- The DCA also promotes quality growth by facilitating local growth with growth management and planning tools, and also regarding local regions who implement efficient and quality land use in their development plans and comprehensive plans

GRTA

- In 1999 the Georgia Regional Transportation Authority or GRTA, created by Governor Roy Barnes to regulate the federal Clean Air Act, while analyzing transportation projects, they issue government bonds for transportation projects
- GRTA has broad powers to accomplish this broad objective. It has initial jurisdiction over the 13-county metropolitan region
- The agency can “finance projects, facilities, and undertakings of the authority for the furtherance of the purposes of the authority within the geographic area over which the authority has jurisdiction” O.C.G.A. 50-32-11(a)(8)
- The EPA also funds regional transportation based on air quality standards. If the standard for that region is not met, the EPA will withdraw funding, drastically affecting state and regional transportation projects. Compliance or non-compliance is based upon the Clean Air Act standard



Other Agencies

- The link between land use and transportation needs is established and acknowledged by the Georgia Department of Transportation (GDOT)
- The GDOT publishes this connection in the statewide transportation plan
- The Georgia Environmental Protection Division is under the Georgia Environmental Protection Agency and is another state agency that can legally disperse funds to areas according to agency-determined priority
- One of these funding programs are the Clean Water Act Section 319(h) Grants. These federal grants are issued through the GEPD and will fund projects that implement Phase II Stormwater Management Programs

Atlanta Regional Commission

- Atlanta's regional growth and transportation needs are also monitored by the Atlanta Regional Commission, or ARC. The ARC coordinates intergovernmental initiatives in regional planning agency for the Atlanta area which consist of ten counties in the metropolitan region
- The ARC receives funding from Federal, state, local, and private entities
- The ARC has another lawful example of priority funding based on quality land use through its Livable Centers Initiatives program or LCI
- The Livable Centers Initiative is a program that spurred from this. It includes studies and funding offered by the ARC to local jurisdictions that link transportation with sustainable developments consistent with local and state land use policies

