



# COMMUNITY PLANNING TOOLKIT

## EXECUTIVE SUMMARY

The Apalachee Region Community Planning Toolkit was developed by the Apalachee Regional Planning Council (ARPC) to assist with comprehensive planning activities in the Apalachee Region. This encompasses Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, and Wakulla counties and their municipalities. The purpose of this toolkit is to identify community planning best practices and assist local government staff with future short-term and long-term growth management activities.

Apart from Leon County, the jurisdictions within the Region are extremely rural and both county and municipal governments generally have fewer planning staff and resources. These communities need assistance with the growth management and community planning requirements of the Florida Community Planning Act of 2011, such as Comprehensive Plan amendments, Land Development Regulation (LDR) updates, Evaluation and Appraisal Reviews, as well as zoning and future land use designation changes. These community planning activities are fundamental steps for rural communities as they strive to rebuild and increase resiliency following the destruction caused by Hurricane Michael in 2018 as well as rebound from the ongoing COVID-19 pandemic.

Furthermore, some local governments within the Apalachee Region have experienced staff turnover due to the stressful and consuming work situation that Hurricane Michael response and recovery necessitated, which has, in turn, led to a loss of institutional knowledge on how to properly and effectively administer growth management and other community planning activities.

To rebuild this institutional knowledge and increase local capacity to conduct activities covered by the Community Planning Act, the ARPC has undergone a region-wide community planning capacity building project. This project consisted of an online survey, two community planning workshops, and culminated in the creation of this toolkit. This toolkit was drafted through collaboration with local governments and with technical assistance from the Florida Department of Economic Opportunity (DEO).

The Community Planning Act of 2011 serves as the foundation for this toolkit as it lays out the requirements for comprehensive planning and growth management in the state of Florida. Florida's Community Planning Act, Chapter 163.3161, F.S. through Chapter 163.3217, F.S., sets out the local authority for jurisdictions to plan for their future development and growth. This statute enables municipalities and counties to adopt comprehensive plans and implement land development regulations.

This document reviews what a comprehensive plan is, what it consists of, its adoption, and implementation. Best practices identify optional actions and tips to assist local government planning staff. The toolkit also features a list of technical resources local governments may use when amending their Comprehensive Plan. The aim of the project was to identify and fill knowledge gaps so that rural governments in the Apalachee Region are better equipped to plan for a sustainable future for their communities.



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<b>ARPC</b>	<b>Apalachee Regional Planning Council</b>
<b>BOCC</b>	<b>Board of County Commissioners</b>
<b>DACS</b>	<b>Department of Agriculture and Consumer Services</b>
<b>DEO</b>	<b>Department of Economic Opportunity (State Land Planning Agency)</b>
<b>DEP</b>	<b>Department of Environmental Protection</b>
<b>DOE</b>	<b>Department of Education</b>
<b>DOS</b>	<b>Department of State</b>
<b>DOT</b>	<b>Department of Transportation</b>
<b>EAR</b>	<b>Evaluation and Appraisal Review of the Comprehensive Plan</b>
<b>FAR</b>	<b>Florida Administrative Register</b>
<b>FLUM</b>	<b>Future Land Use Map</b>
<b>FS</b>	<b>Florida Statute</b>
<b>FWC</b>	<b>Florida Fish and Wildlife Commission</b>
<b>LDR</b>	<b>Land Development Regulations</b>
<b>LG</b>	<b>Local Government(s)</b>
<b>NOAA</b>	<b>National Oceanic and Atmospheric Association</b>
<b>NFWMD</b>	<b>Northwest Florida Water Management District</b>
<b>RAO</b>	<b>Rural Area of Opportunity</b>



## **THE COMPREHENSIVE PLAN**

Florida’s Community Planning Act, Chapter 163.3161, F.S. through Chapter 163.3217, F.S. sets out the authority for municipalities and counties to plan for their future development and growth. This statute empowers jurisdictions to adopt comprehensive plans which have the rule of law and provide legal protections. The comprehensive plan is required to establish meaningful and predictable standards for the use and development of land uses and provide guidelines for the content of more detailed land development and use regulations.

The local Comprehensive Plan is a decision-making regulatory document for managing growth and development and capital improvements in the county or municipality. The data and analysis which is conducted to support the creation of the policies analyzes development trends. The Plan language is then created to identify key planning issues, provide policy framework, and specify strategies for carrying out a community’s vision.

The Comprehensive Plan is developed as a framework of Goals, Objectives, and Policies (GOPs). A goal is a broad direction in which collectively the community seeks to move towards to achieve a purpose. An objective is the general direction of a specific measure, and a policy is the strategy or action in which the local government will regulate or do to enforce or achieve that goal and objective.

For example:

**Goal:** Provide transportation alternatives to residents.

**Objective:** The (City or County) shall provide, or require providing, multi-modal transportation options.

**Policy:** All commercial developments shall provide bicycle parking facilities.

From here, the LDRs then can cite additional detail regarding the provision of the bicycle parking facilities such as proximity to the entrance of the building, and how many spaces are required per square foot of building space.

### **PURPOSES OF THE COMPREHENSIVE PLAN ARE TO:**

**Promote orderly and efficient development**

**Protect property values**

**Preserve community character, natural resources, and the environment**

**Promote economic development**

# REQUIRED AND OPTIONAL COMPREHENSIVE PLAN ELEMENTS

Pursuant to the Community Planning Act chapter 163.3177, F.S. the Comprehensive Plan must contain the following elements. Please note that although the names of the elements are listed below, the names in your Comprehensive Plan do not have to be exactly as stated but must represent the intent of the element. For example, some local governments refer to the Transportation Element as the Mobility Element.

As a disclaimer, not all Comprehensive Plan requirements are included in chapter 163.3177, F.S. Please consult with a professional planner, land use attorney, or the ARPC for other requirements.

## Future Land Use Element

The future land use element (FLUE) is the foundation of every comprehensive plan. The FLUE is where land use categories are established with allowable uses, maximum and sometimes minimum standards for the uses, and the locations where designation is allowed. Land use categories are illustrated on a local government's future land use map (FLUM).

The Community planning Act requires that the proposed distribution, extent, and location of the following types of land use categories to be shown on the future land use map:

- |                   |                              |
|-------------------|------------------------------|
| i. Residential.   | v. Open Space & Recreational |
| ii. Commercial.   | vi. Conservation.            |
| iii. Industrial.  | vii. Educational.            |
| iv. Agricultural. | viii. Public.                |

i. Residential land use categories identify the types of uses such as single family, multi-family and establish the maximum number of housing units allowed per acre of land. Residential density is often expressed as dwelling units per acre or du/ac. The maximum allowable number of dwelling units per acre are identified for each land use category where residential use is allowed.

Here is an example of land use categories with du/ac standards adopted by Calhoun County, Fl.

- Residential designation has a highest permitted density of two (2) units per acre.
- Mixed Use: Rural Residential is a residential category that has a highest permitted density of one (1) dwelling unit per acre.
- Mixed Use: Urban Fringe has a highest permitted density of eight (8) units per acre.
- Agriculture is a land use category with a highest permitted density of one (1) unit per ten (10) acres.
- Recreational/Open Space is a land use category with a highest permitted density of one (1) unit per twenty (20) acres.
- Conservation is a land use category with a highest permitted density of one (1) unit per twenty (20) acres.

ii. Commercial is a broad land use category but generally concerns nonresidential uses. Commercial Land Use standards are measured by floor area ratio (F.A.R.), where one acre = 43,560 sq. ft. For example, a commercial building standard of .50 F.A.R on a .50-acre lot (21,780 sq. Ft.) would allow for a 10,890 sq. ft. Structure. The equation to calculate the allowable F.A.R is  $[43560 \times .05 = 21780 \text{ sq. Ft. } 21780 \times 0.50 \text{ FAR} = 10,890 \text{ sq. Ft.}]$ .

iv. Industrial land uses support local economic development. Typical Industrial uses include power generation facilities, manufacturing, airports, seaports, and inland transportation centers.

v. Agriculture land use is a key economic development component within most of the Apalachee Region. Gadsden County's FLUE provides three Agriculture (AG-1, AG-2, AG-3) and one Silviculture land use category with unique residential standards and protections.

## Future Land Use Element (continued)

Mixed Use Development is a type of development or zoning that mixes two or more use types such as residential/commercial/industrial/or cultural uses. The allowed uses and projected or desired percentages for the uses must be established.

High Density Development is new residential at a density that is higher than what is typically found in the existing community.



## Transportation Element

Each local government's transportation element shall address traffic circulation, including the types, locations, and extent of existing and proposed major thoroughfares and transportation routes, including bicycle and pedestrian ways.

The element shall reflect the data, analysis related to:

- A. The existing transportation system levels of service and system needs and the availability of transportation facilities and services.
- B. The growth trends and travel patterns and interactions between land use and transportation.
- C. Existing and projected intermodal deficiencies and needs.
- D. The projected transportation system levels of service and system needs based upon the future land use map and the projected integrated transportation system.
- E. 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 the other elements of the Comprehensive Plan.



### TRANSPORTATION BEST PRACTICES

- Planning for an interconnected grid network of streets, connectors, arterials, and sidewalks provides a complete and accessible transportation network that contributes to a community's overall health.
- Goals, objectives and policies that support safe pedestrian and bicycle travel options such as bike racks and wider sidewalks, foster funding for planning and capital improvements.

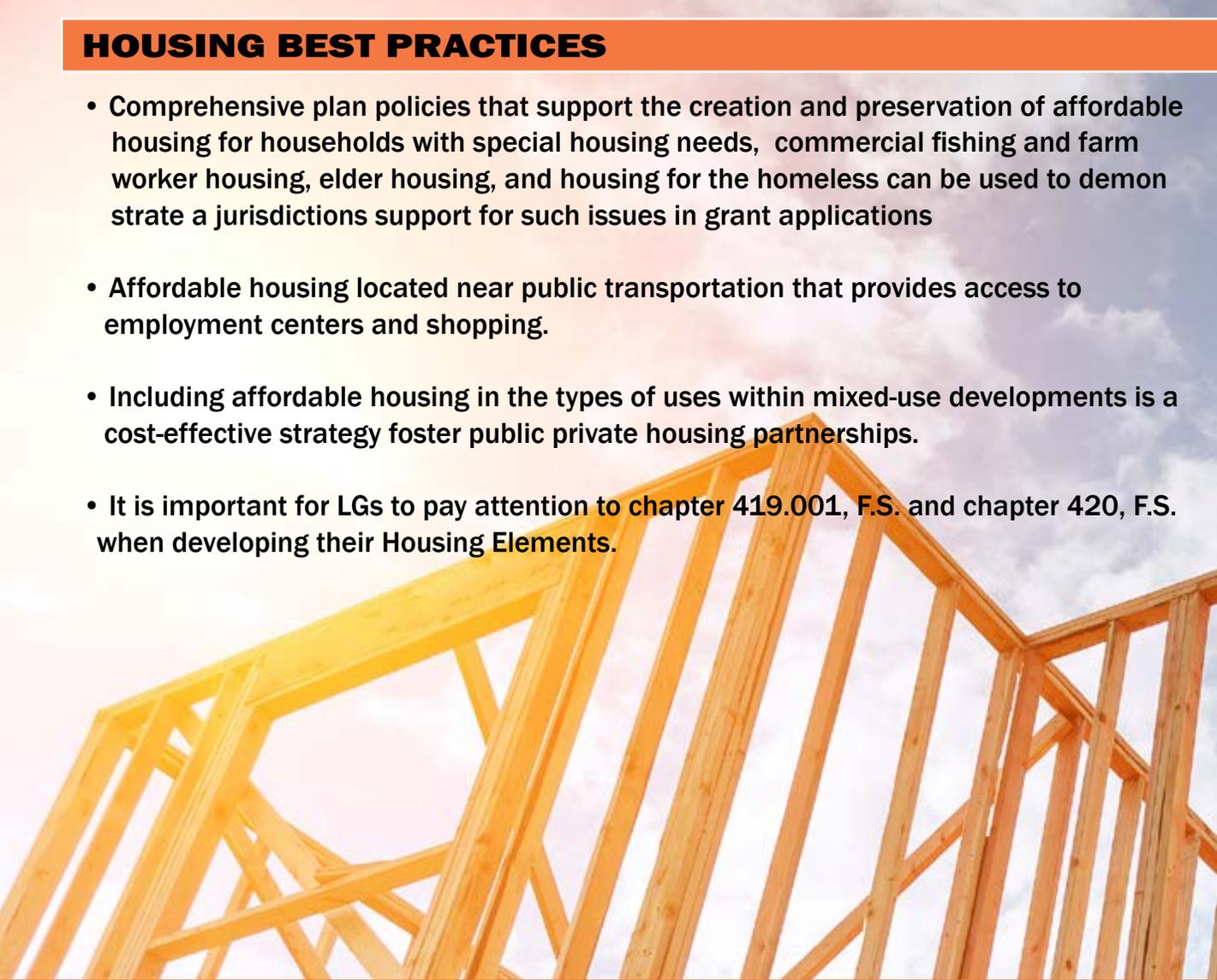
## **Housing Element**

This element shall address the provision of housing for all current and anticipated future residents of the jurisdiction (within the timeframe of the planning horizon). It shall also address:

- A. The elimination of substandard dwelling conditions.
- B. The structural and aesthetic improvement of existing housing.
- C. The provision of adequate sites for future housing, including affordable workforce housing as defined in Chapter 380.0651(1)(h), F.S., housing for low-income, very low-income, and moderate-income families, mobile homes, and group home facilities and foster care facilities.
- D. Provision for relocation housing and identification of historically significant and other housing for purposes of conservation, rehabilitation, or replacement.
- E. The formulation of housing implementation programs.
- F. The creation or preservation of affordable housing to minimize the need for additional local services and avoid the concentration of affordable housing units only in specific areas of the jurisdiction.

### **HOUSING BEST PRACTICES**

- Comprehensive plan policies that support the creation and preservation of affordable housing for households with special housing needs, commercial fishing and farm worker housing, elder housing, and housing for the homeless can be used to demonstrate a jurisdiction's support for such issues in grant applications
- Affordable housing located near public transportation that provides access to employment centers and shopping.
- Including affordable housing in the types of uses within mixed-use developments is a cost-effective strategy foster public private housing partnerships.
- It is important for LGs to pay attention to chapter 419.001, F.S. and chapter 420, F.S. when developing their Housing Elements.



## Conservation Element

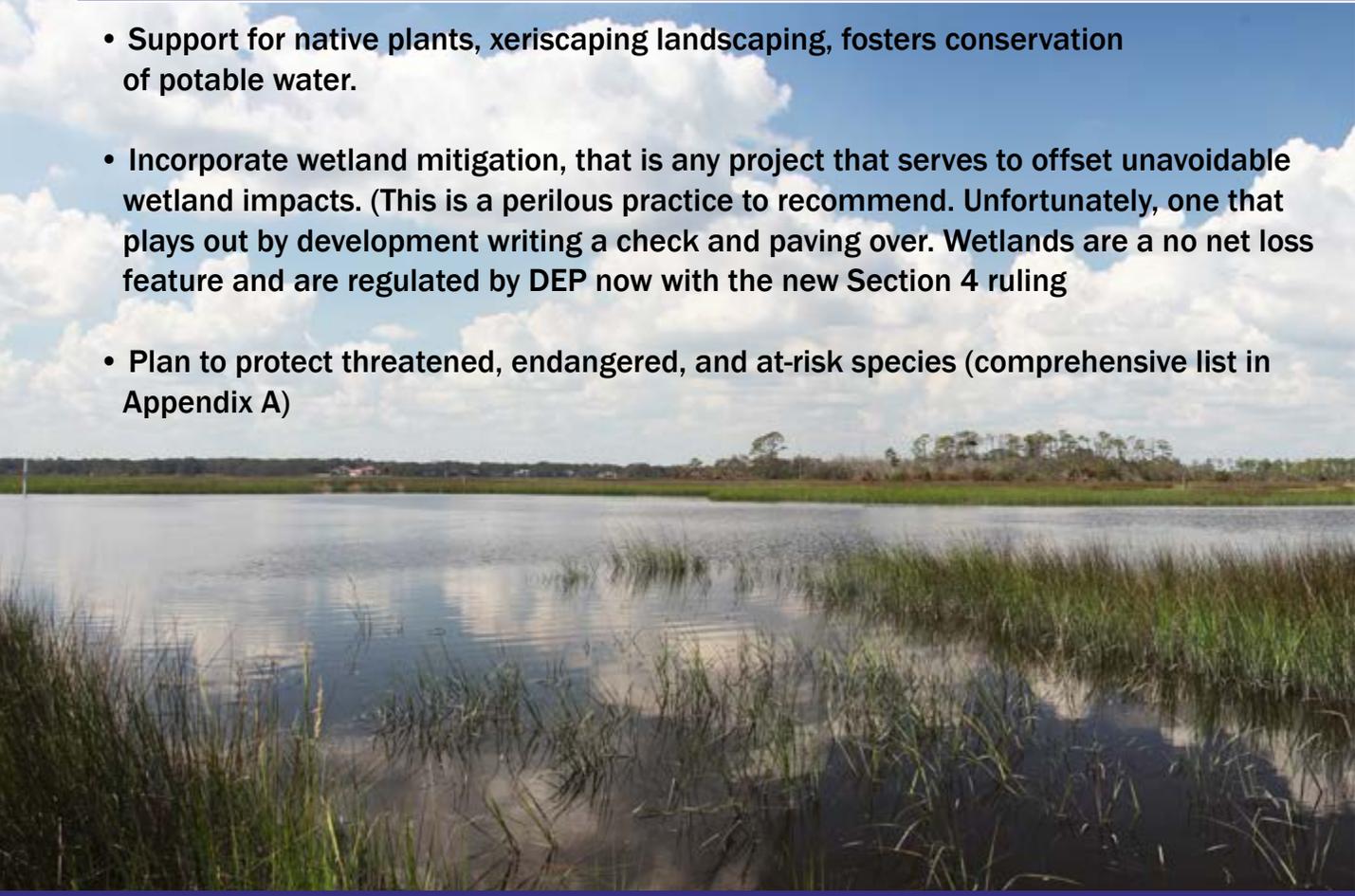
A Conservation Element for the conservation, use, and protection of natural resources in the area, including air, water, water recharge areas, wetlands, water wells, estuarine marshes, soils, beaches, shores, flood plains, rivers, bays, lakes, harbors, forests, fisheries and wildlife, marine habitat, minerals, and other natural and environmental resources, including factors that affect energy conservation.

The following natural resources, where present within the local government's boundaries, shall be identified and analyzed and existing recreational or conservation uses, known pollution problems, including hazardous wastes, and the potential for conservation, recreation, use, or protection shall also be identified:

- A. Rivers, bays, lakes, wetlands including estuarine marshes, groundwaters, and springs, including information on quality of the resource available.
- B. Floodplains.
- C. Known sources of commercially valuable minerals.
- D. Areas known to have experienced soil erosion problems.
- E. Areas that are the location of recreationally and commercially important fish or shell fish, wildlife, marine habitats, and vegetative communities, including forests, indicating species listed by federal, state, or local government agencies as endangered, threatened, or species of special concern.

## CONSERVATION BEST PRACTICES

- Support for native plants, xeriscaping landscaping, fosters conservation of potable water.
- Incorporate wetland mitigation, that is any project that serves to offset unavoidable wetland impacts. (This is a perilous practice to recommend. Unfortunately, one that plays out by development writing a check and paving over. Wetlands are a no net loss feature and are regulated by DEP now with the new Section 4 ruling
- Plan to protect threatened, endangered, and at-risk species (comprehensive list in Appendix A)



## Coastal Management Element

Pursuant to chapter 380.24, F.S. – Franklin County, Gulf County, Wakulla County, Jefferson County, Port St. Joe, Apalachicola, Carrabelle, and St. Marks shall include a Coastal Management Element in their Comprehensive Plan. The Coastal Management Element shall set forth the principles, guidelines, standards, and strategies that shall guide the local government’s decisions and program implementation with respect to the following objectives:

1. Maintain, restore, and enhance the overall quality of the coastal zone environment, including, but not limited to, its amenities and aesthetic values.
2. Preserve the continued existence of viable populations of all species of wildlife and marine life.
3. Protect the orderly and balanced utilization and preservation, consistent with sound conservation principles, of all living and nonliving coastal zone resources.
4. Avoid irreversible and irretrievable loss of coastal zone resources.
5. Use ecological planning principles and assumptions in the determination of the suitability of permitted development.
6. Limit public expenditures that subsidize development in coastal high-hazard areas.
7. Protect human life against the effects of natural disasters.
8. Direct the orderly development, maintenance, and use of ports identified in Chapter 403.021(9), F.S., to facilitate Deepwater commercial navigation and other related activities.
9. Preserve historic and archaeological resources, which include the sensitive adaptive use of these resources.
10. At the option of the local government, develop an adaptation action area designation for those low-lying coastal zones that are experiencing coastal flooding due to extreme high tides and storm surge and are vulnerable to the impacts of rising sea level. Local governments that adopt an adaptation action area may consider policies within the coastal management element to improve resilience to impacts of sea-level rise. Criteria for the adaptation action area may include, but need not be limited to, areas for which the land elevations are below, at, or near mean higher high water, which have a hydrologic connection to coastal waters, or which are designated as evacuation zones for storm surge.

### COASTAL MANAGEMENT BEST PRACTICES

- Use strategies such as land conservation, conservation easements, transfer of development rights and increased coastal setbacks to direct development away from vulnerable areas.
- DEP has resources to assist with compliance with the Peril of Flood Act requirements. Website: <https://floridadep.gov/sites/default/files/Barbara-Lenczewski-Comprehensive-Planning-for-the-Peril-of-Flood.pdf>
- Review the Tampa Bay Regional Planning Council’s “Local Government Guide to Understanding the 2015 Florida Peril of Flood Act.” Website: <https://www.tbrpc.org/wp-content/uploads/2018/11/TBRPC-Peril-of-Flood-Report-June-2017.pdf>

## 2015 Florida Peril of Flood Act

In 2015, Governor Rick Scott signed into law Senate Bill 1094, also known as the Florida Peril of Flood Act. This act addresses flood risks to real property and the built environment. The Peril of Flood Act's requirements for local Comprehensive Plans serve to provide greater awareness of the economic impacts of flooding.

The Peril of Flood Act requires a "redevelopment component that outlines the principles that must be used to eliminate inappropriate and unsafe development in the coastal areas when opportunities arise" Chapter 163.7138(f) 1-6, F.S. The component must:

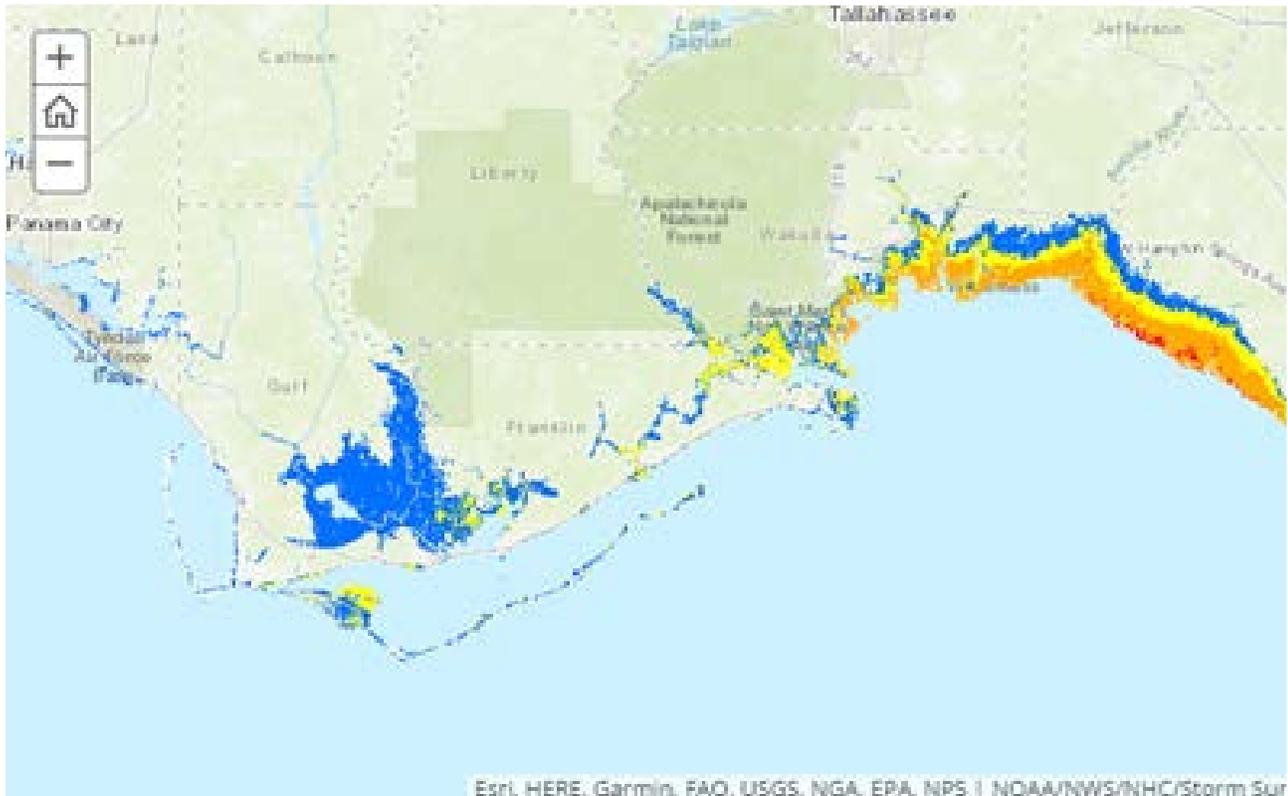
1. Include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.
2. Encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.
3. Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.
4. Be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60. This should be considered at every Evaluation and Appraisal Review update.
5. Require that any construction activities seaward of the coastal construction control lines established pursuant to Chapter 161.053, F.S. be consistent with Chapter 161 F.S. This pertains to the Florida Building Code requirements for construction in areas impacted by water and flooding.
6. Encourage participation in the National Flood Insurance Program Community Rating System (CRS) administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for their residents.



## Coast High Hazard Areas

Coastal High Hazard Areas (CHHA) are areas that are vulnerable to the effects of coastal flooding from tropical storm events.

A CHHA is defined by Chapter 163.3178(2)(h)9, F.S. as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. Chapter 163.3177(6)(a)10. a., F.S., requires that local governments designate CHHAs on their Future Land Use Map series.



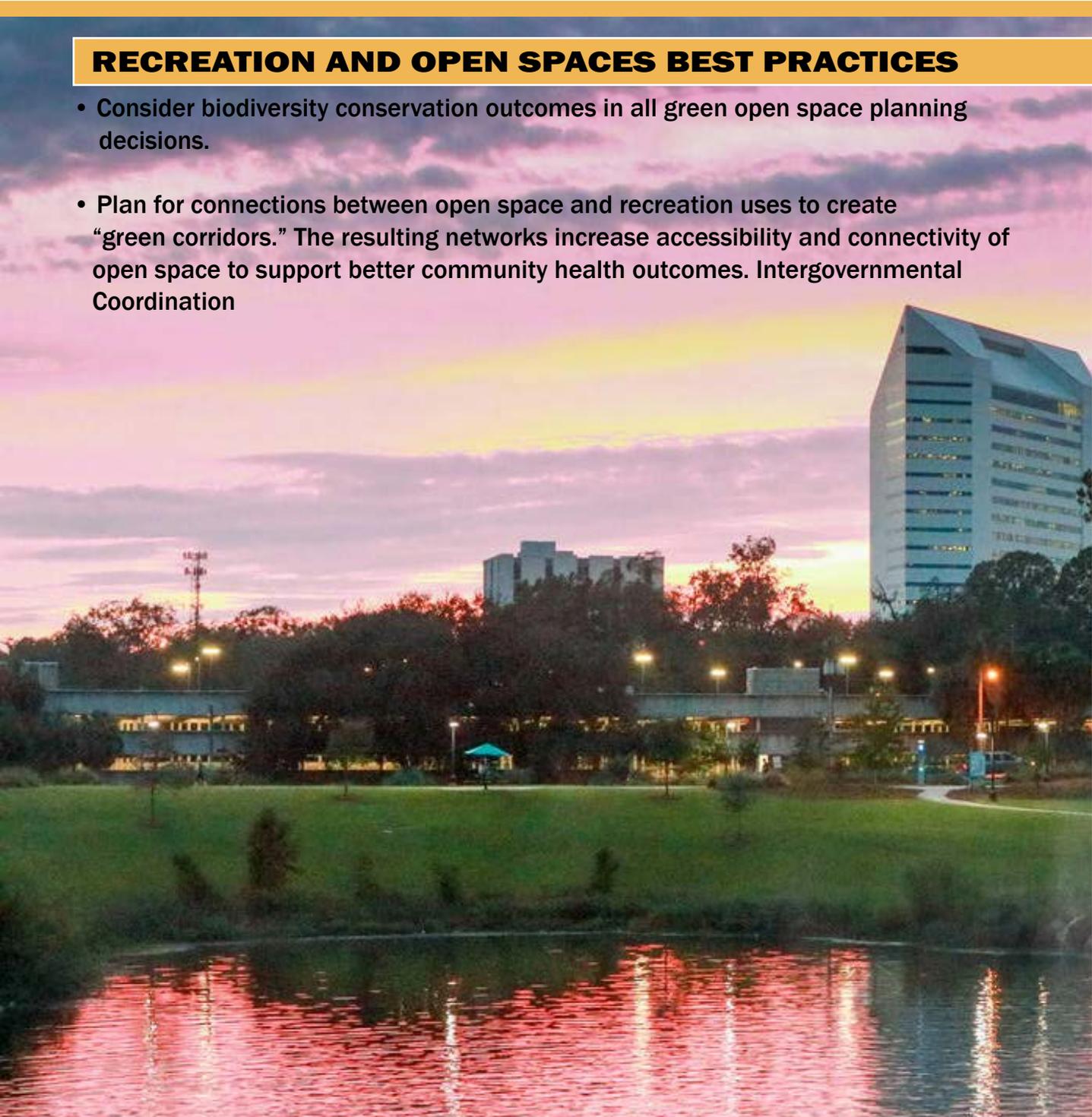
## Recreation and Open Space Element

A Recreation and Open Space Element indicating a comprehensive system of public and private sites for recreation, including, but not limited to, natural reservations, parks and playgrounds, parkways, beaches and public access to beaches, open spaces, waterways, and other recreational facilities.

Other than the requirement to have a Recreation & Open Space Element, the legislature has not given any direction regarding what needs to be addressed by this element. Therefore, the local government has the most leeway with the Goals, Objectives, and Policies within this section of the Plan.

### RECREATION AND OPEN SPACES BEST PRACTICES

- Consider biodiversity conservation outcomes in all green open space planning decisions.
- Plan for connections between open space and recreation uses to create “green corridors.” The resulting networks increase accessibility and connectivity of open space to support better community health outcomes. Intergovernmental Coordination



## Intergovernmental Coordination Element

This element serves to coordinate the adopted Comprehensive Plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state Comprehensive Plan and with the applicable regional water supply plan approved pursuant to Chapter 373.709, F.S.

The Intergovernmental Coordination element shall:

1. Provide procedures for identifying and implementing joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas.
2. Provide for a dispute resolution process, as established pursuant to Chapter 186.509, F.S. for bringing intergovernmental disputes to closure in a timely manner.
3. Provide for interlocal agreements as established pursuant to Chapter 333.03(1)(b), F.S.



## Sanitary, Sewer, Solid Waste, Drainage, Potable Water, and Natural Ground Water Aquifer Recharge Element

Some local governments refer to this element as their Public Facilities or Infrastructure Element. Each local government shall address in the data and analyses required by this section those facilities that provide service within the local government's jurisdiction. Local governments that provide facilities to serve areas within other local government jurisdictions shall also address those facilities in the data and analyses, using data from the Comprehensive Plan for those areas for the purpose of projecting facility needs. For shared facilities, each local government shall indicate the proportional capacity of the systems allocated to serve its jurisdiction.

- A. The element shall describe the problems and needs and the general facilities that will be required for solution of the problems and needs, including correcting existing facility deficiencies.
- B. The element shall address coordinating the extension of, or increase in the capacity of, facilities to meet future needs while maximizing the use of existing facilities and discouraging urban sprawl; conserving potable water resources; and protecting the functions of natural groundwater recharge areas and natural drainage features.
- C. Within 18 months after the governing board approves an updated regional water supply plan, the element must incorporate the alternative water supply project or projects selected by the local government from those identified in the regional water supply plan pursuant to Chapter 373.709(2), F.S.



### SANITARY, SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER, AND NATURAL GROUND WATER AQUIFER RECHARGE BEST PRACTICES

- Reuse wastewater (gray water) and treated wastewater (reclaimed water) for non-potable purposes such as irrigation of crops, lawns, and golf courses.

## **Capital Improvements Element**

This component outlines the principles for construction, extension, or increase in capacity of public facilities, as well as principles for correcting existing public facility deficiencies, which are necessary to implement the comprehensive plan. The components shall cover at least a 5-year period.

- a. Estimated public facility costs, including a delineation of when facilities will be needed, the general location of the facilities, and projected revenue sources to fund the facilities.
- b. Standards to ensure the availability of public facilities and the adequacy of those facilities to meet established acceptable levels of service.
- c. A schedule of capital improvements which includes any publicly funded projects of federal, state, or local government, and which may include privately funded projects for which the local government has no fiscal responsibility. Projects necessary to ensure that any adopted level-of-service standards are achieved and maintained for the 5-year period must be identified as either funded or unfunded and given a level of priority for funding.
- d. The schedule must include transportation improvements included in the applicable metropolitan planning organization’s transportation improvement program adopted pursuant to Chapter 339.175(8), F.S., to the extent that such improvements are relied upon to ensure concurrency and financial feasibility. The schedule must be coordinated with the applicable metropolitan planning organization’s long-range transportation plan adopted pursuant to Chapter 339.175(7), F.S.

### **CAPITAL IMPROVEMENTS BEST PRACTICES**

- LGs are required to undertake an annual review of the Capital Improvements Element to update the Five-Year Capital Improvement Schedule. The update of the Capital Improvements Schedule can be done by ordinance and is not required to be submitted to DEO for review.
- Capital projects must be listed in the Five-Year Capital Improvement Schedule, projected revenue resources identified, and the project listed as “funded” or “unfunded” and assigned with a level of priority for funding.



## Optional Elements in Other Florida Comprehensive Plans

Below is a list of optional comprehensive plan elements. Although not required through the Community Planning Act, they can serve to strengthen a community's plan for future growth and development.

### COMMUNITY HEALTH ELEMENT

Including a Community Health Element in the Comprehensive Plan enables local governments to account for impacts that the built environment may have on public health. This element empowers local governments to work proactively to encourage positive health outcomes and prevent chronic disease. This element may address issues such as food deserts, walkability, active living, aging in place, community safety and access to healthcare. The overall goal of a Health Element is to foster an environment that promotes health and improves the mental and physical well-being of residents.

Alachua County, FL features a Community Health element in their Comprehensive Plan. Some of the policies included in the element include improving food access including at healthy corner stores, increasing access to affordable mental and dental health services, and promoting maternal and children's health.

### ECONOMIC DEVELOPMENT ELEMENT

Gulf County, Jackson County, and Wakulla County each have an Economic Development Element in their Comprehensive Plan. This element is used to strengthen and diversify the local economy. It can feature incentives for workforce training, promotion of local businesses, and retention of local talent. This element can also be used to address and minimize existing inequities in access to economic development opportunities.

### HISTORIC PRESERVATION ELEMENT

A Historic Preservation Element can be used to identify and protect existing historically significant resources whether they be architectural or cultural resources. Leon County's Comprehensive Plan features a Historic Preservation Element in which the policies promote incentives to protect the county's historic resources. Franklin County does not have a separate Historic Preservation Element but integrates historic preservation across land use and housing elements. Franklin County went on to map out the location of existing historic resources in each of their municipalities. Support for historic and cultural resources in the comprehensive plan can be utilized to demonstrate a local government's commitment for grant applications.

### EDUCATION ELEMENT OR PUBLIC SCHOOLS ELEMENT

Gadsden County, Gulf County, Leon County, and Wakulla County each feature an education or public schools element. An education element can be used for a county or municipality to coordinate with their school board. This is most important for fast-growing communities and is used to ensure that the projected population growth needs are met through the allotted school facilities and the school boards five-year capital improvements schedule.

### FIRE RESCUE ELEMENT

The Comprehensive Plan is an effective tool for address wildfire hazard issue through its ability to guide land use and development patterns. Including guidance in the adopted plan strengthens support for risk reduction actions.

Osceola County and Orange County each have a fire component in their Comprehensive Plans. The fire element ensures efficient fire rescue and emergency services. Osceola County's fire rescue element includes extinguishment, pre-hospital medical emergencies, water accidents, hazardous material incidents, and response to natural and manmade disasters.

## Optional Elements in Other Florida Comprehensive Plans (continued)

### CITIZEN PARTICIPATION ELEMENT

A Citizen Participation Element can be included to layout to what extent a local government wants to incorporate public opinion in the drafting of the Comprehensive Plan or amendments to the Plan maps. Liberty County's Comprehensive Plan includes a Citizen Participation Plan. This plan is in place to ensure that the public is involved with the preparation and development of the planning document. The Citizen Participation Plan lays out a process to ensure adequate and equitable public participation.

### CLIMATE RESILIENCY AND SUSTAINABILITY ELEMENT

The City of Miami Beach's Comprehensive Plan features a climate resiliency and sustainability element. This element allows a local government to proactively plan for resilience against sea-level rise and weather-related events as a result of climate change. The element includes goals, objectives, and policies that address interdisciplinary nature of resiliency planning, including natural resource protection, land development, city operations and emergency preparedness. Adoption of resiliency guidance in the comprehensive plan provides direction for the more detailed land development regulation guidance to implement strategies.

## PUBLIC PARTICIPATION CIVIC ENGAGEMENT BEST PRACTICES

- Personal invitations from trusted community-based organizations and more informal associations can be the most effective. These entities have relationships contact lists and local "street" knowledge can help create the most effective ways for reaching the community.
- If car-ownership rates are low, hold the meeting in a neighborhood location within walking distance or arrange for vans to help with transport.
- Providing healthy snacks or finger food is a courtesy to participants at events held near mealtime. Food also sends a strong welcome signal. Eating together creates a friendly and informal setting for sharing ideas.



## Comprehensive Plan Amendments

There are two types of Comprehensive Plan amendments. One is considered “large-scale,” and is any text amendment and any map amendment over ten (10) acres. If a local government is included in a state-designated Rural Area of Opportunity (RAO), that local government’s acreage threshold is increased to twenty (20) acres.

All proposed amendments within the Apalachee Region are required to be transmitted to the following agencies for review:

- Florida Department of Environmental Protection
- Florida Department of Economic Opportunity
- Apalachee Regional Planning Council
- North West Florida Water Management District
- Florida Department of State
- Florida Department of Transportation

Other agencies may be included as needed such as the Department of Education, Department of Agriculture and Consumer Services (County Amendments Only), Florida Fish and Wildlife Commission (County Amendments Only), Military Base Installations. Municipal plans must be sent to the County in which the municipality is located.

### Small Scale Map Amendments

Chapter 163.3187, F.S. lays out the requirements for small scale amendments and currently is applied to changes affecting 10 acres or less. With the exception of the City of Apalachicola, which is designated as an Area of Critical Statewide Concern (ACSC), small Scale Amendments are not required by statute to go through the State review process. However, some local governments review all privately initiated amendments as large-scale, regardless of the acreage size. This provides greater transparency, through public involvement and multiple reviews. Small Scale Amendments only require one public hearing. It is Local government discretion to use the small-scale amendment process. If a local government so chooses, they may opt out of using the small-scale amendment process and instead rely on the large-scale amendment process.

Rural Area of Opportunity (RAO) – Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson, Liberty, and Wakulla counties and their municipalities are all located in designated RAOs and may process map amendments of up to 20 acres as a small-scale amendment provided they submit data stating that the amendment furthers economic development.

- RAO Sources of Support – Opportunity Florida, North Florida Economic Development Partnership (NFEDP), Local Economic Development Agency, Local Tourism Agency, Rural Economic Development Initiative (REDI), and the Apalachee Regional Planning Council 163.3187(3).

# Comprehensive Plan Amendments (continued)

## Large Scale Amendments

Any text amendments or any future land use amendment greater than 10 acres (F.S.163.3184) are classified as large-scale amendments. Large scale amendments require multiple hearings by the local planning committee and review by local government decision makers. Depending on the amendment, these types of amendments may be reviewed and processed as either the State Coordinated Review (SCR) or Expedited Review Process (ESR):

### State Coordinated Review Process

- Applies to:
  1. Evaluation and Appraisal Review based Amendments
  2. Areas of Critical State Concern – City of Apalachicola, Key West, Florida Keys, and Green Swamp
  3. Rural Land Stewardship Areas
  4. Propose a Sector Plan
  5. Propose a Development of Regional Impact
  6. Creating a New City

### Expedited Review Process

- Applies to all other amendments that do not fall under the State Coordinated Review Process.

## COMPREHENSIVE PLAN AMENDMENTS BEST PRACTICES

- Schedule large scale amendments in two cycles to protect small LG staff from being overwhelmed. See appendix B for an example amendment schedule from Orange County.
- Some LGs require any privately initiated amendment - no matter the acreage, to be reviewed under the large-scale amendment process. Then they send the changes to DEO once a year.



# State Coordinated Review Process

## PROPOSED PHASE

Local government notified submittal is incomplete (within 5 working days of receipt)

Incomplete

Local government transmits three copies of the plan to the State Land Planning Agency and one copy to review agencies.

Complete

Local government and Agencies are notified by the State Land Planning Agency of receipt of completed amendment (within 5 working days of receipt).

Reviewing agencies send comments to the State Land Planning Agency (within 30 days after receipt by State Land Planning Agency).

State Land Planning Agency issues Objections, Recommendations and Comment Reports (ORC) within 60 days after receipt of the proposed amendment package.

## ADOPTED PHASE

Local government adopts plan amendments with effective date (within 180 days after receipt of the State Land Planning Agency's OCR).

Local government submits three copies of the adopted plan amendment to State Land Planning Agency: one copy to agency or local government that provided timely comments (Within 10 working days after adoption).

Incomplete

Local government notified submittal is incomplete (within 5 working days of receipt)

Complete

State Land Planning Agency issues Notice of Intent (NOI) (within 45 days of receipt of a complete adopted plan amendment).

"Not in Compliance"

State Land Planning Agency requests hearing, DOAH (Division of Administrative Hearings, Department of Management Services).

Affected person can intervene and raise new issues (up to 21 days after the publications of the NOI).

Administrative proceedings pursuant to s. 120.57, FS. and 163.3184 (5), FS.

State Land Planning Agency or Administrative Commission Final Order (Amendment becomes effective if the Final Order determines the adopted amendment is in compliance).

"In Compliance"

If IN compliance and no challenges filed by an affected party, the amendment becomes effective when NOI is posted to the agency's website.

If Challenged or found not in compliance negotiation may lead to a compliance agreement and remedial plan amendment pursuant to s. 163.3184, FS.

## State Coordinated Review Process (continued)

### Preparing an Amendment Package for Transmittal to DEO and review agencies under the State Coordinated Review Process

The proposed amendment package must include the following:

1. All proposed text amendments are provided in a strike-through/underline format (or similar easily identifiable format)
2. Staff reports, local planning agency and local governing body recommendations
3. Support documents or summaries of the support documents on which the recommendations regarding the proposed plan amendment(s) are based
4. For future land use map amendments, color maps must be provided that depict the current and proposed future land use category of the subject site
  - a. The proposed future land use designation of the subject property
  - b. The boundary of the subject property and its location in relation to the surrounding street and thoroughfare network
  - c. The currently adopted future land use map designations of the subject properties and adjacent abutting properties
5. An existing land use map depicting:
  - a. The existing land use(s) of the subject property and abutting properties
  - b. The size of the subject property in acres or fractions thereof
6. A description of availability of and the demand on sanitary sewer, solid waste, drainage, potable water and water supply, traffic circulation, schools (if local government has adopted school concurrency), and recreation, as appropriate
7. Information regarding the consistency of the proposed land use amendments with the future land use element goals, objectives, and policies, and those of other affected elements
8. If a local government relies on original data, or data and analysis from a previous amendment, a reference to the specific portions of the previously submitted data and analysis on which the local government relies to support the amendment
9. If previous data and analysis is no longer the best available existing data or no longer supports the plan, copies of updated and reanalyzed data and analysis to support the proposed amendment
10. A submittal cover letter transmitting the proposed amendment that includes the following:
  - a. A statement indicating the amendment is related to:
    1. An area of critical state concern designated pursuant to Section 380.05, Florida Statutes

## State Coordinated Review Process (continued)

### Preparing an Amendment Package for Transmittal to DEO and review agencies under the State Coordinated Review Process (continued)

2. A rural land stewardship area pursuant to Chapter 163.3248, F.S.
3. A sector plan pursuant to Chapter 163.3245, F.S.
4. An update a comprehensive plan based on an evaluation and appraisal report pursuant to Chapter 163.3191, F.S.
5. Propose a development pursuant to Chapter 380.06, F.S., or,
6. A new plan for a newly incorporated municipality adopted pursuant to Chapter 163.3167, F.S.
  - b. The date(s) the local planning agency and the commission held public hearings
  - c. A statement certifying that the proposed amendment(s) have been submitted to the appropriate agencies identified above. Certification means that the letter must state that a copy of a complete amendment package including supporting data and analysis has been mailed to these agencies and the date it was mailed
  - d. A summary of the plan amendment(s) including that the amendment is being submitted under the state coordinated review process
  - e. The month the local government anticipates the amendment will be adopted
  - f. The name, title, address, telephone, fax number, and e-mail of the local contact person

An example transmittal letter can be found in appendix D.

# State Coordinated Review Process (continued)

## Submitting an Amendment Package for State Coordinated Review

Submit the amendment package as follows:

1. Using Department's electronic amendment submittal portal or One paper copy and two electronic copies in Portable Document Format (PDF) on a CD-ROM to:
  - The State Land Planning Agency
2. One copy to the following (for addresses, see Agency Contacts in Appendix C):
  - The appropriate Regional Planning Council – ARPC
  - The appropriate Water Management District - NFWMD
  - FDOT
  - FDEP
  - FDOS
  - FWC (county plan amendments only)
  - FDACS (this is only required for amendments to a County comprehensive plan)
  - FDOE (amendments relating to public schools)
  - In the case of municipal plans and amendments, the county in which the municipality is located.
3. One copy to any other local government or governmental agency that has filed a written request for a copy

## Notice Requirements for the State Coordinated Review Process

### Proposed Amendment - Local Planning Agency Stage

Pursuant to Chapter 163.3174(4)(a), F.S., the local planning agency must hold at least one public hearing on the proposed comprehensive plan amendment and must provide the public notice for that hearing. Chapter 163.3164(40), F.S., defines public notice to mean the notice required by Chapter 125.66(2), F.S., for a county or by Chapter 166.041(3)(a), F.S., for a municipality.

### Proposed Amendment - Transmittal Stage

Pursuant to Chapter 163.3184(4) and (11), F.S., the governing body of the local government must consider transmittal of the proposed amendment at a public hearing. Pursuant to Chapter 163.3184(11)(b)1., F.S., the transmittal public hearing must occur on a weekday at least seven (7) days after the day that the advertisement is published. Pursuant to Chapter 163.3184(11)(a), F.S., the decision to transmit a proposed plan amendment to the reviewing agencies must be by affirmative vote of not less than a majority of the members of the governing body present at the hearing.

### Adoption Stage

Pursuant to Chapter 163.3184(4)(e)1 and (11), F.S., the governing body of the local government must consider the adoption of the plan amendment at a second public hearing. Pursuant to Chapter 163.3184(11)(b)2., F.S., the adoption public hearing must occur on a weekday at least five (5) days after the day that the advertisement is published. Pursuant to Chapter 163.3184(4)(e)1., F.S., the adoption public hearing must occur with-

## State Coordinated Review Process (continued)

### Notice Requirements for the State Coordinated Review Process (continued)

in 180 days after receipt of the DEO's ORC report (except for Development of Regional Impact related amendments pursuant to section 380.06, Florida Statutes), or the amendment is deemed withdrawn. The 180 days can be extended by agreement with notice to the Department of Economic Opportunity and any affected person. An example extension letter is available in appendix E.

Pursuant to Chapter 163.3184(11)(a), F.S. the decision to adopt a plan amendment must be by affirmative vote of not less than a majority of the members of the governing board present at the public hearing.

Pursuant to Chapter 163.84(11)(a), F.S. the adoption of a plan amendment must be by ordinance.

### NOTICE REQUIREMENTS FOR THE STATE COORDINATED REVIEW PROCESS BEST PRACTICES

- BOCC must give a notice of intent at least 10 days prior to considering an ordinance. Notice may be given through a newspaper in general circulation throughout the county and through a FAR notice F.S. 125.66(2).
- A municipality may read a proposed ordinance by title, or in full, on at least 2 separate days and shall, at least 10 days prior to adoption, be noticed once in a newspaper of general circulation in the municipality and through a FAR notice F.S. 166.041(3).
- The notice of proposed enactment shall state the date, time, and place of the meeting; the title or titles of proposed ordinances; and the place or places within the county/municipality where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

# Expedited State Review Process

# EXPEDITED STATE REVIEW PROCESS

## PROPOSED PHASE

Local government transmits three copies of the plan to the State Land Planning Agency and one copy to review agencies.

Local government and Agencies are notified by the State Land Planning Agency of receipt of completed amendment (within 5 working days of receipt).

Reviewing agencies send comments to Local Government and the State Land Planning Agency (within 30 days after receipt by State Land Planning Agency).

State Land Planning Agency issues its comment letter to Local Government within 60 days after receipt of the proposed amendment package.

## ADOPTED PHASE

Local government adopts plan amendments with effective date (within 180 days after receipt of the State Land Planning Agency's OCR).

Affected person may file petition with Division of Administrative Hearings within 30 days after the local government adopts amendment.

Local government submits three copies of the adopted plan amendment to State Land Planning Agency: one copy to agency or local government that provided timely comments (Within 10 working days after adoption).

Local government notified submittal is incomplete (within 5 working days of receipt)

Incomplete

Complete

State Land Planning Agency reviews adopted amendment (within 30 days of receipt of a completed adopted plan amendment).

"Challenge"

"No Challenge"

State Land Planning Agency requests hearing, DOAH (Division of Administrative Hearings, Dept. of Management Services).

Administrative proceedings pursuant to s.120.57, FS. and 163.3184 (5), FS.

Effective Date (Amendment becomes effective 31 days after State Land Planning Agency determines the amendment package is complete. No petition was filed by an affected party.

State Land Planning Agency or Administrative Commission Final Order (Amendment becomes effective if the Final Order determines the adopted amendment is in compliance).

If Challenged or found not in compliance negotiation may lead to a compliance agreement and remedial plan amendment pursuant to s. 163.3184, FS.

# Expedited State Review Process (continued)

## Preparing an Amendment Package for Expedited State Review

Prepare the proposed amendment package to include the following:

1. All proposed text in a strike-through/underline format (or similar easily identifiable format)
2. Staff, local planning agency, and local governing body recommendations
3. Support documents or summaries of the support documents on which the recommendations regarding the proposed plan amendment(s) are based
4. For future land use map amendments, color maps depicting:
  - The proposed future land use designation of the subject property
  - The boundary of the subject property and its location in relation to the surrounding street and thoroughfare network
  - The present future land use map designations of the subject properties and abutting properties
5. An existing land use map depicting:
  - The existing land use(s) of the subject property and abutting properties
  - The size of the subject property in acres or fractions thereof
6. A description of availability of and the demand on sanitary sewer, solid waste, drainage, potable water and water supply, traffic circulation, schools (if local government has adopted school concurrency), and recreation, as appropriate
7. Information regarding the consistency of the proposed land use amendments with the future land use element goals, objectives, and policies, and those of other affected elements
8. If a local government relies on data and analysis from a previous amendment, a reference to the specific portions of the previously submitted data and analysis on which the local government relies to support the amendment
9. If previous data and analysis is no longer the best available existing data or no longer supports the plan, copies of updated and reanalyzed data and analysis to support the proposed amendment
10. A submittal cover letter transmitting the proposed amendment that includes the following:
  - The date(s) the local planning agency and the commission held public hearings
  - A statement certifying that the proposed amendment(s) have been submitted to the appropriate agencies identified above. Certification means that the letter must state that a copy of a complete amendment package including supporting

## Expedited State Review Process (continued)

### Preparing an Amendment Package for Expedited State Review (continued)

- data and analysis has been mailed to these agencies and the date it was mailed
- A summary of the plan amendment(s) including that the amendment is being submitted under the expedited state review process
- The month the local government anticipates the amendment will be adopted
- A statement indicating that the amendment is not applicable to an area of critical growth
- The name, title, address, telephone, fax number, and e-mail of the local contact person

### Submitting an Amendment Package for Expedited State Review

Submit the amendment package as follows:

1. Using Department's electronic amendment submittal portal or One paper copy and two electronic copies in Portable Document Format (PDF) on a CD ROM to:
  - The State Land Planning Agency
2. One copy to the following (for addresses, see Agency Contacts in Appendix C):
  - The appropriate Regional Planning Council – ARPC
  - The appropriate Water Management District – NFWMD
  - FDOT
  - FDEP
  - FDOS
  - FWC (county plan amendments only)
  - FDACS (county plan amendments only)
  - FDOE (amendments relating to public schools)
  - In the case of municipal plans and amendments, the county in which the municipality is located.
3. One copy to any other local government or governmental agency that has filed a written request for a copy

### Public Notice Requirements for the Expedited Review Process

#### Proposed Amendment - Local Planning Agency Stage

Pursuant to Chapter 163.3174(4)(a), F.S., the local planning agency must hold at least one public hearing on the proposed comprehensive plan amendment and must provide the public notice for that hearing. Chapter 163.3164(40), F.S., defines public notice to mean the notice required by F.S. 125.66(2), for a county or by Chapter 166.041(3)(a), F.S., for a municipality.

#### Proposed Amendment - Transmittal Stage

Pursuant to Chapter 163.3184(3) and (11), F.S., the governing body of the local government must consider transmittal of the proposed amendment at a public hearing.

The transmittal public hearing must occur on a weekday at least seven (7) days after the day that the advertisement is published.

## Expedited State Review Process (continued)

### Public Notice Requirements for the Expedited Review Process (continued)

The decision to transmit a proposed plan amendment must be by affirmative vote of not less than a majority of the members of the governing board present at the hearing.

#### Adoption Stage

Pursuant to Chapter 163.3184(3)(c)1 and (11), F.S., the governing body of the local government must consider the adoption of the plan amendment at a second public hearing. The adoption public hearing must occur on a weekday at least five (5) days after the day that the advertisement is published.

Pursuant to Chapter 163.3184(3)(c)1., F.S., the adoption public hearing must occur within 180 days after receipt of the agency comments (except for DRI-related amendments), or the amendment is deemed withdrawn. The 180 days can be extended by agreement and providing notice of any extension to DEO, the State Land Planning Agency (an example extension letter is available in appendix E).

The decision to adopt a plan amendment must be by affirmative vote of not less than a majority of the members of the governing board present at the public hearing. The adoption of a plan amendment must be by ordinance.

### NOTICE REQUIREMENTS FOR THE STATE COORDINATED REVIEW PROCESS BEST PRACTICES

- BOCC must give a notice of intent at least 10 days prior to considering an ordinance. Notice may be given through a newspaper in general circulation throughout the county and through a FAR notice F.S. 125.66(2).
- A municipality may read a proposed ordinance by title, or in full, on at least 2 separate days and shall, at least 10 days prior to adoption, be noticed once in a newspaper of general circulation in the municipality and through a FAR notice F.S. 166.041(3).
- The notice of proposed enactment shall state the date, time, and place of the meeting; the title or titles of proposed ordinances; and the place or places within the county/municipality where such proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

## **Amendment Effective Date**

- Within 45 days after receipt of a complete adopted plan amendment package, the State Land Planning Agency issues a Notice of Intent to find plan amendment either in compliance or not in compliance.
- The State Land Planning Agency must post a copy of the Notice of Intent on its web site.
- The plan amendment will go into effect pursuant to the State Land Planning Agency's Notice of Intent if DEO finds the plan amendment in compliance and no challenge is filed by an affected party when the Notice of Intent is posted to the State Land Planning Agency's web site.
- If DEO determines that the plan amendment is not in compliance or if a challenge to the plan amendment is filed by an affected person, the plan amendment will not go into effect until DEO's not in compliance determination or an affected party challenge is resolved by final order of the Administration Commission or the State Land Planning Agency.



## **Evaluation and Appraisal of Comprehensive Plan**

Rule Chapter 73C-49 F.A.C. establishes the schedule for when local governments are required to submit their Evaluation and Appraisal notification letters. The Evaluation and Notification letter are to be submitted by the local governing body and sent to the DEO pursuant to section 163.3191(1), F.S. The evaluation and appraisal notification letter is the principal process for updating local comprehensive plans to reflect changes in state requirements in chapter 163, Part II, F.S., since the last update of the comprehensive plan.

According to Chapter 163.3191(1), F.S., “At least once every 7 years, each local government shall evaluate its comprehensive plan to determine if plan amendments are necessary to reflect changes in state requirements in this part since the last update of the Comprehensive Plan and notify the state land planning agency as to its determination”. Effective June 2, 2011, local governments have more discretion in determining whether they need to update their local comprehensive plan. As such, local governments no longer need to submit evaluation and appraisal reports to the department for a sufficiency determination. Instead, local governments must follow the new provisions.

- A. If the local government determines amendments to the Comprehensive Plan are necessary to respond to changes to laws the since the last update, the local government shall prepare and transmit the proposed amendments to the state land planning agency (the Department of Economic Opportunity) within one year of such determination.
- B. Any local government failing to timely submit a notification letter or proposed amendments within one year of notification is prohibited from amending its Comprehensive Plan until it complies with the requirements.
- C. The evaluation and appraisal should address changes in state requirements since the last update of the Comprehensive Plan and update the plan based on changes to local conditions.

## Water Supply Plan

The Water Supply Plan reflects regional coordination by Florida's Water Management Districts to ensure a sustainable drinking water supply. Every five years, the Northwest Florida Water Management District updates the Water Supply Assessment to evaluate whether existing and anticipated water sources are sufficient to meet future demands while sustaining water resources and associated natural systems. If the District determines that a region's water needs are likely to exceed available water sources in the next 20 years, the District prepares a Regional Water Supply Plan, which identifies alternatives for meeting the anticipated future water needs (as required by Chapter 373.709, F.S.).

Chapter 373.709, F.S. and Chapter 163.3177(6)(c)3, F.S. require that a local government's water supply and work plan be updated within 18 months after a water management district's governing board approves an updated regional water supply plan. The purpose of the update is to reflect any changes in the regional plan that affect the local water supply and work plan. Local governments should reach out to staff at the NFWF-MD for help with updating their water supply facilities work plan (WSFWP). Franklin, Gulf and Bay Counties are not required to update their WSFWPs.

In order to meet water supply and water facilities planning requirements, local government comprehensive plans must address the following:

1. Coordinate appropriate aspects of the Comprehensive Plan with the appropriate water management district's regional water supply plan.
2. Revise the Potable Water Sub-Element to adopt a water supply facilities work plan covering at least a 10-year planning period to meet existing and projected demand.
3. Revise the Conservation Element to assess current and projected water needs and sources for at least a 10-year planning period. The analysis must consider the existing levels of water conservation, use, and protection, the applicable policies of the water management district, and the district's approved regional water supply plan. In the absence of an approved regional water supply plan, the analysis must consider the district's approved water management plan.
4. Revise the Capital Improvements Element to identify capital improvements projects to be implemented in the first 5 years of the work plan for which the local government is responsible, including both publicly and privately funded water supply projects necessary to achieve and maintain adopted level of service standards; and adopt a five-year schedule of capital improvements to include those projects as either funded or unfunded, and if unfunded, assign a level of priority for funding.
5. Revise the Intergovernmental Coordination Element to adopt principles and guidelines to be used to coordinate the Comprehensive Plan with the regional water supply authority (if applicable) and with the applicable regional water supply plan.
6. During the Evaluation and Appraisal review, determine if comprehensive plan amendments are necessary to reflect statutory changes related to water supply and facilities planning since the last update to the comprehensive plan. If necessary, adopt the plan amendments to incorporate the statutory changes as appropriate.

### WATER SUPPLY PLAN BEST PRACTICES

- Any amendments to this element should ensure that the proposed change(s) will not diminish the existing level of service. Amendments to this element can be adopted by reference, meaning by local ordinance.
- Franklin, Gulf and Bay Counties are not required to update their WSWFPs.





## **LAND DEVELOPMENT REGULATIONS (LDR)**

## **Land Development Regulations (LDR)**

Pursuant to Chapter 163.3202(1), F.S. “Within 1 year after submission of its Comprehensive Plan or revised Comprehensive Plan for review pursuant to Chapter 163.3191, F.S., each county and each municipality shall adopt or amend and enforce LDRs that are consistent with and implement their adopted Comprehensive Plan.”

The LDR is a local regulating document that furthers the Comprehensive Plan, providing greater detail in relation to the adopted policies. The LDRs must contain specific and detailed provisions or details necessary to implement the adopted Comprehensive Plan. The LDRs can be stricter in requirement than the Plan states but cannot provide more allowance. For example, if the Comprehensive Plan states that any residential land use category has a maximum allowable density of two units to the acre, the LDR cannot allow four units to the acre. This is a consistency test.

Purpose - regulations must be based on legitimate public purposes, which protect the public health, safety, or welfare and have a substantial relationship to the promotion of that public purpose. These public purposes include:

To prevent a public harm.

- Nuisances
- Economic harm
- Harm to public health
- Visual impacts
- Noise impacts
- Smoke/Pollution
- Vibrations
- Odors
- Light – whether blockage of sunlight or the intrusion of artificial light
- Unsafe situations – whether in structural safety, hazards, or from crime

Regulating to advance a goal which can include topics such as:

- Amenity enhancement
- Regulatory efficiency
- Compatibility
- Economic stability or growth
- Job stability or growth
- Coastal protection and management
- Environmental protection
- Quality of life protection
- Efficiency in the provision of services
- Sustainability
- Energy efficiency and green design
- Aesthetic advancement
- Urban infill and redevelopment
- Neighborhood planning
- Regulating based on need

## **Land Development Regulation Required Elements**

Pursuant to chapter 163.3202, F.S. LDRs must:

**Regulate the Use of Land and Water - to ensure the compatibility of land uses, Chapter 163.3202(2)(b) F.S.**

**Regulate the Subdivision of Land – Subdivision regulations help ensure proper street layout in relation to existing or planned roadways; adequate space for emergency access and utilities; adequate water, drainage, and sanitary sewer facilities; and appropriate site design. The subdivision ordinance establishes: the administrative review and evaluation procedure for processing conceptual, preliminary, and final plats; information that must be included on the plat; design principles and standards for lots, blocks, streets, public places, pedestrian ways, and utilities; required improvements, including streets, sidewalks, water, sewer, and curbs and gutters; and financing and maintenance responsibilities Chapter 163.3202(2)(a), F.S.**

**Provide Protection of Potable Water**

**Regulate Areas Subject to Seasonal and Periodic Flooding and Provide for Drainage and Stormwater Management**

**Ensure the Protection of Environmentally Sensitive Land**

**Regulate Signage**

**Address Concurrency – requiring that public facilities and services meet or exceed the standards established in the capital improvement element of the comprehensive plan. Ensure that development orders are conditioned on the availability of the public facilities and services necessary to support the development Chapter 163.3202(2)(g), F.S. Concurrency is no longer required in statute. However, the LDR provides local governments with a mechanism to implement concurrency to maintain levels of service adopted in the comprehensive plan for public facilities such as parks, water, sewer, transportation**

**Ensure safe and convenient on-site traffic flow**

**Maintain Existing Density of Residential Properties or Recreational Vehicle Parks**

**Consistency. The LDRs also must be consistent with the adopted Comprehensive Plan. Chapter 163.3194(1)(b), F.S.**

**Pursuant to Chapter 163.3194(1)(b), F.S., any existing land development regulations that are not consistent with the adopted Comprehensive Plan or plan amendment must be amended to make them consistent.**

## Land Development Regulation Required Elements

### LAND DEVELOPMENT REGULATION BEST PRACTICES

- In the event of challenge to a local government decision, the comprehensive plan's adopted guidance rules. LDRS that are consistent with the adopted comprehensive plan can protect the government from costly legal challenges.

### ACCESSORY DWELLING UNITS BEST PRACTICES

- Local governments with approved ADU plans enable streamlined permit approval and reduced costs for construction.



## Innovations in LDRs

According to Chapter 163.3168(2), F.S. Innovative LDRs are “innovative planning tools, including, but not limited to, visioning, sector planning, and rural land stewardship area designations to address future new development areas, urban service area designations, urban growth boundaries, and mixed-use, high-density development in urban areas.” Recent innovations include form-based codes and smart growth codes.

### Rural Land Stewardship Area

Chapter 163.3248, F.S., provides that one or more landowners may request that the local government designate their lands as a rural land stewardship area. Upon receipt of such a request, the local government may adopt a future land use overlay to designate all or portions of the lands as a rural land stewardship area if the properties currently are classified as predominantly agricultural, rural, open, open-rural, or a substantively equivalent land use. Economic incentives are applied in Rural Land Stewardship Areas to encourage the implementation of innovative and flexible planning and development strategies and the use of creative land use planning techniques to support a diverse economic and employment base.

Rural land stewardship areas are designed to establish a long-term incentive-based strategy to balance and guide the allocation of land to accommodate future land uses in a manner that protects the natural environment, stimulates economic growth and diversification, and encourages the retention of land for agriculture and other traditional rural land uses.

### Criteria / Acreage

- A rural land stewardship area must be:
  - at least 10,000 acres,
  - located outside of municipalities and established urban service areas, and
  - designated by a plan amendment by each local government with jurisdiction over the rural land stewardship area.
- Development within a designated rural land stewardship area is exempt from the development of regional impact program.

### Program Features

The Rural Land Stewardship Program has several key features. It consists of:

- A future land use overlay with accompanying criteria for the designation of receiving areas.
- Strategies defining urban form
- Policies establishing a mix of densities and intensities that are adopted through the State Coordinated Review plan amendment process.
- The designation of sending and receiving areas as well as the generation and transfer of stewardship credits are implemented through land development regulations.

### Urban Growth Boundaries

Urban Growth Boundaries are geographic areas defined as desirable and appropriate for growth during a defined period of time, usually 20 years. To encourage private investment, urban growth areas are considered a high priority for public infrastructure and services. Urban Growth Boundaries can be used as a tool to protect land outside of the boundary for conservation or agricultural purposes.

## Innovations in LDRs (continued)

### Incentive and Inclusionary Zoning

Inclusionary zoning (IZ) is an affordable housing tool that requires some market-rate developers to also develop some units that are affordable to low-and moderate-income households. The number of affordable units required is typically a given percentage of the total number of units developed. Florida Legislature House Bill 7103 amended the state’s inclusionary zoning statutes. Under new state law, local governments must now “fully offset all costs” to a developer when those costs result from an inclusionary housing ordinance.

### Planned-Unit Development

The Planned Unit Development District (PUD) serves as an overlay to existing zoning classifications. In this role, the PUD provides an alternative to conventional zoning districts, at the property owner’s option. The PUD provides standards and guidelines by which flexibility may be accomplished so that:

- A. A creative approach may be taken for the development of large tracts of land and the redevelopment of older, smaller areas.
- B. More open space may be accomplished than would be possible through the strict application of the provisions of this Article.
- C. Land may be used more efficiently, resulting in smaller networks of utilities and streets, consequently reducing construction and maintenance costs.
- D. development of the site and the surrounding areas, community facilities, and traffic circulation can be encouraged.
- E. Non-traditional lot layout or site design may be permitted.

### Performance Zoning.

Performance zoning is, “an alternative technique to conventional zoning. Rather than establishing specific area and bulk standards within zoning districts to govern development, performance zoning regulates the design and location of a use based on the characteristics of a particular site to support development. Under performance zoning, municipalities replace conventional zoning districts with performance criteria to guide development. The result can be an increase in the range of uses that may be permitted and additional control over the effects of the land use. Landowners and developers are provided greater flexibility on how to meet performance zoning standards.”

### Variances

Pursuant to Chapter 120.542(2), F.S., Variances shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, “substantial hardship” means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver.

- a. Use Variance – a variance from use requirements of code i.e., a residentially zoned property used for commercial purposes.
- b. Area Variance – a variance from dimensional requirement of code i.e., height or setback standards.

### Accessory Dwelling Units

The Community Planning Act encourages local governments facing a shortage of affordable rental housing to adopt ordinances to permit construction of accessory dwelling units in single-family residential areas. Chapter 163.31771(1), F.S., defines accessory dwelling unit as “an ancillary or secondary living unit, that has a separate kitchen, bathroom, and

## **Innovations in LDRs (continued)**

sleeping area, existing within the same structure, or on the same lot, as the primary unit.”

Chapter 163.31771(4), F.S., provides that “If the local government adopts an ordinance under this section, an application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to an extremely-low-income, very-low-income, low-income, or moderate-income person or persons.”

## Resiliency Planning

Resiliency describes the capability of a community to effectively respond and adapt to any shocks or stressors they may encounter. Resiliency planning aims to identify community assets and vulnerabilities to plan and guide development to address future needs and protect public investments in infrastructure.

Local governments should aim to incorporate resiliency throughout the various elements in their Comprehensive Plan.

As noted in the recently-released 4th National Climate Assessment (2018):

**“More frequent and intense extreme weather and climate-related events, as well as changes in average climate conditions, are expected to continue to damage infrastructure, ecosystems, and social systems that provide essential benefits to communities. Future climate change is expected to further disrupt many areas of life, exacerbating existing challenges to prosperity posed by aging and deteriorating infrastructure, stressed ecosystems, and economic inequality.”**



## Public Participation and Civic Engagement

The comprehensive planning process is an opportunity to increase community awareness and determine a strategic course of action. Focus groups, participatory mapping, and photo visioning workshops may be used to identify citizen concerns and build political support for a project. Public participation is an asset to the planning process as it builds trust between community members and their local government. There are many ways to implement public participation. Below we explore some of the commonly used public engagement methods.

### Focus Groups

These groups allow small groups of stakeholders to provide their knowledge of a project area and discuss their concerns and issues with community-based organizations, local government staff and planning consultants.

### Participatory Mapping

Participatory mapping engages community members in geographic mapping of their community's assets, needs, opportunities and other considerations to inform the community planning process.

### Photo Visioning Workshops

Photos of an existing condition can be digitally transformed to visualize proposed changes. Features like bike lanes, on-street parking, wider sidewalks, street trees and buildings are then digitally added or changed to show before and after conditions.

## PUBLIC PARTICIPATION AND CIVIC ENGAGEMENT BEST PRACTICES

- Visit [Formbasedcodes.org](https://formbasedcodes.org) and watch the recap of their Tools and Techniques for Virtual Community Engagement [Webinar]. This is the second of three webinars hosted by the Form-Based Codes Institute and the National Charrette Institute. Speakers explained how to develop a framework for thinking about how people engage online and shared specific approaches to virtual community engagement in Kalamazoo, MI and Cambridge, MA.

<https://formbasedcodes.org/webinar-recap-tools-techniques-virtual-community-engagement/>

- Refer to the Local Government Commission's Participation Tools for Better Community Planning for more public participation tools and best practices for their implementation.

[http://www.lgc.org/wordpress/docs/freepub/community\\_design/guides/Participation\\_Tools\\_for\\_Better\\_Community\\_Planning.pdf](http://www.lgc.org/wordpress/docs/freepub/community_design/guides/Participation_Tools_for_Better_Community_Planning.pdf)

## Community Planning Technical Resources

Below is a list of technical resources and grants that local governments may wish to reference in the process of updating their Comprehensive Plans.

### Apalachee Online

Apalachee Online is a digital resource for citizens, businesses, visitors, and government staff in our region of Northwest Florida. Each of these site users can find compelling stories and useful data about the region, and put it toward trip planning, investment, and community enhancement.

Website: [www.apalacheeonline.org](http://www.apalacheeonline.org)

### Apalachee Regional Planning Council

Apalachee Regional Planning Council (ARPC) serves its nine Northwest Florida member governments - Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, and Wakulla counties - by providing technical assistance, and a forum for communication and collaboration to preserve and enhance the economic, natural and social environments of the Apalachee Region.

Website: [www.arpc.org](http://www.arpc.org)

### Community Development Block Grant (CDBG-DR) – Disaster Recovery

The Community Development Block Grant (CDBG) Program was created to develop viable communities by providing decent housing and a suitable living environment and by expanding economic opportunities, principally for persons of low- and moderate-income. The program can also aid in the prevention or elimination of slums or blight, and under unique circumstances, the State may also use its funds to meet urgent community development need. Disaster recovery assistance may fund a broad range of recovery activities, including housing rehabilitation, economic development, infrastructure repairs and work designed to prevent future damage to the affected areas. The CDBG Disaster Recovery funds cannot be used for activities that would duplicate funding available from other agencies for the same purpose.

Website: <https://floridajobs.org/community-planning-and-development/assistance-for-governments-and-organizations/disaster-recovery-initiative>

### DEO Community Planning

The Florida Department of Economic Opportunity's (DEO) community planning pages on the DEO website lays out the comprehensive plan elements and the plan amendment process and submittal guidelines. The website also offers guidance on issues such as affordable housing, economic development, hazard mitigation planning and post disaster recovery planning.

Website: <https://floridajobs.org/community-planning-and-development>

### DEO Community Planning Technical Assistance (CPTA) Grants

The CPTA Grants provide counties, municipalities, and regional planning councils the opportunity to create innovative plans and development strategies to promote a diverse economy, vibrant rural and suburban areas, and meeting statutory requirements for planning, while protecting environmentally sensitive areas. Understanding that many Florida communities have been impacted by hurricanes, CPTA grants may also be used for planning for disaster recovery or resiliency planning, and economic development planning.

Website: <https://floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/technical-assistance/community-planning-technical-assis->

# Community Planning Technical Resources

tance-grant

## DEO Florida Papers

The Florida Department of Economic Opportunity's (DEO) FloridaPAPERS electronic document management system provides access to comprehensive plans and plan amendments for Local Governments. Here local governments can review comprehensive plans, plan amendments, correspondence, development agreements, evaluation and appraisal reviews, school interlocal agreements, sector plans, and stipulated settlement agreements.

Website: <http://floridajobs.force.com/papers>

## DEP FRCP Resilience Planning Grant

The Florida Department of Environmental Protection's (DEP) Florida Resilient Coastlines Program (FRCP) provides financial assistance aimed at preparing coastal communities for current and future effects of rising sea levels, including coastal flooding, erosion, and ecosystem changes. Resilience Planning Grants (RPG) is available to Florida communities that are required to have a coastal management element in their Comprehensive Plan. The purpose of RPGs is to promote community resilience-planning, including complying with the "Peril of Flood" statute (Sec. 163.3178(2)(f) F.S.), analyzing vulnerabilities and risks, developing plans and policies that allow communities to better handle changing coastal conditions so they can recover and move forward faster after disasters.

Website: <https://floridadep.gov/rcp/florida-resilient-coastlines-program/content/frcp-resilience-grants>

## Ecosystem-Based Management (EBM) Tools Network

The Ecosystem-Based Management Tools Network is an alliance of EBM tool users, providers, and researchers, maintains a website that directs local planners to an assortment of adaptation planning tools for use in determining vulnerability, visualizing impact and considering adaptation strategies. Ecosystem-Based Management tools are methods and software that help practitioners incorporate scientific and socioeconomic information into decision making. EBM tools can help develop models of ecosystems; generate scenarios illustrating the consequences of different management decisions on natural resources and the economy; and facilitate stakeholder involvement in planning processes.

Website: <https://www.natureserve.org/conservation-tools/ecosystem-based-management-tools-network>

## FDOT Complete Streets

Complete Streets serve the transportation needs of transportation system users of all ages and abilities, including pedestrians, bicyclists, transit riders, motorists, and freight handlers. A transportation system based on Complete Streets principles can help to promote safety, quality of life, and economic development. Complete Streets are context sensitive, and the approach supplies transportation system design that considers local land development patterns. Roadways will be planned and designed to support the safety, comfort, and mobility of all users based on the unique context of each roadway.

Website: <https://www.fdot.gov/roadway/csi/default.shtm>

## Community Planning Technical Resources

### Florida Fish and Wildlife Commission GeoData

Florida Fish and Wildlife Commission's GeoData is a geographic information system (GIS) database that features various data points and shapefiles for mapping. The database includes geographic information on boating, boundaries, elevation, emergency response, wildlife habitats, species location, freshwater systems, algal blooms, landcover, marine ecosystems, and transportation.

Website: <https://geodata.myfwc.com/>

### Florida Housing Finance Corporation

The Florida Housing Finance Corporation (Florida Housing) was created by the state Legislature to assist in providing a range of affordable housing opportunities for residents that help make Florida communities great places in which to live, work and do business. They are a provider of innovative, measurable, data-driven, and fiscally sustainable solutions that respond to the affordable housing challenges of our state. Florida Housing works with local governments, non-profits, elected officials, and others to help spread the importance of affordable housing in Florida's communities.

Website: <https://floridahousing.org/>

### Georgetown Climate Center Adaptation Clearinghouse

The Georgetown Climate Center Adaptation Clearinghouse is an online database and networking site that serves policymakers and others who are working to help communities adapt to climate change. The clearinghouse offers a variety of state and local adaptation resources, including plans specific to Florida, for download and review.

Website: <https://www.adaptationclearinghouse.org/>

### NOAA - Digital Coast - Sea Level Rise Viewer

National Oceanic and Atmospheric Administration's Digital Coast Sea Level Rise Viewer is a Coastal Inundation Toolkit that supplies valuable training, data and tools for communities facing sea level rise challenges. Additionally, their website features a sea level rise impacts viewer for coastal communities, which allows for visualization of coastal flooding at various levels of sea level rise.

Website: <https://coast.noaa.gov/slr/>

### Northwest Florida Water Management District

The Northwest Florida Water Management District manages the water resources of the Florida panhandle. The District works to protect and manage the water resources in a sustainable manner that benefits both the people and natural resources across its 16-county region.

Website: <https://www.nfwwater.com/>

### Sea Level Scenario Sketch Planning Tool

The University of Florida maintains a Sea Level Scenario Sketch Planning Tool. It supplies Florida-specific sea level rise visualization maps and can measure sea level rise impacts to roadway infrastructure.

Website: <https://sls.geoplan.ufl.edu/>



# Appendices

## APPENDIX A – NORTH FLORIDA FEDERALLY DESIGNATED THREATENED, ENDANGERED, AND AT-RISK SPECIES

### Mammals

- Anastasia Island beach mouse (*Peromyscus polionotus phasma*)
- Florida panther (*Puma (Felis) concolor coryi*)
- Florida salt marsh vole (*Microtus pennsylvanicus dukecampbelli*)
- Southeastern beach mouse (*Peromyscus polionotus niveiventris*)
- West Indian manatee (Florida) (*Trichechus manatus*)

### Birds

- Red-cockaded woodpecker (*Picoides borealis*)
- Audubon's crested caracara (*Polyborus plancus audubonii*)
- Everglade snail kite (*Rostrhamus sociabilis plumbeus*)
- Florida scrub-jay (*Aphelocoma coerulescens*)
- Piping plover (*Charadrius melodus*)
- Whooping crane (*Grus americana*)
- Wood stork (*Mycteria americana*)

### Reptiles

- Eastern indigo snake (*Drymarchon corais couperi*)
- Atlantic salt marsh snake (*Nerodia clarkii taeniata*)
- Green sea turtle (*Chelonia mydas*)
- Hawksbill sea turtle (*Eretmochelys imbricata*)
- Kemp's ridley sea turtle (*Lepidochelys kempii*)
- Leatherback sea turtle (*Dermochelys coriacea*)
- Loggerhead sea turtle (*Caretta caretta*)
- Sand skink (*Neoseps reynoldsi*)
- Gopher Tortoise (*Gopherus polyphemus*)

### Amphibians

- Frosted Flatwoods salamander (*Ambystoma cingulatum*)
- Reticulated flatwoods salamander (*Ambystoma bishopi*)
- Striped Newt (*Notophthalmus perstriatus*)

### Fish

- Gulf sturgeon (*Acipenser oxyrinchus desotoi*)
- Shortnose sturgeon (*Acipenser brevirostrum*)

### Crustaceans

- Squirrel Chimney Cave shrimp (*Palaemonetes cummingi*)

### Plants

More information is available from the Florida Natural Areas Inventory: [www.fnai.org](http://www.fnai.org)

- Beautiful pawpaw (*Deeringothamnus pulchellus*)
- Britton's beargrass (*Nolina brittoniana*)
- Brooksville bellflower (*Campanula robinsiae*)
- Carter's mustard (*Warea carteri*)
- Chapman rhododendron (*Rhododendron chapmanii*)

# Appendices

## APPENDIX A – NORTH FLORIDA FEDERALLY DESIGNATED THREATENED, ENDANGERED, AND AT-RISK SPECIES (continued)

- Cooley's water-willow (*Justicia cooleyi*)
- Beach rosemary (*Conradina etonia*)
- Florida bonamia (*Bonamia grandiflora*)
- Florida golden aster (*Chrysopsis floridana*)
- Florida perforate cladonia (*Cladonia perforata*)
- Lewton's polygala (*Polygala lewtonii*)
- Longspurred mint (*Dicerandra cornutissima*)
- Okeechobee gourd (*Cucurbita okeechobeensis* ssp. *okeechobeensis*)
- Papery whitlow-wort (*Paronychia chartacea*)
- Pigeon wings (*Clitoria fragrans*)
- Pygmy fringe-tree (*Chionanthus pygmaeus*)
- Rugel's pawpaw (*Deeringothamnus rugelii*)
- Sandlace (*Polygonella myriophylla*)
- Scrub buckwheat (*Eriogonum longifolium* var. *gnaphalifolium*)\*
- Scrub lupine (*Lupinus aridorum*)
- Scrub plum (*Prunus geniculata*)
- Wide-leaf warea (*Warea amplexifolia*)

## Appendix B – Orange County Comprehensive Plan Amendment Two (2) Cycle Schedule

### Appendix B1 – Orange County Comprehensive Plan Amendment Schedule First Regular Cycle 2020

### Appendix B2 – Orange County Comprehensive Plan Amendment Schedule Second Regular Cycle 2020

## Appendix C -- State Agency Contacts

### **Department of Agriculture and Consumer Services** (county amendments only)

Attention: Comprehensive Plan Review  
Office of Policy and Budget  
400 South Monroe Street  
The Capitol, Plaza Level 8  
Tallahassee, Florida 32399-0800  
Phone: 850-410-2280  
Email: [compplans@freshfromflorida.com](mailto:compplans@freshfromflorida.com)

### **Department of Economic Opportunity, Bureau of Comprehensive Planning**

Attention: Ray Eubanks, Plan Processing Administrator  
State Land Planning Agency  
Caldwell Building  
107 East Madison - MSC 160  
Tallahassee, Florida 32399-4120  
Phone: 850-717-8483  
Fax 850-717-8522  
Email: [ray.eubanks@deo.myflorida.com](mailto:ray.eubanks@deo.myflorida.com)

# Appendices

## Appendix C – State Agency Contacts (continued)

### **Department of Education**

Attention: Mark Weigly, Director  
Office of Educational Facilities  
325 West Gaines Street, Suite 1014  
Tallahassee, Florida 32399-0400  
Phone: 850-245-9239  
Fax: 850-245-9236  
Email: Mark.Weigly@fldoe.org

### **Department of Environmental Protection**

Attention: Plan Review  
Office of Intergovernmental Programs  
3900 Commonwealth Boulevard, MS 47  
Tallahassee, Florida 32399  
Phone: 850-717-9037  
Email: Plan.Review@dep.state.fl.us

### **Department of State**

Attention: Jason Aldridge, Supervisor Compliance and Review Section  
Bureau of Historic Preservation  
500 South Bronough Street  
Tallahassee, Florida 32399-0250  
Phone: 850-245-6344  
Fax: 850-245-6437  
Email: Jason.Aldridge@DOS.MyFlorida.com  
Electronic Submittal: CompliancePermits@dos.myflorida.com

### **Florida Fish and Wildlife Conservation Commission** (county amendments only)

Attention: Scott Sanders  
Conservation Planning Services  
620 South Meridian Street, MB 5B5  
Tallahassee, Florida 32399-1600  
Phone: 850-410-5272  
Fax: 850-922-5679  
Email: FWCConservationPlanningServices@myfwc.com

### **Department of Transportation, District Three**

Attention: Starsky Harrell, Planning Supervisor  
1074 Highway 90  
Chipley, Florida 32428  
Phone: 850-330-1540  
Email: Starsky.Harrell@dot.state.fl.us

# Appendices

## Appendix C – State Agency Contacts (continued)

### **Apalachee Regional Planning Council**

Attention: Caroline Smith  
2507 Callaway Road, Suite 200  
Tallahassee, Florida 32303  
Phone: 850-488-6211  
Fax: 850-488-1616  
Email: CSmith@arpc.org

### **Northwest Florida Water Management District**

Attention: Beth Hollister  
Water Resource Planner  
81 Water Management Drive  
Havana, Florida 32333-4712  
Phone: (850) 539-2616  
Email: Beth.Hollister@nwfwater.com

## Appendix D – DEO Transmittal Letter

## Appendix E – DEO Extension Letter



# ORANGE COUNTY GOVERNMENT

Planning Division  
201 S Rosalind Ave, Orlando FL 32801  
Phone (407) 836-5600 Fax (407) 836-5862



## ORANGE COUNTY COMPREHENSIVE PLAN AMENDMENT SCHEDULE

### FIRST REGULAR CYCLE 2020\*

Schedule Pre-Application Meeting by	July 19, 2019
Pre-Application Meetings	July 5 – 26, 2019
Applications Filed**	August 5 – 30, 2019
Community Meetings	Month of October 2019
Local Planning Agency Transmittal Hearing*	January 16, 2020*
Board of County Commissioners Transmittal Hearing*	February 2020*
Reviewing Agencies Comments Due	March 2020 ( <i>approximately</i> )
<b>Final DRC for concurrent rezoning</b>	<b>No later than February 27, 2020</b>
Local Planning Agency Adoption Hearing*	April 16, 2020*
Board of County Commissioners Adoption Hearing*	May 2020*
Effective Date	June 2020 ( <i>approximately</i> )

### Related Rezoning Applications

Public Hearings for rezonings may be scheduled concurrent with the Board of County Commissioners' Comprehensive Plan Amendment Adoption Public Hearing. Planned Development rezonings require an additional pre-application meeting before submittal of an application and require more processing and review time. Please check with the Development Review Committee Coordinators for more information at (407) 836-7856 or 407-836-7956.

Notes:

\* Hearing dates are tentative and subject to change.

\*\* A pre-application conference is required prior to submittal of an application. Please contact the Comprehensive Planning Section of the Orange County Planning Division at 407-836-5600 to schedule an appointment.



# ORANGE COUNTY GOVERNMENT

Planning Division  
201 S Rosalind Ave, Orlando FL 32801  
Phone (407) 836-5600 Fax (407) 836-5862



## ORANGE COUNTY COMPREHENSIVE PLAN AMENDMENT SCHEDULE

### **SECOND REGULAR CYCLE 2020\***

Schedule Pre-Application Meeting by	January 17, 2020
Pre-Application Meetings	January 3 – 31, 2020
Applications Filed**	February 3 – 28, 2020
Community Meetings	Month of April 2020
Local Planning Agency Transmittal Hearing*	June 18, 2020*
Board of County Commissioners Transmittal Hearing*	July 2020*
Reviewing Agencies Comments Due	August 2020 ( <i>approximately</i> )
<b>Final DRC for concurrent rezoning</b>	<b>No later than September 9, 2020</b>
Local Planning Agency Adoption Hearing*	October 15, 2020*
Board of County Commissioners Adoption Hearing*	November 2020
Effective Date	December 2020 ( <i>approximately</i> )

### **Related Rezoning Applications**

Public Hearings for rezonings may be scheduled concurrent with the Board of County Commissioners' Comprehensive Plan Amendment Adoption Public Hearing. Planned Development rezonings require an additional pre-application meeting before submittal of an application and require more processing and review time. Please check with the Development Review Committee Coordinators for more information at (407) 836-7856 or 407-836-7956.

Notes:

\* Hearing dates are tentative and subject to change.

\*\* A pre-application conference is required prior to submittal of an application. Please contact the Comprehensive Planning Section of the Orange County Planning Division at 407-836-5600 to schedule an appointment.



# Apalachee Regional Planning Council

Serving Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson, Liberty, Leon, and Wakulla Counties and their municipalities

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June 22, 2016

Mr. Ray Eubanks  
Department of Economic Opportunity  
State Land Planning Agency  
Attn: Ray Eubanks, Plan Processing Administrator  
Caldwell Building  
107 East Madison - MSC 160  
Tallahassee, Florida 32399

*Re: Letter of Transmittal of Case CPA-2016-05, Midway*

Mr. Eubanks:

On behalf of the City of Midway, this letter of transmittal is being sent by the Apalachee Regional Planning Council. In FY 14-15, the Council was under contract to DEO and the City of Midway to prepare an update to the City's Comprehensive Plan through a Technical Assistance grant. The proposed plan amendment and their associated LDR changes were first heard by the Planning & Zoning Commission and City Council in May and June of 2015 and approved for review and satisfaction of the deliverables to DEO to satisfy the intent of the TA grant. The City Council met on November 5, 2015 at a public noticed public hearing to approve the plan for transmittal for review. That meeting resulted in a motion to submit for review subsequent to a clarification workshop on November 17<sup>th</sup>.

At that same hearing, the City Administration was changed out by action of the City Council. This resulted in some delay in obtaining minutes of those meetings. The attached documents are attached for review prior to adoption.

These EAR based amendments are based on review of changes in growth management legislation, findings of the Evaluation and Appraisal report process, input from public hearings, comments, recommendations and commentary from the City Council of the City of Midway. The proposed amendment is subject to State Coordinated Review process pursuant to Section 163.3184(4), Florida Statutes. Letters to the State reviewing agencies were mailed on March 1, the transmittal was held pending receipt of official minutes of the December 3<sup>rd</sup> meeting.

The Proposed Amendments:

- Are not in an area of critical State concern
- Do not apply to the Wekiva River Protection Area,
- Are not an exemption to the twice per calendar year limitation of adoption of plan amendments; and
- Are not proposed to be adopted under a Joint Planning Agreement pursuant to section 163.3171, F.F.



# Apalachee Regional Planning Council

Serving Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson, Liberty,  
Leon, and Wakulla Counties and their municipalities

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Pg 2

Ray Eubanks

Department of Economic Opportunity

The adopted plan is an EAR based amendment to the Town's Comprehensive Plan and includes revisions to the entire Future Land Use Map Series. If you should find any deficiencies, please contact me at the phone number below. Public Agencies listed in the attachment were notified in April of this year; to date we have received no responses.

For the City of Midway,  
Bruce Ballister, ARPC

Cc: Mayor Jerrod Holton

October \_\_, 2019

Florida Department of Economic Opportunity  
Division of Community Planning & Development  
Attn: Ray Eubanks, Plan Processing Administrator  
Caldwell Building  
107 East Madison MSC 160  
Tallahassee, FL 32399-4120

RE: Extension Request  
Amendment to the Carrabelle Comprehensive Plan  
DEO Identification Number: 19-01ER

Dear Mr. Eubanks:

The intent of this letter is to formally request a 60-day extension for adoption of DEO #19-01ER. The City of Carrabelle City Council approved the transmittal package for interagency review on Month Day, 2019. According to Section 163.3184(3)(c)1, F.S., the proposed application requires the first and second public hearings by the City Council within 180 days of DEO receipt of agency comments.

The City of Carrabelle is working to incorporate comments received from interagency reviewers for the update to the City of Carrabelle's EAR Amendment and Coastal Management Element to the Comprehensive Plan. Due to unforeseen circumstances that have limited staff capacity, the City requests an extension to fully incorporate DEO comments as well as reschedule the first and second public hearings to October 8, 2019 and November 7, 2019 to approve adoption by the City Council.

The City appreciates your consideration for this requested extension. For additional information regarding this amendment, please contact: Contact Person

Sincerely,

Signature/Title