AN OVERVIEW OF THE COMPREHENSIVE PLANNING PROCESS

School Planning Workshop
February 13, 2008

STATUTORY HIGHLIGHTS

1972: Areas of Critical State Concern
Development of Regional Impact (DRI) Process

1975: Local Government Comprehensive Planning Act

1983: Land Acquisition Programs – Save our Coast

1985: Florida Growth Management Act
Chapter 163, Part II, Florida Statutes ~
The Local Government Comprehensive Planning and Land Development Regulation Act
GROWTH MANAGEMENT ACT

• Chapter 163: Local governments (cities & counties) are required to develop plans to guide the future growth and development of their jurisdictions.

• Called “Comprehensive Plans”

• Require review/approval by State DCA for initial adoption, amendments, & periodic updates (Evaluation & Appraisal Reports or EARs)

REQUIRED COMPREHENSIVE PLAN ELEMENTS

1. Future Land Use
2. Housing
3. Transportation
4. Infrastructure
5. Coastal Management
6. Conservation
7. Recreation & Open Space
8. Intergovernmental Coordination
9. Capital Improvements

And with passage of SB 360 (in 2005) …

10. Public Schools Facilities
COMPREHENSIVE PLAN DETAILS

• Local governments can also address other areas with “optional elements.”

• Until the passage of SB 360, schools were an optional element in a Comprehensive Plan.

• Plans are comprised of Goals, Objectives, and Policies

WHAT IS “CONCURRENCY”?  

A provision in the Growth Management Act that requires local governments to ensure certain facilities and services will be available concurrent with the impacts of development.
HOW CONCURRENCY WORKS

• Concurrency Facilities Are Identified in the Comprehensive Plan:
  • Roads (Transportation Network)
  • Water / Sewer
  • Parks / Recreational Facilities
  • Stormwater / Drainage
  • Schools*

• Plan includes a “Level of Service” ~ a level acceptable to the community ~ for each facility or service
  • For example: 10 acres of park per 1,000 residents

CONCURRENCY REVIEW

• All proposed development applications are evaluated.

• Projects are denied if facilities are not available.

• Developments can provide facilities to meet concurrency.
COMP PLAN OVERSIGHT

• LEAD STATE AGENCY:
  – The Department of Community Affairs (DCA)

• OTHER REVIEW AGENCIES:
  – Regional Planning Councils (RPCs)
  – Water Management Districts (WMDs)
  – Departments of Transportation (FDOT), Environmental Protection (DEP), State & Agriculture
  – Florida Fish & Wildlife Conservation Commission

COMP PLAN AMENDMENT PROCEDURES

• Local governments may amend their comprehensive plans twice per year (some exceptions).

• The amendment review periods are typically known as the “first set” and the “second set.”
TYPICAL AMENDMENT SOURCES

• Local Governments
  – Address changing conditions
  – Comply with updated statutory requirements
  – Conduct periodic update (EAR)

• Private Landowners
  – Change goals, objectives, policies
  – Change Future Land Use Map (FLUM) designation

WHAT IS A FUTURE LAND USE MAP (FLUM)?

• A required map in the Future Land Use Element assigning general land use categories to all properties within a local government’s jurisdiction.

• The FLUM is similar to a zoning map and demonstrates whether there is sufficient land allocated to meet all projected needs such as commercial, residential, or industrial.
FUTURE LAND USE MAPS

• The FLUM designation on a parcel of land determines the general type of use allowed, as well as the maximum level of density or intensity allowed (such as the number of residential units per acre or floor/area ratio).

• The zoning regulations provide more specific details as to what is allowed on a parcel such as single family or multi-family, setbacks, & building heights.

COMP PLAN AMENDMENT PROCEDURES

• A typical private applicant will ask for an amendment to change the type of use allowed or to change the maximum amount of development allowed.

• An amendment to a Comp Plan is a legislative act, therefore, A board of County commissioners or City Commission, must considered each comp plan amendment with respect to overall policy implications, relying on tools such as the zoning code and development review process to ensure that the proposed amendment is consistent with the Comp Plan.
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Amendments can be adopted, modified or denied by the Board/Commission following a series of public hearings.

The process for an amendments improvement generally takes about 13 months.
COMP PLAN AMENDMENT
PROCEDURES

There are typically three public hearings:

1) Local Planning Agency Hearing
   (recommendation sent to City/County Commission)

2) 1st Reading by City/County Commission
   ("Transmittal Hearing" to send to DCA for review)

3) 2nd Reading by City/County Commission
   ("Adoption Hearing" to adopt after review)

COMP PLAN AMENDMENT
PROCEDURES

• Sending an amendment to DCA for review
  is called a “transmittal.”

• DCA then must issue a report called
  Objections, Recommendations and Comments (AKA … an “ORC Report”).

• Prior to adoption by a local Council or
  Commission, any issues raised by DCA in
  the ORC report must be addressed
Land Development Action Submitted to Local Government (e.g., Comp Plan amendment, Rezoning, PUD)

Review Process by Local Government
(School District reviews & provides comments/findings)

2 Local Government Public Hearings
(Local Planning Agency & City/County Commission 1st Reading (“Transmittal Hearing”)

For Comp Plan Amendments Only
Local Government Transmits Copies of “Proposed Amendment” to DCA & Review Agencies

DCA & Review Agencies Conduct Review
DCA Compiles Findings & Issues “ORC Report” (Objections, Recommendations & Comments)

Local Government Addresses ORC Report
City/County Commission 2nd Reading Scheduled
Comprehensive Plan Amendment Process
Section 163.3184, Florida Statutes

For All Actions – 3rd Public Hearing
City/County Commission
2nd Reading (Adoption Hearing)

For Comp Plan Amendments Only
Local Government Sends
Adopted Amendment
to DCA & Review Agencies

DCA Issues “Notice of Intent”
to find “in compliance”
or “not in compliance”
COMP PLAN AMENDMENT PROCEDURES

- There are several opportunities to challenge an amendment basically by petition for administrative hearing.
For More Information:

• [http://www.dca.state.fl.us/fdcp/DCP/compplanning/index.cfm](http://www.dca.state.fl.us/fdcp/DCP/compplanning/index.cfm)
Comprehensive Planning
In Martin County

Richard Lawton
Planner
Martin County GMD
The Vision Plan

Desirable Future

A perspective of Martin County in the year 2020, based on sustainable vision
Martin County CRA’s

Jensen Beach
Rio
Hobe Sound
Golden Gate
Port Salerno
Indiantown
Palm City

Density Limitations
Martin County’s Award Winning Comprehensive Plan

Comprehensive Plan
1982
Growth Management Act
1985
Comprehensive Growth Management Plan
1990

Comprehensive Plans have the Force of Law in Florida!

Comprehensive Growth Management Plan

- Martin County’s “Constitution”
- Intergovernmental Coordination
- Future Land Use
- Housing
- Recreation
- Coastal Management
- Conservation
- Water
- Sewer
- Solid Waste
- Capital
- Improvements
- Economic
Land Development Regulations
Implement the Comprehensive Growth Management Plan

Future Land Use Categories

Low Density Residential

Single-family Zone

Multi-family Zone

Limited Industrial Zone

General Industrial Zone

Industrial

Amendments to CGMP and LDR's
Prescribed Legal Process
Requires Public Participation
Public Hearings
BCC Approval
DCA Approval
School Concurrency in Martin County

- March 25, 2008 – Interlocal Agreement for School Facilities Planning and Siting.
- August 5, 2008 – CGMP amendment to adopt new Chapter 17, Public School Facilities Element.
- December 9, 2008 – Land Development Regulations to implement new Chapter 17, Public School Facilities Element.

The Vision for a Sustainable Martin County

Illustrated on a poster...

Elements of the Vision are...
- Preserve wetlands and critical uplands;
- Preserve and strengthen agriculture;
- Contain development within the Urban Service Boundary; and
- Create livable communities.