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MEETING NOTICE

REGIONAL PLANNING COMMITTEE

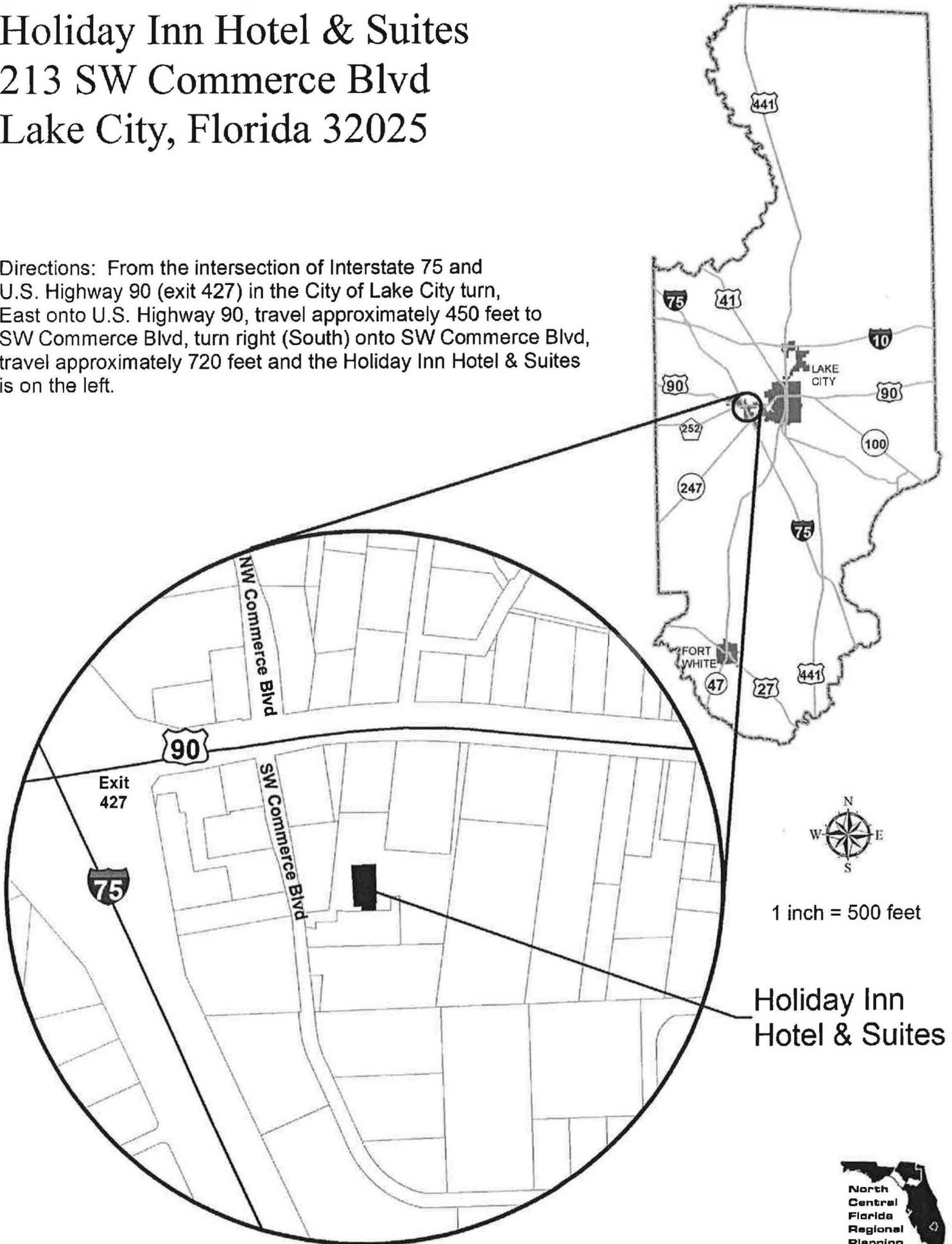
There will be a meeting of the Regional Planning Committee of the North Central Florida Regional Planning Council on **August 27, 2015**. The meeting will be held at the **Holiday Inn Hotel & Suites, 213 SW Commerce Boulevard, Lake City**, beginning at **6:30 p.m.**

(Location Map on Back)

Holiday Inn Hotel & Suites

213 SW Commerce Blvd
Lake City, Florida 32025

Directions: From the intersection of Interstate 75 and U.S. Highway 90 (exit 427) in the City of Lake City turn, East onto U.S. Highway 90, travel approximately 450 feet to SW Commerce Blvd, turn right (South) onto SW Commerce Blvd, travel approximately 720 feet and the Holiday Inn Hotel & Suites is on the left.





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AGENDA

REGIONAL PLANNING COMMITTEE

Holiday Inn Hotel & Suites
Lake City, Florida

August 27, 2015
6:30 p.m.

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NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

REGIONAL PLANNING COMMITTEE

MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

July 23, 2015
6:30 p.m.

MEMBERS PRESENT

Beth Burnam, Vice-Chair (via telephone)
James Montgomery
Randy Wells, Chair
Robert Wilford
Stephen Witt

MEMBERS ABSENT

Charles Chestnut, IV
Donnie Hamlin
Lorene Thomas

STAFF PRESENT

Steven Dopp

Chair Wells called the meeting to order at 6:56 p.m.

I. APPROVAL OF THE JUNE 25, 2015 MEETING MINUTES

ACTION: It was moved by Mr. Wilford and seconded by Mr. Montgomery to approve the June 25, 2015 Committee minutes as circulated. The motion carried unanimously.

II. REGIONALLY SIGNIFICANT FACILITIES AND RESOURCES

Mr. Dopp presented the staff evaluation of the Regionally Significant Facilities and Resources chapter. The Committee reviewed and discussed the staff evaluation. The Committee agreed by consensus to withhold approval of the evaluation until completion of the review of all elements of the regional plan.

The meeting adjourned at 7:10 p.m.

Randy Wells, Chair

8/27/15
Date



Chapter VII: Coordination Outline

The coordination outline provides an overview of the Council's cross acceptance, dispute resolution, public participation, and related regional planning and coordination activities. It focuses on how the Council helps to resolve inconsistencies among the various (local/regional/state) plans and programs.

A. Public Participation

The Council actively seeks public participation in all of its endeavors. Every meeting of the Council and its committees is advertised in Florida Administrative Weekly. Additionally, Council and committee meeting notices/agendas are distributed to the news media and directly to interested persons who have requested to be placed on the Council's notification lists. Agendas are also available to the public through the Internet via the World Wide Web. The Council's home page Internet address is <http://www.ncfrpc.org>.

Citizens participate in Council programs in a variety of ways. Ongoing citizen participation is accomplished by including eight non-voting citizen members on the Council and various Council committees. This format allows direct citizen input at the policy-making level. Also, citizen advisory committees are created for special projects in which more organized citizen input is desirable.

In developing the regional plan, the Council held one public workshop during the early stages of plan formulation to describe the regional planning effort and to receive input from the public regarding the content, structure, and application of the plan as well as to receive input regarding the process of plan formulation and adoption. Additionally, the Council will hold at least three well-advertised meetings at different locations throughout the region to describe the content of the proposed plan submitted to the Executive Office of the Governor and to receive public comment regarding the proposed plan.

B. Dispute Resolution

The Council has adopted a dispute resolution process (Rule 29C-8, Florida Administrative Code) designed to reconcile differences in planning, growth management, and other issues among local governments, regional agencies, and private interests. The voluntary process attempts to identify and resolve problems early, provide a range of dispute resolution options, appropriately involve all affected parties, and be both time- and cost-effective.

C. Cross-Acceptance

Chapter 186.505(22), Florida Statutes, states that regional planning councils have the power "to establish and conduct a cross-acceptance negotiation process with local governments intended to resolve inconsistencies between applicable local and regional plans, with participation by local governments being voluntary."



In order to encourage up-front compatibility among the various regional planning council and local government plans, the North Central Florida Regional Planning Council has established a voluntary cross-acceptance process which can be used to prevent high-profile conflicts between plans of two regional planning Councils, between the regional planning Council and local government plans, and between plans (and plan amendments) being developed by adjacent local governments.

1. How the Cross-Acceptance Process Works

The Council's cross-acceptance process consists of an informal, non-binding, staff-level review of local government plans/plan amendments as well as strategic regional policy plans/plan amendments of adjacent regional planning Councils.

The process is initiated when a local government submits a plan or plan amendment to the Council requesting initiation of the process prior to submitting the plan/amendment for review pursuant to Chapter 163, Florida Statutes. For regional plans/amendments, the process begins when the Council receives a request by an adjacent regional planning Council to initiate the cross-acceptance review. Within ten days of receipt of the plan/amendment for review through the cross-acceptance process, the Council staff will make an informal, non-binding, review of the plan or plan amendment. In the case of a local government comprehensive plan/amendment review, the Council will communicate the results of the review to the initiating local government. In the case of a regional plan/amendment review, the Council will communicate the results of the review to the appropriate regional planning Council.

For proposed regional and local plans/amendments, staff review will consist of a determination as to its effects on regional resources or facilities identified in the regional plan and extrajurisdictional impacts on adjacent local governments. The review will include recommendations as to how the plan/amendment can be made to mitigate significant adverse impacts on adjacent local governments as well as ensure its consistency with the Council's regional plan.

2. Council's Local Government Comprehensive Plan Review Process and Its Relationship with the Voluntary Cross-Acceptance Process

The Council is authorized to review and comment on local government proposed comprehensive plans and plan amendments by Chapter 163, Florida Statutes. The Council's review of proposed plans/amendments is limited to the effects on regional resources or facilities identified in the regional plan and extrajurisdictional impacts which would be inconsistent with the comprehensive plan of the affected local government. Council review of adopted plans/amendments consists of a determination of consistency of the plan as amended with the regional plan. The Council's review findings are considered by the Department of Economic Opportunity during its compliance review of local plans/plan amendments.

This process must be followed regardless of any agreements reached through or modifications made to local plans/amendments as a result of the Council's voluntary cross-acceptance process. Furthermore, any determination or recommendation made by Council staff through the voluntary cross-acceptance process is subject to review and reversal by the Department through the Chapter 163, Florida Statutes, review process described above, with or without a recommendation to do so by the policy body of the Council.

Adopted May 23, 1996, Amended August 28, 1997, February 27, 2003 and October 27, 2011



The Council's cross-acceptance process does not obligate the local government or adjoining regional planning Council to change its plan/amendment as a result of the process; nor does it obligate the Council to find the plan/amendment consistent with the regional plan through the Council's formal review processes should the local government or adjoining regional planning council implement any or all of the staff recommendations contained in the cross-acceptance review.

D. Regional Planning and Coordination Activities

The Council conducts a number of various planning activities and programs. These activities and programs include intergovernmental coordination and review, developments of regional impact review, functioning as a regional information center, hurricane preparedness planning, regional public facilities planning, hazardous materials emergency management planning, staffing of the Metropolitan Transportation Planning Organization for the Gainesville urban area, staffing of county transportation disadvantaged programs, and local government technical assistance. These activities and programs are discussed below.

3. Intergovernmental Coordination and Review

One of the ways the Council implements its regional plan is through a federal/state/regional review process formally known as the Intergovernmental Coordination and Review process. The Governor has designated the state's eleven regional planning Councils as areawide clearinghouses for federally-funded projects that affect local governments in Florida.

The Council reviews these applications/projects to avoid and/or mitigate potential adverse impacts that may be created by an activity in neighboring communities or counties, insure coordination and consistency with local government and comprehensive regional policy plans, and to avoid duplication or conflict with other area programs.

4. Development of Regional Impact Review Process

The DRI review process provides state, regional, and local agencies the opportunity to evaluate the impacts of large-scale development projects. The potential impacts of a proposed Development of Regional Impact project on adjacent local governments and on regional resources and facilities are identified by the Council and measures to avoid or mitigate adverse impacts are developed for inclusion in the development order issued by the local government of jurisdiction.

5. Regional Information Center

The Regional Information Center is the information service and publication center of the Council. It includes a library, a research service, and public information resources. The Center is often the starting place for many developers, consultants, marketing specialists, media representatives, students, and planners looking for regional statistics and information. The Council is a Florida Census Data Affiliate and an official repository for federal home loan disclosure reports. Data research requests are filled on a regular basis.

Adopted May 23, 1996, Amended August 28, 1997, February 27, 2003 and October 27, 2011



6. Hurricane Preparedness

In 1990, the Council completed its first five-year update of the regional hurricane evacuation and inland shelter studies. Both regional and county plans were prepared by the Council in 1985. The 1990 regional study focuses on updating the number and location of people who need to evacuate in the event of a hurricane, including any special needs created by disabilities or age. The study includes the location and type of shelter spaces available to accommodate evacuees. Evacuation routes and potential impediments, such as flooding, to the movement of vehicles are also discussed. A technical committee composed of county civil defense directors, representatives of the Florida Division of Emergency Management, and the American Red Cross assisted in this effort.

7. Regional Public Facilities

Since 1987 when its comprehensive regional policy plan was initially adopted, the Council has assisted the region's counties in creating regional landfills and regional library systems. In a time when economics, new technologies and/or other factors are forcing local governments to look for safe and cost-effective alternatives, the Council can provide the expertise and forum for developing regional solutions to a number of problems facing local governments in Florida.

8. Hazardous Materials

The Emergency Planning and Community Right-to-Know Act, also known as Title III of the Superfund Amendments and Reauthorization Act requires the preparation of local emergency hazardous material response plans. In Florida, hazardous materials emergency response plans have been developed utilizing the eleven regional planning Council districts and state-appointed local emergency planning committees. The emergency response plan for the North Central Florida Region was adopted by the Local Emergency Planning Committee on June 9, 1989, and annually updated in November of each year.

Florida follow-up legislation also requires the state's 67 counties to each prepare or update site-specific hazards analyses. The hazards analyses include site-specific information on facilities that contain extremely hazardous substances. The hazards analyses identify the quantities of hazardous material on-site, the vulnerable zone that could be impacted by a worse-case release, and the probability of a release occurring.

The Local Emergency Planning Committee, with financial assistance from the state, also organizes free training sessions for emergency fire and rescue teams, police, and others whose job is to respond to accidents which may involve hazardous materials. Different levels of training are being provided to the "First Responders" with the first level focusing on how to safely recognize and make proper notifications for possible hazardous materials incidents. The most advanced level is for hazardous materials technicians who will wear chemical protective clothing to stop a toxic release.

Adopted May 23, 1996, Amended August 28, 1997, February 27, 2003 and October 27, 2011



9. Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area

Through an agreement signed by the Florida Department of Transportation, Alachua County, and the City of Gainesville, the Metropolitan Transportation Planning Organization for the Gainesville Urbanized Area was formed to conduct transportation planning activities in the Gainesville urbanized area. This program makes the area eligible to receive federal funds for transportation projects. The Council serves as the staff providing technical and administrative assistance in developing transportation plans and programs.

10. Transportation Disadvantaged Program

Another major transportation planning activity of the Council is the Transportation Disadvantaged planning program. Counties are required to develop plans in order to receive state funds to increase transportation services to low-income, elderly, and handicapped persons. The Council serves as the designated official planning agency for nine counties in the region. The Metropolitan Transportation Planning Organization serves as the planning agency for Alachua County while the Taylor County Commission is the designated official planning agency for Taylor County. These agencies are responsible for conducting planning studies needed to increase transportation services to low-income individuals, elderly individuals, and persons with disabilities.

11. Local Government Technical Assistance

The Council also offers technical assistance to local governments which do not have available staff or expertise for certain activities. These activities range from comprehensive planning to community development.

a. Comprehensive Planning Assistance

The Local Government Comprehensive Planning and Land Development Regulation Act requires local governments to prepare and adopt comprehensive plans which are consistent with regional and state comprehensive plans. In addition, local governments are required to adopt land development regulations to implement their comprehensive plans. Since this legislation was initially enacted back in 1975, the Council has assisted nearly every local government in the region with preparing all or a portion of their comprehensive plans and development regulations. Technical assistance on plan amendments and general administration of local planning programs is provided on a continuing basis to many of these same local governments by Council under contract.

b. Community Development Block Grants

The Council also assists local governments in assessing their community development needs, then applying for and administering Community Development Block Grants. The federal block grant program, administered by Department, helps local governments address the need for housing rehabilitation of low-and moderate-income occupied dwelling units, the need for the commercial revitalization of downtowns, and the need for revitalizing public facilities in neighborhoods occupied by low-and moderate-income persons.

Adopted May 23, 1996, Amended August 28, 1997, February 27, 2003 and October 27, 2011



c. Florida Communities Trust Grants

The Council also assists local governments in preparing applications for Florida Communities Trust Florida Forever grant funds, a program designed to assist local governments in purchasing sensitive lands within their communities. The Council has prepared or helped to prepare six applications, five of which have been funded.

12. Economic Development

The economic development program of the Council consists of economic development planning and technical assistance, and tourism promotion.

a. Economic Development District

Since the federal Economic Development Administration designation of the region as an Economic Development District in 1978, the Council has continued to maintain a high level of involvement in providing technical assistance to local governments and development authorities in order to promote economic growth.

b. The Original Florida Tourism Task Force

The Council developed a tourism strategic plan in 1992. Upon completion, the Council entered into a formal agreement with public and private agencies in the region's counties whose representatives form a Tourism Task Force to undertake promotional efforts and other activities for tourism throughout the region. The Council provides in-kind staff assistance to this on-going effort.



Appendix A: Dispute Resolution Rule

CHAPTER 29C-8

RULES OF PROCEDURE AND PRACTICE PERTAINING TO THE REGIONAL DISPUTE RESOLUTION PROCESS (RDRP)

29C-8.001	Purpose
29C-8.002	Definitions
29C-8.003	Participation
29C-8.004	Costs
29C-8.005	Timeframes
29C-8.006	Administrative Protocols
29C-8.007	Public Notice, Records, and Confidentiality
29C-8.008	Pre-initiation Meeting
29C-8.009	Situation Assessment
29C-8.010	Formal Initiation of the Process by Jurisdictions
29C-8.011	Requests to Initiate Process Submitted by Others
29C-8.012	Settlement Meetings
29C-8.013	Mediation
29C-8.014	Advisory Decision-making
29C-8.015	Settlement Agreements and Reports
29C-8.016	Other Dispute Resolution Processes

29C-8.001 Purpose.

(1) The purpose of the rule is to establish a voluntary regional dispute resolution process (RDRP) to reconcile differences on planning, growth management and other issues among local governments, regional agencies and private interests. The process consists of two basic components: process initiation (initiation and response letters), and settlement meetings; and five optional components: pre-initiation meeting, situation assessments, mediation, advisory decision-making, and reference to other dispute resolution processes (judicial, administrative or arbitration proceedings).

(2) The intent of the RDRP is to provide a flexible process to reconcile differences on planning and growth management issues. The process is designed to clearly identify and resolve problems as early as possible, utilize the procedures in a low-to-high cost sequence, allow flexibility in the order in which the procedures are used, provide for the involvement of affected and responsible parties, and provide as much process certainty as possible.

(3) The RDRP may be used to resolve disputes involving: extrajurisdictional impacts as provided for in the intergovernmental coordination elements of local comprehensive plans, as required by Section 163.3177, F.S.; inconsistencies between port master plans and local comprehensive plans, as required by Section 163.3178, F.S.; the siting of community residential homes, as required by Section 419.001(5), F.S.; and any other matters covered by statutes which reference the RDRP.

Adopted May 23, 1996, Amended August 28, 1997, February 27, 2003 and October 27, 2011



(4) The RDRP shall not be used to address disputes involving environmental permits or other regulatory matters unless all of the parties involved agree to initiate use of the RDRP.

(5) Use of the RDRP shall not alter a jurisdiction's organization's, group's or individual's right to a judicial determination of any issue if that entity is entitled to such a determination under statutory or common law.

(6) Participation in the RDRP as a named party or in any other capacity does not convey or limit intervenor status or standing in any judicial or administrative proceedings.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 7-12-94.

29C-8.002 Definitions.

(1) **SITUATION ASSESSMENT** is a procedure of information collection that may involve review of documents, interviews and an assessment meeting to identify the issues in dispute, the stakeholders, information needed before a decision can be made, or a recommendation for appropriate dispute resolution procedures.

(2) **PRE-INITIATION MEETINGS** are opportunities for a party to discuss the suitability of the RDRP with the RPC staff for resolving their dispute before formally initiating the RDRP.

(3) **FACILITATION** is a procedure in which a neutral party, acting as a facilitator, helps the named parties design and follow a meeting agenda, and assists parties to communicate more effectively throughout the process. The facilitator has no authority to make or recommend a decision.

(4) **MEDIATION** is a procedure in which a neutral party, acting as a mediator, assists named parties in a negotiation process in exploring their interests, developing and evaluating options, and reaching a mutually-acceptable agreement. A mediator may take more control of the process than a facilitator and usually works in more complex cases where a dispute is more clearly defined.

(5) **ADVISORY DECISION-MAKING** is a procedure aimed at enhancing the effectiveness of negotiations and helping parties more realistically evaluate their negotiation positions. This procedure may include neutral evaluation, or advisory arbitration in which a neutral party or panel listens to the facts and arguments presented by the parties and renders a non-binding advisory decision.

(6) **JURISDICTION** is any local, regional, or state government or agency, including special districts, authorities and school boards.

(7) **NAMED PARTY** shall be any jurisdiction, public or private organization, group or individual which (who) is named in an initiation letter, including the initiating jurisdiction, or is admitted by the named parties to participate in settlement of a dispute pursuant to subsections 29C-8.003(1), (2) and (3), F.A.C. Being a "named party" in the RDRP does not convey or limit standing in any judicial or administrative proceeding.

Adopted May 23, 1996, Amended August 28, 1997, February 27, 2003 and October 27, 2011



(8) REPRESENTATIVE is an individual who is given guidance and authority to act, to the extent possible, by a named party in a RDRP case. Subsection 29C-8.003(4), F.A.C., sets forth the designation process.

(9) INITIATION LETTER is a letter from a jurisdiction formally identifying a dispute and asking named parties to engage in this process to resolve the dispute and, at a minimum, attend the initial settlement meeting. Subsection 29C-8.010(2), F.A.C., specifies what must be included in an initiation letter.

(10) RESPONSE LETTER formally notifies the initiator and other named parties that a party is willing to participate in the RDRP and, at a minimum, attend at least one settlement meeting. Subsection 29C-8.010(3), F.A.C., specifies what must be included in a response letter.

(11) SETTLEMENT AGREEMENTS may be voluntarily approved by the individual or governing body authorized to bind the named party. Agreements may take the form of memorandums of understanding, contracts, interlocal agreements or other form mutually agreed to by the signatory parties or as required by law. A settlement may be agreed to by some or all of the named parties.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 7-12-94.

29C-8.003 Participation.

(1) Named parties shall automatically be allowed to participate. Other jurisdictions, public or private organizations, groups, or individuals suggested by named parties in response letters or during RDRP meetings or submitting a petition to participate, shall be allowed to become named parties if agreed to by a two-thirds majority of the participating named parties, except as provided for in subsection 29C-8.003(2), F.A.C. Fee allocation agreements may be amended as appropriate.

(2) All initiation and response letters made in accordance with intergovernmental coordination elements (ICE) of local government comprehensive plans shall only list affected local government jurisdictions as named parties. The named parties may, at the initial settlement or at subsequent RDRP meetings, add public or private named parties by mutual agreement of all the current named parties.

(3) Other jurisdictions, public or private organizations, groups or individuals seeking to become named parties shall submit to the North Central Florida Regional Planning Council (Council) a written petition to participate, including reasons for the request and information required in subsection 29C-8.010(2), F.A.C. Such jurisdictions, public or private organizations, groups, or individuals shall become named parties if agreed to by a two-thirds majority of the named parties prior to or during RDRP meetings, except as provided by subsection 29C-8.003(2), F.A.C. Named parties who do not respond within thirty days of the initiation letter may not participate in the RDRP unless they submit a petition for participation.



(4) Each of the jurisdictions, organizations, groups, or individuals participating as named parties in this process shall designate a representative, in writing, or be represented by the chief administrative officer. Such a representative shall have responsibility for representing that party's interest in this process and for maintaining communications with that party throughout the process and, to the extent possible, shall have the authority to act for that party. Jurisdictions are encouraged to designate a representative to participate in the RDRP in advance of initiating or receiving a request.

(5) Any named or neutral party may invite individuals or organizations to attend meetings under this process who (which) can provide information and technical assistance useful in the resolution of the dispute. The parties, by agreement, or the presiding neutral shall determine when and under what circumstances such invited parties may provide input.

(6) All communications by a named party called for in this process shall be submitted to all other named parties and the Council in writing.

(7) All named parties who agree to participate in this process commit to a good faith effort to resolve problems or disputes.

(8) Any named party may withdraw from participation in the RDRP upon written notice to all other named parties and the Council.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 7-12-94.

29C-8.004 Costs.

(1) There shall be no charge for processing a RDRP initiation request and facilitation of the initial settlement meeting. The RPC shall be compensated for situation assessments, facilitation of additional settlement meetings, mediation, technical assistance and other staff services based on reasonable actual costs. Outside professional neutrals shall be compensated at their standard rate or as negotiated by the parties.

(2) The costs of administration, settlement meetings, mediation or advisory arbitration shall be split equally between the named parties or according to another agreed upon allocation. The agreed upon cost allocation shall be documented in a written fee agreement.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 7-12-94.

29C-8.005 Timeframes.

(1) The initial settlement meeting shall be scheduled and held within forty-five days of the date of receipt of the initiation letter at a time and place convenient to the named parties.

(2) Additional settlement meetings, mediation or advisory decision-making shall be completed within sixty days of the date of the conclusion of the initial settlement meeting.



- (3) All timeframes specified or agreed to in this process may be shortened or extended if agreed to by a two-thirds majority of the named parties.
- (4) The parties may, by mutual agreement, utilize procedures in the RDRP in any order.
- (5) Where necessary to allow this process to be effectively carried out, named parties should defer or seek stays of judicial or administrative proceedings.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 7-12-94.

29C-8.006 Administrative Protocols.

The Council may adopt administrative procedures to implement this rule. These may address staff and council roles, procedures for situation assessment, selection of neutrals, consumer guides or other matters. Where required pursuant to Section 120.52, F.S., policies and guidelines should be adopted as rules.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 7-12-94.

29C-8.007 Public Notice, Records, and Confidentiality.

- (1) Named parties should provide appropriate opportunities for public input at each step in this process, such as submitting written or oral comments on issues, alternative solutions and impacts of proposed agreements.
- (2) Applicable public notice and public records requirements shall be observed as required by Chapters 119 and 120, F.S.
- (3) Parties utilizing these procedures agree that no comments, meeting records, or written or oral offers of settlement shall be presented by them as evidence in any subsequent judicial or administrative action.
- (4) To the extent permitted by law, mediation under this process will be governed by the confidentiality provisions of applicable laws, which may include Chapter 44, F.S.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 7-12-94.

29C-8.008 Pre-initiation Meeting.

A jurisdiction, organization, group, or individual contemplating initiation of this process must request an informal pre-initiation meeting with the Council staff in order to ascertain whether the potential dispute would be appropriate for this process.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 7-12-94.



29C-8.009 Situation Assessment.

- (1) A jurisdiction, organization, group, or individual may request that the Council (or other entity if the Council is one of the named parties) perform a situation assessment at any time, before or after initiation of the process.
- (2) The situation assessment may involve examination of documents, interviews and assessment meetings, and shall recommend issues to be addressed, parties that should participate, appropriate resolution procedures, and a proposed schedule.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 7-12-94.

29C-8.010 Formal Initiation of the Process by Jurisdictions.

- (1) A formal process is initiated by an initiation letter from the representative of the governing body of a jurisdiction, other than a regional planning council, to the named parties as provided for in subsections 29C-8.003(1) and (2), F.A.C., and to the Council. The initiation letter must be accompanied by a resolution of the governing body authorizing the specific initiation or by a letter which authorizes its designated representative as defined in this rule to initiate requests utilizing the RDRP.
- (2) Such an initiation letter shall identify the following: the issues to be discussed; the named parties to be involved in the dispute resolution process; the initiating party's representative and others who will attend; and a brief history of the dispute indicating why it is appropriate for this process.
- (3) Named parties shall send a response letter to the Council and all other named parties confirming their willingness to participate in a settlement meeting within thirty days of receipt of the initiation letter. This response letter shall include any additional issues and potential named parties the respondent wishes considered, as well as, a brief history of the dispute and description of the situation from the respondent's point of view.
- (4) Upon receipt of an initiation letter, the Council shall assess its interest in the case. If the Council is a named party or sees itself as a potential party, it shall notify the named parties of the nature of its interest and ascertain whether the parties desire an outside facilitator for the initial settlement meeting.
- (5) The Council may not initiate the RDRP but recommend that a potential dispute is suitable for this process and transmit its recommendation to potential parties who may, at their discretion, initiate the RDRP.
- (6) The Council shall schedule a settlement meeting within thirty days of the date of receipt of the initiation request.
- (7) In the event that a dispute affects jurisdictions involving two or more regions, the process adopted by the region of the initiating jurisdiction shall govern, unless the named parties agree otherwise.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 7-12-94.

Adopted May 23, 1996, Amended August 28, 1997, February 27, 2003 and October 27, 2011



29C-8.011 Requests to Initiate Process Submitted by Others.

- (1) Private interests may request any jurisdiction to initiate the process.
- (2) Any public or private organization, group, or individual may request that the Council recommend use of this process to address a potential dispute in accordance with subsection 29C-8.010(5), F.A.C. Such a request shall be submitted in writing and shall include the information required for an initiation letter as outlined in subsection 29C-8.010(2), F.A.C.
- (3) After reviewing the rationale submitted by and consulting with the requesting organization, group, or individual, the Council will conduct a situation assessment and respond in writing.
- (4) If the Council determines that the potential dispute is suitable for the process, it shall transmit that determination in writing to the potential parties. The determination may include a recommendation that one or more of the jurisdictions among the potential parties initiate the procedure. The Council may also suggest that other, resolution processes be considered.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 7-12-94.

29C-8.012 Settlement Meetings.

- (1) Settlement meetings shall, at a minimum, be attended by the named parties' representatives designated pursuant to subsection 29C-8.003(4), F.A.C.
- (2) Settlement meetings may be facilitated by a Council staff member or other neutral facilitator acceptable to the named parties and shall be held at a time and place acceptable to the named parties.
- (3) At the settlement meeting, the named parties shall consider adding named parties, consider guidelines for participation, identify the issues to be addressed, present their concerns and constraints, explore options for a solution, and seek agreement.
- (4) The named parties shall submit a settlement meeting report in accordance with subsection 29C-8.015(4), F.A.C., of this process.
- (5) If an agreed-upon settlement meeting is not held or a settlement meeting produces no agreement to proceed to additional settlement meetings, mediation or advisory decision-making, any named party who has agreed to participate in this procedure may proceed to a joint meeting of governing bodies pursuant to Chapter 164, F.S., litigation, an administrative hearing or arbitration, as appropriate.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History–New 7-12-94.

29C-8.013 Mediation.

- (1) If two or more of the named parties submit a request for mediation to the Council, the Council shall assist them in selecting and retaining a mediator or the named parties may request that the Council select a mediator.

Adopted May 23, 1996, Amended August 28, 1997, February 27, 2003 and October 27, 2011



(2) All disputes shall be mediated by a mediator who understands Florida growth management issues, has mediation experience and is acceptable to the parties. Named parties may consider mediators who are on the Florida Growth Management Conflict Resolution Consortium rosters or any other mutually-acceptable mediator. Mediators shall be guided by the Standards of Professional Conduct, Florida Rules of Civil Procedure, Rule 10, Part II, Section 020-150.

(3) Named parties shall submit a mediation report in accordance with subsection 29C-8.015(4), F.A.C., at the conclusion of advisory decision-making.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 7-12-94.

29C-8.014 Advisory Decision-making.

(1) If two or more of the named parties submit a request for advisory decision-making to the Council, the Council shall assist the named parties in selecting and retaining an appropriate neutral party or the named parties may request that the Council make the selection.

(2) All disputes shall be handled by a neutral party who understands Florida growth management issues, has appropriate experience and is acceptable to the named parties.

(3) The named parties shall submit an advisory decision-making report in accordance with subsection 29C-8.015(4), F.A.C., of this process.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 7-12-94.

29C-8.015 Settlement Agreements and Reports.

(1) The form of all settlements reached through this process shall be determined by the named parties and may include interlocal agreements, concurrent resolutions, memoranda of understanding, plan amendments, deed restrictions, or other forms as appropriate.

(2) Agreements signed by designated representatives may be in the form of recommendations to the named parties and subject to their formal approval.

(3) Agreements may be reached by two or more parties even if all of the named parties do not agree or do not sign a formal agreement.

(4) After settlement meetings, mediation, or advisory decision-making under this process, the named parties shall submit a joint report to the Council which shall, at a minimum, include:

(a) Identification of the issues discussed and copies of any agreements reached;

(b) A list of potentially affected or involved jurisdictions, organizations, groups, or individuals (including those which may not be named parties);

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- (c) A timeframe for starting and ending informal negotiations, additional settlement meetings, mediation, advisory decision-making, joint meetings of elected bodies, administrative hearings or litigation;
- (d) Any additional Council assistance requested;
- (e) A written fee allocation agreement to cover the costs of RDRP procedures;
- (f) A description of responsibilities and schedules for implementing and enforcing agreements reached. The report shall include any statements that any named party wishes to include.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 7-12-94.

29C-8.016 Other Dispute Resolution Processes.

- (1) The RDRP is a voluntary opportunity for parties to negotiate a mutual agreement. It may be used before, in parallel with, or after judicial or administrative proceedings.
- (2) When appropriate, parties may obtain a stay of judicial or administrative proceedings to provide time for RDRP negotiations.
- (3) Use of the RDRP shall not alter a jurisdiction's, organization's, group's or individual's right to a judicial or administrative determination of any issue if that person is entitled to such a determination under statutory or common law.
- (4) Participation in the RDRP as a named party or in any other way does not convey or limit intervenor status or standing in any judicial or administrative proceedings.
- (5) Other resolution processes that the parties may wish to consider utilizing which exist within Florida Statutes include the following: Intergovernmental Coordination Element, Section 163.3177(h)1. & 2., F.S.; Port Master Plans, Section 163.3178 F.S.; Community Residential Homes, Section 419.001(5) F.S.; Cross Acceptance Negotiation Process, Section 186.505(22) F.S.; Location of Spoil Sites, Section 380.32(14) F.S.; Termination of the Development of Regional Impact Program, Section 380.27, F.S.; Administrative Procedures Act, Chapter 120 F.S.; Florida Governmental Cooperation Act, Chapter 164, F.S.; Mediation Alternatives to Judicial Action, Chapter 44, F.S.

Specific Authority 186.509 FS. Law Implemented 186.509 FS. History—New 7-12-94.



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Appendix B: Glossary of Terms

100-year Floodplain: An area delineated on the Flood Insurance Rate Map series published by the Federal Emergency Management Agency estimated to have a one in 100 chance of flooding in any given year.

Acquire/Public Acquisition: Refers to a variety of ownership forms of real property, including fee simple ownership as well as the ownership of specific rights such as land development rights, mineral rights, and timber rights.

Adverse Transportation Impact: A transportation facility operating below the adopted level of service standard contained in a local government comprehensive plan for transportation facilities which are not part of the Strategic Intermodal System. A transportation facility which is part of the Strategic Intermodal System operating below the adopted level of service standard established by the Florida Department of Transportation.

Affordable Housing: Housing for which annual costs (including utilities, taxes, maintenance, and other associated costs) represents no more than 30 percent of the residing household's annual income.

Aquifer: An underground geologic formation holding ground water.

Assessed Value: The value of real property established by a tax assessor which is used as a basis for determining ad valorem property taxes.

Backlogged Roadway: An unconstrained roadway operating at a level of service below the adopted minimum level of service standards and not programmed for improvement in the first three years of the Florida Department of Transportation adopted work program or the first three years of the five year schedule of improvements in the local government comprehensive plan's capital improvement element. A roadway formally categorized as such in local government comprehensive plans.

Basic Industries: Industries whose products are sold or whose profits are otherwise generated beyond the geographic boundaries of the region. North central Florida basic industries include, but are not limited to, agriculture, educational services, health services, manufacturing, and mining.

Catastrophic Disasters: Disasters that require massive state and federal assistance, including immediate military involvement, such as a category four or five hurricane that hit a densely populated area.

Coastal High Hazard Area: The evacuation zone for a Category 1 hurricane as established in the regional hurricane evacuation study applicable to the local government.

Comprehensive Economic Development Strategy: An economic development plan or strategy for the North Central Florida region developed under guidelines established by the U.S. Department of Commerce. The document is the guiding plan for the activities of the North Central Florida Economic Development District.

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Concurrency Management System: An ongoing mechanism which ensures that public facilities and services needed to support development is available concurrent with the impacts of such development.

Cone of Influence: A depression in the potentiometric surface around a well or spring from which water is withdrawn.

Constrained Roadway: A roadway which cannot be widened or enhanced due to physical constraints. A roadway formally categorized as such in local government comprehensive plans.

Density: An objective measurement of a number of units per unit of area, such as residents or housing units per acre.

Economic Development District: A regional economic development administration district authorized by the U.S. Economic Development Administration that assists local governments within the district with economic development initiatives.

Ecosystem: A functional system that includes the organisms of a natural community together with their environment.

Endangered species: Animal or plant species that are recognized by federal or state agencies as in imminent danger of extinction or expiration.

Estuary: A semi-enclosed coastal body of water having a free connection with the open sea and within which sea water is measurably diluted with fresh water.

Eutrophication: The processes that result in a higher concentration of dissolved nutrients in a water body.

Farm: means any place from which \$1,000 or more of agricultural products were produced and sold or normally would have been sold, during the census year (1992 Census of Agriculture).

First Magnitude Spring: A spring which discharges an average of 100 cubic feet or more of water per second.

First Responders: Individuals which are most likely to be first to respond to the scene of a hazardous material release. First responders typically include fire fighters, policemen, and county sheriff personnel.

Florida Greenways (or Greenways): Florida Greenways are connections linking existing parks, rivers, and wetland systems to create a statewide network of native habitats, open spaces, and linear parks which have been formally recognized as Florida Greenways by the Florida Greenways Commission.

Focal Species: Animal species considered by wildlife biologists to be indicator species of overall ecosystem health. If these species are present in an area, then wildlife biologists are confident that species commonly found in association with the focal species are also present.

Goal: A long-term end toward which programs and activities are ultimately directed.

Gross Rent: The monthly contract rent plus the estimated average cost of utilities (electricity, gas, and water) and fuels (oil, coal, kerosene, wood, etc.) if these are paid for by the renters.

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Ground Water: Water occurring in an aquifer below the surface of the land.

Habitat: The place where an organism lives, and where one would go to find it. It is the place that provides an organism with essential life needs, such as food, water, cover, space, and mates.

Hardwood: Wood from trees such as oaks and beeches used to make lumber.

Hardwood Hammock: A densely wooded upland or wetland community with high plant species diversity, which is dominated by oaks, cabbage palms, or other species of hardwood trees.

Hazardous Material: One of several hundred thousand chemicals for which the U.S. Occupational Safety and Health Administration requires a Material Safety Data Sheet (MSDS). An MSDS is a legal document which details a chemical's synonyms; physical properties; shipping, handling, and storage procedures; and health hazard, first aid, reactivity, fire, and explosion, and spill and leakage data.

Household: One or more persons, related or unrelated, living together in a single housing unit.

Identified Attributes: Selected qualities or characteristics of larger ecosystems or habitats which have been identified, described, and mapped through field surveys by qualified wildlife biologists, botanists, and ecologists as necessary to the survival of self-sustaining populations of representative samples of native Florida animal species, plant species, and habitat types.

Infrastructure: Man-made structures which serve the common needs of the population such as sewage disposal systems, potable water systems, potable water wells serving a system, solid waste disposal sites and retention areas, stormwater systems, utilities, piers, docks, wharves, breakwaters, bulkheads, seawalls, bulwarks, revetments, causeways, marinas, navigation channels, and roadways.

Listed Species: Listed species means an animal species designated as Endangered, Threatened, or Species of Special Concern in Chapter 68A-27.003-68A-27.005, Florida Administrative Code; a plant species designated as Endangered, Threatened, or Commercially Exploited as designated in Chapter 5B-40, Florida Administrative Code, or an animal or plant species designated as Endangered or Threatened in Title 50, Code of Federal Regulations, Part 17.

Low Income Household: A household with an annual income between 50 and 80 percent of the median annual income.

Major Disaster: A disaster that will likely exceed local capabilities and require a broad range of state and federal assistance, such as a hurricane.

Marine League: A unit of linear measure equal to three nautical miles. A nautical mile equals 6,076.12 feet.

Mesic Hammock: An upland natural community characterized as an open canopy forest of widely spaced pine trees with little or no understory, but a dense ground cover of herbs and shrubs.

Minor Disaster: A disaster that is likely to be within the response capabilities of local government and to result in only a minimal need for state and federal assistance, such as a tropical storm.

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Moderate Income Household: A household with an annual income between 80 and 120 percent of the median annual income.

Monthly (Home)owner Costs: The sum of payments for mortgages, deeds of trust, contracts to purchase or similar debts on the property (including payments for the first mortgage, second or junior mortgages, and home equity loans); real estate taxes; fire, hazard and flood insurance on the property; utilities (electricity, gas, and water); and fuels (oil, coal, kerosene, wood, etc.). It also includes, where appropriate, the monthly condominium fee for condominiums and mobile home costs (personal property taxes, site rent, registration fees, and license fees) for mobile homes.

Natural Resource of Regional Significance: A natural resource or system of interrelated natural resources, that due to its function, size, rarity or endangerment retains or provides benefit of regional significance to the natural or human environment (27E-5.002(4), Florida Administrative Code). Natural resources of regional significance may be referred to as "regionally significant resources" in state law and other Strategic Regional Policy Plans.

Noninstitutionalized Civilian Labor Force: Persons age 16 and over, excluding inmates of institutions and military personnel, classified as "employed" or "unemployed" by the U.S. Census Bureau.

Noninstitutionalized Civilian Labor Force Participation Rate: The percentage of noninstitutionalized civilians age 16 and over who are either employed or are seeking employment.

Occupation: A craft, trade, or profession, or other means of earning a living. The occupational classification system developed for the 1990 Census, which consists of 500 specific occupational categories for employed persons arranged into six summary and 13 major occupational groups. This classification was developed by the U.S. Census Bureau to be consistent with the Standard Occupational Classification Manual: 1980, published by the Office of Federal Statistical Policy and Standards, U.S. Department of Commerce.

Overcrowding: A dwelling unit with more than 1.0 persons (residents) per room.

Paratransit: Those elements of public transit which provide service between specific origins and destinations selected by the individual user with such service being provided at a time that is agreed upon by the user and the provider of the service. Paratransit service is provided by taxis, limousines, 'dial-a-ride' buses, and other demand-responsive operations that are characterized by their nonscheduled, nonfixed route nature (341.031(5), Florida Statutes (1993)).

Policy: A way by which programs and activities are conducted to achieve identified goals.

Poverty Threshold (or Poverty Level/Line): As defined by the U.S. Census Bureau. The average poverty threshold for a family of four was \$12,674 in 1989. Poverty thresholds were applied on a national basis and were not adjusted for regional, state, or local variations in the cost of living. For a fuller discussion of poverty thresholds, see U.S. Department of Commerce, Bureau of the Census, 1990 Census of Population, Social and Economic Characteristics, Florida, Section 2 of 3, pages B-27 through B-29, Washington, D.C., 1992.



Projects that Promote Public Transportation: Projects that directly affect the provisions of public transit, including transit terminals, transit lines and routes, separate lanes for the exclusive use of public transit services, transit stops (shelters and stations), office buildings or projects that include fixed-rail or transit terminals as part of the building, and projects which are transit oriented and designed to complement reasonably proximate planned or existing public facilities.

Public Facilities: Transportation systems or facilities, sewer systems or facilities, solid waste systems or facilities, drainage systems or facilities, potable water systems or facilities, educational systems or facilities, parks and recreation systems or facilities and public health systems or facilities.

Public Transit: The transporting of people by conveyances, or systems of conveyances, traveling on land or water, local or regional in nature, and available for use by the public. Public transit systems may be either governmentally owned or privately owned. Public transit specifically includes those forms of transportation commonly known as 'Paratransit' (341.031(6), Florida Statutes (1993)).

Recharge: The process whereby rain water or surface water seeps into the ground and enters an aquifer.

Regional Indicator(s): Associated with regional goals. A statement of baseline information against which progress can be measured in the region's five-year evaluation and appraisal report.

Regulatory Environment: All government plans, goals, policies, standards, and regulations which directly or indirectly affect land and land development.

Regional Road Network: Road segments identified in Table 5.10 of the North Central Florida Strategic Regional Policy Plan. The Regional Road Network also includes all intersections contiguous to the road segments identified in Table 5.10. of the North Central Florida Strategic Regional Policy Plan.

Rookery: The nesting or breeding grounds of gregarious (i.e., social) birds or mammals; also a colony of such birds or mammals.

Salary-income Range: A salary-income range is a subset of an income class (i.e., Very Low-income, Low-income, Moderate-Income, or Above Moderate-income). An income class is comprised of multiple salary-income ranges. A salary-income range spans a maximum range of \$2,500. Salary-income range is used in Development of Regional Impact housing analysis.

Sandhill Community: An upland natural community located on a well-drained, natural elevation, ridge, or rolling ridges of sand characterized as a forest of widely spaced pine trees with a sparse understory of turkey oaks and a dense ground cover of grasses and herbs.

Second Magnitude Spring: A spring which discharges between ten and 100 cubic feet of water per second.

Significant and Adverse Transportation Impact: A transportation impact which is both an adverse transportation impact and a significant transportation impact.

Significant Transportation Impact: When traffic from a Development of Regional Impact uses 5.0 percent or more of the adopted peak hour level of service maximum service volume of a transportation facility.



Silviculture: A branch of forestry dealing with the establishment, development, reproduction, and care of forest areas.

Softwood: Wood from trees such as pine trees used to make paper and similar products.

Stream-to-sink Watersheds: Drainage basins containing one or more sinkholes which, in some cases, have direct connection to the Floridan Aquifer.

Storm Surge: The rise in sea water level accompanying the approach of a hurricane. The extent of storm surge varies with the strength of the hurricane, coastal topography, and tides. Storm surge is compounded by wind-driven wave action on top of the surge water level.

Storm Water Runoff: Water that originates from the drainage of land surfaces after a rain event.

Submergence: The act of covering or overflowing with water.

Suwannee River System: The Suwannee River and its major tributaries (i.e., the Alapaha, Ichetucknee, Santa Fe, and Withlacoochee rivers).

Taxable Value: That portion of the assessed value of real property which is taxed for purposes of valorem property taxation.

Tenure: The ownership status of housing unit residents. Residents are typically classified by the U.S. Census Bureau as either owners or renters.

Third Magnitude Spring: A spring which discharges one to 10 cubic feet of water per second.

Trace: A course or path.

Transportation Demand Management: Strategies designed to reduce the number of trips made by single occupancy vehicles and enhance the regional mobility of all citizens. These strategies include but are not limited to encouragement and enhancement of traditional ridesharing (carpooling and vanpooling), public transportation, alternative work hours (flextime, compressed work week, etc.), non-motorized transportation (bicycle and pedestrian modes), priority of preferential parking for ride-sharers, and development and implementation of shuttle services. Also included in the promotion of telecommuting programs.

Transportation Disadvantaged: Those persons who because of physical or mental disability, income status, or age are unable to transport themselves or to purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities, or children who are handicapped or high risk or at-risk as defined in s.411.202, Florida Statutes, (427.011(1), Florida Statutes (1993)).

Transportation Management Organization: An organization which is formed by private organizations such as local businesses, corporate employers, and developers and sometimes partnered with local, regional, or state agencies to address community transportation problems.



Urban Development Area: A mapped area on a local government comprehensive plan future land use map which identifies areas planned for future urban development. Sometimes referred to as a Designated Urban Development Area or an Urban Service Area in local government comprehensive plans.

Very Low Income Household: A household with an annual income below 50 percent of the median annual income.

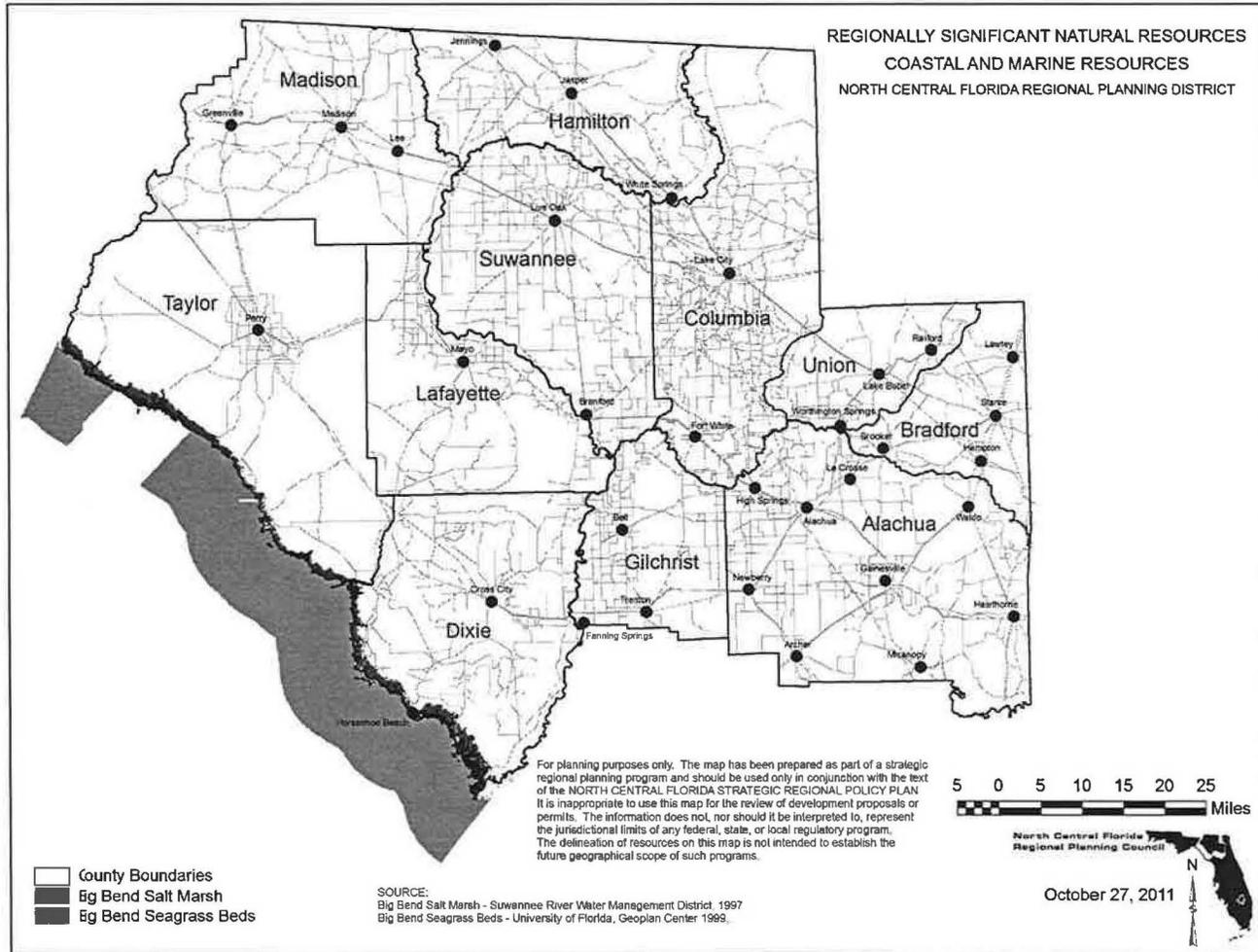
Vulnerable Zone: An area where the estimated chemical concentration from an accidental release is at a level where people's health could be adversely impacted during a worst-case release.

Wetland: An area which has hydric soils and hydrophilic vegetation where the ground is saturated for a portion of the year.



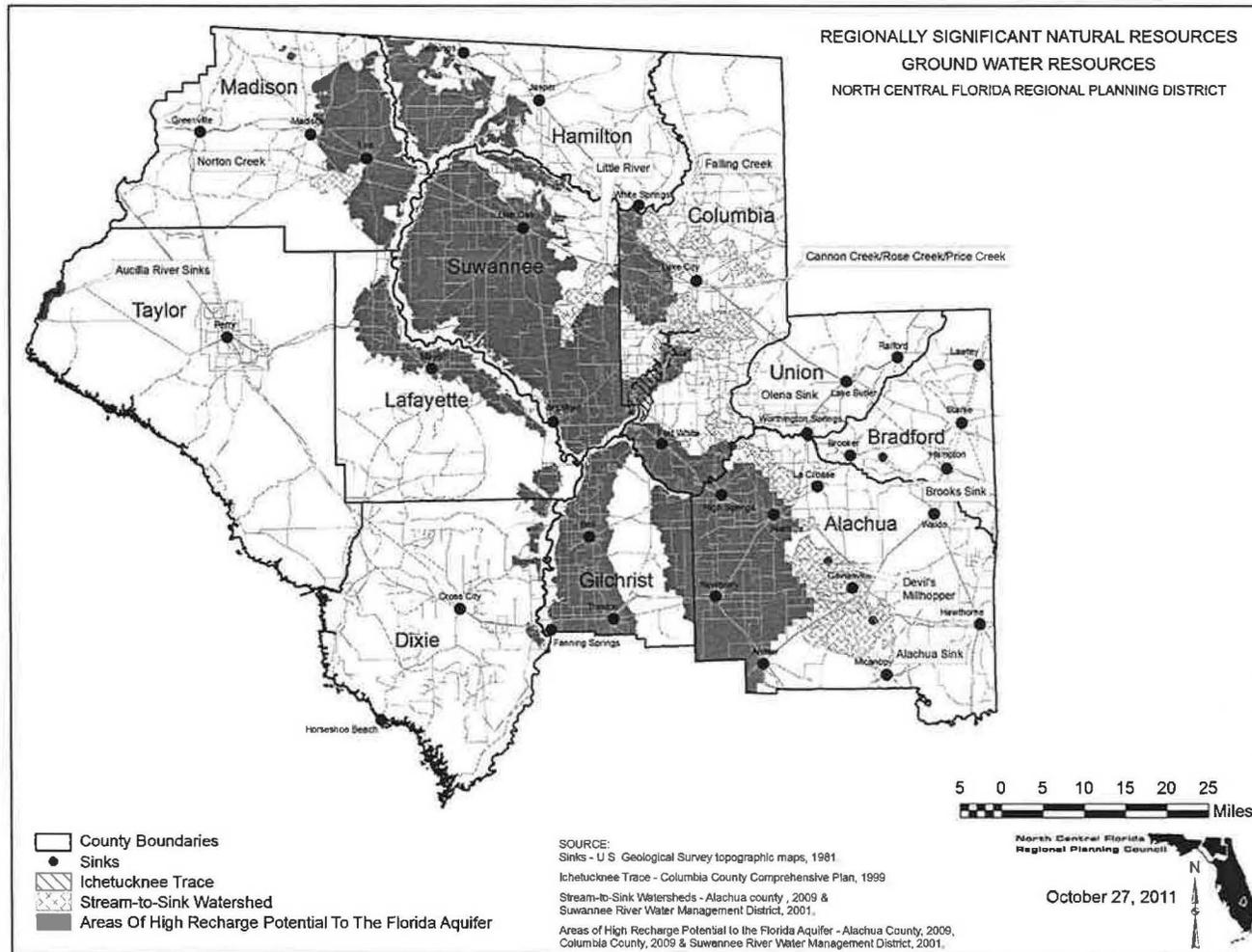
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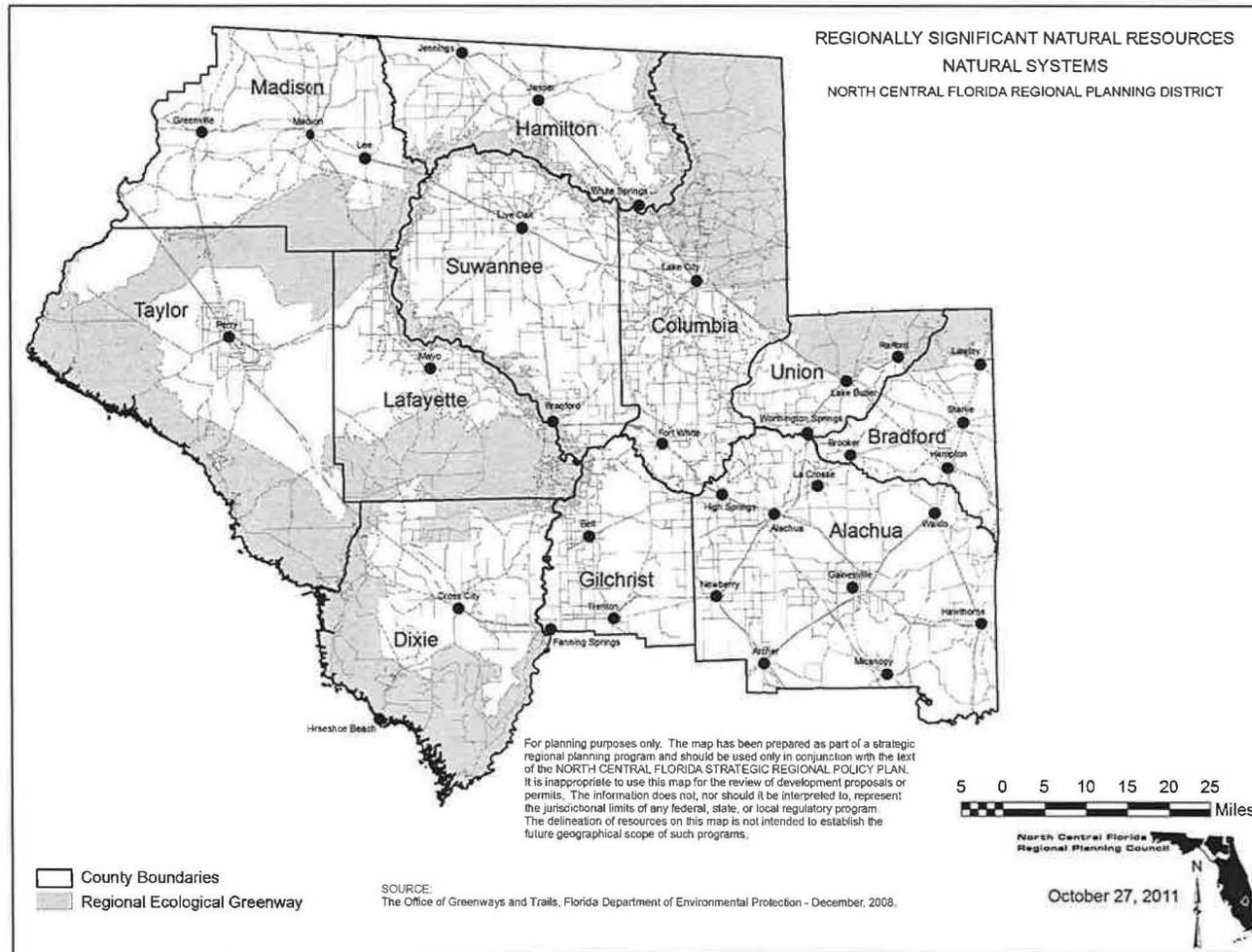
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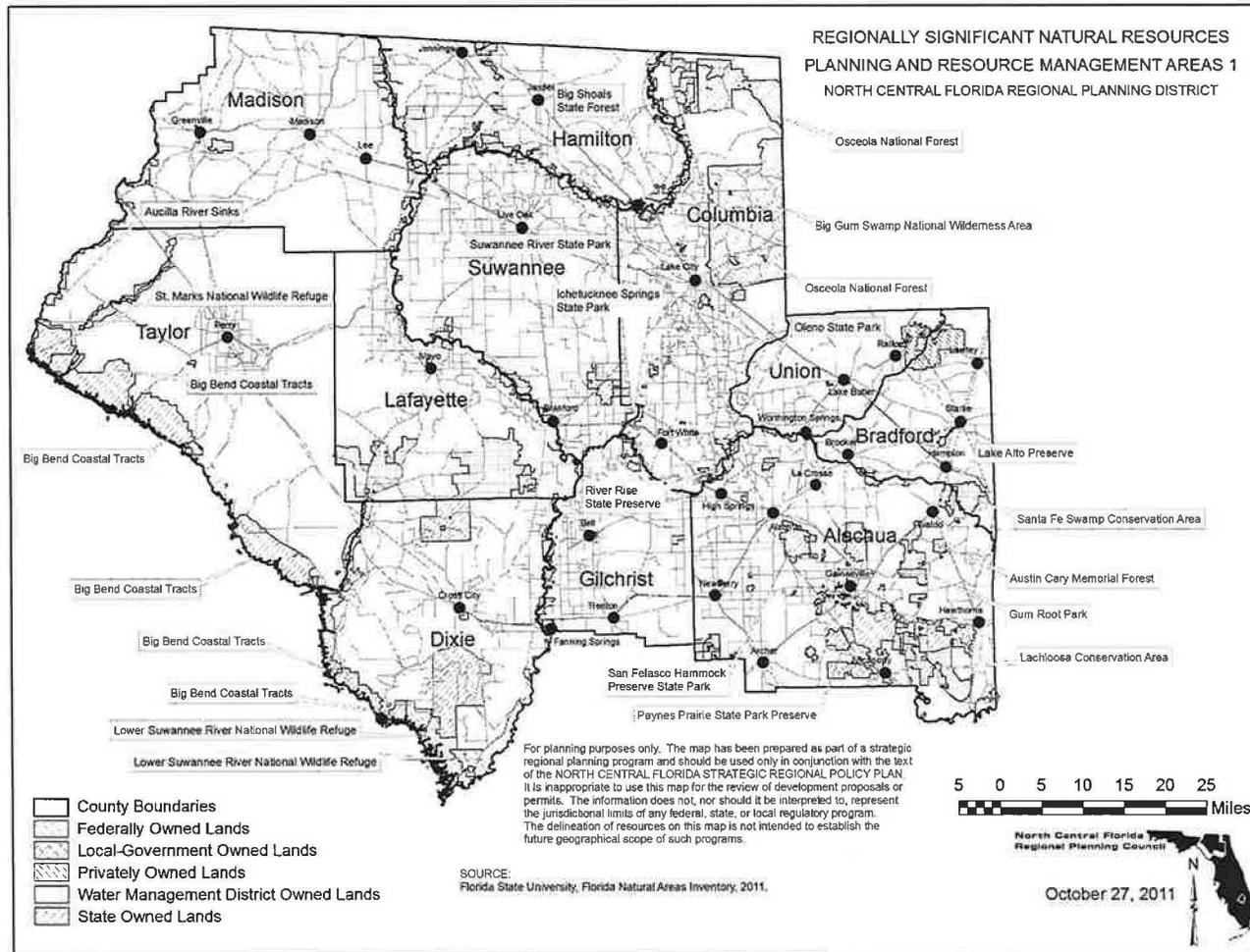
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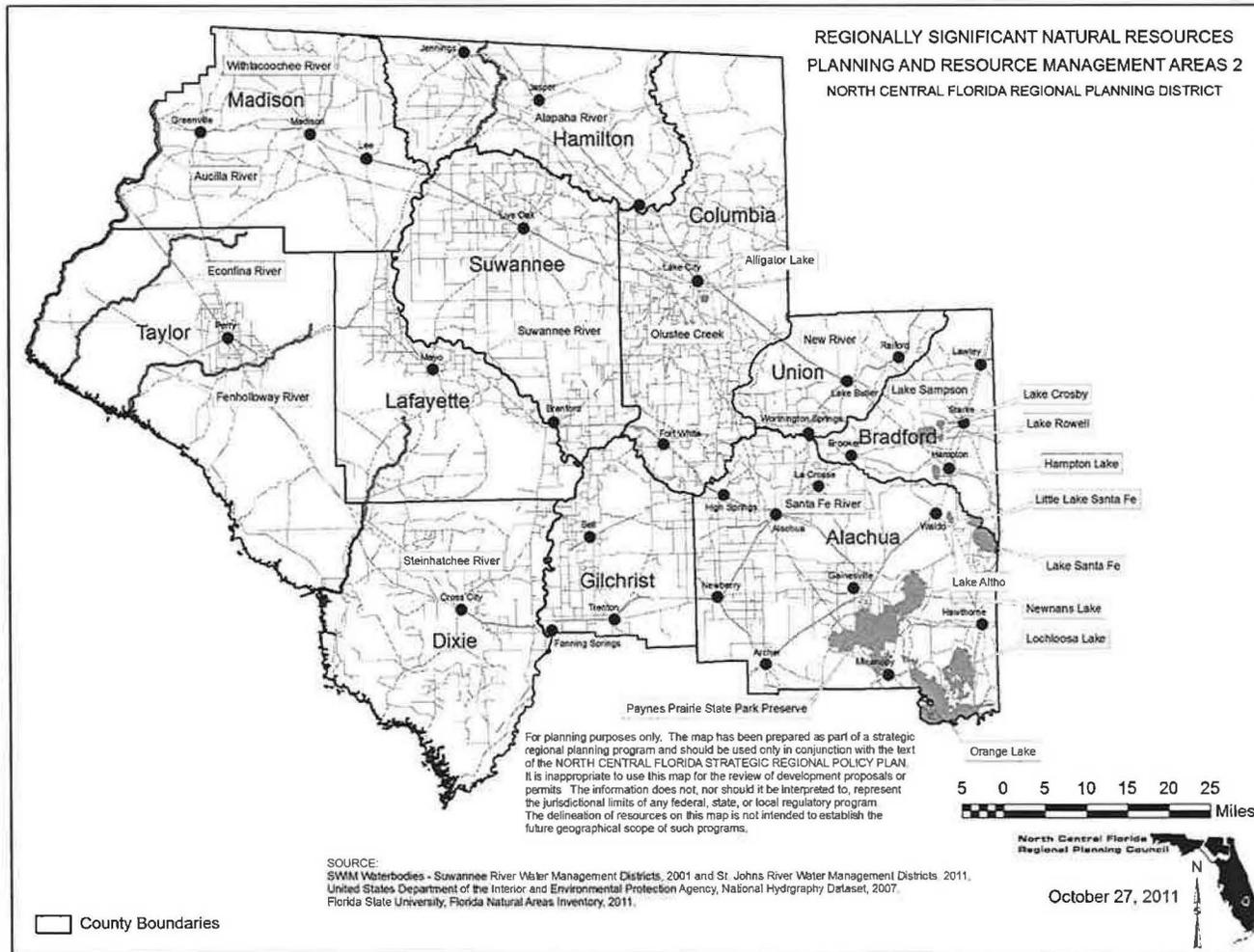
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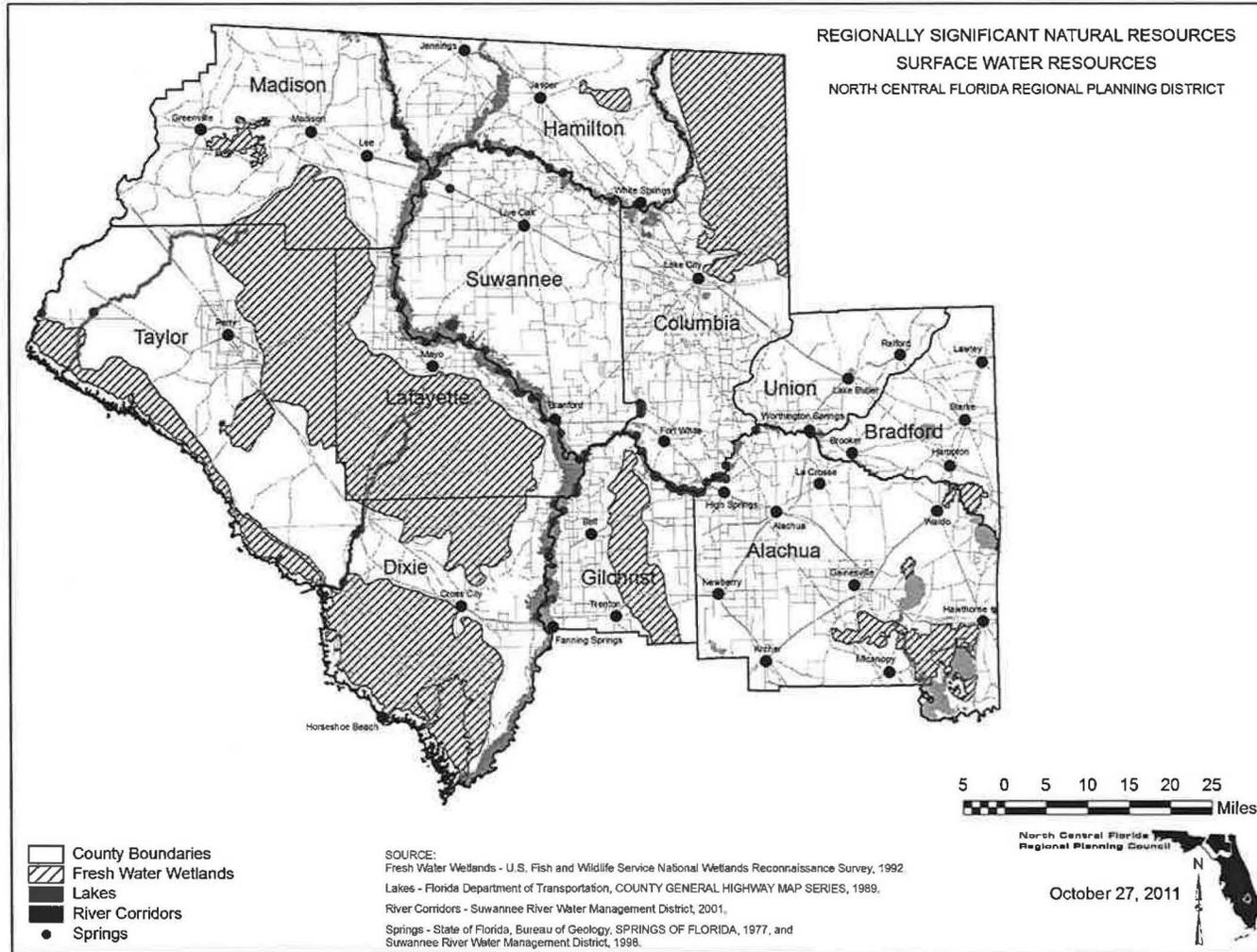
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