

NORTH CENTRAL FLORIDA REGIONAL PLANNING COUNCIL
MINUTES

Holiday Inn Hotel & Suites
Lake City, Florida

March 24, 2011
7:30 p.m.

MEMBERS PRESENT

Stephen Bailey, Columbia County
Alphonso Dowdell, City of Perry
Roy Ellis, Madison County
Sandra Haas, Suwannee County
Thomas Hawkins, City of Gainesville
Eddie Martin, Alachua County
Charles Maulsby, Taylor County
James Montgomery, Columbia County
Ronny Morgan, Hamilton County
Garth Nobles, Jr., City of Live Oak
Andrew Smith, Union County
Kenrick Thomas, Gilchrist County
Lorene Thomas, Dixie County
Myra Valentine, City of Madison
Wesley Wainwright, Suwannee County
Charles Williams, Hamilton County

OTHERS PRESENT

Jordon Green, FL Dept. of Transportation
LaBarfield Bryant, Jasper City Councilman
George Haas
Faith Smith
Tim Smith, St. Johns River Water
Management District

EX-OFFICIO MEMBERS PRESENT

None

COUNCIL ATTORNEY PRESENT

None

MEMBERS ABSENT

Adeniyi Aderibigbe, Lafayette County
David Biddle, Gilchrist County
Susan Baird, Alachua County
Ben Boukari, Jr., City of Alachua
Mike Byerly, Alachua County
Thomas Collett, Alachua County
Louie Davis, City of Waldo
Paula DeLaney, Alachua County
Rusty DePratter, Columbia County
David Dodge, Bradford County
Donnie Hamlin, Lafayette County
Scherwin Henry, City of Gainesville
Jason Holifield, Dixie County
Ann Lessman, City of Jasper
Harry Nichols, City of Newberry
Warren Nielsen, City of Gainesville
Frank Ogborn, City of Archer
Lee Pinkoson, Alachua County
Lauren Poe, City of Gainesville
Eleanor Randall, City of Hawthorne
Daniel Riddick, Bradford County
Carolyn Spooner, City of Starke
James Tallman, Union County
Randy Wells, City of Gainesville
Mark Wiggins, Taylor County
Byran Williams, City of High Springs
Mike Williams, Madison County
Stephen Witt, City of Lake City

STAFF PRESENT

Steve Dopp
Carmelita Franco
Scott Koons
Jean Strong

Board Members names are bolded
Gubernatorial Members names are italicized

I. INVOCATION, PLEDGE OF ALLEGIANCE AND INTRODUCTIONS

Vice Chair Eddie Martin called the meeting to order at 7:34 p.m., with an invocation given by Myra Valentine and the pledge of allegiance to the flag. Vice Chair Martin stated that there was a quorum of the Board and all Council members were able to vote.

Vice Chair Martin introduced and welcomed Councilman LaBarfield Bryant from the City of Jasper, George Haas, husband of Council member Sandra Haas, Faith Smith, wife of Council member Andrew Smith and Tim Smith from the St. Johns River Water Management District.

Vice Chair Martin asked that Item V.B.3 Hamilton County Comprehensive Plan Draft Amendments, be added to the agenda.

ACTION: Commissioner Ellis made the motion, with a second by Commissioner Valentine to add Item V.B.3 - Hamilton County Comprehensive Plan Draft Amendments to the agenda. The motion carried unanimously.

II. APPROVAL OF MINUTES - February 24, 2011

Vice Chair Martin asked that the minutes of the February 24, 2011 meeting be approved as written.

ACTION: Mr. Smith made the motion, with a second by Commissioner Ellis, to approve the minutes of the February 24, 2011 meeting as written. The motion carried unanimously.

III. CONSENT AGENDA

- A. Purchase Order with Apalachee Regional Planning Council to Assist with Conducting a Regional Interoperable Communications Exercise
- B. Purchase Order with Northeast Florida Regional Council to Assist with Evaluating a Regional Interoperable Communications Exercise

Vice Chair Martin asked if there were any questions regarding the items on the Consent Agenda and requested that these items be approved.

ACTION: Commissioner Bailey made the motion, with a second by Mr. Smith, to approve the items on the Consent Agenda. The motion carried unanimously.

IV. CHAIR'S REPORT

- A. Introduction of New Members

Vice-Chair Martin reported that there were no new members to introduce.

- B. Resolution of Appreciation - Robert Krames

Vice Chair Martin asked that a Resolution of Appreciation for past services to the Council be approved for Robert Krames who served as a Gubernatorial Representative from Alachua County.

ACTION: Mr. Smith made the motion, with a second by Commissioner Ellis, to approve the Resolution of Appreciation for Robert Krames. The motion carried unanimously.

V. COMMITTEE REPORTS

A. Executive Committee - U. S. Economic Development Administration
Congressional Dear Colleague Letter

Scott Koons, Executive Director, reported that during the recent Congressional debate on Continuing Resolution 1 concerning federal Fiscal Year 2010-11 domestic discretionary funding, the U. S. House of Representatives passed an amendment introduced by Congressman Mike Michaud of Maine to restore a proposed \$80 million cut from the U. S. Economic Development Administration budget. The amendment passed with overwhelming bipartisan support by a vote of 305 yeas to 127 nays. All four members of the north central Florida region Congressional delegation, Congresswoman Corrine Brown, Congressman Ander Crenshaw, Congressman Steve Southerland and Congressman Cliff Stearns, voted in favor of restoring the funding.

Mr. Koons further reported that Congressman Michaud recently circulated a Dear Colleague letter asking members of the U. S. House of Representatives to continue to support the U. S. Economic Development Administration through the on-going negotiations for the final Fiscal Year 2010-11 spending bill.

ACTION: Mr. Smith made the motion, with a second by Mr. Maultsby, to authorize the Chair to send letters to the U. S. House of Representative members of the north central Florida Congressional delegation asking them to sign Representative Michaud's Dear Colleague letter supporting continued funding for the U. S. Economic Development Administration in Fiscal Year 2010-11. The motion carried unanimously.

B. Clearinghouse Committee

Commissioner Thomas Hawkins gave the Clearinghouse Committee report. He reported that the Clearinghouse Committee met earlier in the evening with a quorum present and reviewed two local government comprehensive plan amendments and one local government Comprehensive Plan Evaluation and Appraisal Report.

#75 - Town of Micanopy Draft Evaluation and Appraisal Report

Commissioner Hawkins stated that the Clearinghouse Committee found the comprehensive plan, if amended as recommended by the Evaluation and Appraisal Report, will remain consistent with the regional plan. However, he stated that the Committee may reach different conclusions for the specific comprehensive plan contained as part of any future evaluation and appraisal report-based amendment. The

Committee recommends forwarding these finding to the Town and Florida Department of Community Affairs as regional comment.

ACTION: Commissioner Hawkins made the motion, with a second by Commissioner Wainwright, to approve the Clearinghouse Committee recommendations concerning Item #75, Town of Micanopy Draft Evaluation and Appraisal Report. The motion carried unanimously.

#76 - Madison County Comprehensive Plan Adopted Amendment

Commissioner Hawkins stated that the Clearinghouse Committee found the comprehensive plan, as amended, remained consistent with the regional plan. The Committee recommends forwarding this finding to the County and the Florida Department of Community Affairs as regional comment.

ACTION: Commissioner Hawkins made the motion, with a second by Commissioner Wainwright, to approve the Clearinghouse Committee recommendation concerning Item #76, Madison County Comprehensive Plan Adopted Amendment. The motion carried unanimously.

#80- Hamilton County Comprehensive Plan Draft Amendments

Commissioner Hawkins stated that the Clearinghouse Committee found that if the comprehensive plan was amended as proposed, it would remain consistent with the regional plan. Nevertheless, the Committee recommends forwarding one Objection and Recommendation on County item CPA 10-2 regarding potential adverse impacts to a segment of the regional road network. The Committee also recommends the preparation of an Objections, Recommendations and Comments Report on County item CPA 10-2 to address the concern of the Committee. The Committee recommends forwarding these findings to the County and the Florida Department of Community Affairs as regional comment.

ACTION: Commissioner Hawkins made the motion, with a second by Commissioner Wainwright, to approve the Clearinghouse Committee recommendations concerning Item #80, Hamilton County Comprehensive Plan Draft Amendments. The motion carried unanimously.

C. Program Committee - 2011-12 Overall Program Design

The Program Committee met earlier in the evening to review a draft of the Overall Program Design for coming year. This document is to be used as the basis for the development of a budget and is also to provide give instruction to staff as to the work which is to be done during the next year. There are no changes in the Overall Program Design which include new programs not previously discussed and /or approved by the Council. Except for editorial changes, the document is essentially the same as the current year edition.

The Program Committee anticipates recommending the Overall Program Design to the Council for adoption at the May 26, 2011 Council meeting.

D. Proposed Evaluation and Appraisal Report-based Amendments to the North Central Florida Strategic Regional Policy Plan

Steven Dopp, Senior Planner, gave a PowerPoint presentation concerning the proposed amendments to the North Central Florida Strategic Regional Policy Plan.

Mayor Nobles, Regional Planning Committee Chair, reported that at its January 28, 2010 meeting, the Council voted to forward proposed amendments to the North Central Florida Strategic Regional Policy Plan to state agencies, regional agencies, and local governments for review and comment prior to adoption by the Council. Pursuant to Florida Statutes, state agencies, regional agencies and local governments had 30 days to submit comments to the Executive Office of the Governor, who in turn had an additional 30 days to forward its findings and recommendations to the Council. Similarly, local governments had an additional 30 days to submit their findings and recommendations directly to the Council.

Mayor Nobles further reported that no comments or recommendations were received from the Executive Office of the Governor or from local governments. However, several state and regional agencies sent to the Council copies of their comments to the Executive Office of the Governor. Additionally, comments were received from affected parties and individuals. The Regional Planning Committee completed its review of the comments and recommendations at its February 27, 2011 meeting. The Committee recommends additional proposed amendments to the January 28, 2010 proposed amendments based on its review of comments received. The Committee also recommends a staff-initiated request to amend proposed Regional Policy 4.2.5 and to add a new proposed Policy 4.2.6 which provides clarifying language regarding oil and gas drilling. The Committee further recommends amendments to background statement tables and text reflecting the latest available information regarding coastal evacuation times from the 2010 Statewide Regional Evacuation Study for the North Central Florida Region as well as traffic service volumes and level of service projections from the Florida Department of Transportation for the Regional Road Network.

Therefore, the Committee recommended that the Council authorize the initiation of the rule making process, pursuant to Chapter 120, Florida Statutes, to adopt the proposed amendments to the Regional Plan as revised by the Regional Planning Committee.

Tim Smith, Senior Assistant General Counsel, St. Johns River Water Management District, expressed concerns of the district regarding the proposed North Central Florida Strategic Regional Policy Plan interbasin transfer of water policies.

ACTION: Mayor Nobles made the motion, with a second by Mr. Montgomery, to authorize the proposed amendments in response to state and regional agency comments as recommended by the Regional Planning Committee to the proposed Evaluation and Appraisal Report-based amendments to the North Central Florida Strategic Regional Policy Plan and authorize the initiation of the rule making process pursuant to Chapter 120, Florida Statutes, to adopt the proposed amendments to the Regional Plan. The motion carried unanimously.

VI. EXECUTIVE DIRECTOR'S REPORT

A. Legislative Report

Budget

Mr. Koons, reported that the Florida Department of Community Affairs budget request for Fiscal Year 2011-12 submitted to Governor Crist last fall included an appropriation request of \$2.5 million for all 11 regional planning councils. This is the same level of funding provided in the Fiscal Year 2010-11 appropriation. The Council's estimated share of these funds would be approximately \$179,000.

Mr. Koons further reported that Governor Scott released his proposed \$65.8 billion budget for Fiscal Year 2011-12 on February 7, 2011. The proposed Fiscal Year 2011-12 budget represents a (\$4.6 billion) reduction from the current \$70.4 billion Fiscal Year 2010-11 budget. The Governor's budget does not include any appropriation request for regional planning councils. The Council's estimated share of eliminating funding for regional planning councils for Fiscal Year 2011-12 would be (\$179,000).

Regional Planning Councils

Mr. Koons reported that Senate Bill 1910 relating to regional planning councils has been filed by Senator Diaz de la Portilla. The bill repeals any and all functions of and references to regional planning councils in 19 statutes, including Chapter 163, Local Government Comprehensive Planning and Land Development Regulations Act concerning local government comprehensive plan amendment reviews, Chapter 186, State and Regional Planning Act concerning strategic regional policy plans and Chapter 380, Land and Water Conservation Act concerning developments of regional impact. As of this date, there is no House companion bill and the Senate bill has not been referred to any committees.

Florida Department of Community Affairs

Mr. Koons stated that last year the Legislature continued the two-year agency sunset review of the Department to this legislative session. The sunset process will either reauthorize the Department as presently constituted, reorganize the duties and responsibilities of the Department, or abolish the Department.

Mr. Koons also stated that Governor Scott's Fiscal Year 2011-12 budget proposal includes the transfer of the Division of Emergency Management from the Florida Department of Community Affairs to the Governor's Office. The budget proposal also includes the transfer of the Division of Community Planning from the Florida Department of Community Affairs to the Florida Department of Environmental Protection. The Division currently includes 58 positions. After the proposed transfer of the Division, it would only have 10 positions and a diminished role in growth management focusing on areas of critical state concern, developments of regional impact and military base land use compatibility.

Mr. Koons also reported on March 11, 2011, the Senate Budget Subcommittee on Transportation, Tourism and Economic Development Appropriations released a draft bill relating to governmental reorganization by creating a new State agency called Jobs

Florida. This new agency would house community development, economic development and workforce programs. The agency would be directed by a new position called Commissioner of Jobs Florida. In particular,

- the Division of Community Planning, Division of Housing and Community Development and the Florida Housing Finance Corporation would be transferred from the Florida Department of Community Affairs to Jobs Florida;
- the Division of Emergency Management would be transferred from the Florida Department of Community Affairs to the Governor's Office;
- the Florida Building Commission would be transferred from the Florida Department of Community Affairs to the Florida Department of Business and Professional Regulation;
- the Florida Communities Trust and Working Waterfronts Program would be transferred from the Florida Department of Community Affairs to the Florida Department of Environmental Protection;
- the Agency for Workforce Innovation, the Office of Unemployment Compensation and the Office of Workforce Services would be transferred to Florida jobs; and
- the Office of Tourism, Transportation and Economic Development would be transferred from the Governor's Office to jobs Florida.

Growth Management - House Community and Military Affairs Subcommittee

Mr. Koons stated that the House Community and Military Affairs Subcommittee released a working draft for a bill to amend existing growth management laws. The bill renames Chapter 163, the Local Government Comprehensive and Land Development Regulation Act, the Community Planning Act and

- repeals Chapter 9-J5, Florida Administrative Code, Minimum Criteria for Review of Local Government Comprehensive Plans and Plan Amendments, Evaluation and Appraisal Reports, Land Development Regulations and Determinations of Compliance;
- repeals the twice a year limitation on regular comprehensive plan amendments, limits State and regional agency review to specific areas of jurisdiction;
- repeals the dense urban land areas of 1,000 person per square mile that exempted certain counties and cities, including the City of Gainesville, from the development of regional impact process and transportation concurrency;
- makes transportation and school concurrency optional;
- makes the pilot alternative comprehensive plan amendment process the standard process applicable to all counties and cities; and

- makes the pilot sector planning process for areas of 15,000 acres or more available to all counties and cities.

Growth Management - House Bill 7001

Mr. Koons stated that House Bill 7001 relating to amendments to existing growth management laws have been filed by Representative Workman, Chair of the House Community and Military Affairs Subcommittee. The bill reenacts the provisions of State Bill 360 currently subject to a legal challenge relating to dense urban land areas with a density of 1,000 persons per square mile which exempts such areas from the development of regional impact review process and transportation concurrency. This provision only applies to the City of Gainesville in the north central Florida region.

Growth Management - Senate Bill 360

Mr. Koons stated that as previously reported, three bills have been filed in the Senate to address the ongoing Senate Bill 360 litigation. The provisions of Senate Bill 360 have been divided into three subject areas - Senate Bill 174, growth management, Senate Bill 176, affordable housing and Senate Bill 172, security cameras. If passed, these three bills would cover the existing law in Senate Bill 360 in the event that the State loses the lawsuit. In particular, Senator Bennett, Chair of the Senate Community Affairs Committee, has filed Senate Bill 174, which re-enacts provisions relating to dense urban land areas with a density of 1,000 persons per square mile and exempts these areas from the development review process.

Growth Management - Century Commission

Mr. Koons stated that as previously reported, Senate Bill 232 relating to the Century Commission for a Sustainable Florida, also has been filed by Senator Bennett. The bill would reorganize the existing Century Commission by providing that the chair be elected from the members in lieu of being appointed by the Governor and revise the planning time frames to include a 10-year horizon.

Growth Management - Senate Bill 1512/House Bill 1427

Mr. Koons stated Senate Bill 1512 filed by Senator Bennett and House Bill 1427 filed by Representative Davis concerns military installation and airport land use compatibility requirements, provides that amount of land required to accommodate anticipated growth in local comprehensive plans may not be limited solely by projected population and addresses the calculation of proportionate-share contribution for transportation facilities.

Growth Management - Senate Bill 1122

Mr. Koons stated Senate Bill 1122, filed by Senator Bennett, extends the deadline to December 1, 2013 for a local government to comply with the annual update of the financial feasibility requirement for the capital improvements element of its comprehensive plan and provides for the establishment of autonomous planning areas where comprehensive plan amendments would be exempt from state and regional review.

Growth Management - Impact Fees

Mr. Koons reported Senate Bill 410, filed by Senator Bennett and House Bill 7021 filed by Representative Hooper requires that should an impact fee ordinance be challenged, the local government must show by a preponderance of evidence that the imposition or amount of the fee meets the requirements of state legal precedent. The bill effectively prohibits the court from using the deferential standard of review for the local government decision, the fairly debatable standard, when evaluating the legality of an impact fee ordinance.

Growth Management - Alternative Comprehensive Plan Amendment Review and Sector Plans

Mr. Koons stated that as previously reported, the Florida Department of Community Affairs released a growth management legislative proposal which has mostly been included in the House Community and Military Subcommittee work draft for a growth management bill. The proposal would streamline the comprehensive plan amendment review process by making the current pilot alternative expedited comprehensive plan amendment review process, established in 2007, the standard uniform process applicable to all cities and counties. The pilot alternative expedited comprehensive plan amendment review process is currently in effect in Broward and Pinellas Counties and the Cities of Jacksonville, Hialeah, Miami and Tampa.

Mr. Koons further reported under the conventional review process, the time period for state review is 136 days. Under the alternative, expedited review process, the time period for state review is reduced to 65 days or 71 less days than the conventional review process. The alternative, expedited review process strongly encourages state review to focus on issues of regional or statewide resources.

B. Foley Master Development of Regional Impact Status Report

Mr. Koons stated that on November 5 and November 12, 2009, a pre-application conference was held with the applicant and review agencies for the master development of regional impact to begin the review process. The Foley Timber and Land Company intend to submit an application for Master Development Approval for the Foley Master Development of Regional Impact. The project is located in Taylor County and is designed to implement the Taylor County Vision 2060.

Mr. Koons stated a Master Development of Regional Impact is intended for projects consisting of multiple Developments of Regional Impact covering an extended period of time. A Master Development Agreement between the Council, the local government, and the Applicant specifies that increments of the project will be reviewed for regional impacts similar to a traditional development of regional impact, ensures that anticipated regional impacts are adequately addressed and clearly defines specific information requirements for the review of subsequent project increments.

Mr. Koons further reported the revised development is anticipated to consist of 32,710 residential dwelling units, 2,686,400 square feet of retail commercial, 1,318,900 square feet of office, 650,000 square feet of industrial/warehousing, 1,250 hotel rooms, a 600-bed hospital and educational/institutional uses.

Mr. Koons stated transportation methodology meetings were held with the applicant and review agencies on December 1, 2009 and December 17, 2009. Following the December 17, 2009 transportation methodology meeting, the County had received from the Florida Department of Community Affairs the Objections, Recommendations and Comment Report concerning the County Evaluation and Appraisal Report amendments which include portions of the Taylor County Vision 2060. Based upon the Objections, Recommendations and Comment Report, the applicant had requested that future transportation methodology meetings not be scheduled until the County responds to the objections raised by the Florida Department of Community Affairs in the Objections, Recommendations and Comment Report. The County recently responded to the Objections, Recommendations and Comment Report and adopted Evaluation and Appraisal Report amendments. The final transportation methodology meeting was held on September 8, 2010. The Master Development Agreement among the applicant, County and Council concerning the review process was approved by the Council on October 28, 2010.

Mr. Koons further reported on December 8, 2010, in accordance with the transportation methodology, a meeting attended by the applicant, County representatives, state agencies and Council staff was held to review pass-by trips, background traffic and modeling for trip distribution and assignment of project trips. The applicant has indicated that they still anticipate submitting the Application for Master Development Approval for sufficiency review within the next few months.

C. Regional Planning Council Functions and Programs

Mr. Koons stated the Florida Regional Councils Association Executive Directors Advisory Committee has recently prepared the attached two-page summary of regional planning council functions and programs. It highlights the diverse activities of regional planning councils, including economic development, emergency preparedness, homeland security, community planning and local government assistance.

Mr. Koons further reported the summary states that regional planning councils are Florida's only multipurpose regional entities that plan for and coordinate intergovernmental solutions on multi-jurisdictional issues, support regional economic development and provide assistance to local governments. It notes that a regional approach promotes vibrant economies and realizes cost savings through economies of scale. The summary also states that every dollar invested by the State through annual appropriation in regional planning councils generates 11 dollars in local, federal and private direct investment to meet regional needs.

D. 1000 Friends of Florida Growth Management Reports

Mr. Koons stated that 1000 Friends of Florida, founded in 1986 as a not for profit corporation, promotes healthy urban and natural places by wise management of growth and change. They educate, advocate, negotiate and, when necessary, litigate to protect our high quality of life and help citizens have the technical knowledge and access needed to ensure that public and private decisions lead to livable communities. Their planners, attorneys and community activists work to protect natural areas, fight urban sprawl, promote sensible development patterns, and provide affordable housing.

Mr. Koons further reported during December 2010, 1000 Friends of Florida, along with some of Florida's leading conservation groups worked to present some consensus recommendations for improving growth management. This group included Audubon of Florida, Clean Water Action, Defenders of Wildlife, Everglades Foundation, Florida Wildlife Federation, The Nature Conservancy, Sierra Club, National Parks Conservation Association and Tropical Audubon Society. As a result of this effort, 1000 Friends of Florida published two pamphlets concerning growth management and planning.


Mr. Koons informed the Council that the first pamphlet, *Planning for Quality Growth and Economic Prosperity for Florida's Future*, focuses on reducing Florida Department of Community Affairs oversight within developed areas in exchange for more emphasis on protecting remaining natural areas and major state interests. The second pamphlet, *Why Planning is an Effective Economic Development Tool for Florida*, describes the economic advantages of a statewide comprehensive planning process.

E. North Central Florida Rural Planning Network

Mr. Koons reported that a meeting of the North Central Florida Rural Planning Network will be held on April 22, 2011. The North Central Florida Rural Planning Network includes the 10 rural counties of the north central Florida region and Baker, Jefferson, Levy and Putnam Counties. These meetings are in response to suggestions and requests from planners in the region to develop a network of rural planners. The meeting will be hosted by Lafayette County and co-sponsored by the Council.

Mr. Koons stated the guest speakers who will be participating in the workshop are Charles Houder, Assistant Executive Director of the Suwannee River Water Management District, Brian Kauffman, Facilities Director of the R.O. Ranch Equestrian Park and a representative from the Florida Division of Forestry. The meeting will be held at the R.O. Ranch Equestrian Park in Lafayette County.

Vice Chair Martin informed the Council that the next Council meeting will be held on April 28, 2011 at the Holiday Inn Hotel & Suites in Lake City. The meeting was adjourned at 8:40 p.m.



Louie Davis, Chair

4/28/11

Date