

Comprehensive Plan Evaluation & Appraisal Report

November, 2006



Okaloosa County Comprehensive Plan

EVALUATION & APPRAISAL REPORT

Prepared by

**Okaloosa County Department of Growth Management
Planning and Zoning Division**

2000 - 2006

November, 2006

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Acknowledgements

Okaloosa County expresses appreciation to the following for assistance toward the preparation of this report.

Dr. David Goetsch, Okaloosa-Walton College
Crestview Area Chamber of Commerce
Niceville-Valparaiso Chamber of Commerce
Greater Fort Walton Beach Chamber of Commerce
Destin Area Chamber of Commerce
Okaloosa County Economic Development Council

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Chapter 1

Chapter 1 – Introduction and Profile

a. Purpose of the EAR

The Evaluation and Appraisal Report (EAR) is required by Section 163.3191, Florida Statutes. As stated therein *The planning program shall be a continuous and ongoing process. Each local government shall adopt an evaluation and appraisal report once every 7 years assessing the progress in implementing the local government's comprehensive plan.*

As expressed in the statute the EAR process is intended to:

respond to changes in state, regional, and local policies on planning and growth management and changing conditions and trends, to ensure effective intergovernmental coordination, and identify major issues regarding the community's achievement of its goals;

identify major issues with input from state agencies, regional agencies, adjacent local governments, and the public in the EAR process, and;

serve as a summary audit of the actions that a local government has undertaken and identify changes that it may need to make.

The purpose of the EAR is to evaluate the County's Comprehensive Plan so as to determine how well the County is meeting the goals, objectives, and policies expressed in the Plan, including those issues that need to be addressed to meet the expectations of the citizenry, as well as the tools and resources that may be available to address the issues raised by the community.

The anticipated outcome of the EAR process is to: 1) create a composite set of major issues regarding future growth needs that the county can use to update it's Comprehensive Plan; 2) evaluate the effectiveness of the current Plan toward addressing these issues, and 3) provide recommendations for amendments to the Plan that will assist in resolving the major issues raised.

b. "Blackwater" – Then and Now, A Brief History of Okaloosa County

Okaloosa County was created from portions of Santa Rosa County and Walton County in 1915, establishing it as Florida's 52nd county. A young state representative from Walton County, William Henry Mapoles, was to become known as the "father of Okaloosa County" for the role he played in the formation of the County.*

Mapoles introduced a bill during the 1913 legislative session proposing the creation of a new county. This bill passed the House, but died in the Senate. The bill was re-introduced and was passed on June 3, 1915 subject to referendum by the voters in the districts affected. A special election was held on September 7, 1915 and the measure was passed by voter margins of 4 to 1 in Walton County and 2 to 1 in Santa Rosa County.*

The first suggested name for the new county was Yellow River County, but was later changed to Wilson County, most likely because Woodrow Wilson was President at that time. The name finally agreed upon is said to be derived from the Native American words "oka" and "lusa" which loosely translates into "blackwater."*

Milligan was established as the temporary county seat, however, this was not a popular choice due to the town's proximity to the Yellow River in an area known to flood. An election was held on March 6, 1917 to determine whether Laurel Hill, Baker, or Crestview would become the county seat. A runoff election was required between Crestview and Baker which was held on April 3, 1917 resulting in Crestview becoming the permanent county seat.*

The legal description for the newly created county has not changed since 1915 as follows.

Beginning on the Alabama state line where same is intersected by range line dividing ranges twenty-five and twenty-six west; thence east on said line to the Gulf of Mexico; thence in a westerly direction following the meanderings of said gulf within the jurisdiction of the State of Florida, to the line dividing ranges twenty-five and twenty-six west; thence north on said range line to the place of beginning; providing that the counties of Escambia, Santa Rosa, and Okaloosa shall have concurrent jurisdiction of any offenses committed on the waters of Santa Rosa Sound (Section 7.46, Florida Statutes).

Okaloosa County is located in Northwest Florida with Santa Rosa County to the West, Walton County to the East, the State of Alabama to the North, and the Gulf of Mexico to the South. Geographically, the county covers 1082 square miles, of which 935.60 square miles is land area and 146.40 square miles is water area. The population density is approximately 194 persons per square mile.

The county is bisected by Eglin federal reservation which encompasses the center area. The county also includes a significant portion of the Blackwater River State Forest located on its western edge.

Collectively, these large federal and state landholdings effectively remove a sizable area of the county from potential development. Other major geographic features include Choctawhatchee Bay and associated bayous, Yellow River, Shoal River, and associated drainage basins and tributaries.

*Taken from: The Heritage of Okaloosa County, Florida, Heritage Publishing Consultants, Inc., 2004.

Chapter 2

Chapter 2 – Technical Support Information

a. Changes in Population

Changes in estimated population during the period 1980 - 2005 are shown on Table 2.1. Changes in current population estimates compared to population estimates used to prepare the adopted Comprehensive Plan are shown on Table 2.2.

TABLE 2.1
Population Estimates 1980 - 2005

<u>1980</u>	<u>% change</u>	<u>1990</u>	<u>% change</u>	<u>2000</u>	<u>% change</u>	<u>2005</u>
109,920	30%	143,777	18.5%	170,498	5%	180,400

Source: Population Estimates, University of Florida, Bureau of Economic and Business Research

The preceding figures show that the county population grew at an average annual rate of 3% for the period 1980 to 1990, 1.85% for the period 1990 to 2000, and 1% for the period 2000 to 2005.

Comparison of Population Estimates

Comprehensive Plan Technical Document
TABLE 2.2

<u>1980</u>	<u>1990</u>	<u>2000</u>	<u>2010</u>	<u>2020</u>
115,741	143,746	179,392	211,794	249,500

Source: Comprehensive Plan, Technical Document, 1998

Current Population Estimates

<u>1980</u>	<u>1990</u>	<u>2000</u>	<u>2010</u>	<u>2020</u>
109,920	143,777	170,498	197,800	223,100

Source: Population Estimates, UF, BEBR, 2003

Comparison of the preceding figures indicates that the population estimates presented in the comprehensive plan technical document were somewhat high when compared to the actual BEBR figures.

Other general population demographics for 2004 are: RACE- 82.2% White, 9.6% Black, 2.9% Asian, 4.2% Hispanic; DENSITY: 194 persons per square mile; AVERAGE HOUSEHOLD SIZE: 2.5 persons per household; MEDIAN AGE: 36.6.

b. Changes in Land Area

The legal description for Okaloosa County is prescribed at Section 7.46 Florida Statutes (see Chapter 1). The overall boundaries of the county set forth in that legal description have not changed since the county was created in 1915. The jurisdictional area of the county relative to growth management and development regulations, that is to say, the unincorporated area subject to the county's Comprehensive Plan and Land Development Code has changed as a result of municipal annexations into the various incorporated cities. By law, the county is responsible for planning and development regulation only in the unincorporated area outside city limits. Likewise, the various cities are responsible for planning and development regulation for the area inside their various city limit boundaries.

Areas annexed from the county into a city for the period 2000 - 2005 are shown on Map 2.1.

c. Vacant land for future development

As previously mentioned, Okaloosa County is effectively bisected by the Eglin federal reservation. This results in two distinct and different geographic areas generally referred to as "south county" and "north county."

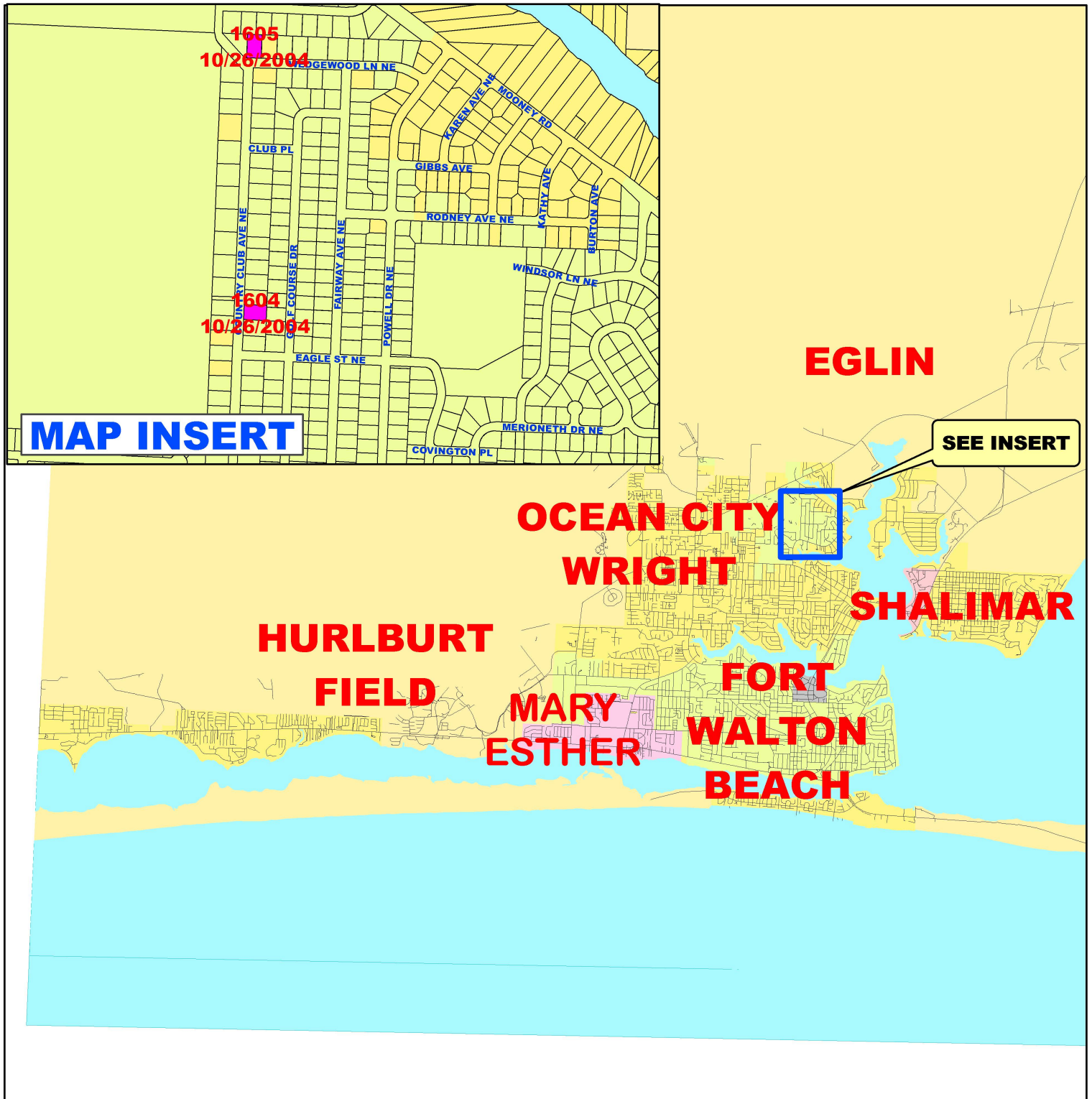
South County

South county includes the Fort Walton Beach/Destin/Mary Esther/Shalimar/Ocean City/Cinco Bayou metro area and the Niceville/Valparaiso metro area located south of the Eglin Reservation. There is generally very little vacant land of any size available for development in the south county. The vacant land that does exist is scattered in small parcels about the area with relatively no large, contiguous vacant areas remaining. Most of the vacant areas that do exist are generally only marginally suitable for development, hence the reason they are still vacant, but are becoming more desirable due to simple supply and demand. There is also an increasing trend in the south county toward redevelopment of older areas and structures. Generalized vacant land areas in south county are shown on Map 2.2.

Development constraints in south county include lack of available land for new development and traffic capacity.

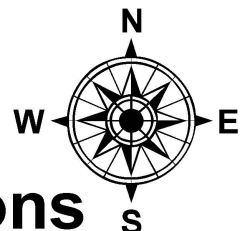
North County

North county is the area located north of the Eglin Reservation. In contrast to the south county situation there are substantial areas of vacant and undeveloped lands in the north county, as well as substantial areas of agricultural lands. These vacant lands include large landholdings under single ownership such as Haisel Timber, Shoal River Ranch, and Hart's "Pasture" among others. Generalized vacant lands are shown on Map 2.3, these do not include lands classified as "Agriculture" by the county Property Appraiser. Large landholdings over 1,000 acres are shown on Map 2.4.

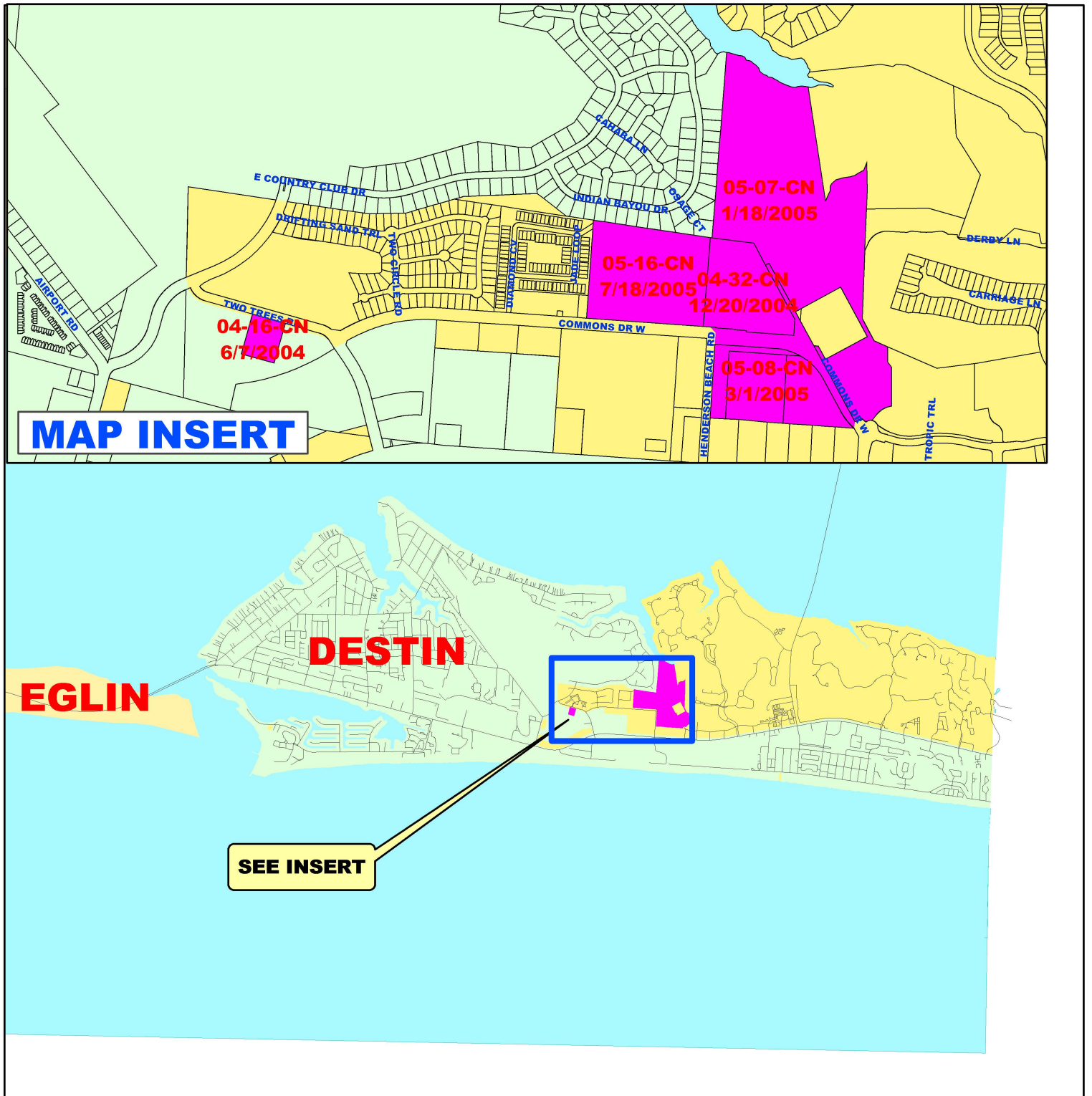


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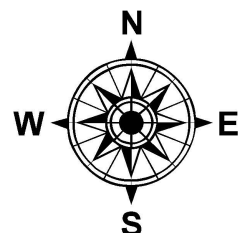
- | | |
|--|---|
| FFWB | Parcels |
| Unincorporated | Parcels Annexed |
| Mary Esther | Roads |
| Eglin AFB | |

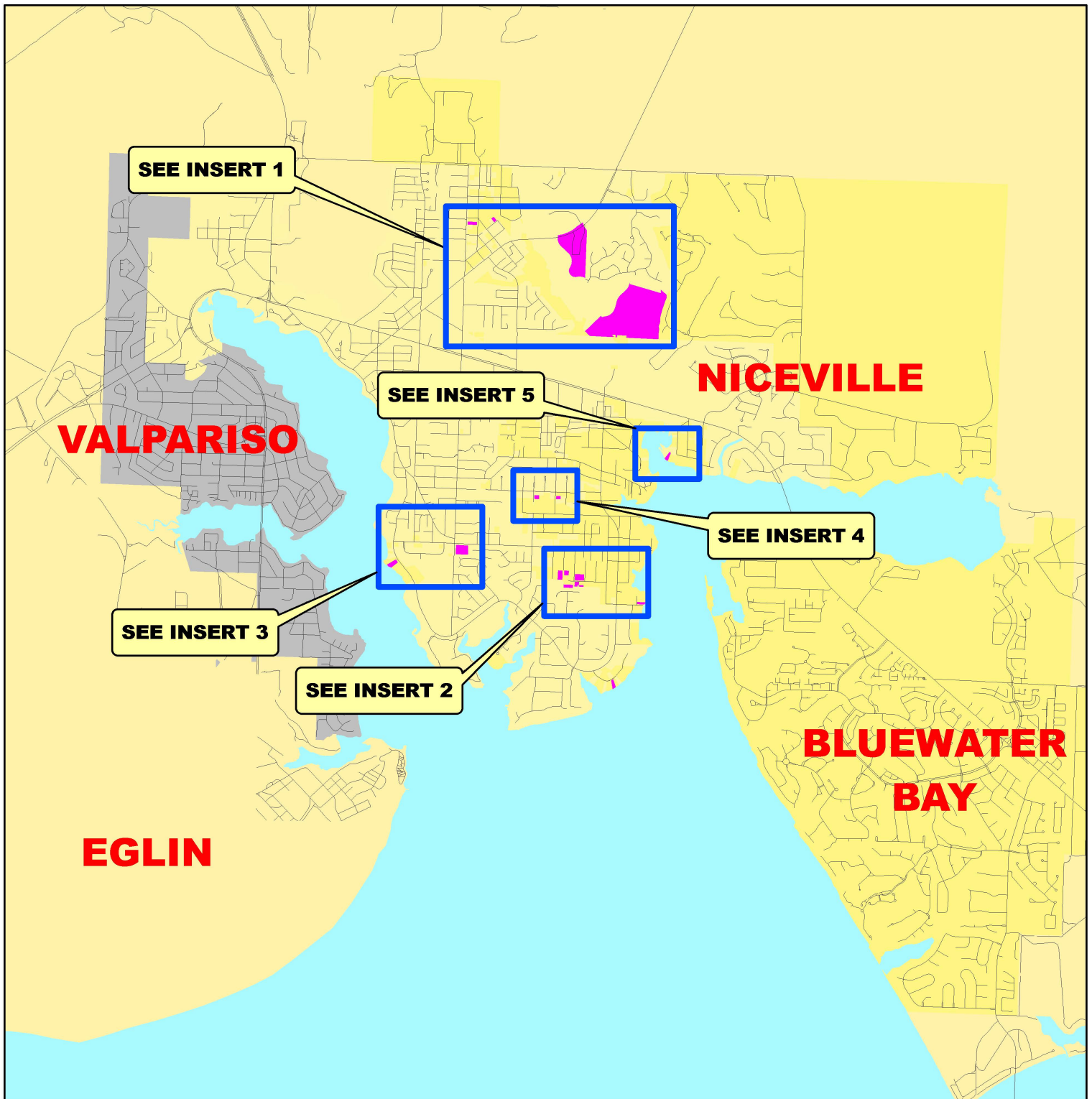


Map 2.1 Fort Walton Beach Annexations



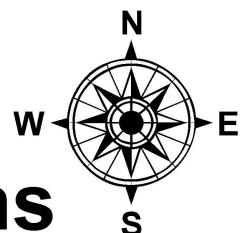
Map 2.1 Destin Annexations



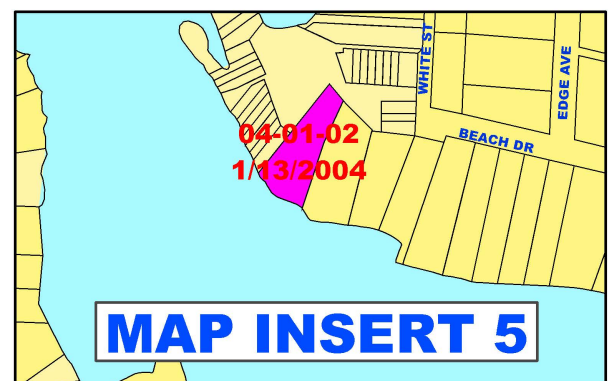
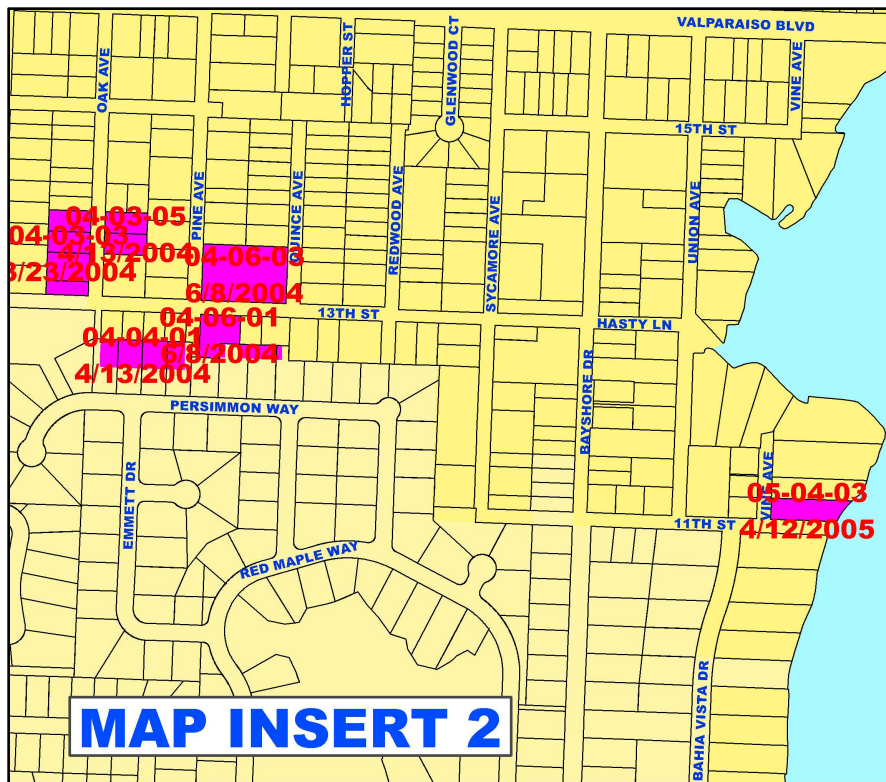
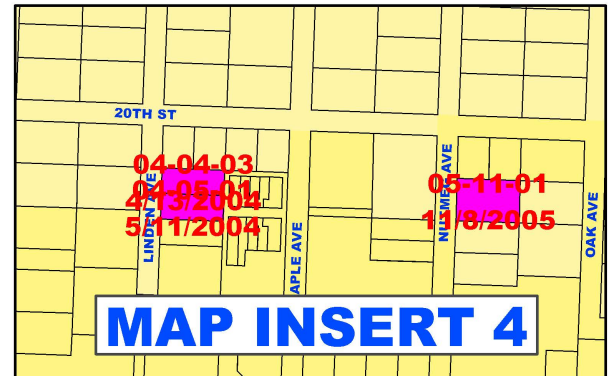
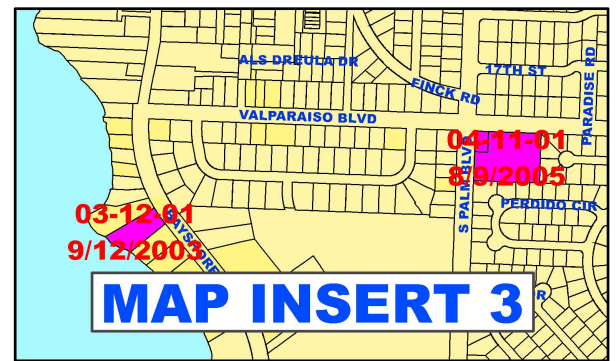
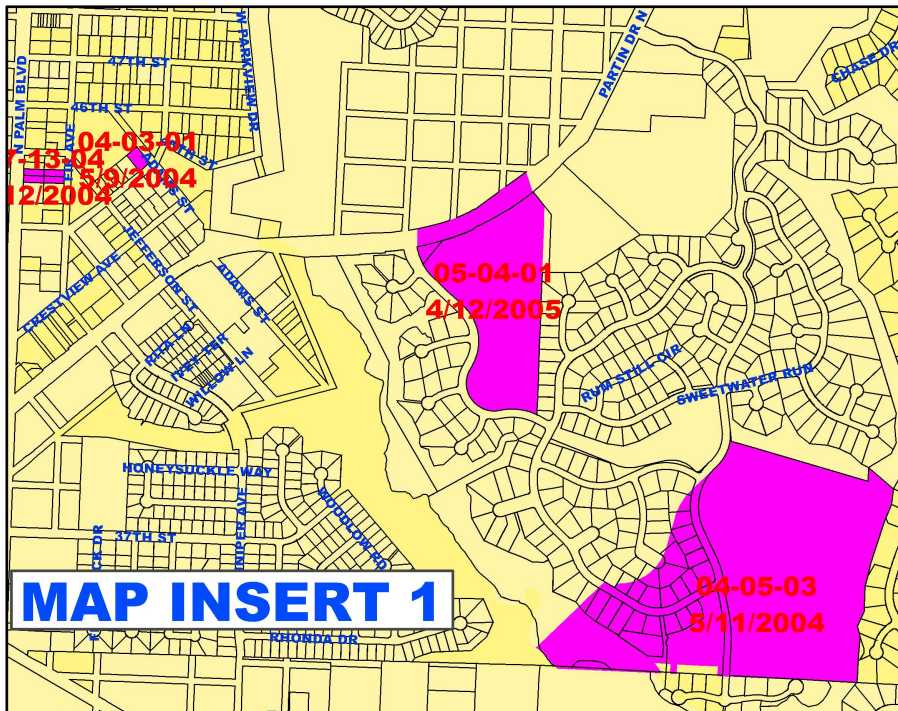


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	Niceville		Parcels
	Unincorporated		Parcels Annexed
	Valpariso		Roads
	Eglin AFB		



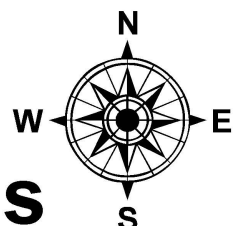
Map 2.1 Niceville Annexations

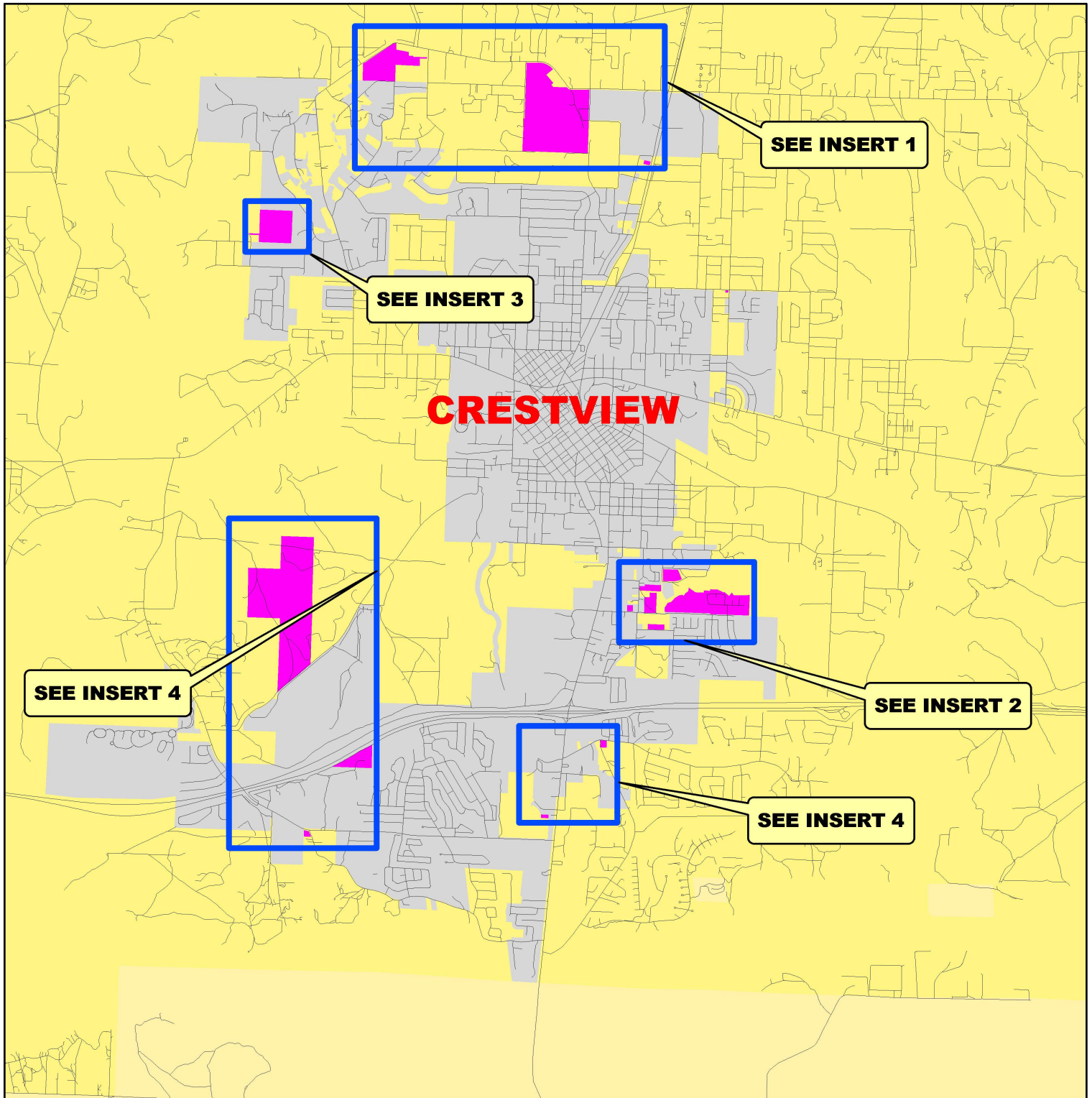


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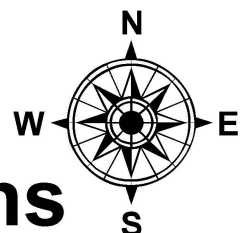
Niceville	Parcels
Unincorporated	Parcels Annexed
Valpariso	Roads
Eglin AFB	

Map 2.1 Niceville Annexations

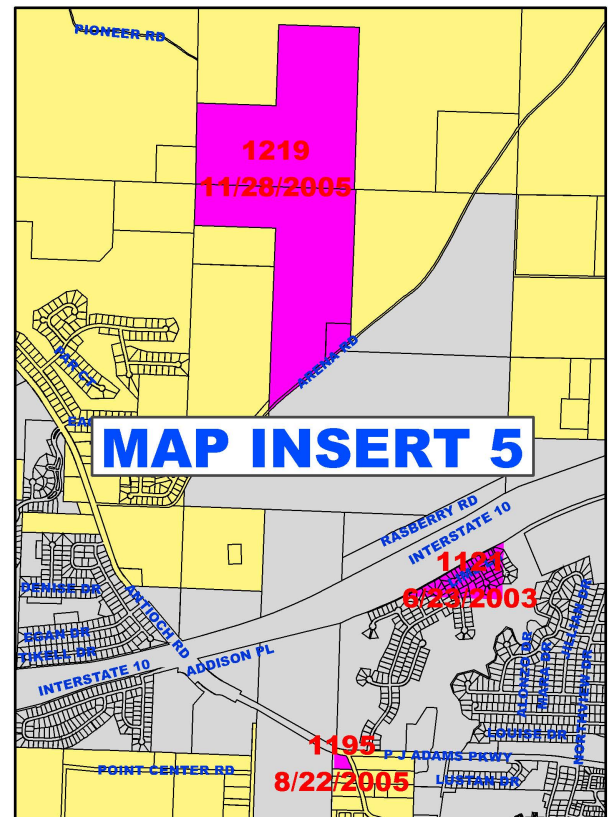
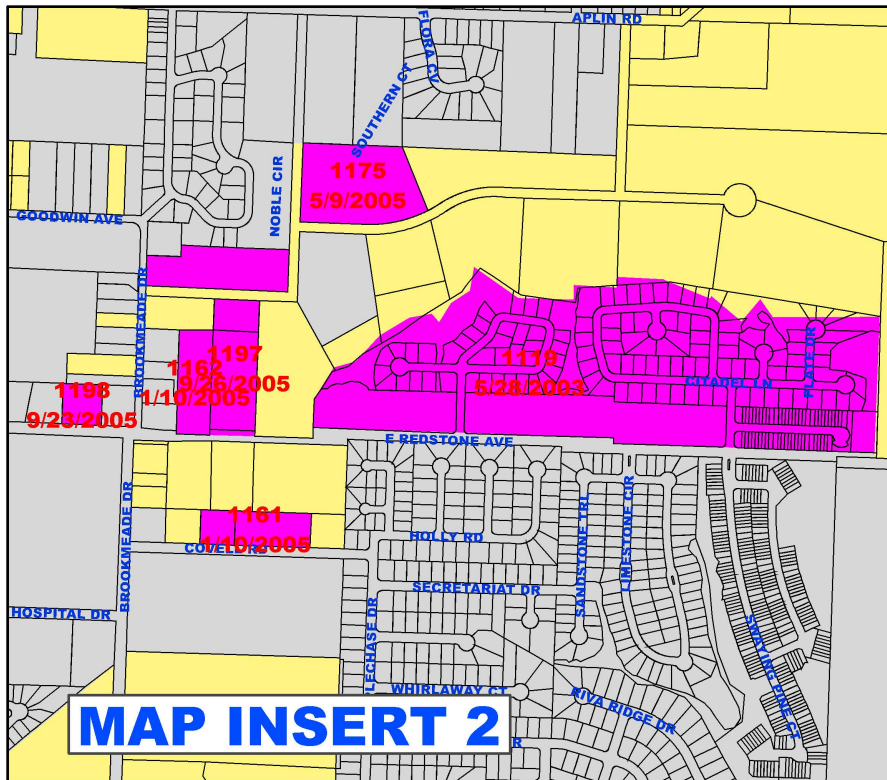
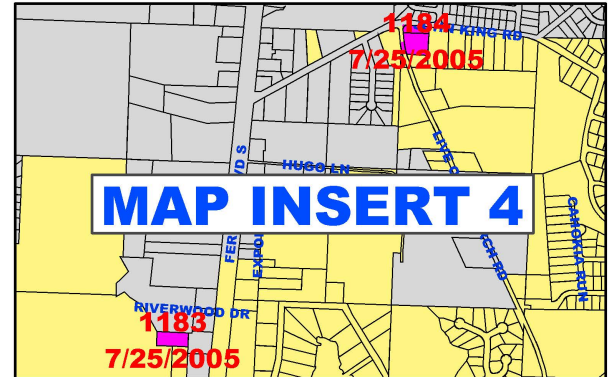
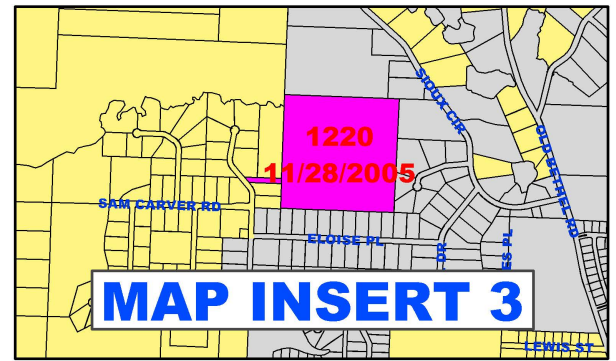
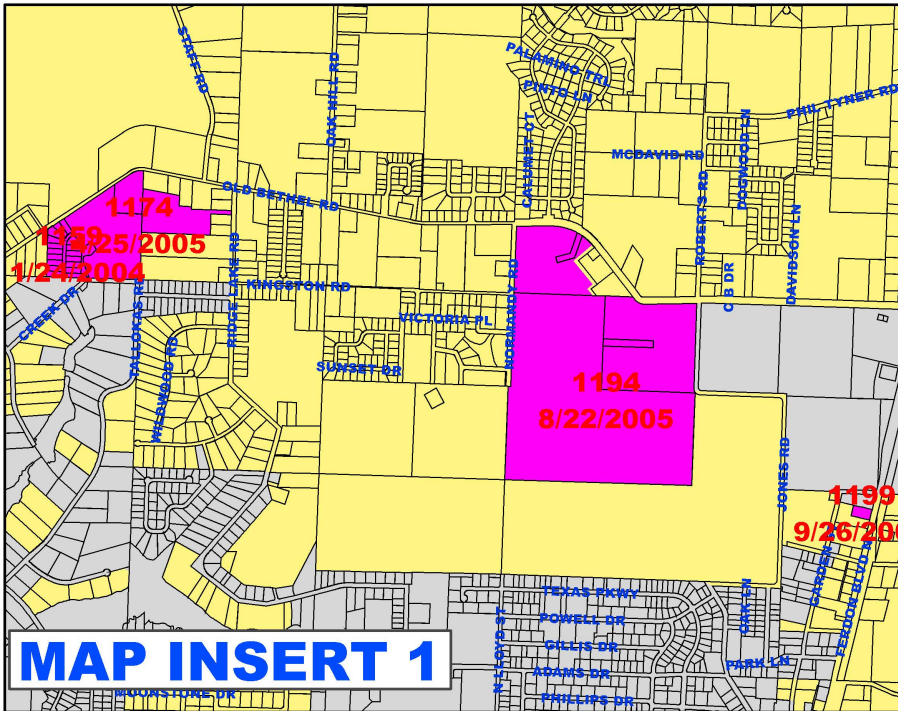




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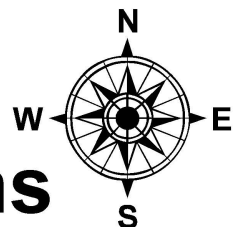
Map 2.1 Crestview Annexations



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

- | | | | |
|--|----------------|---|-----------------|
|  | Crestview |  | Parcels |
|  | Unincorporated |  | Parcels Annexed |
|  | Eglin AFB |  | Roads |

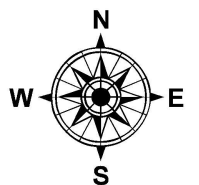
Map 2.1 Crestview Annexations



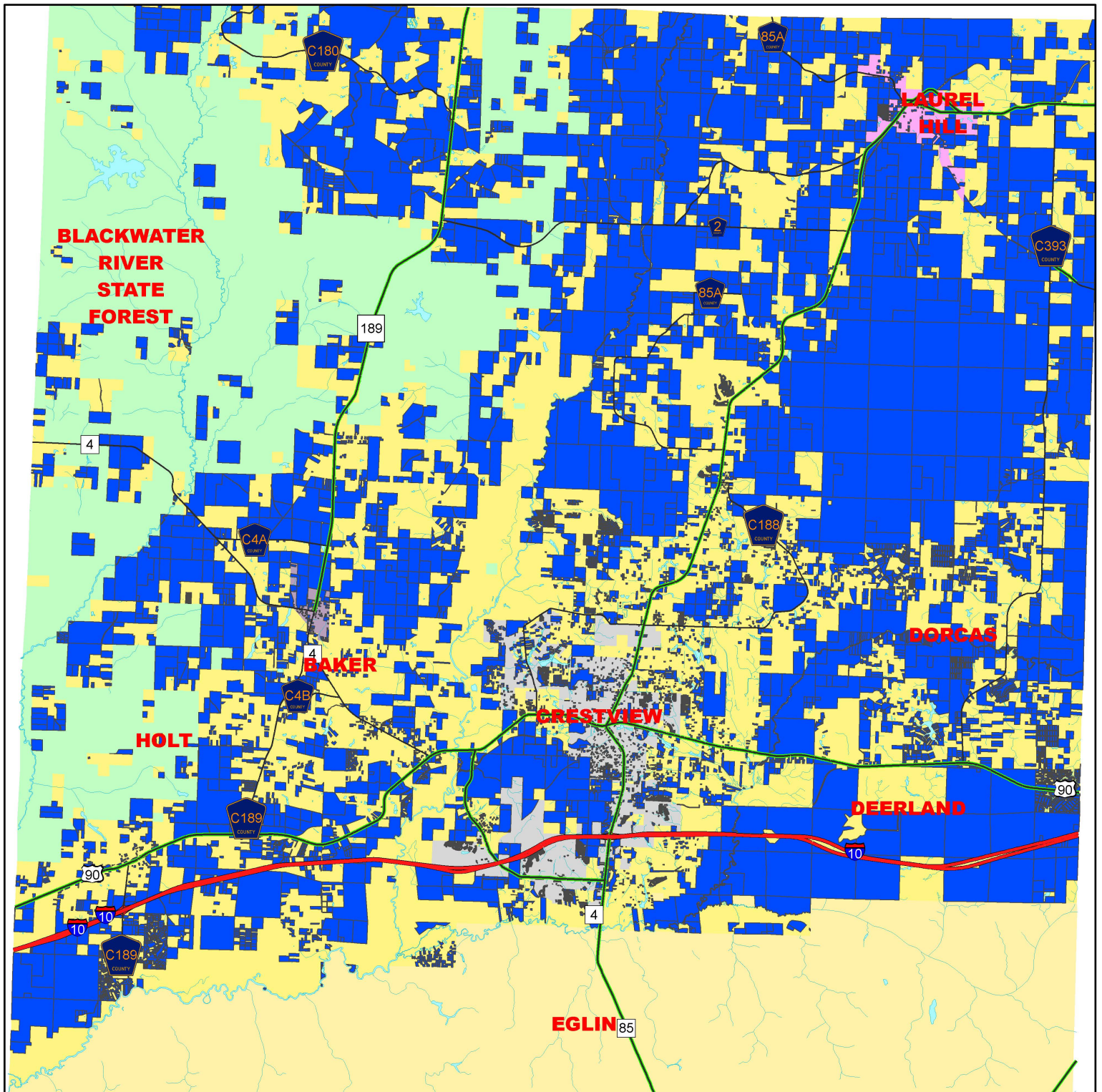


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- | | | |
|--|--|---|
|  FWB |  Unincorporated |  Vacant Land |
|  Destin |  Niceville | |
|  Mary Esther |  Valpariso | |
|  Eglin AFB | | |

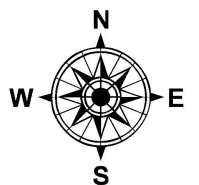


Map 2.2 Vacant Land South County

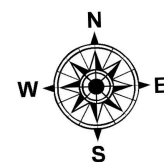
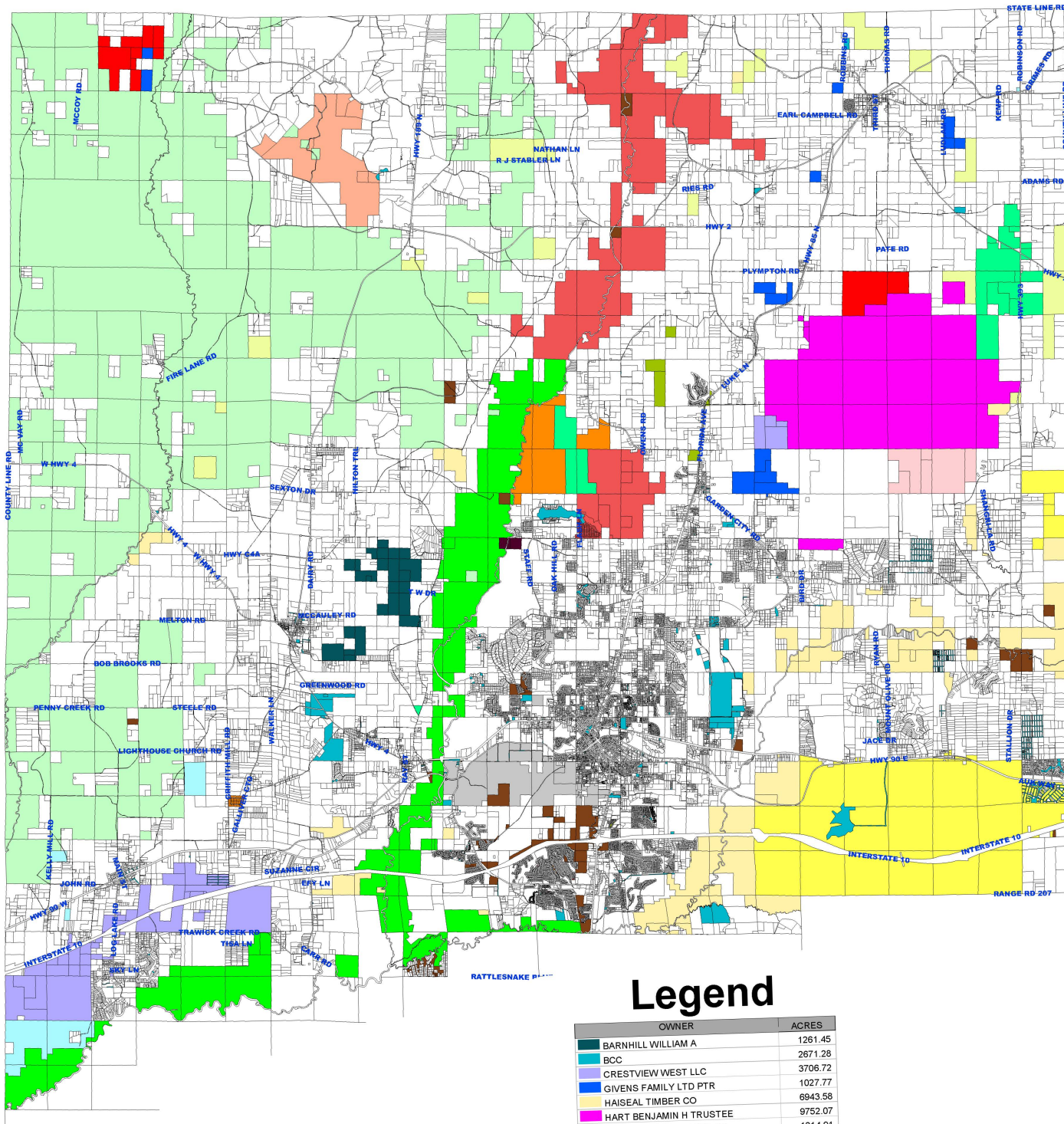


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- | | |
|--|--|
|  Baker |  Unincorporated |
|  BWSF |  Crestview |
|  Laurel Hill |  Vacant Land |
|  Eglin AFB | |



Map 2.3 Vacant Land North County



Development constraints in north county include lack of available water, sanitary sewer, and traffic infrastructure as well as natural constraints including wetlands, floodways, and physical barriers which have a limiting affect on access to certain areas. These barriers include Eglin reservation, Interstate 10, and the CSX railroad. Each of these barriers limit where and the extent to which road crossings can provide access to adjacent lands.

d. Demands of growth on infrastructure

For purposes of this report the term "infrastructure" means the basic services needed to support growth and development including potable water, sewage disposal, transportation, stormwater drainage, solid waste, and recreation.

South County

There are 7 municipalities in south county including the cities of Fort Walton Beach, Destin, Mary Esther, Cinco Bayou, Shalimar, Niceville, and Valparaiso. As such, there are several service providers and planning jurisdictions in addition to Okaloosa County which control growth and development in south county. For purposes of this report discussion is limited to those areas, facilities and services under the direct jurisdiction and control of the county. Water and sewer service areas for south county are shown on Map 2.5.

Potable Water and Sanitary Sewer: Potable water and sanitary sewer service in the unincorporated area is managed by Okaloosa County Water & Sewer Department (OCWS). Areas where OCWS manages water and sewer service are shown on Map 2.6. Water and sewer expansion projects are shown on Map 2.7.

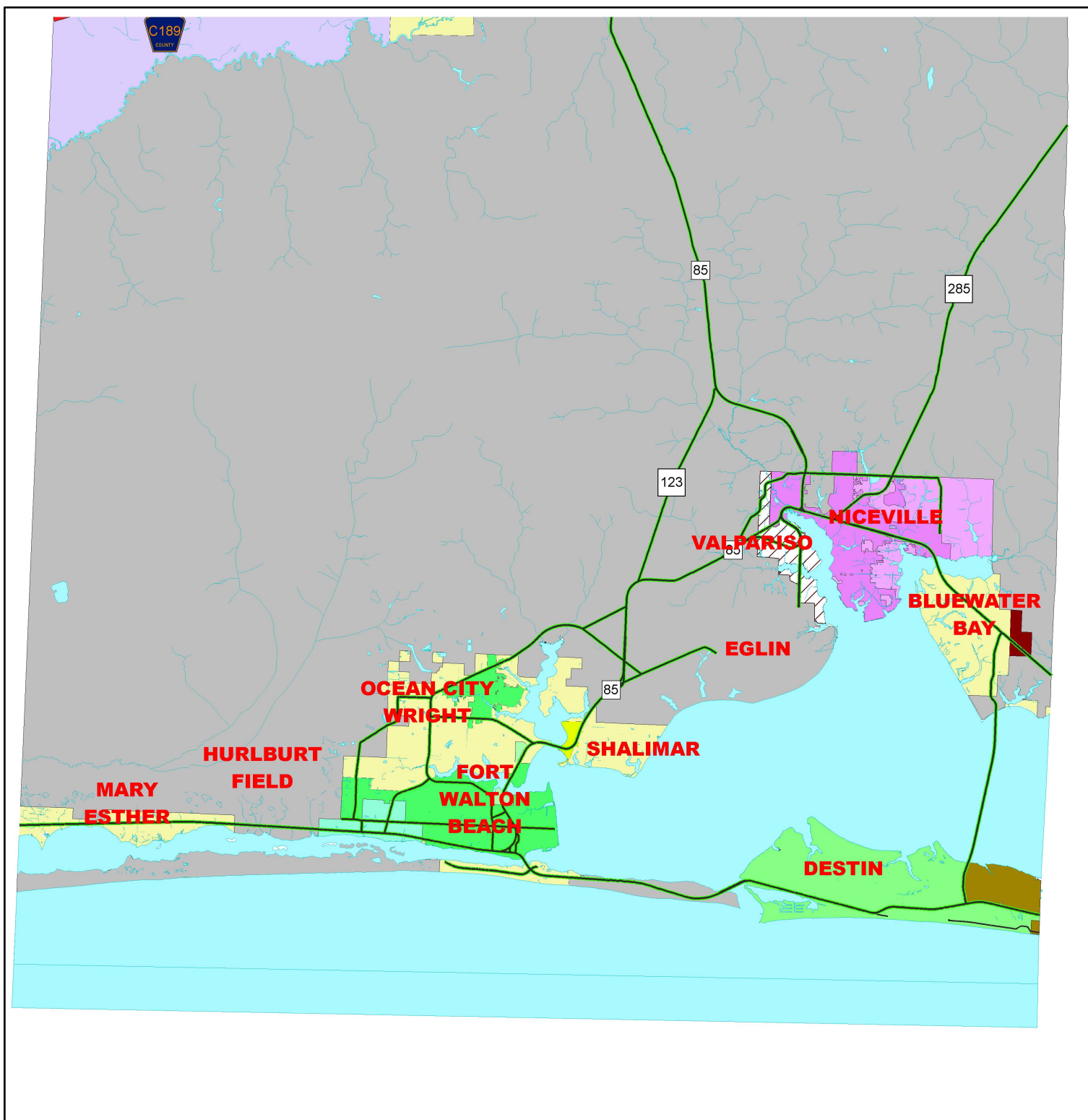
Transportation: Vehicular transportation is provided primarily by the State Highway System and the County Road System. Air transportation is provided by the Okaloosa Regional Airport on Eglin AFB. The majority of the major

thoroughfares in south county are part of the State Highway System. These include: U.S. Highway 98; and State Roads 20, 293, 85, 285, 397, 190, 188, and 189. Traffic congestion is a commonly recognized problem. However, expansions and improvements to state highways must generally be approved by the Transportation Planning Organization (TPO) as part of the Unified Work Program. Main county roads in south county include 2378, 190, and 285B. Major roadways are shown on Map 2.8.

Stormwater Drainage: The county currently employs a two-fold approach to stormwater drainage and management. This involves: 1) requiring new developments to provide stormwater facilities constructed to county standards, and; 2) making drainage and stormwater management improvements as specified in the "Master Stormwater Management Plan", April, 2003.

Solid Waste: Solid waste is administered by the Public Works Department. The county maintains franchise agreements with BFI and Waste Management for household trash, recyclables, and yard waste for curbside disposal in the unincorporated area.

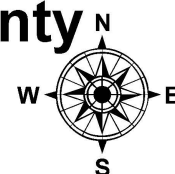
Recreation: Parks and recreation is administered by the Public Works Department. Future recreation needs and projects are identified in the "Parks and Recreation System Master Plan."



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
	OCWS		NICEVILLE		EGLIN
	SEMINOLE		NWS		FT WALTON
	SHALIMAR		DWU		FWBWS
	SWUC				
	VALPARAISO				

Map 2.5 Water Service Area Map - South County

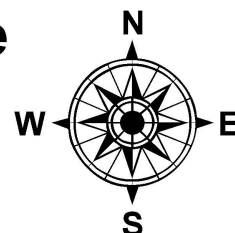


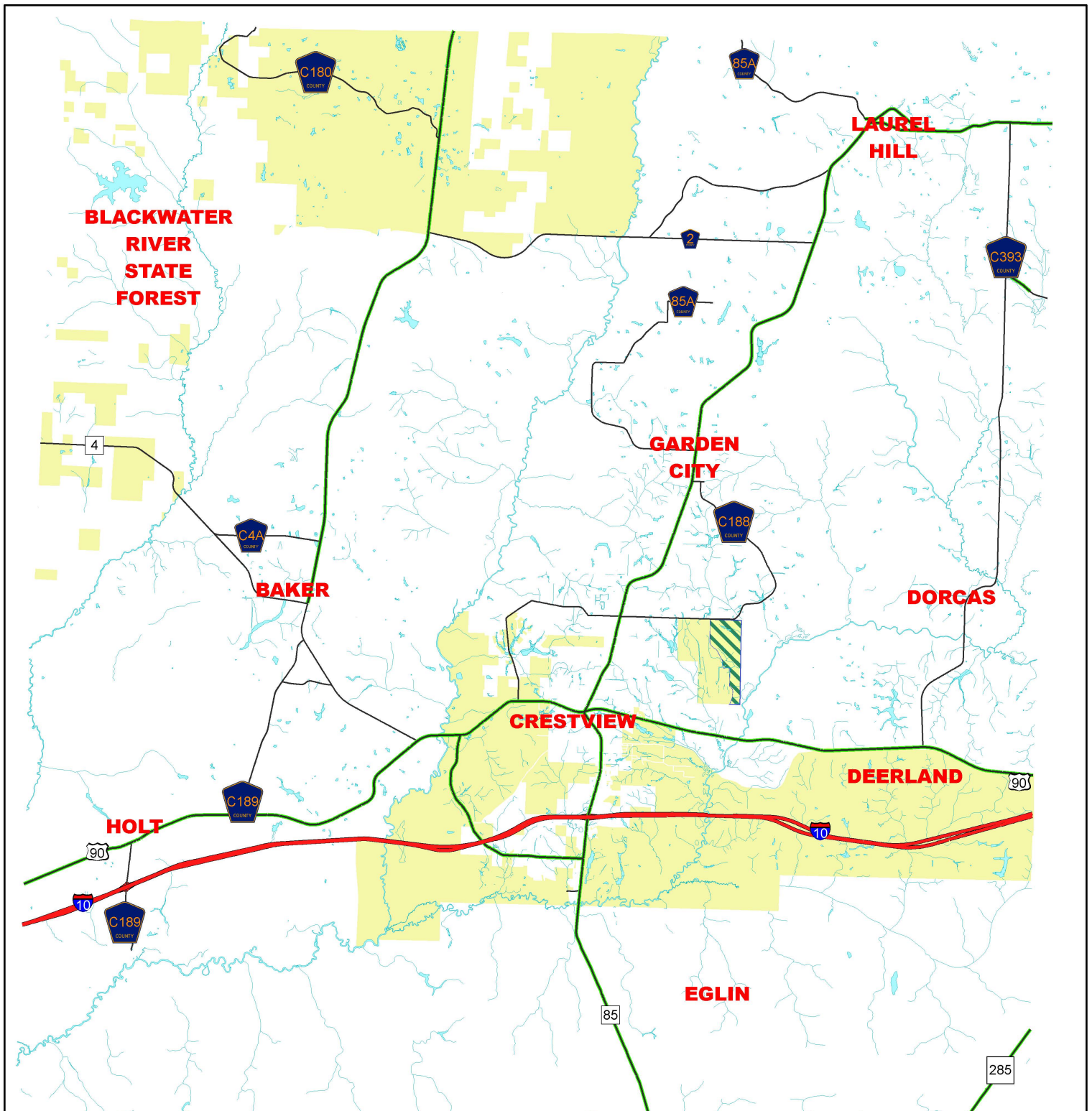


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 OCWS

Map 2.6 OCWS Water Service Area Map South County

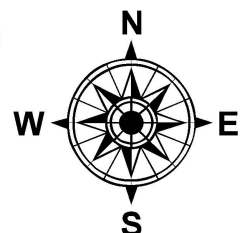


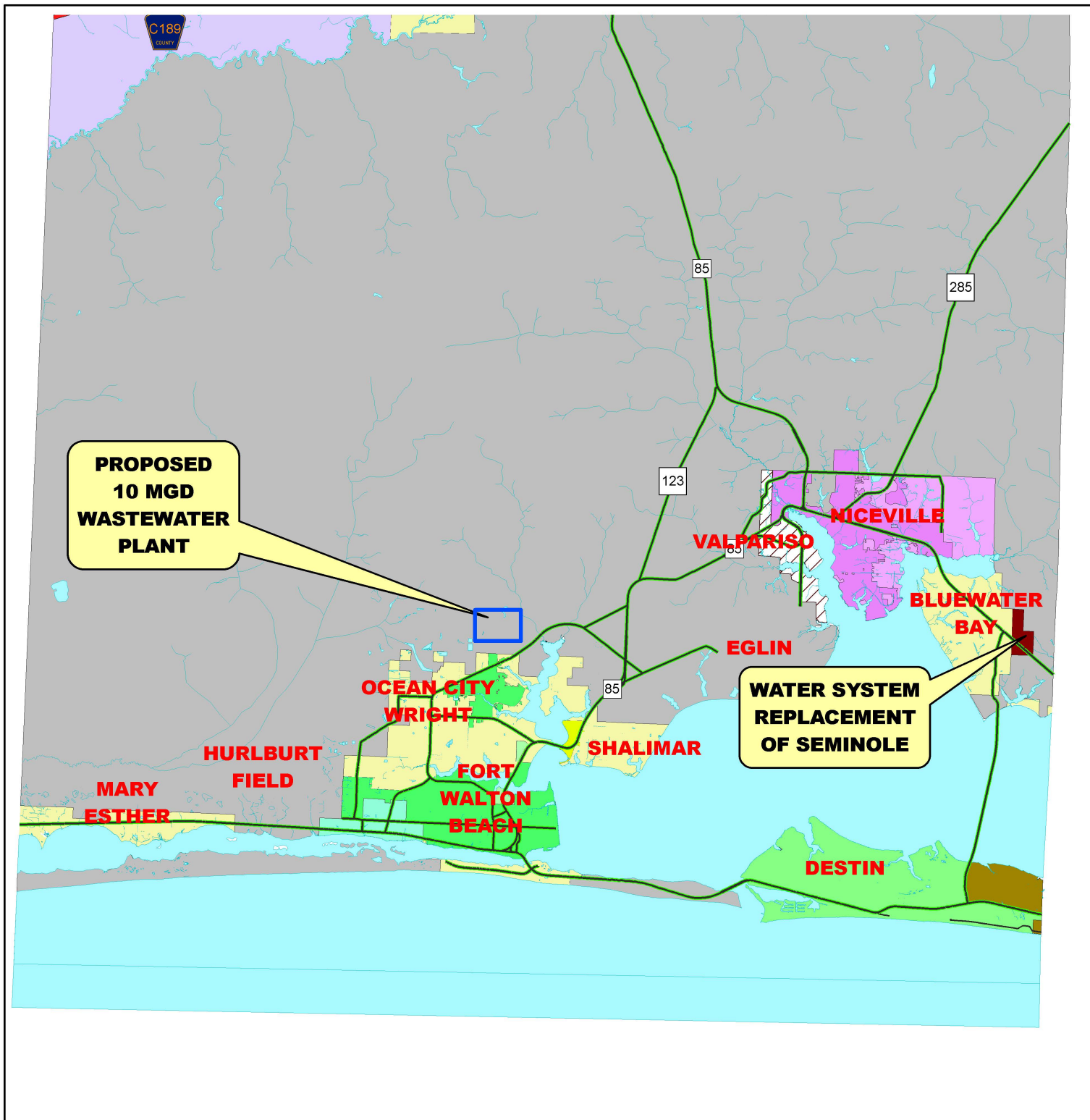


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- OCWS
- OCWS-AWS

Map 2.6 OCWS Water Service Area Map North County

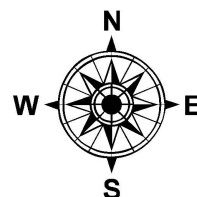


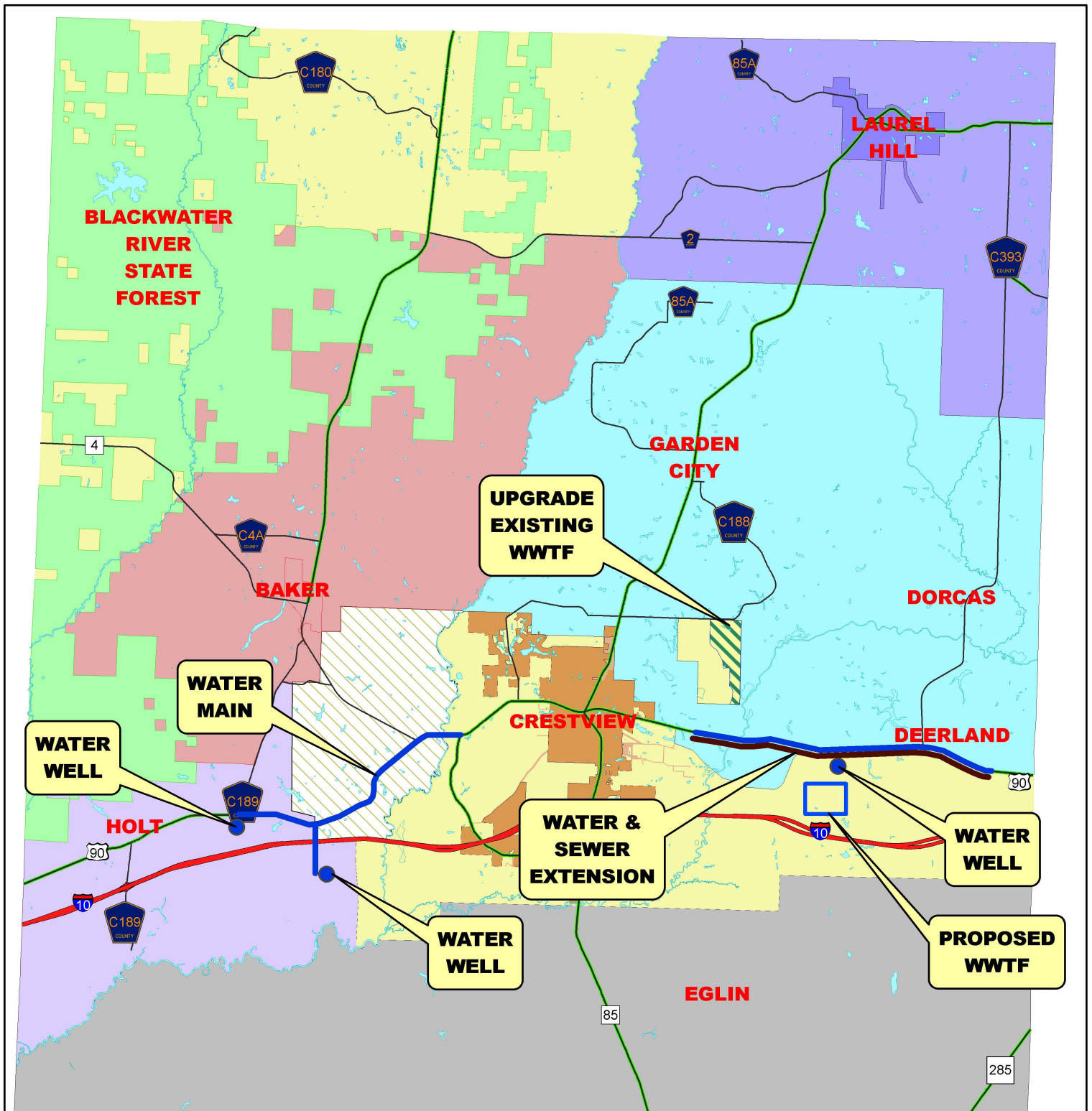


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	OCWS		NICEVILLE		EGLIN
	SEMINOLE		NWS		FT WALTON
	SHALIMAR		DWU		FWBWS
	SWUC				
	VALPARAISO				

Map 2.7 Water and Sewer expansion projects South County

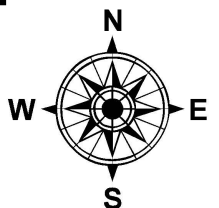




Legend

OCWS	CRESTVIEW	LHWS
AWS	CWS	MEWS
BAKER	OCWS-AWS	MWS
BSF	HWS	
BWS	LAUREL	

Map 2.7 Water and Sewer expansion projects North County



North County

There are two incorporated municipalities in north county those being the cities of Crestview and Laurel Hill. All remaining lands are unincorporated county.

Potable Water and Sanitary Sewer: Potable water in north county is provided by a number of different service entities. These include OCWS, City of Crestview, City of Laurel Hill, Auburn Water System, Baker Water System, Holt Water System, and Milligan Water System. Of these the only government operated water systems are OCWS, Crestview, and Laurel Hill. The remaining water systems are semi-public managed by an independent board of directors. Sanitary sewer service is limited to the City of Crestview and OCWS. Water service areas for north county are shown on Map 2.9. Sewer service areas are shown on Map 2.10.

OCWS has sufficient water delivery and wastewater treatment capacity to accommodate considerable growth within its designated service area. Other water systems particularly rural systems such as Holt, Baker, Milligan, and Auburn may require substantial upgrades to accommodate future growth.

Transportation: Vehicular transportation in north county is provided by the State Highway System and the County Road System. Air transportation is available through Bob Sikes Airport which does not have regular air carrier service. Major roadway thoroughfares in north county are part of the State Highway System. These include: Interstate 10; U.S. 90; State Roads 85, 4, 189, and 2. The county road system includes major thoroughfares 393, 4, 4A, 4B, 280A, 188, 85A, 602, 189, 180, and 2. Major roadways in north county are shown on Map 2.11.

Stormwater drainage, solid waste, and recreation are basically the same as in south county.

e. Location of Development

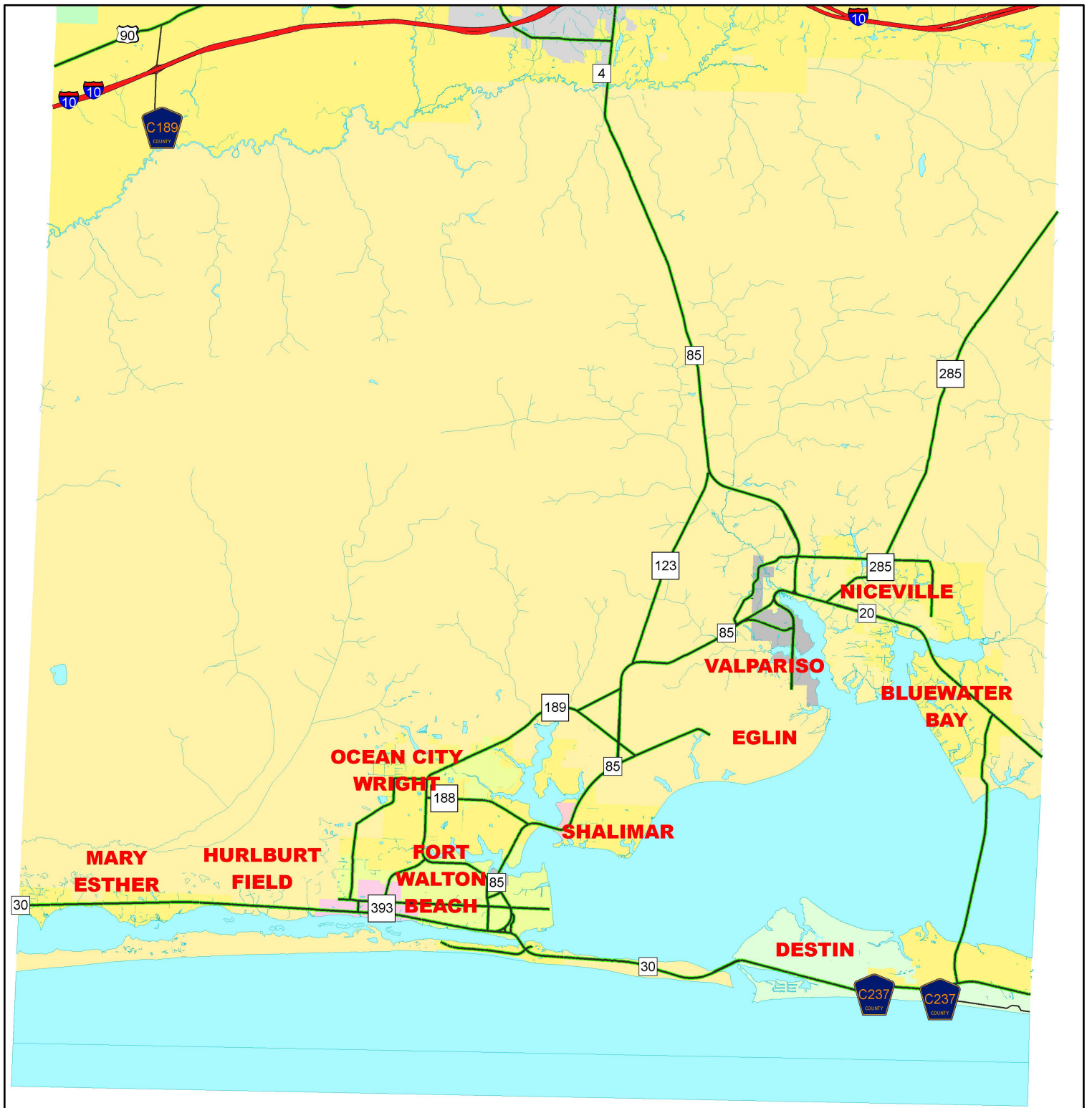
Characteristics of development are distinctly different between south county and north county. Development in south county is primarily infill and redevelopment at higher density townhomes, multi-family buildings, and commercial businesses. Development in north county is primarily single-family lot residential subdivisions.

With regard to north county development there appears to be no particular scheme or pattern to it. Development seems to be occurring on a random basis depending upon where large tracts of land become available for sale. Locations of development for south and north county are shown on Maps 2.12, 2.13, 2.14, 2.15, and 2.16.

There have been numerous future land use map (FLUM) amendments involving properties over 10 acres in size during the period 2000 - 2006. These amendment areas are shown on Map 2.17. In general, the location of development has occurred in areas contemplated by the FLUM.

f. Coordination of School Locations

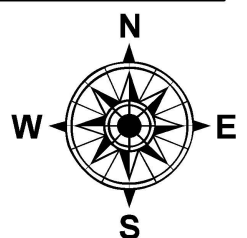
Coordination between the County and the School District has historically occurred at the time a site is being considered for a new school.

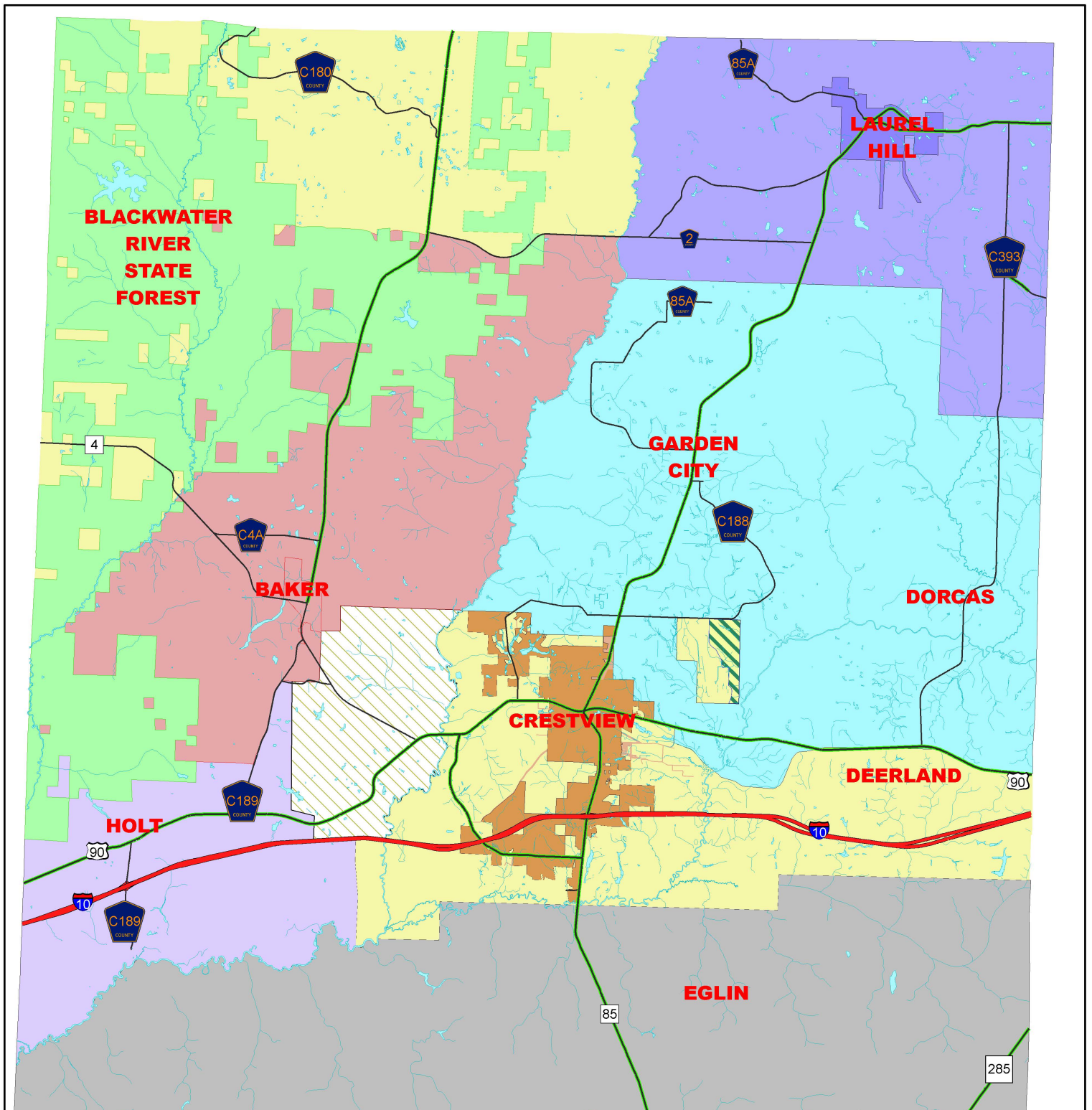


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- INTERSTATE
- RAMP
- PRIMARY ROAD
- SECONDARY ROAD

Map 2.8 Major Roads Map South County

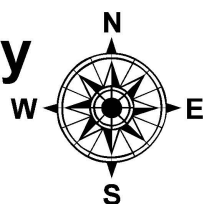




Legend

OCWS	CRESTVIEW	LHWS
AWS	CWS	MEWS
BAKER	OCWS-AWS	MWS
BSF	HWS	
BWS	LAUREL	

Map 2.9 Water Service Area Map - North County



Map 2.12 Mary Esther
Residential
Development

Legend

2004

Apartments		
#	NAME	UNITS
1-A	Rock-A-Roll	36
Condominiums		
#	NAME	UNITS
1-C	Dolphin Road	6
2-C	Coastal Breeze	86
3-C	Summer Breeze	26
4-C	Intercoastal Point	40

Subdivisions		
#	NAME	LOTS
1-S	Southern Palms	22

Townhomes		
#	NAME	UNITS
1-T	Sunrise Sound	5

2005

Apartments		
#	NAME	UNITS

Condominiums		
#	NAME	UNITS

Subdivisions		
#	NAME	LOTS

Townhomes		
#	NAME	UNITS

Subdivisions		
#	NAME	LOTS

Townhomes		
#	NAME	UNITS

Subdivisions		
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Townhomes		
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Subdivisions		
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Townhomes		
#	NAME	UNITS

Subdivisions		
#	NAME	LOTS

Townhomes		
#	NAME	UNITS

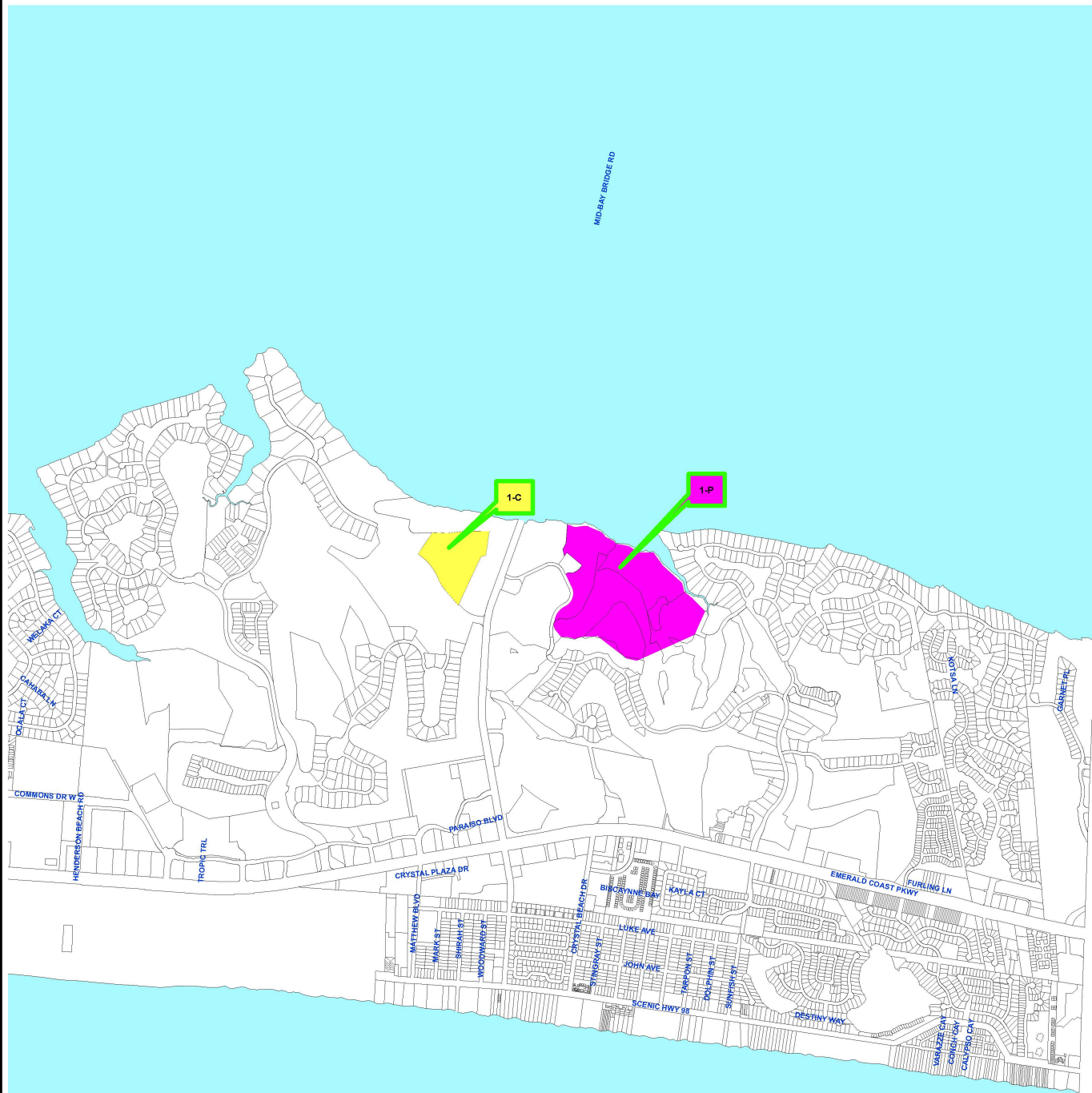
Subdivisions		
#	NAME	LOTS

Townhomes		
#	NAME	UNITS

Map 2.13 Destin
Residential
Development

Legend

2004		
Apartments		
#	NAME	UNITS
Condominiums		
#	NAME	UNITS
1-C	One Water Place @ Kelly Plantation	182
Subdivisions		
#	NAME	LOTS
Townhomes		
#	NAME	UNITS
2005		
Apartments		
#	NAME	UNITS
Condominiums		
#	NAME	UNITS
Planned Unit Development		
#	NAME	UNITS
1-P	Turnberry Harbour	734
Subdivisions		
#	NAME	LOTS
Townhomes		
#	NAME	UNITS
2006		
Apartments		
#	NAME	UNITS
Condominiums		
#	NAME	UNITS
Subdivisions		
#	NAME	LOTS
Townhomes		
#	NAME	UNITS



MAP PROJECTION:
Lambert Conformal Conic Projection
Datum: Florida North (FORS)
GCS: NAD83, DATUM: 1983

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Department of
Growth Management

10/1/2006 5:10:00 PM

Map 2.15 Niceville
Residential
Development
Legend

2004

Apartment

NAME UNITS

Condominium

NAME UNITS

Subdivisions

NAME LOTS

1-S Bullock Estates 6

Townhomes

NAME UNITS

1-T Beaver Creek 10

2005

Apartment

NAME UNITS

Condominium

NAME UNITS

1-C Bluewater Bay Independent Living Facility 10

Subdivisions

NAME LOTS

2-S The Parish 17

Townhomes

NAME UNITS

2006

Apartment

NAME UNITS

Condominium

NAME UNITS

Subdivisions

NAME LOTS

S-1 Field At The Woodlands 9

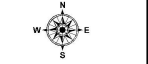
Townhomes

NAME UNITS

MAP PROJECTION
Lambert Conformal Conic Projection
Stateplane: Florida North (FIPS)
NAD83 (GEOID: 11400) 11400

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Legend

#	NAME	LOTS
1	Moore's Place (PH II)	16
2	Jayde Estates	14
3	Indian Trails	16
4	Fairfield Village	22
5	Whispering Pines	33
6	Silverwood Estates	50
7	Lakeridge Estates	52
8	Lake Arthur Estates (PH I)	50
9	Lake Arthur Estates (PH II)	58
10	Carnegie Hills	43
11	Carnegie Hills (PH I)	46
12	Virginia Ridge	24
13	Silver Creek Estates	70
14	Kittrol Estates	12
15	Clover Estates	3

#	2007/2008 Easement	LOTS
36	Chanen Estates 1st Addition	94
37	Heritage Plantation Master Plan	765
38	Plantation (PH) II	172
39	Brick Bay Estates	21
40	Bridlewood Estates (PH) I	30
41	Silver Springs Estates	135
42	Hickory Creek Estates	12
43	Four Winds Subdivision	12
44	Mossy Oaks Plantation	71
45	Yellow River Plantation	171
46	Ashton's Preserve	13
48	Nanteco-The Riverfront	58
49	Dugan Ridge Estates	57
50	Pine Farms Plantation	58
51	Hanks's Hill	86
52	The Silver Moon Sub	14
53	Kings Hill	18
54	Willow Creek Estates (PH) I	30
55	Willow Creek at H&H	10
56	Timberline Ridge	192
57	The Preserve at Campton	140
58	Reckon's Commons (PH) I	373
59	Foxcroft Estates	33
60	Shoal River Estates	41
61	Mill Creek Estates	45
62	Zachary Estates	65
63	Burton Springs Master Plan	31
64	Jupiter Creek (PH) II	245

#	NAME	LOTS
45	Ashtin Estates	58
46	Hidden Valley	40
47	Charleston Place (PH I)	91
48	Everwood	13
49	Camellia Cove	51
50	Willow Creek Paintnait at Crestview West	39
51	Brown Stone Manor	39
52	Partridge Hills	136
53	Lacey Lane	8
54	Autumn Woods Estates	35
55	Chadwick Estates	21
56	Vicari Estates	18
57	Johnson Plantation	86

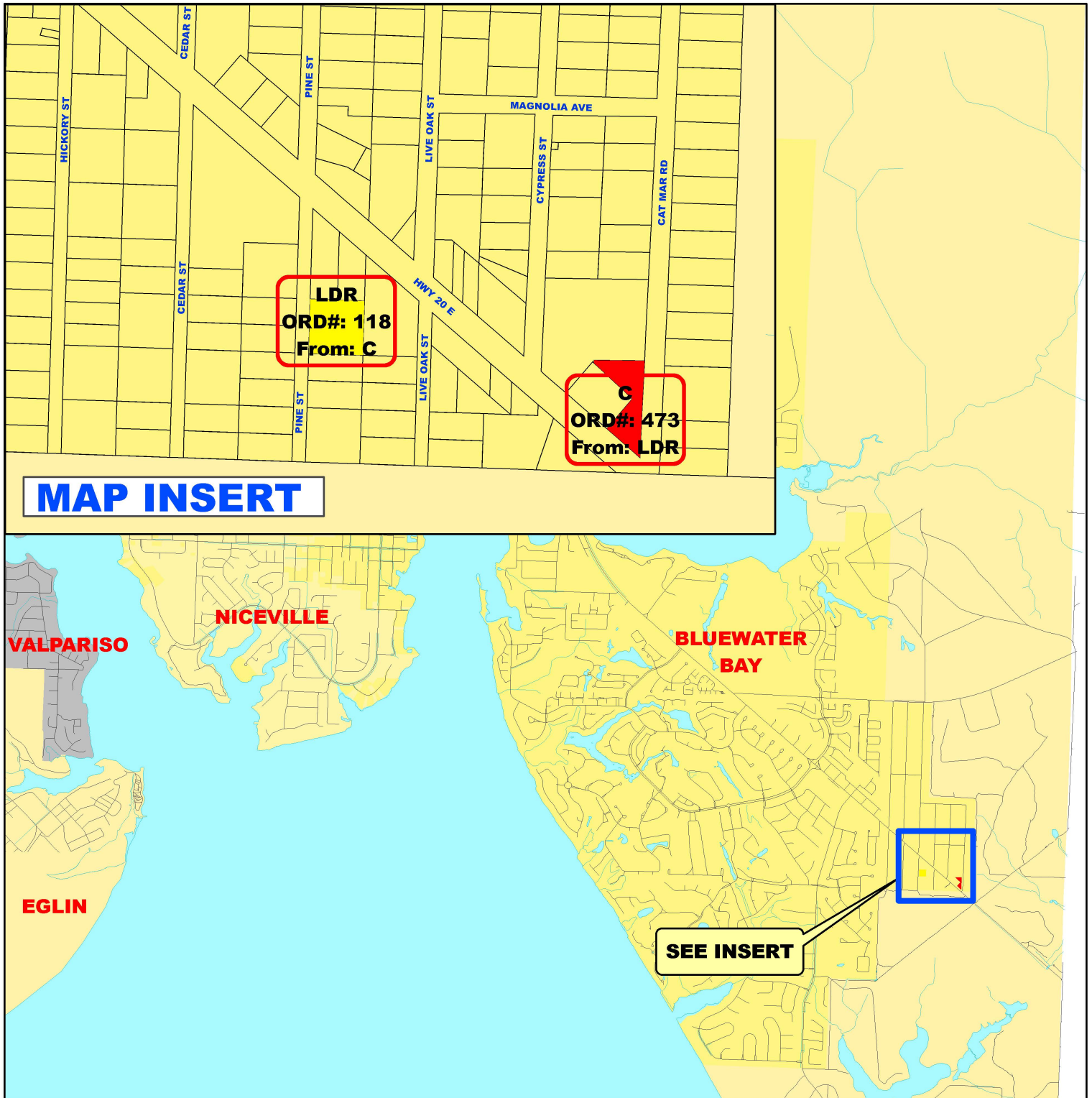


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Stateplane: Florida North (F2829)
NAD 1983/93, NAVD 1988

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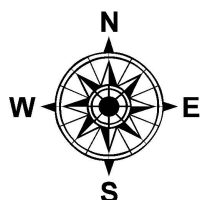


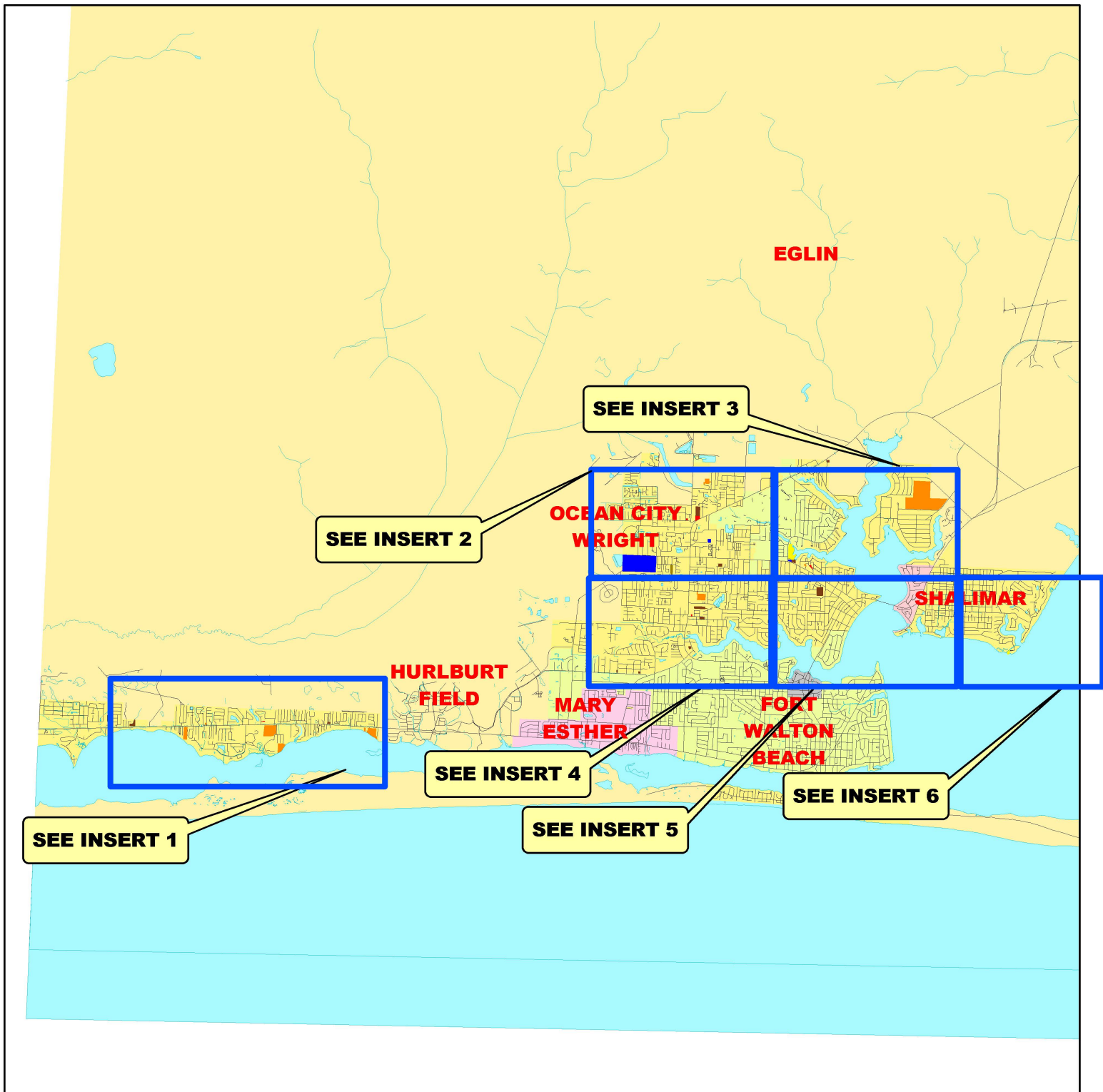


Legend

- | | |
|----------------|-----------|
| Niceville | Valpariso |
| Unincorporated | Parcels |
| Mary Esther | Roads |
| Eglin AFB | |

Map 2.17 Niceville FLU Amendments

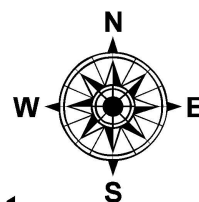


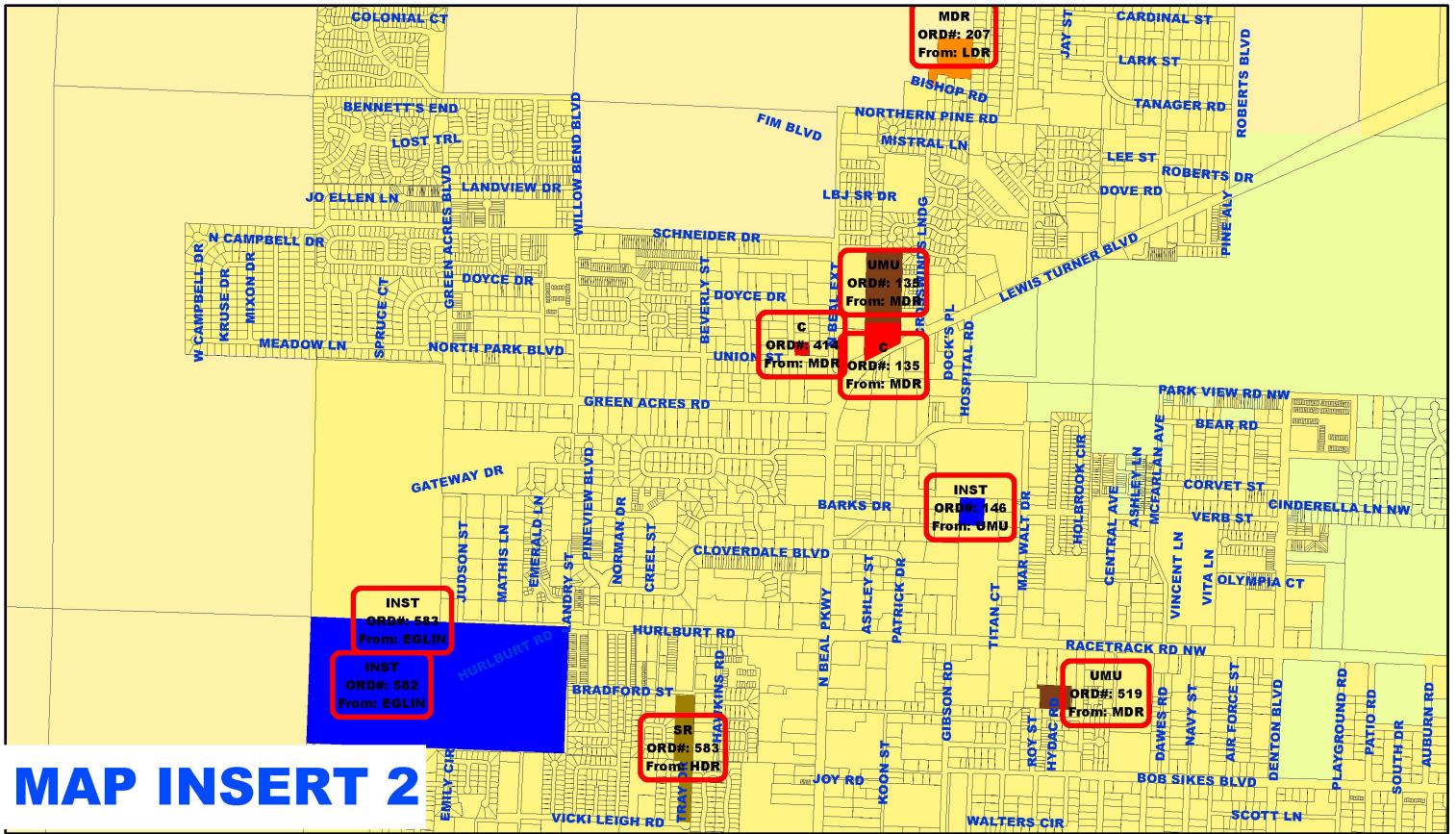
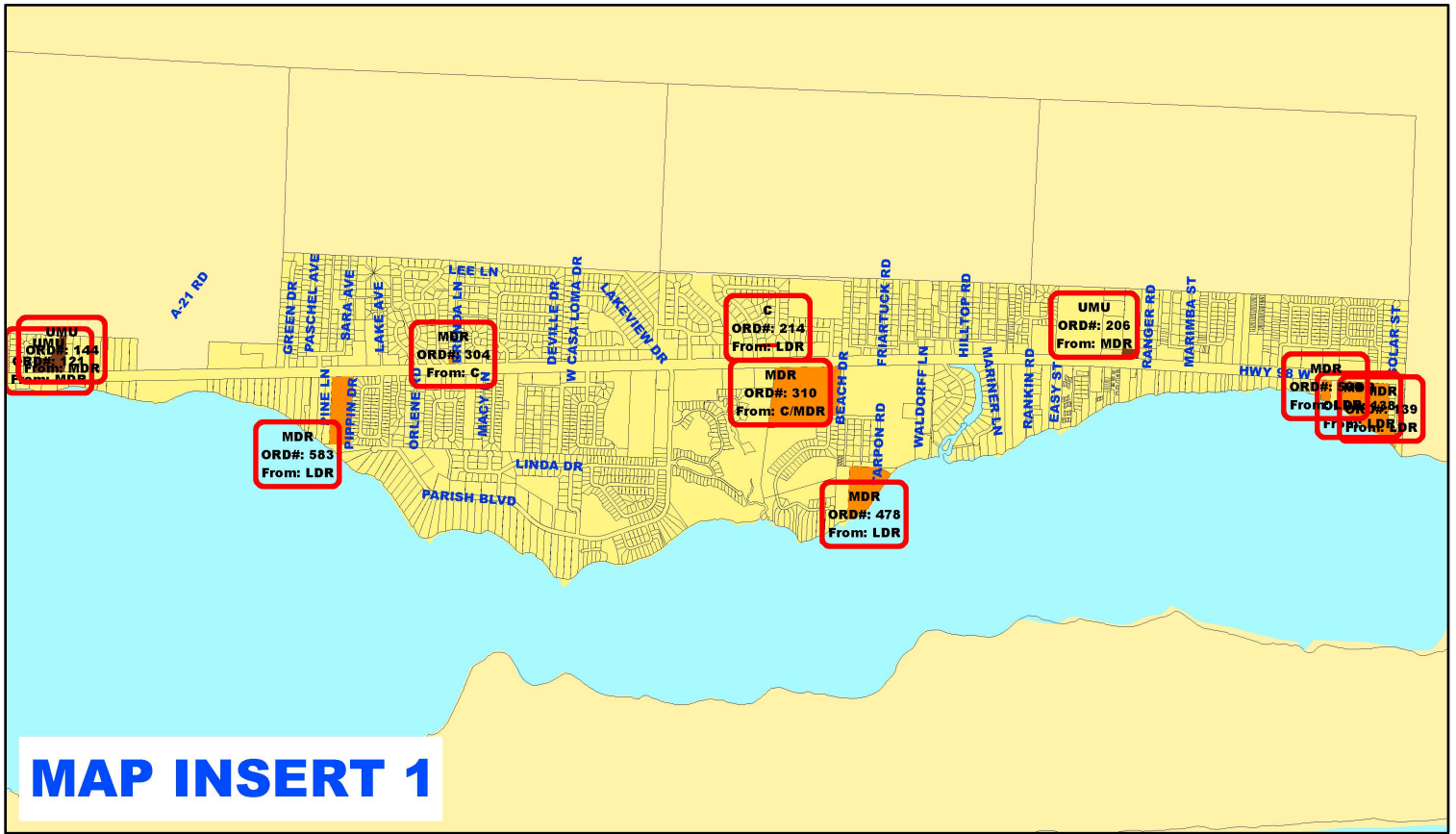


Legend

 FWB	 Shalimar
 Unincorporated	 Parcels
 Mary Esther	 Roads
 Eglin AFB	

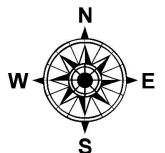
Map 2.17 Fort Walton Beach FLU Amendments

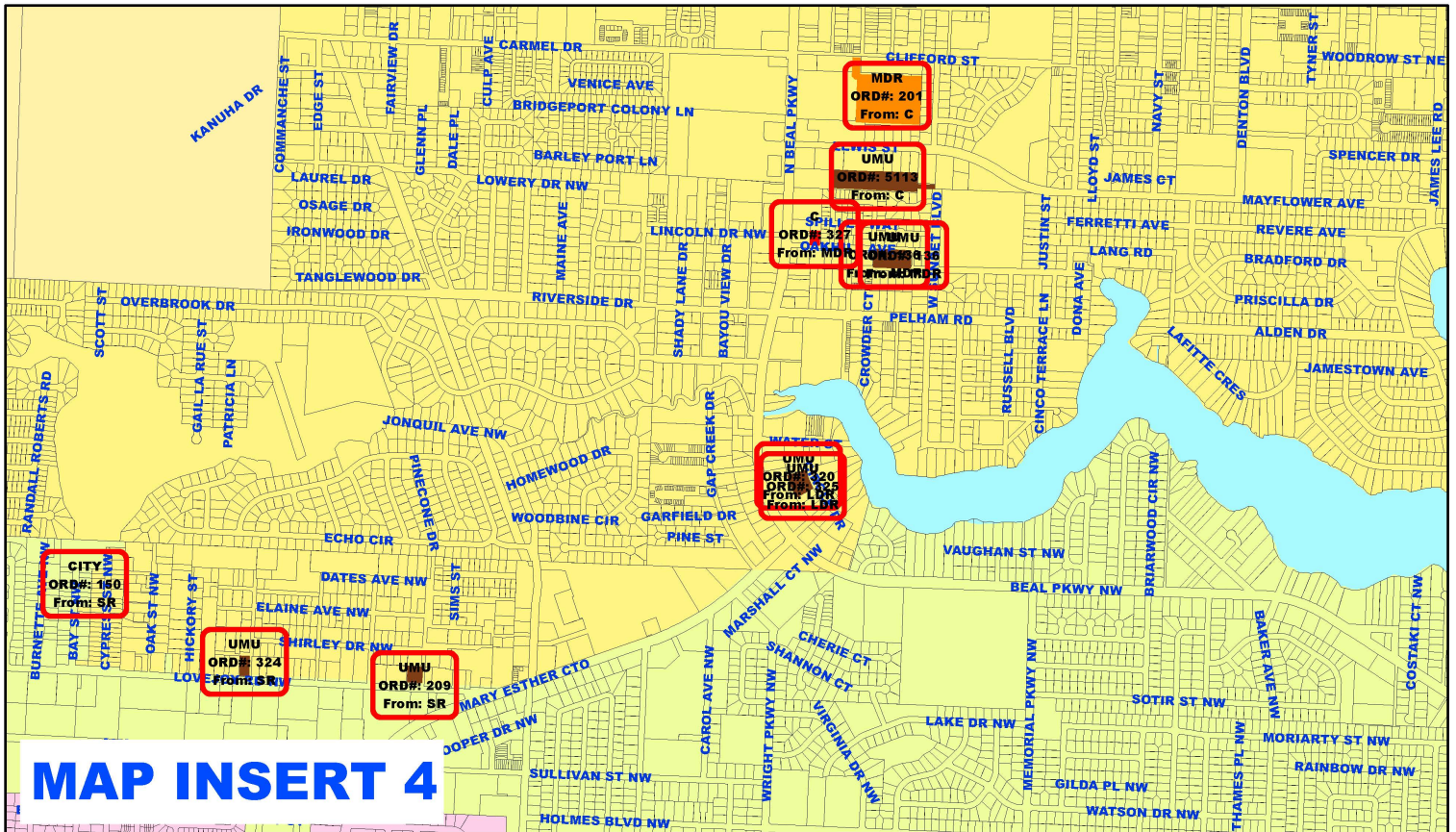
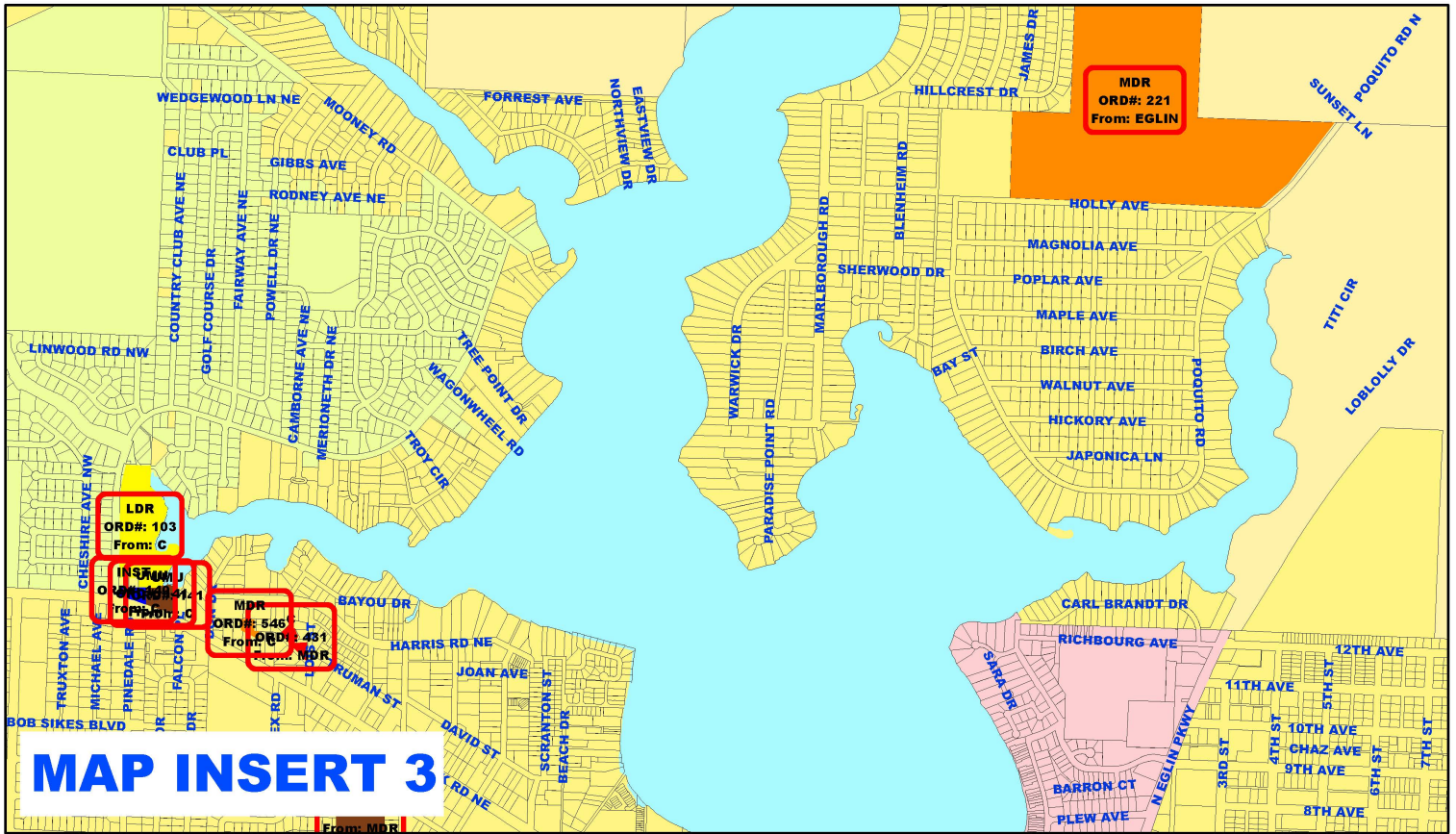




- Legend**
- FWB
 - Unincorporated
 - Mary Esther
 - Eglin AFB
 - Shalimar
 - Parcels
 - Roads

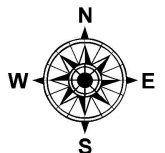
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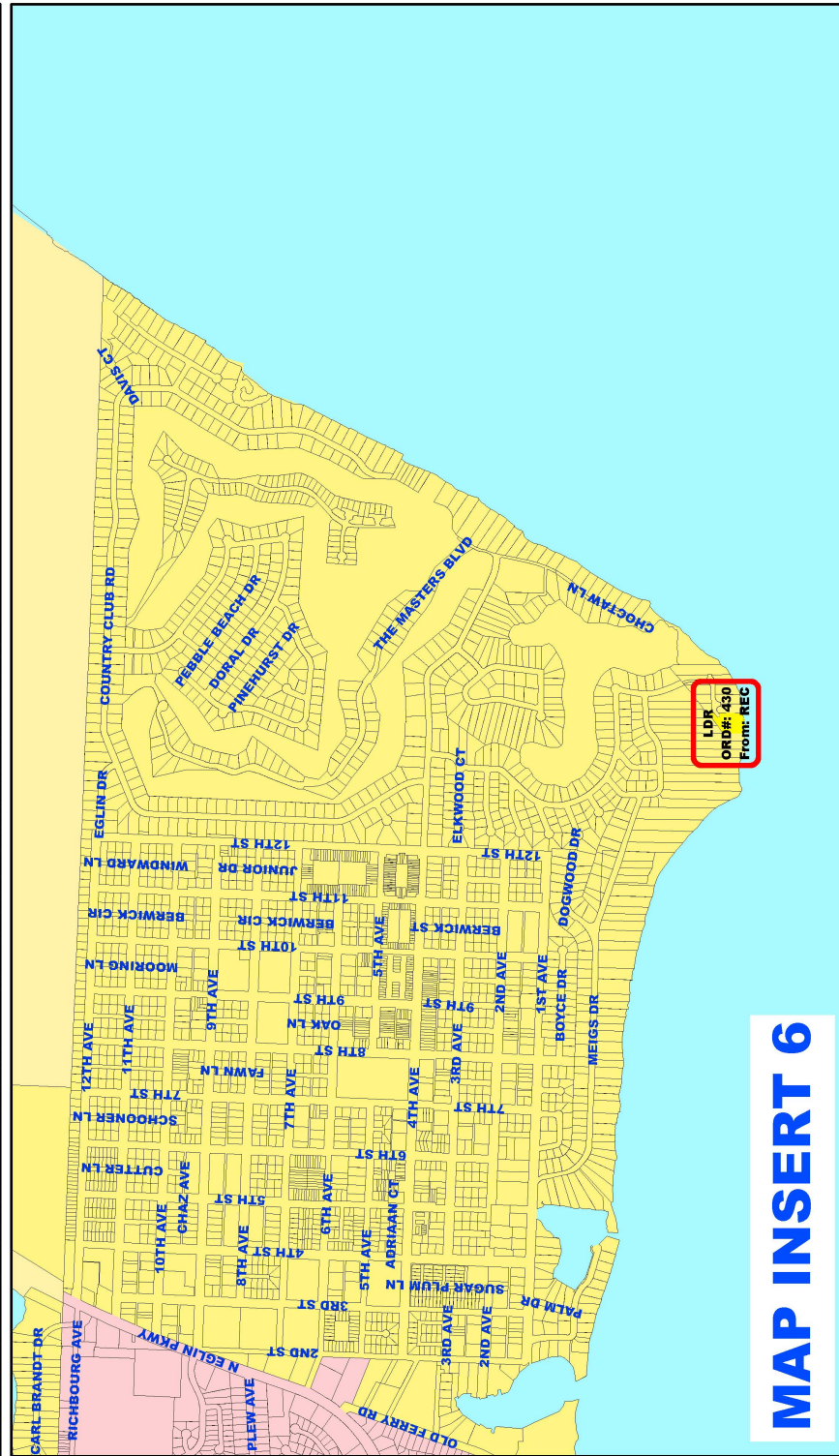
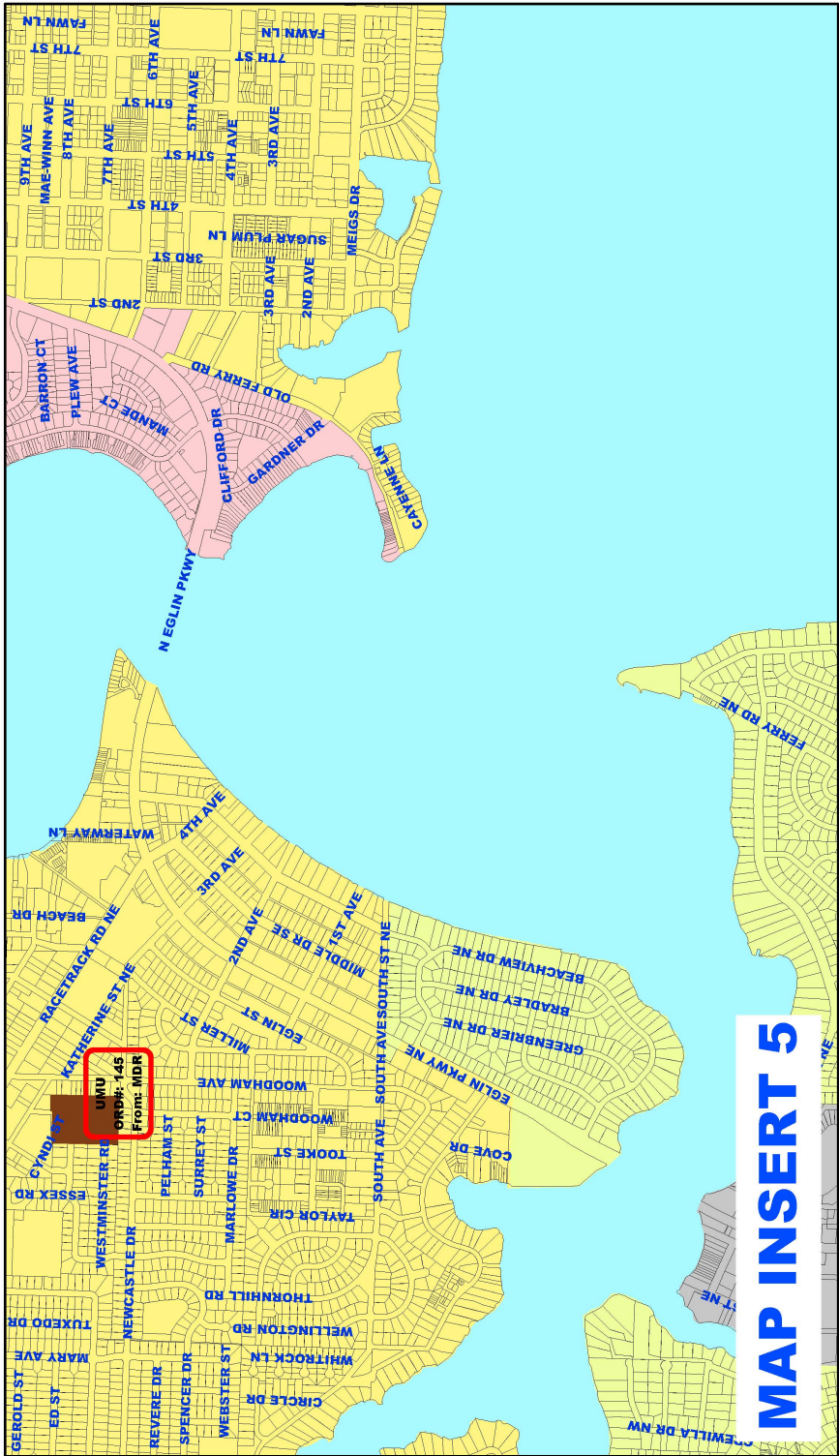




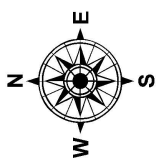
- Legend**
- FWB
 - Unincorporated
 - Mary Esther
 - Eglin AFB
 - Shalimar
 - Parcels
 - Roads

Map 2.17 Fort Walton Beach FLU Amendments

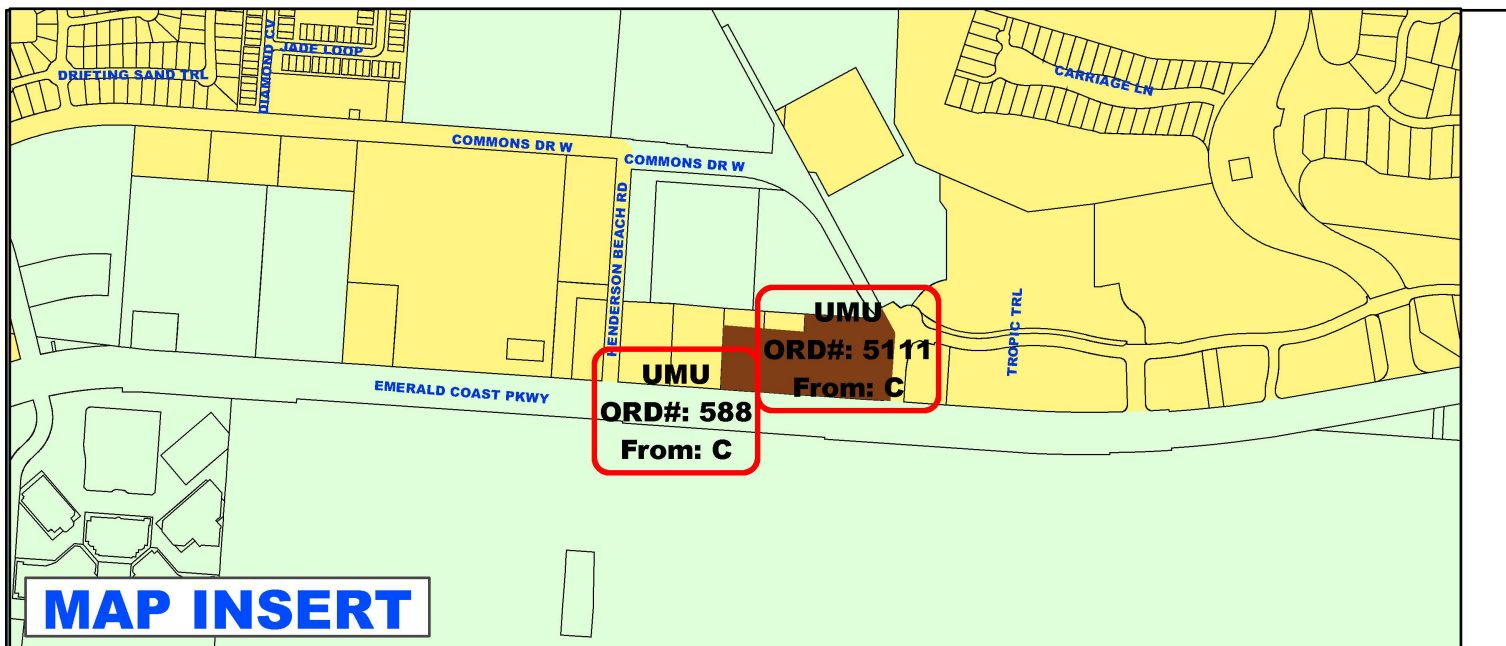




- Legend**
- FWB
 - Unincorporated
 - Mary Esther
 - Eglin AFB
 - Shalimar
 - Parcels
 - Roads



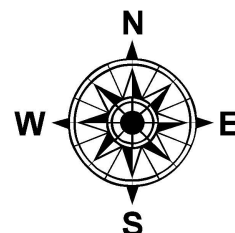
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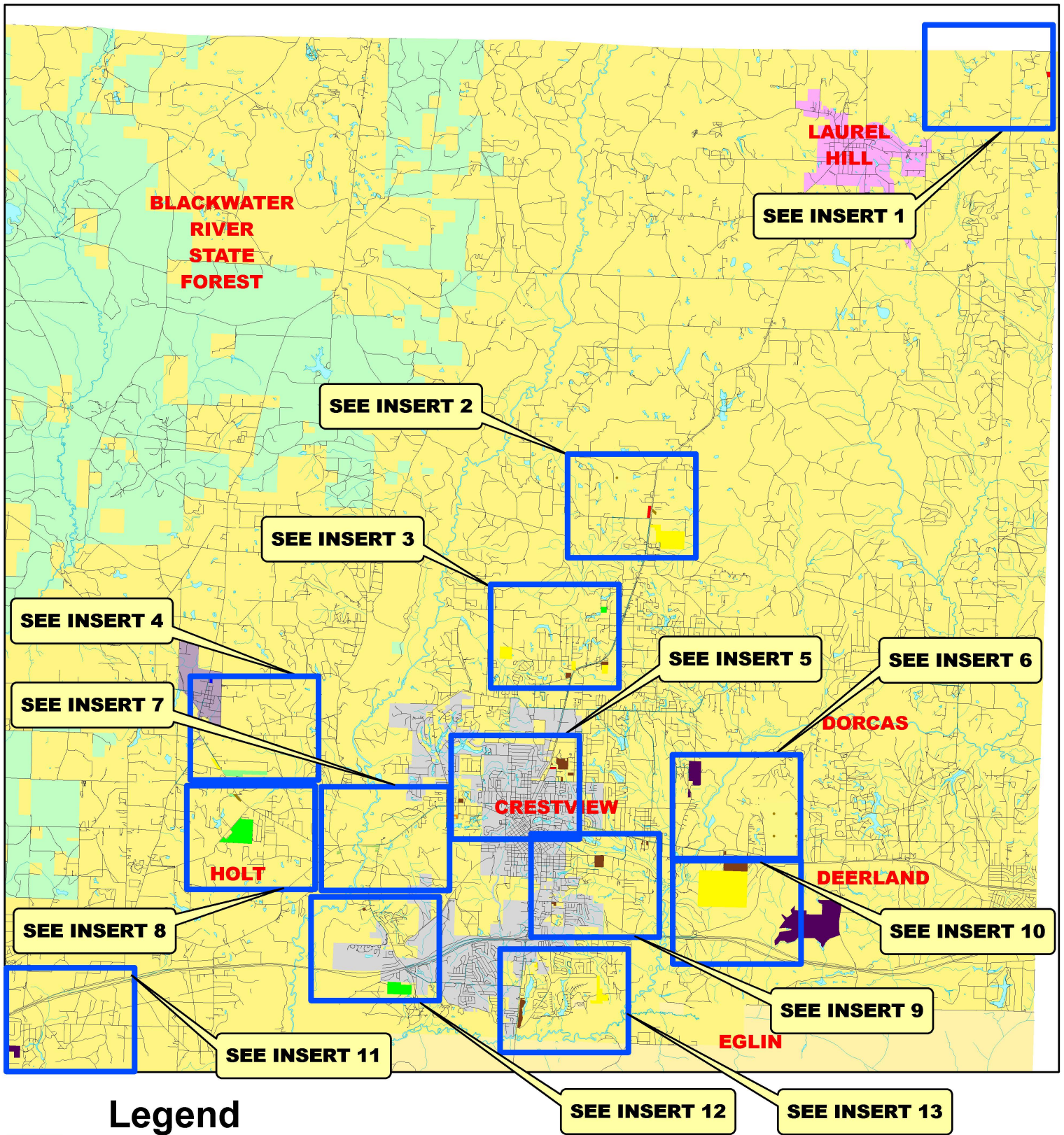


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




- Destin
- Unincorporated
- Parcels
- Roads

Map 2.17 Destin FLU Amendments

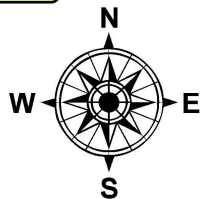


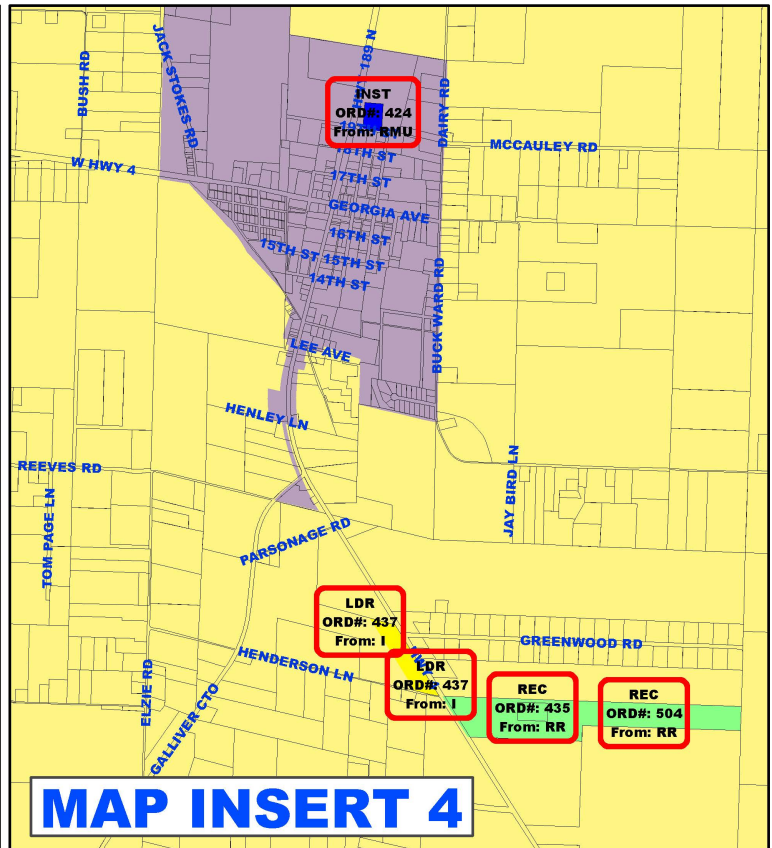
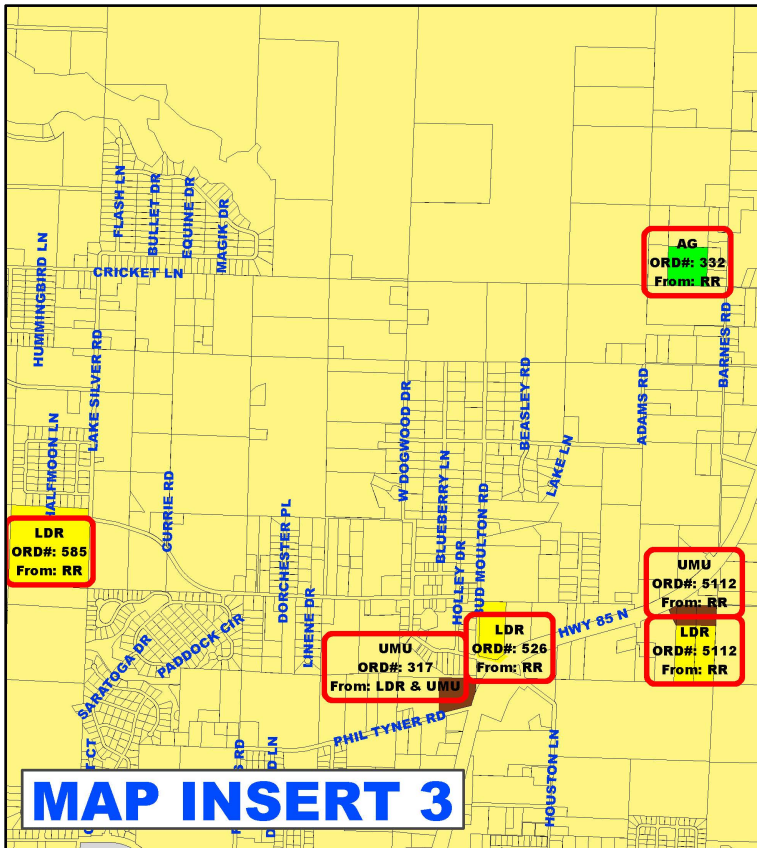
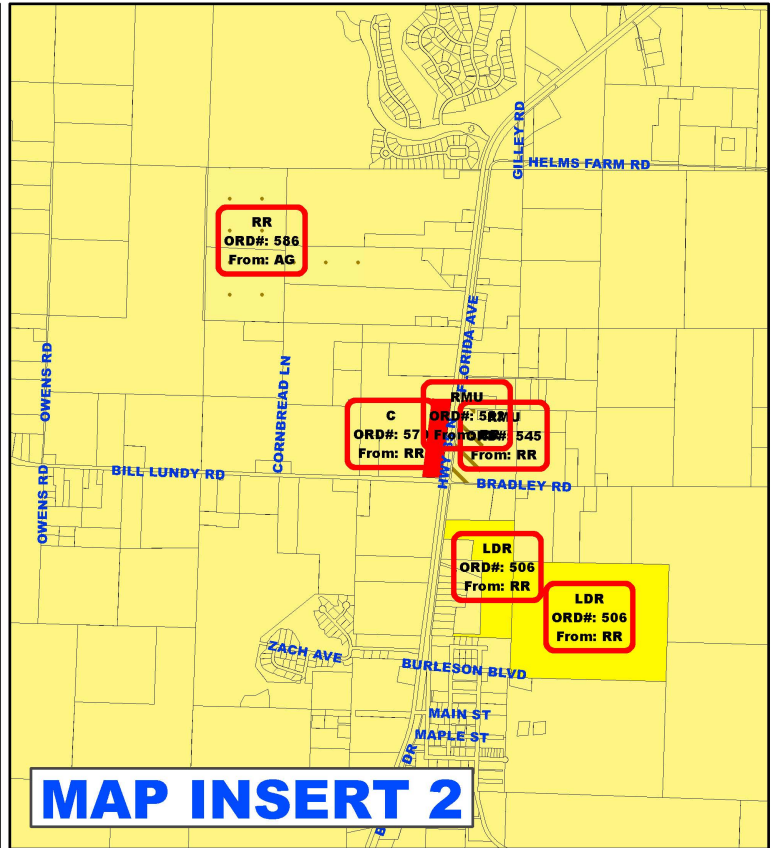
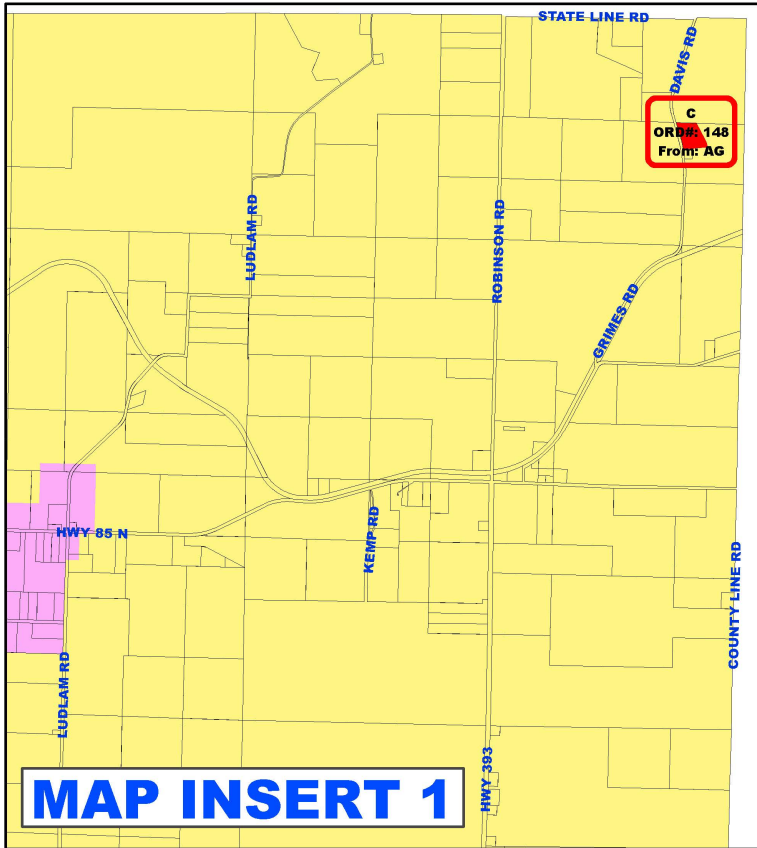


Legend

- | | | | |
|--|-------------|---|----------------|
|  | Baker |  | Unincorporated |
|  | BWSF |  | Crestview |
|  | Laurel Hill |  | Roads |
|  | Eglin AFB | | |

Map 2.17 North County FLU Amendments

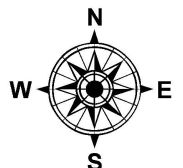


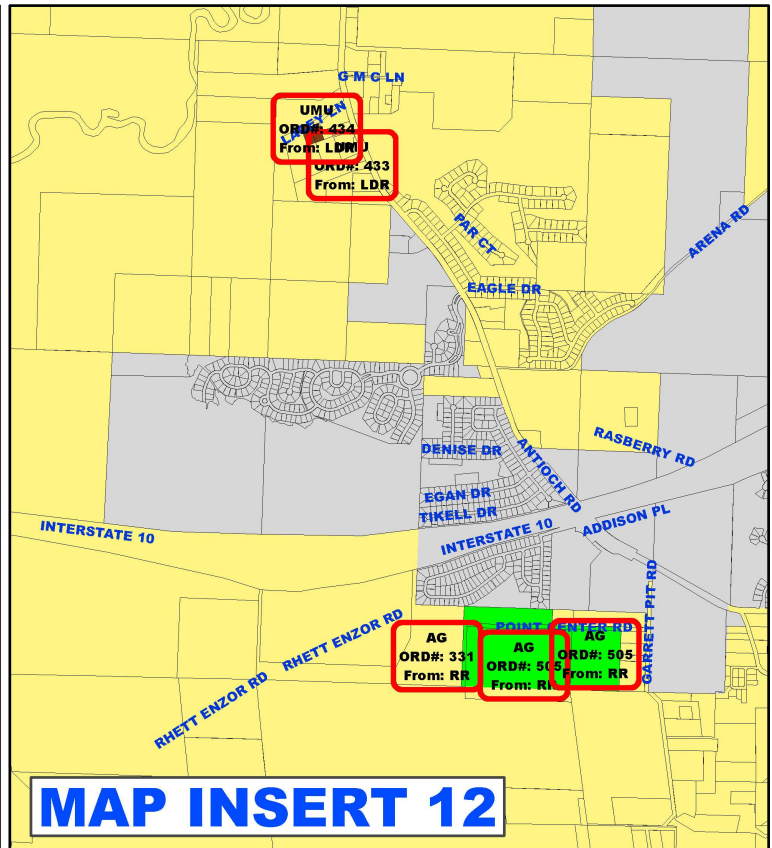
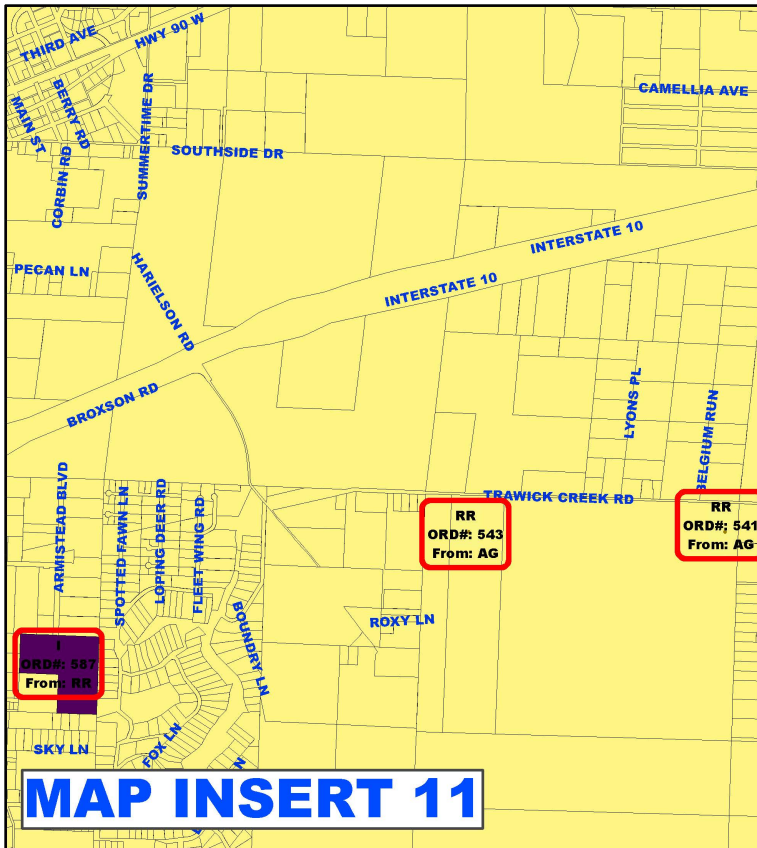
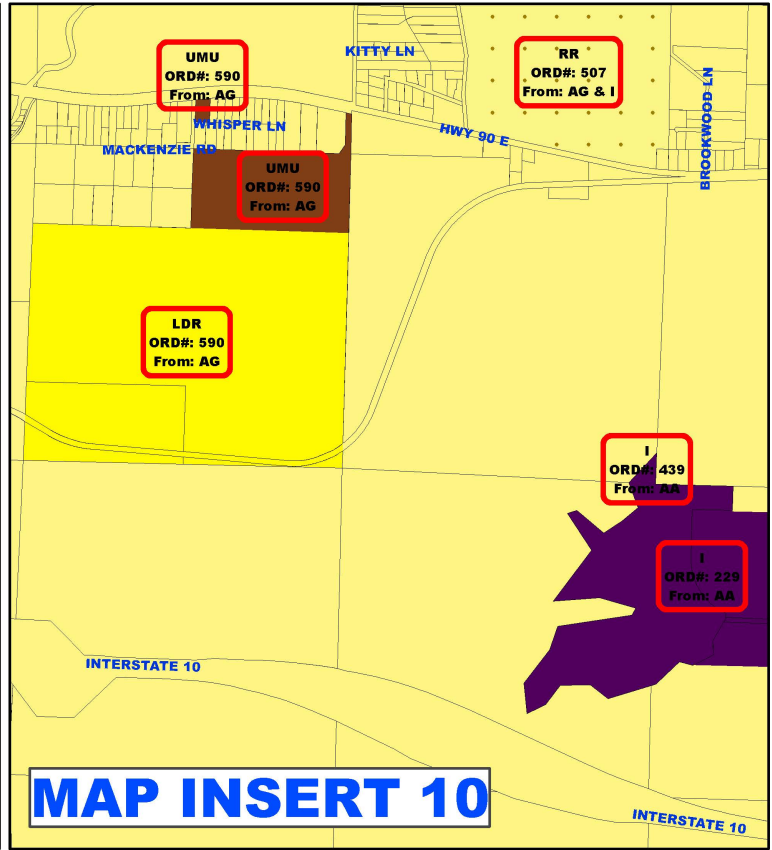
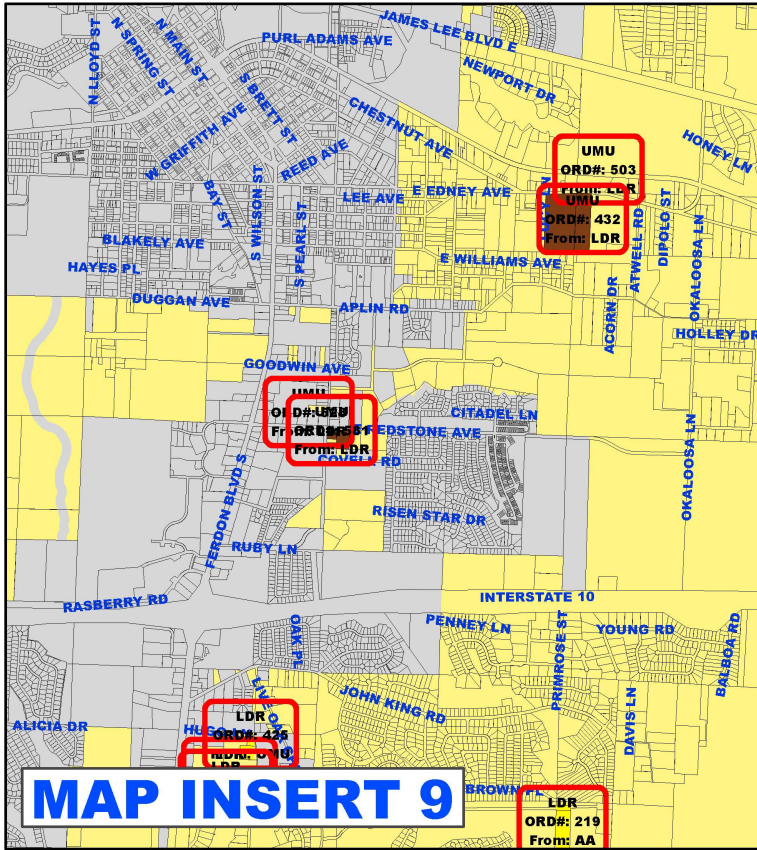


Legend

- Baker
- BWSF
- Laurel Hill
- Eglin AFB
- Unincorporated
- Crestview
- Parcels

Map 2.17 North County FLU Amendments

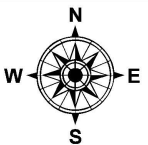


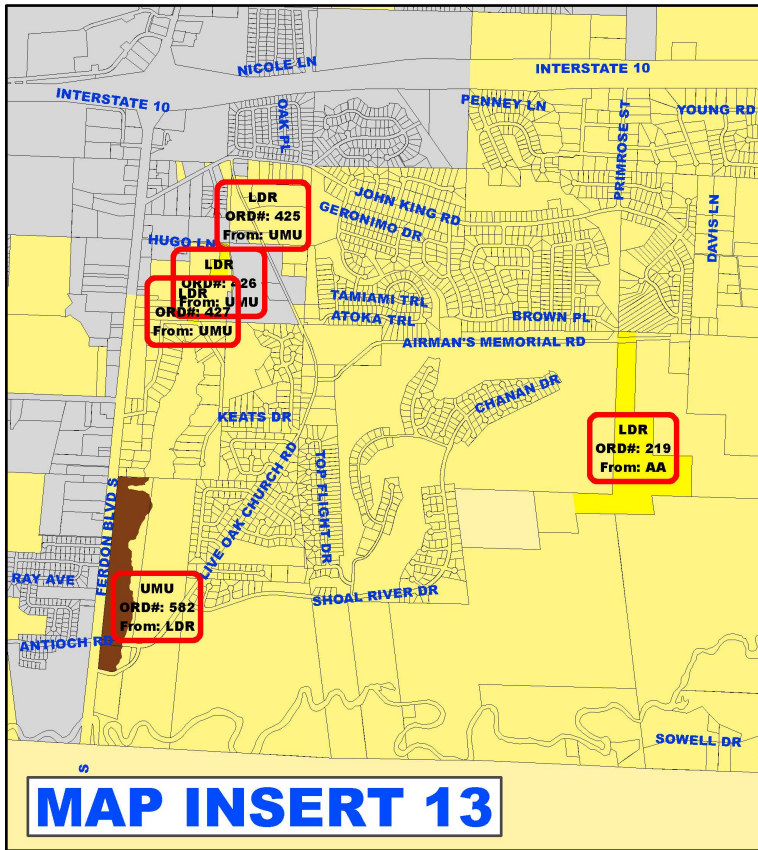


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




- Baker
- BWSF
- Laurel Hill
- Eglin AFB
- Unincorporated
- Crestview
- Parcels

Map 2.17 North County FLU Amendments

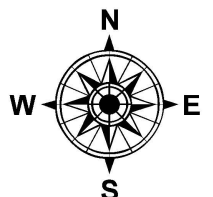


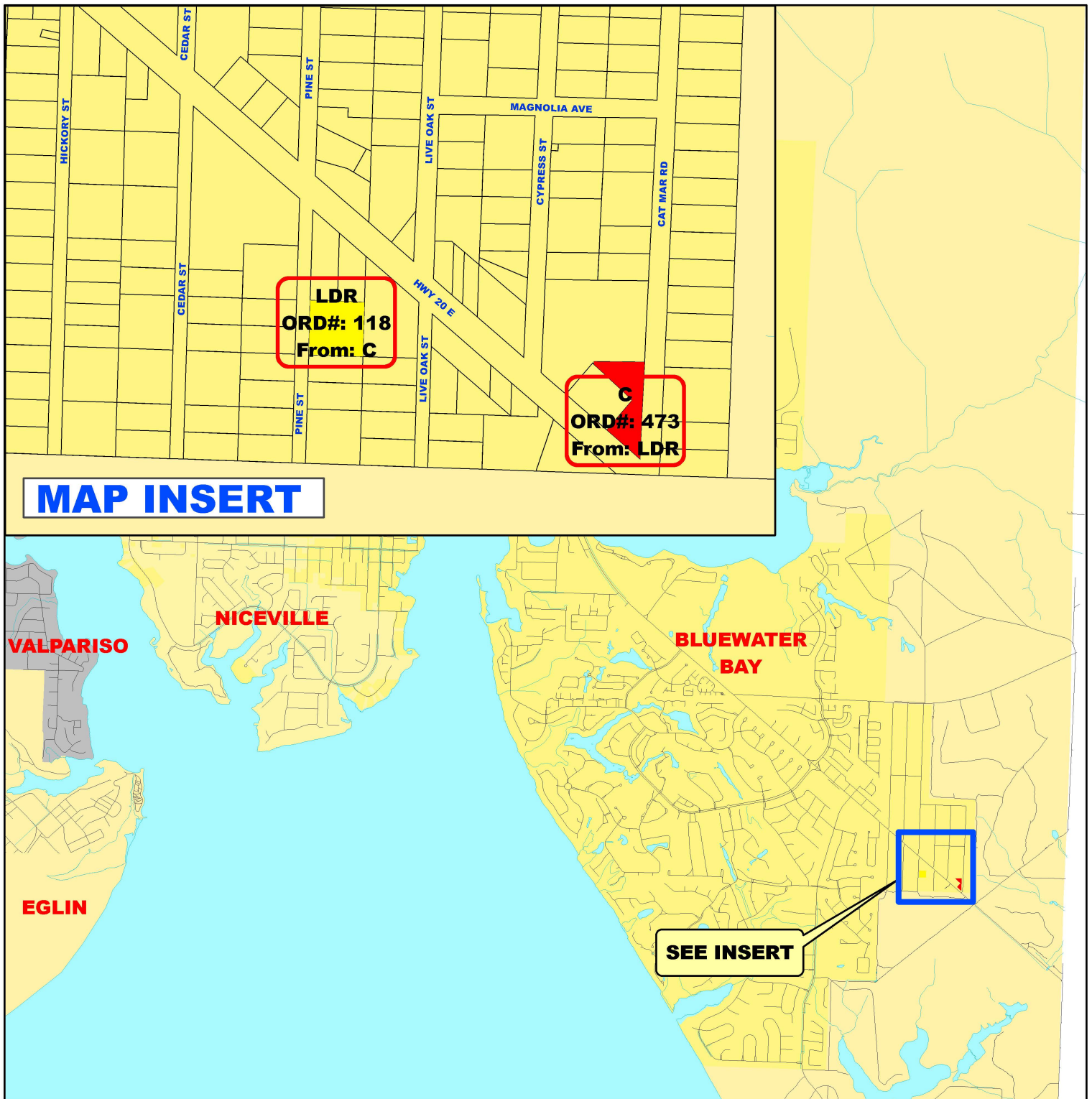


Legend

- | | | | |
|--|-------------|---|----------------|
|  | Baker |  | Unincorporated |
|  | BWSF |  | Crestview |
|  | Laurel Hill |  | Parcels |
|  | Eglin AFB | | |

Map 2.17 North County FLU Amendments

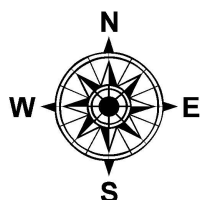




Legend

- | | |
|----------------|-----------|
| Niceville | Valpariso |
| Unincorporated | Parcels |
| Mary Esther | Roads |
| Eglin AFB | |

Map 2.17 Niceville FLU Amendments



Map 2.16 North Okaloosa County Development

Legend

2004 Subdivisions

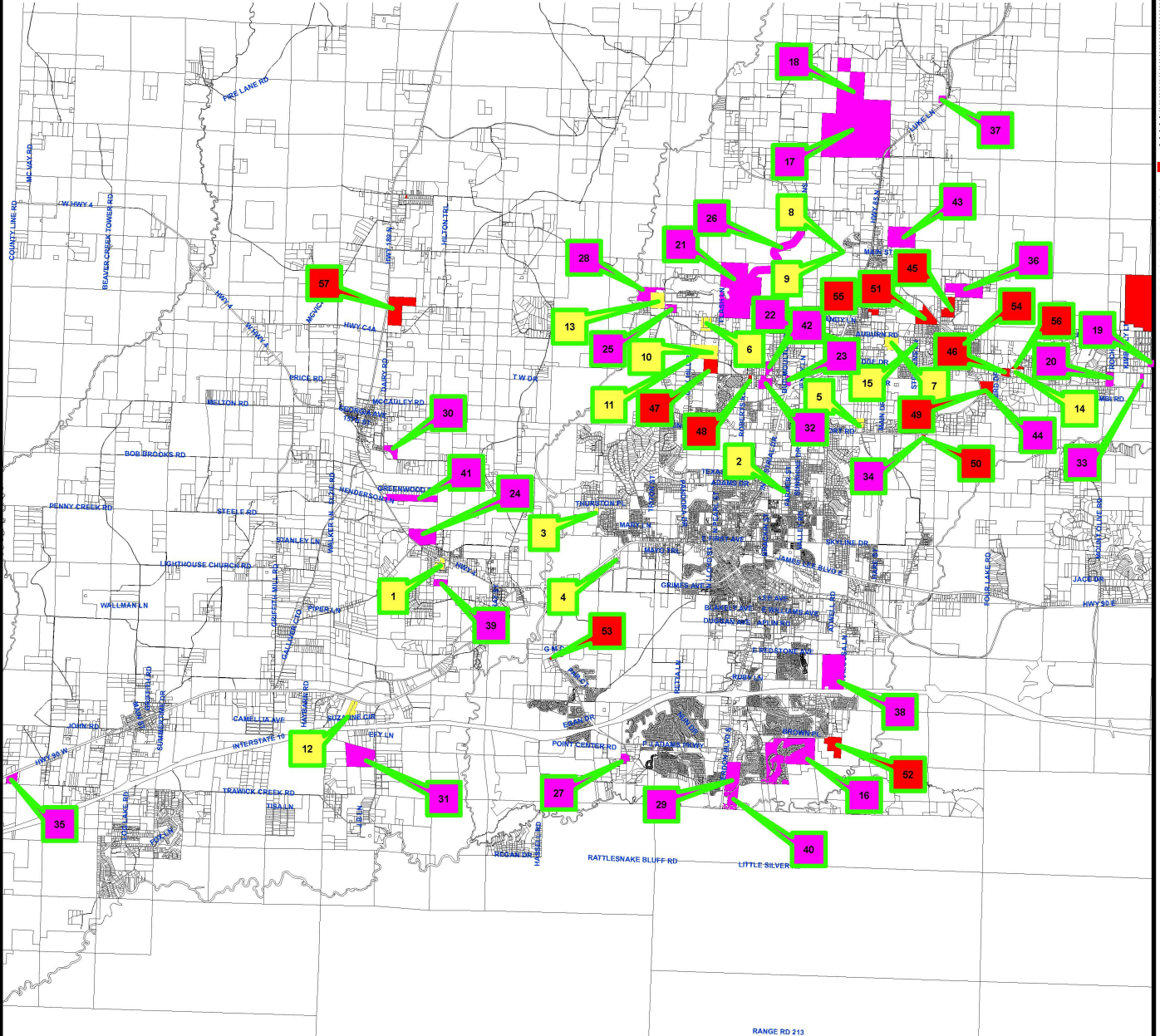
#	NAME	LOTS
1	Moore's Place (PH II)	16
2	Jayde Estates	14
3	Indian Trails	26
4	Parfield Village	12
5	Whispering Pines	23
6	Silverwood Estates	20
7	Lakewood Estates	52
8	Lake Arthur Estates (PH I)	20
9	Lake Arthur Estates (PH II)	45
10	Carnegie Hills	116
11	Carnegie Hills (PH I)	58
12	Virginia Ridge	24
13	Silver Creek Estates	70
14	Kittrell Estates	12
15	Clover Estates	3

2005 Subdivisions

#	NAME	LOTS
16	Chanan Estates 1st Addition	84
17	Heritage Plantation Master Plan	785
18	Heritage Plantation (PH II)	172
19	Painter Branch Estates	9
20	Brindwood Estates (PH I)	135
21	Silver Springs Estates	24
22	Old Hickory Estates	6
23	Four Winds Subdivision	17
24	Mossy Oaks Plantation	112
25	Cardinal Estates	21
26	Yellow River Plantation	171
27	Ashford's Preserve	13
28	Nanters-The Riverfront Comm	58
29	Dugan Pond Estates	148
30	Price Farms Plantation	57
31	Nave's Ridge	86
32	Silver Moon Sub	25
33	Kings Hill	14
34	Willow Creek Estates (PH I)	39
35	The Woodlands at Hot	162
36	Timberline Ridge	140
37	The Preserve at Campton	373
38	Redstone Commons (PH I)	20
39	Foxcroft Estates	41
40	Shore River Estates	86
41	Mill Creek Farms	21
42	Cachaly Estates	45
43	Burleson Springs Master Plan	245
44	Juniper Creek (PH II)	31

2006 Subdivisions

#	NAME	LOTS
45	Austin Estates	38
46	Hidden Valley	40
47	Charleston Place (PH I)	91
48	Everwood	13
49	Camille Cove	51
50	Willow Creek Plantation at Crestview West	39
51	Brown Stone Manor	89
52	Patriot Hills	138
53	Lacey Lane	6
54	Austin Woods Estates	35
55	Chastwick Estates	21
56	Vicent Estates	18
57	Johnson Plantation	86



MAP PROJECTION:
Lambert Conformal Conic Projection
Spheroid: Spheroid North (NAD83)
NAD 1983, NAD 1983

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Department of Growth Management

There have been no new schools built in Okaloosa County since 1997. Detailed data maintained by the School District show there is very little direct correlation between the general population growth and student population growth. That is to say the student population is driven more by age groups, housing prices, and other variables than simply population numbers in general.

A School District representative sits on the County's Technical Review Committee and on the Local Government Comprehensive Plan Committee. In this regard, all applications for development approval are provided to the School District for review and comment. At the present time, the primary means of coordination between the County and the School District are: 1) having a School District representative sit on the Technical Review Committee, and; 2) conducting "concurrency review" meetings between all involved parties at the time the School District is considering a site for a new school.

g. Plans of the Water Management District

Okaloosa County is located within Region II of the Northwest Florida Water Management District (NFWMD). In May, 2005 the NFWMD completed its review draft of the plan update for the Regional Water Supply Plan for Santa Rosa, Okaloosa, and Walton Counties. Okaloosa County Water & Sewer (OCWS) is working closely with the NFWMD to implement this regional water supply plan. Projections of water consumption demand and measures to provide an adequate water supply are presented in this plan.

h. Coastal High-Hazard Areas

The coastal high-hazard area (CHHA) is defined in the currently adopted comprehensive plan, Coastal Management Element Policy 2.1.1 as *the evacuation zone for a Category 1 hurricane as established on the surge zone maps of the regional evacuation study*. The CHHA and Comprehensive plan future land use map (FLUM) categories located within the CHHA are shown on Maps 2.18, 2.19, 2.20, and 2.21. Based on these FLUM categories allowable residential densities within the CHHA are shown on Table 2.3.

EVALUATION & APPRAISAL REPORT

Table 2.3
 CHHA Potential Development

<u>FLUM Category</u>	<u>Allowable Density</u>	<u>Acres</u>	<u>Allowable Units</u>	<u>Existing Units</u>
Low density Residential	up to 4 du/acre	1804	7218	2854
Medium Density Residential	up to 16 du/acre	337	5396	1348
High Density Residential	up to 25 du/acre	10	250	189
Suburban Residential	up to 16 du/acre	62	992	84
Urban Mixed Use	up to 25 du/acre	277	6925	407
Mixed Use-1	up to 20 du/acre	45	900	86
Mixed Use-2	up to 20 du/acre	668	13,360	440
TOTALS		3203	35,041	5408

Source: Okaloosa County GIS Analysis, 2006

THE PRECEDING ASSESSMENT OF DEVELOPMENT POTENTIAL ONLY INCLUDES THOSE UNINCORPORATED AREAS OUTSIDE THE AREA KNOWN AS "OKALOOSA ISLAND." The area known as "Okaloosa Island" is located between the Gulf of Mexico to the South, Santa Rosa Sound to the North, and the boundaries of Eglin AFB to both the West and East. Development within this area is controlled primarily by the "Santa Rosa Plat Map and Protective Covenants and Restrictions."

For areas outside "Okaloosa Island" Coastal Management Element Policy 2.1.3 limits residential density for new development to low density and medium density residential with a maximum allowable medium density of 16 dwelling units per acre. For "Okaloosa Island" high density residential development is limited to zones established in the protective covenants and restrictions as B-2 and B-3 at a maximum allowable density of 40 units per acre. Development potential for Okaloosa Island is shown on Table 2.4.

Table 2.4
 CHHA Potential Development
 Okaloosa Island

Zoning District	Allowable Density	Acres	Allowable units	Existing Units
B-1	Up to 5.4 du/acre	89	480	252
B-2, B-3	Up to 40 du/acre	247	9896	632
TOTALS		336	10,376	884

Source: Okaloosa County GIS Analysis, 2006

Map 2.18 Florosa CHHA/FLUM

Agricultural (AG)
 Commercial (C)
 City
 Conservation (CON)
 Eglin
 Industrial (I)
 Institutional (INST)
 Okaloosa Island

Low Density
 Residential (LDR)
 Medium Density
 Residential (MDR)
 High Density
 Residential (HDR)
 Mixed Use 1 DRI (MU-1)
 Mixed Use 2
 Master Plan Communities (MU-2)

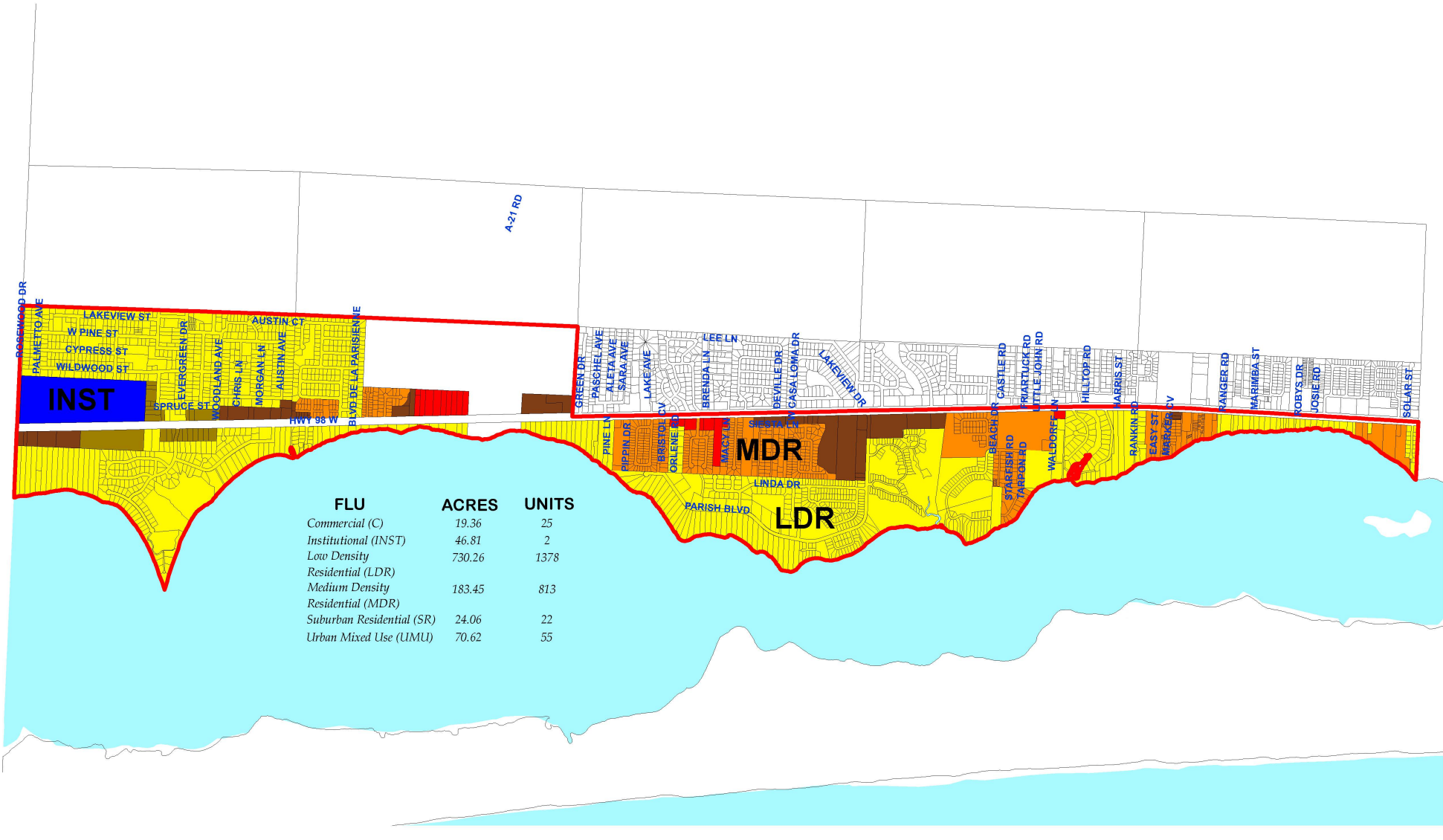
Natural Resource
 Development Area (NRDA)
 Recreational (REC)
 Rural Mixed Use (RMU)
 Rural Residential (RR)
 Suburban Residential (SR)
 Urban Mixed Use (UMU)
 Water
 Coastal High Hazard Area

MAP PROJECTION:
 Lambert Conformal Conic Projection
 Spheroid: Florida North (9903)
 NAD 1983/03, NAVD 1988
 PUBLIC RECORD:
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Map 2.19 Destin CHHA/FLUM

Legend

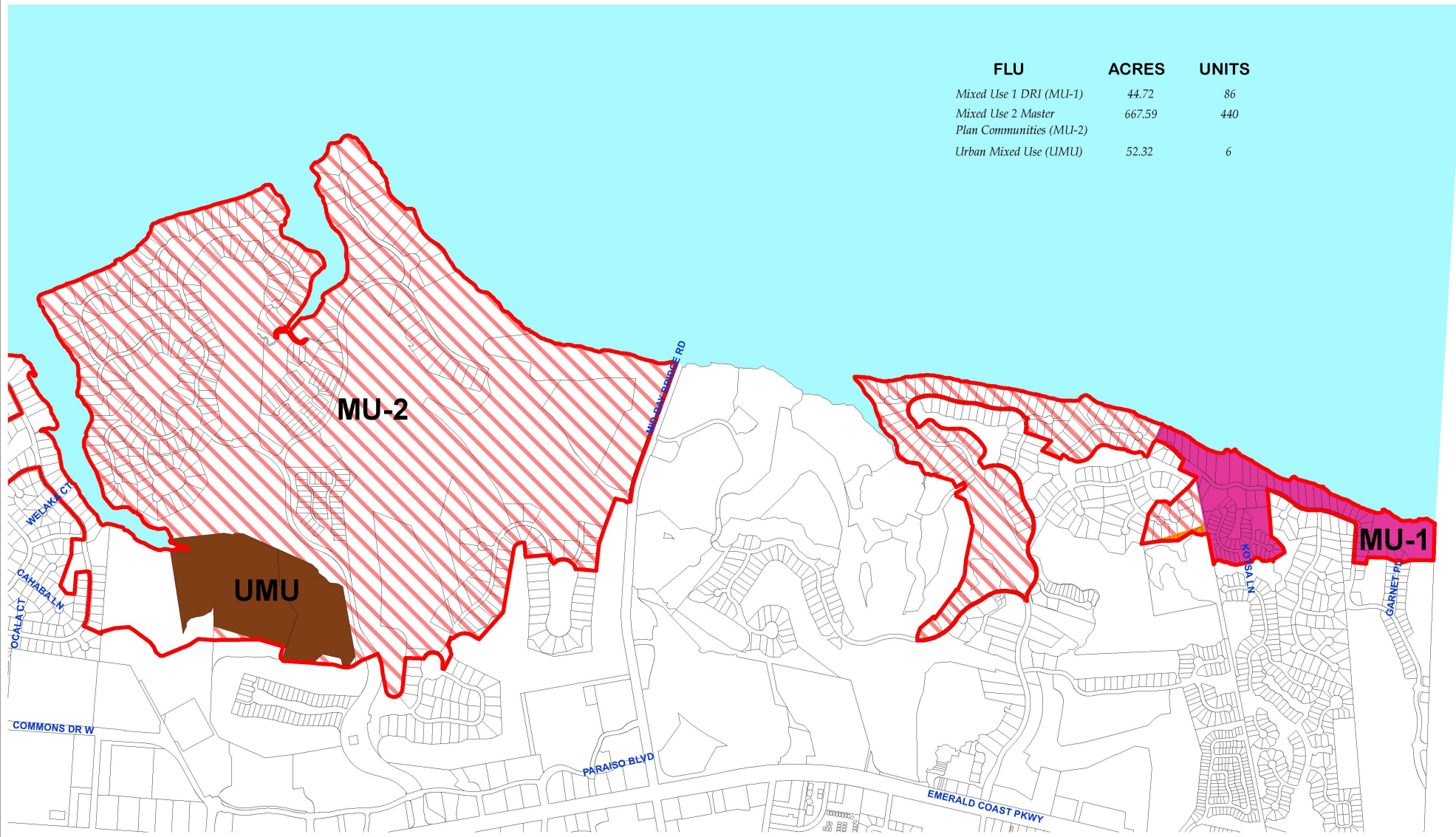
- Agricultural (AG)
- Commercial (C)
- City
- Conservation (CON)
- Eglin
- Industrial (I)
- Institutional (INST)
- Okaloosa Island
- Low Density
- Residential (LDR)
- Medium Density
- Residential (MDR)
- High Density
- Residential (HDR)
- Mixed Use 1 DRI (MU-1)
- Mixed Use 2
- Master Plan Communities (MU-2)
- Natural Resource
- Development Area (NRDA)
- Recreational (REC)
- Rural Mixed Use (RMU)
- Rural Residential (RR)
- Suburban Residential (SR)
- Urban Mixed Use (UMU)
- Water
- Coastal High Hazard Area

MAP PROJECTION:
Lambert Conformal Conic Projection
Datum: Florida North (1983)
NAD 1983(83), NAD 1983
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Map 2.20 FWB CHHA/FLUM

Legend

- Agricultural (AG)
- Commercial (C)
- City
- Conservation (CON)
- Eglin
- Industrial (I)
- Institutional (INST)
- Okaloosa Island
- Low Density
- Residential (LDR)
- Medium Density
- Residential (MDR)
- High Density
- Residential (HDR)
- Mixed Use 1 DRI (MU-1)
- Mixed Use 2
- Master Plan Communities (MU-2)
- Natural Resource
- Development Area (NRDA)
- Recreational (REC)
- Rural Mixed Use (RMU)
- Rural Residential (RR)
- Suburban Residential (SR)
- Urban Mixed Use (UMU)
- Water
- Coastal High Hazard Area

MAP PROJECTION:
Lambert Conformal Conic Projection
Spheroid: Florida North (1983)
NAD 1983(83), NAD 1983

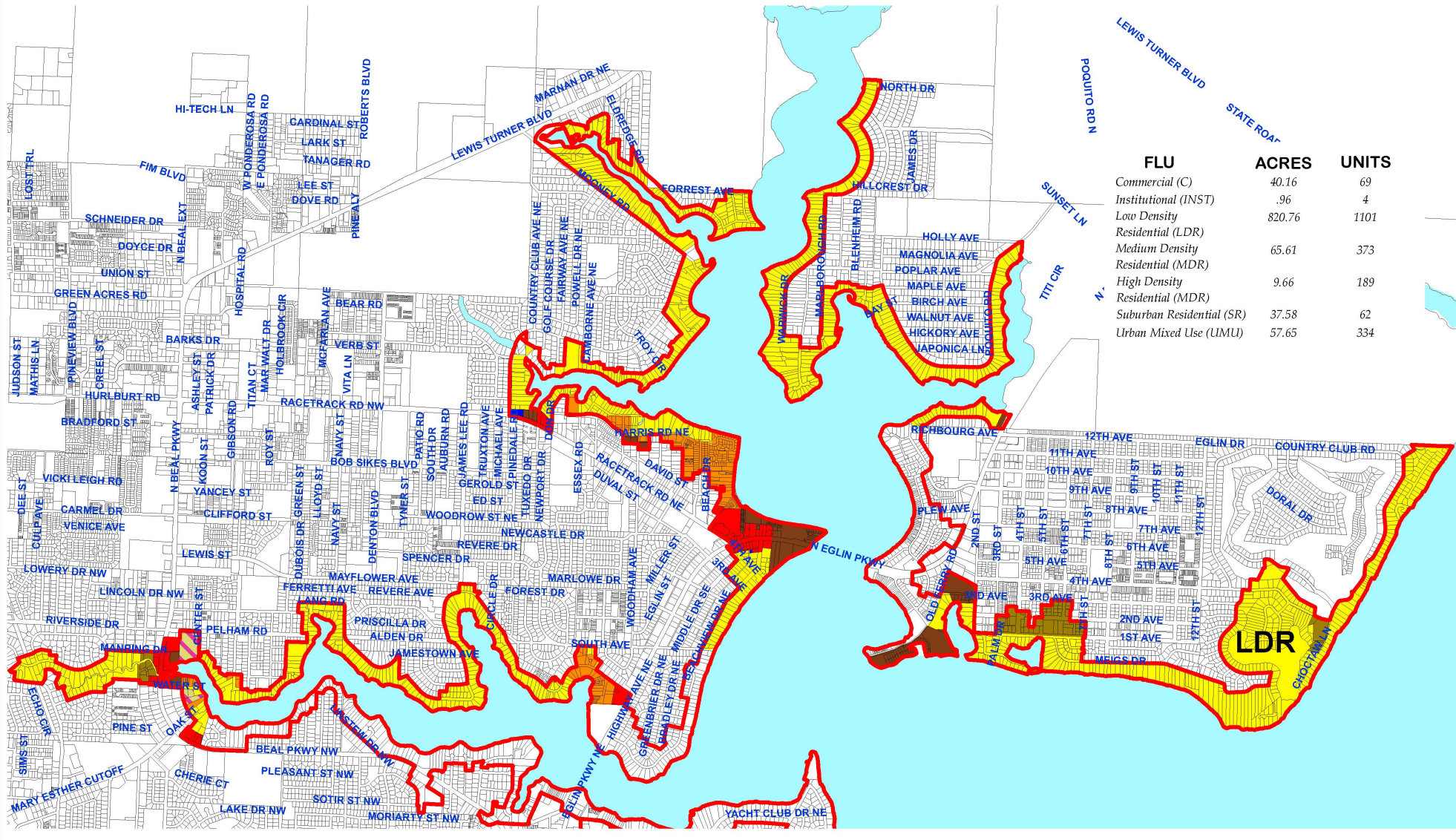
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Map 2.21 Niceville CHHA/FLUM

Legend

- Agricultural (AG)
- Commercial (C)
- City
- Conservation (CON)
- Eglin
- Industrial (I)
- Institutional (INST)
- Okaloosa Island
- Low Density Residential (LDR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Mixed Use 1 DRI (MU-1)
- Mixed Use 2
- Master Plan Communities (MU-2)
- Natural Resource Development Area (NRDA)
- Recreational (REC)
- Rural Mixed Use (RMU)
- Rural Residential (RR)
- Suburban Residential (SR)
- Urban Mixed Use (UMU)
- Water
- Coastal High Hazard Area

MAP PROJECTION:
Lambert Conformal Conic Projection
Stateplane: Florida North (F993)
NAD: 1983(90), NAD83, NAD83

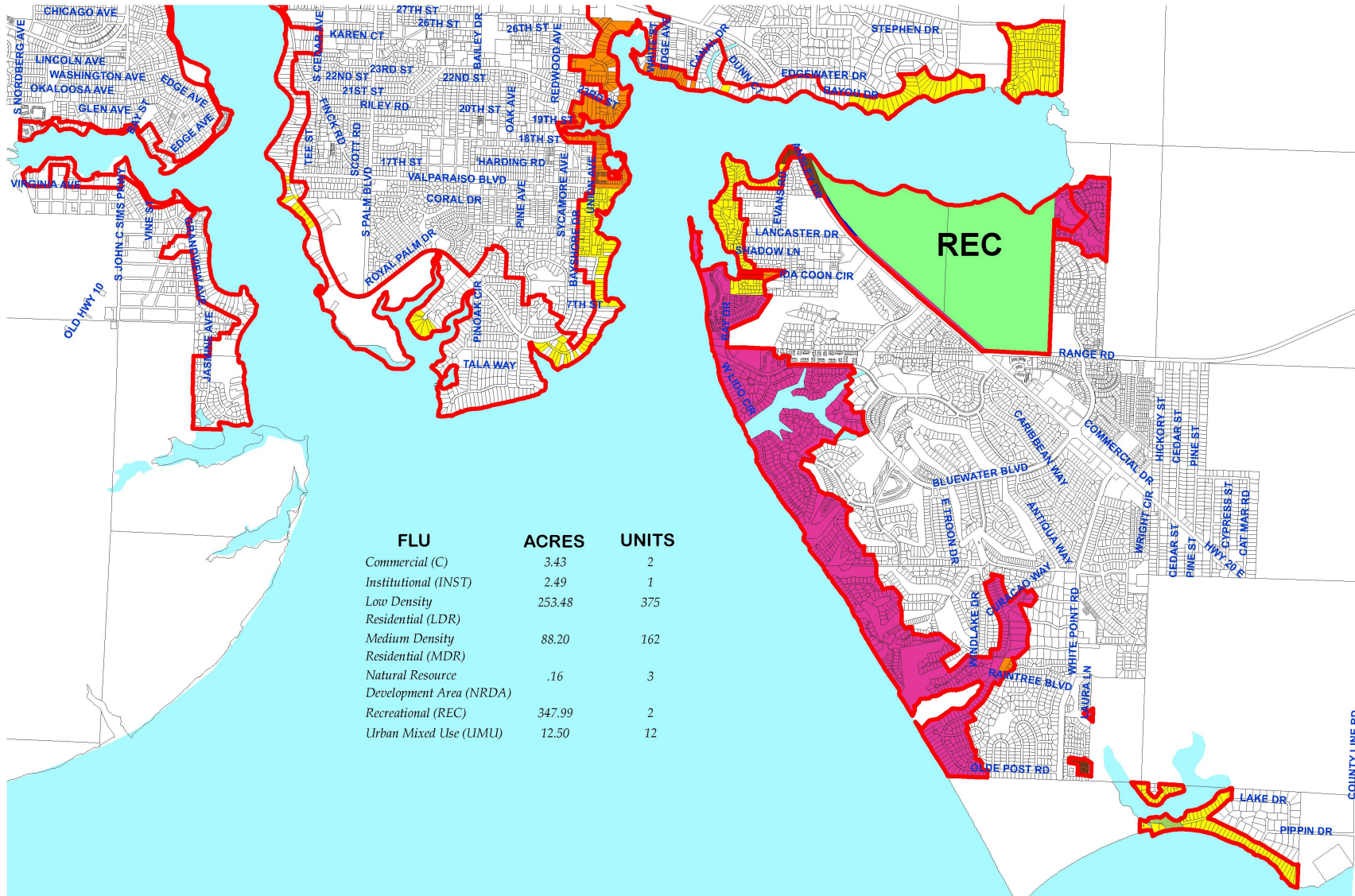
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FLU	ACRES	UNITS
Commercial (C)	3.43	2
Institutional (INST)	2.49	1
Low Density Residential (LDR)	253.48	375
Medium Density Residential (MDR)	88.20	162
Natural Resource Development Area (NRDA)	.16	3
Recreational (REC)	347.99	2
Urban Mixed Use (UMU)	12.50	12

Map 2.22 Okaloosa Island FLU Map

Legend

- | | | |
|--|---|---|
| ■ Agricultural (AG) | ■ Low Density | ■ Natural Resource |
| ■ Commercial (C) | ■ Residential (LDR) | ■ Development Area (NRDA) |
| ■ City | ■ Medium Density | ■ Recreational (REC) |
| ■ Conservation (CON) | ■ Residential (MDR) | ■ Rural Mixed Use (RMU) |
| ■ Eglin | ■ High Density | ■ Rural Residential (RR) |
| ■ Industrial (I) | ■ Residential (HDR) | ■ Suburban Residential (SR) |
| ■ Institutional (INST) | ■ Mixed Use 1 DRI (MU-1) | ■ Urban Mixed Use (UMU) |
| ■ Okaloosa Island | ■ Mixed Use 2 | ■ Water |
| | ■ Master Plan Communities (MU-2) | ■ Coastal High Hazard Area |

MAP PROJECTION:
Lambert Conformal Conic Projection
Datum: NAD 83
Spheroid: Florida North (1983)
Datum: NAD 83
Scale: 1"=1000'

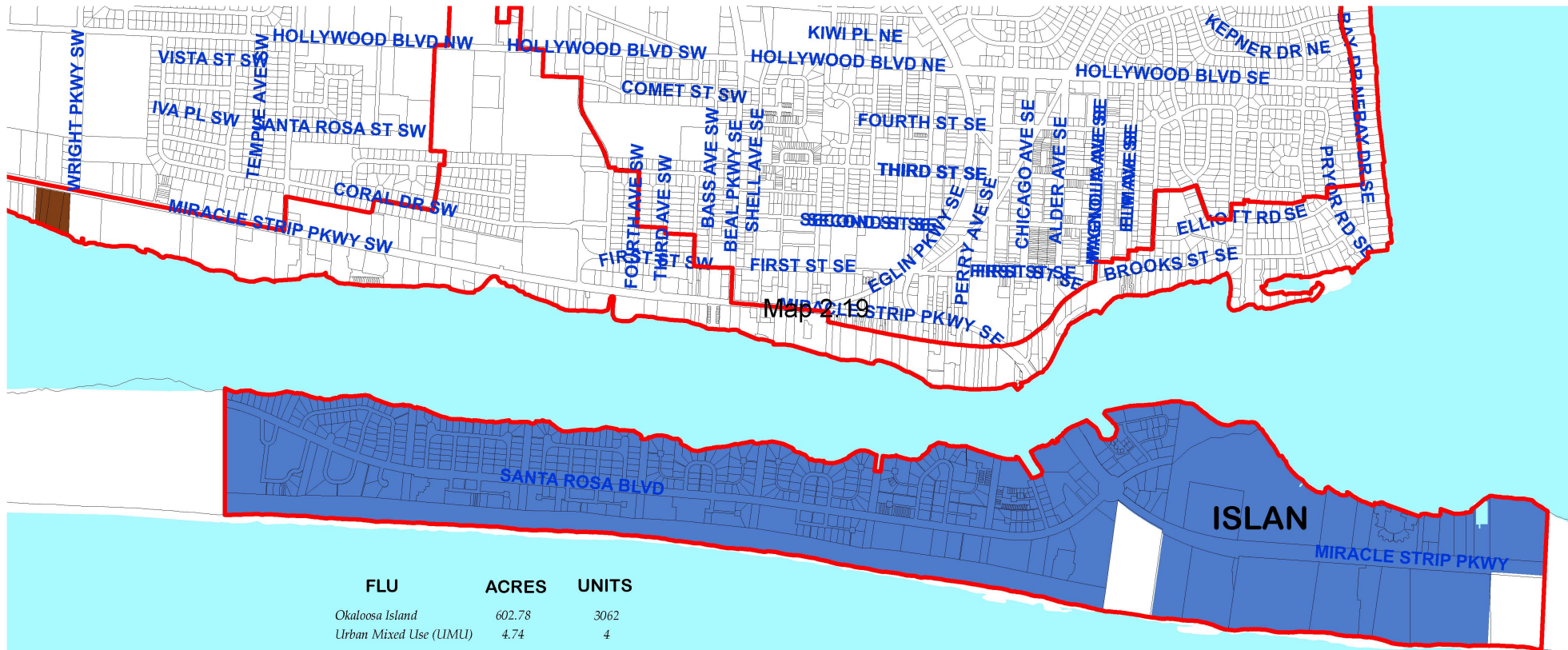
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FLU	ACRES	UNITS
Okaloosa Island	602.78	3062
Urban Mixed Use (UMU)	4.74	4
ZONING	ACRES	UNITS
B-1 (B-1)	89.06	252
B-2 (B-2)	104.36	2168
B-3 (B-3)	143.05	632
B-4 (B-4)	45.10	1

The DCA publication "EAR Guide", March, 2004 contains the following statements.

Are there any parcels where the maximum allowed density is less than the actual built density in existence today. These parcels are nonconforming as to density. Show any such parcels on a map and note the maximum allowed density and built density.

If there are no such parcels, then no further evaluation is needed as part of the Evaluation and Appraisal Report. Simply include in the report a summary of the analysis you performed demonstrating that within your community there is no situation where the current residential property rights might be impaired because existing built densities are greater than the densities allowed by the Comprehensive Plan.

Information provided on Tables 2.3 and 2.4 shows that the maximum allowable density does not exceed the built density within the CHHA. As such, no further evaluation of this issue is required.

In general, the entire CHHA in Okaloosa County is essentially built-out with little opportunity for new development on vacant land. Redevelopment of older motels and residences is also occurring to an extent, especially after damage caused by Hurricane Ivan. Any such redevelopment will be allowed to occur at the densities specified in the currently adopted Comprehensive Plan.

i. Other Significant Considerations

There are other events and initiatives taking place in Northwest Florida that will affect growth management in the region and Okaloosa County in particular. These may eventually cause unforeseeable changes to the Comprehensive Plan that were not contemplated in this EAR.

Eglin Base Realignment and Closure

Eglin Air Force Base is located in Okaloosa County and represents a major component of the local economy and population. In its final report to Congress, the Department of Defense recommended personnel and mission realignments to Eglin Air Force Base that will result in an estimated \$304 million in new construction spending and the addition of almost 6,000 military and civilian personnel to the base by 2010.*

It is clear that Okaloosa County will experience net gains in military employment from the BRAC 2005 process. The final magnitudes on staffing and related expenditure flows, as well as the timing of the proposed implementation, are not yet known with certainty. However, there is broad consensus that no less than 5,700 jobs with a direct payroll of \$320 million per year will relocate to Eglin over the next several years.*

This unanticipated influx of military and civilian households will undoubtedly affect the local infrastructure including roads, water, sewer, schools, public safety, and so on. In recognition of this, the Department of Defense, Office of Economic Adjustment is going forward with some major planning initiatives. These involve a Joint Land Use Study (JLUS) which is described as a cooperative land use planning effort between military installations and surrounding communities which is intended to promote compatible community and installation growth while supporting military missions, and a Growth Management Plan which is intended to identify potential impact on local land use transportation, housing, infrastructure, and education facilities. The results of these initiatives will very likely necessitate changes to the Comprehensive Plan which are not anticipated at the time of this EAR.

* Taken from: "Economic Impact of the 2005 BRAC Relocations in Okaloosa County", Haas Center, University of West Florida, November, 2005

Committee for a Sustainable Emerald Coast

In June, 2006 Governor Bush signed an Executive Order creating the Committee for A sustainable Emerald Coast. Comprised of members from military, business, academic, and government agencies this committee is tasked with addressing issues of regional importance related to long-range planning to assure sustainable growth in the Escambia, Santa Rosa, Walton, and Okaloosa County region. The results of the committee's efforts will very likely necessitate changes to the Comprehensive Plan that were not anticipated at the time of this EAR.

Senate Bill 360 (SB 360)

The 2005 Legislature enacted Senate Bill 360 which includes the most sweeping changes to growth management laws since 1985. This bill requires cities and counties to enact changes to Comprehensive Plans and development codes primarily involving schools, transportation, and potable water supply. The Comprehensive Plan will most likely have to be changed to accommodate this legislation.

Chapter 3

Chapter 3 – Evaluation of Plan Elements

The purpose of this Chapter is to provide a summary evaluation of each element included in the Comprehensive Plan.

Generally

The Comprehensive Plan currently in effect was adopted on May 23, 2000 and became effective on November 7, 2000. The revised Plan was the result of a previous EAR adopted in February, 1998. Most of the observations made in this evaluation are the result of staff experience with the Plan during the past six years.

Overall, the Plan would benefit from re-styling and re-formatting. Use of a box or matrix style would make the Plan more user-friendly and easier to understand. The Plan would also benefit greatly from including an Administrative Procedures Element which outlines how the Plan is to be administered. This element should include such topics as authority, jurisdiction, duties and responsibilities, procedures for plan amendments, and other related administrative procedures. The Administrative Procedures Element would provide essential requirements of law and guidance as to how the Plan is to be applied.

Future Land Use Element (FLUE)

The following observations are made regarding the FLUE.

- The distribution of land use categories on the future land use map (FLUM) should be re-evaluated in consideration of current conditions. In particular, the distribution of the Agriculture and Low Density Residential FLUM categories should be examined.

- Distribution of the Agriculture FLUM category should be based upon a tangible measure such as the size of the property and whether it has been classified as agriculture by the Property Appraiser for property tax purposes. Property owners must ask the Property Appraiser for an agriculture classification which must then be renewed on an annual basis. This should provide a clear expression of intent on the part of the property owner.
- The Low Density Residential (LDR) FLUM category has been assigned to areas that are classified as agriculture by the Property Appraiser, and which are highly unlikely to be developed as LDR during the 10-year planning timeframe. Some of these areas do not have access to adequate infrastructure to support an LDR designation. The LDR category should be re-distributed based upon definitive location criteria such as environmental constraints and availability of infrastructure to support the designation either now or in the future.
- The future land use categories are depicted on the FLUM in a somewhat random, haphazard manner which bisects properties and makes category boundary lines difficult to ascertain. The future land use categories shown on the FLUM should be drawn along identifiable lines such as section lines, half-section lines, property lines, natural or man-made features, etc.
- The distribution of land use categories shown on the FLUM should be re-evaluated to ensure accuracy and consistency with the underlying existing land use so as to reduce the potential for creating nonconforming uses.
- All FLUE objectives should be measurable, and should be referenced to the legitimate governmental interest the objective is striving to fulfill or promote.
- Text describing the various FLUM categories should be re-written in order to clarify and simplify the description of each land use category.
- Objective 7 should be re-evaluated to ensure that the most recent studies have been referenced.
- Policy 10.1, j "Natural Resource Development Areas" should be re-evaluated as to relevance. The Plan would benefit from an actual "Conservation" future land use category.
- All objectives and policies should be re-evaluated as to relevance and current applicability.

Transportation Element

The following observations are made regarding the Transportation Element.

- The level-of-service (LOS) standards established in Table 2.2.1 are outdated.
- The element must be revised to be consistent with SB 360.
- There are no policies to distinguish the operation and maintenance responsibilities between FDOT and the County.
- There is no description of the various functional classifications of roadways.
- Functional classifications, i.e. arterial, collector have not been assigned to roadways within the County.
- The element should place more emphasis on transportation facilities and improvements which are under direct county jurisdiction and control.
- The Future Traffic Circulation Map should be updated.
- Need to add policies regarding protection and conservation of natural resources within airports.
- All goals, objectives and policies should be re-evaluated to determine applicability to current conditions and circumstances.

Housing Element

The objectives and policies prescribed in this element primarily involve coordination with other agencies and housing programs or procedures and recommended regulations to increase opportunities for affordable housing. Several of the land development/regulatory policies have been implemented and should be re-evaluated as to current relevance. The element would benefit from incorporation of relevant portions of the most recent S.H.I.P. Housing Incentive Plan (HIP) and Housing Assistance Plan (HAP).

Sanitary Sewer Sub-Element

Objectives and policies prescribed in this sub-element primarily involve improvements to the wastewater treatment system; establishing level-of-service standards, and; establishing standards for use of septic tanks and wastewater package plants. Most of the prescribed improvements have either been completed or are in-process. These policies should be updated to reflect projects identified by Okaloosa County Water & Sewer over the next five years. Likewise, levels-of-service and septic tank/package plant policies should be re-evaluated as to current relevance.

Solid Waste Sub-Element

The County has very limited involvement in the collection or disposal of solid waste. Collection is provided by private contractors within designated franchise areas. Collected waste is then transported to Jackson County for disposal. These private contractors also manage the County's recycling program. As such, there are few objectives and policies relating to solid waste expressed in the Plan. These should be re-evaluated in consideration of the current operating policies and procedures of the Public Works Department.

Stormwater Management Sub-Element

Objectives and policies prescribed in this sub-element primarily involve projects and programs to correct existing deficiencies; ensuring that stormwater facilities for new developments are provided by the developer, and; establishing level-of-service standards. One of the policies called for the preparation of a master stormwater plan. Since that time, the County has completed the master plan which should form the basis for a re-write of this sub-element.

Potable Water Sub-Element

This sub-element relies heavily upon a 1998 Water Resources Plan and deference to regulations in the Land Development Code. The sub-element must be updated to be consistent with the requirements of SB 360. In particular, the element must be consistent with the regional water supply plan of the water management district. Also, the sub-element should be revised so as to be consistent with the current policies, plans, and programs of Okaloosa County Water & Sewer.

Natural Groundwater Aquifer Recharge Sub-Element

Need to add objectives and policies regarding aquifer high recharge and prime recharge areas.

Coastal Management Element

The "coastal planning area" should be defined and identified. Otherwise, no changes are required.

Conservation Element

The element would benefit from restructuring so that those natural resources that merit special protection are specifically identified and a detailed description of how these resources will be protected is provided. Otherwise, no changes are required. Consideration of the regional water supply plan must be included per change in state statute.

Recreation and Open Space Element

Okaloosa County completed a "Parks and Recreation Master Plan" in 2003. This Plan should form the basis of updating this element including revised level-of-service standards.

Intergovernmental Coordination Element

No changes required.

Capital Improvements Element and Schedule of Capital Improvements

This element should be substantially revised to be made consistent with the requirements of SB 360 and Rule 9J-5.015 (3)(c).

Monitoring and Evaluation Procedures

This section should be revised to be consistent with SB 360 requirements

Concurrency Management System

This section should be revised to be consistent with SB 360 requirements.

Chapter 4

Chapter 4 – Changes to Statutes and Administrative Rules

The purpose of this chapter is to identify changes that have been made in state laws and rules during the evaluation period, and to evaluate whether these changes have been appropriately addressed in the Comprehensive Plan. Changes to Florida Statutes and the Florida Administrative Code were evaluated using forms downloaded from the Department of Community Affairs web site. The County adopted and submitted its previous EAR in 1998 which included an evaluation of changes to statutes and rules which occurred prior to that time. As such, this evaluation begins with changes beginning in 1999.

It should be noted that the Plan will have to be amended as required by SB 360. Identification of needed amendments is currently in process.

Chapter 163, Part II, Florida Statutes

Beginning with 1999.

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
1986: [Ch. 86-191, SS.7 - 12, & 18 - 31, <u>Laws of Florida</u>]					
1	The requirement that plans include soil surveys which indicate the suitability of soils for septic tanks moved from the Capital Improvements Element to the General Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element, by striking Subparagraph 163.3177(3)(a)4., and adding the last sentence of Paragraph 163.3177(6)(c).	163.3177(6)(c)			
2	A Future Land Use Element must have "goals, policies, and measurable objectives ," rather than "measurable goals, objectives, and policies."	163.3177(6)(a)			
3	Eliminated the 12-month delay for consistency with the comprehensive regional policy plans.	163.3177(9)(c)			
4	<p>Approved 9J-5, F.A.C.</p> <p>Defined "consistency," "compatible with," and "furthers."</p> <p>Required each local government to review and address all State Comprehensive Plan provisions relevant to that jurisdiction.</p> <p>Support data shall not be subject to the compliance review process, but that goals and policies must be clearly based on appropriate data. The Department of Community Affairs authorized to reject data if not collected in a professionally accepted manner, but forbidden to require a particular professionally accepted methodology. 9J-5 does not require original data collection.</p> <p>Recognized that local governments are charged with setting level-of-service standards.</p> <p>Public facilities and services needed to support development shall be available concurrent with the impacts of development.</p> <p>Established the "shield" against rule challenges to 9J-5 until July 1, 1987.</p>	163.3177(10)			
5	Required the comprehensive master plan for each deepwater port to be submitted to the appropriate local government at least 6 months before the due date of the local plan; defined "appropriate local government," and provided for sanctions for deepwater ports which are not part of a local government and which fail to submit their comprehensive master plan.	163.3178(2)(k)			

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
6	Substantially reworded Section 163.3184, " Process for adoption of comprehensive plan or amendment thereto," to basic format in place today.	163.3184			
7	Extended development of regional impact exemption from twice-a-year plan amendments to Florida Quality Developments.	163.3187(1)(b)			
8	Exempted small scale amendments from the twice-a-year limitation.	163.3187(1)(c)			
9	Required the local planning agency's evaluation and appraisal report to be transmitted to DCA, and required the governing body of the local government to adopt, or adopt with changes, the local planning agency's report within 90 days after receipt. Authorized transmittal of the EAR plan amendments, rather than the entire plan as amended, to DCA.	163.3191(1) & (4) [Note: 163.3191 was amended and reworded in 1998. Check statutes for current wording.]			
10	Delayed implementation of concurrency until 1 year after due date for submittal of the comp plan.	163.3202(2)(g)			
11	Initial adoption of the Florida Local Government Development Agreement Act .	[Now: 163.3220-.3243]			
1987: [Ch. 87-224, SS. 24, 25 & 26, <u>Laws of Florida</u> (Revisor's bill), and Ch. 87-338, <u>Laws of Florida</u>]					
12	Extended date for DCA to adopt schedule for submittal of local plans from October 1, 1986 to October 1, 1987, and extended the latest date for submission by non-coastal counties from July 1, 1990 to July 1, 1991.	[Now: 163.3167(2)]			
1988: None					
1989: None					
1990: None					
1991: [Ch. 91-45, SS. 31 and 32, <u>Laws of Florida</u>] Nothing substantive.					
1992: [Ch. 92-129, <u>Laws of Florida</u> , and Ch. 92-279, S. 77, <u>Laws of Florida</u>]					
13	Clarified that the procedures for approval of the original plans also applied to plan amendments .	[Now: 163.3189(2)(a)]			
14	Provided that the local planning agency should prepare plan amendments.	163.3174 163.3164(13) [Now: (14)] 163.3221(10) [Now: (11)]			
15	Added " spoil disposal sites for maintenance dredging located in the intracoastal waterways, except for spoil disposal sites owned or used by ports" to the definition of "public facilities."	163.3164(24)			
16	Added requirement that independent special districts submit a public facilities report to the appropriate local government.	163.3177(6)(h)2. [Now: 163.3177(6)(h)3.]			
17	Extended " shield " against challenges to the portion of Rule 9J-5 that was adopted before October 1, 1986, from July 1 1987 to	163.3177(10)(k)			

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	April 1, 1993.				
18	<p>Recognized the need for innovative planning and development strategies to address the anticipated continued urbanization of the coast and other environmentally sensitive areas.</p> <p>Stated that plans should allow land use efficiencies within existing urban areas, and should also allow for the conversion of rural lands to other uses.</p> <p>Provided that plans and land development regulations (LDRs) should maximize the use of existing facilities and services through redevelopment, urban infill, and other strategies for urban revitalization.</p>	<p>163.3177(11)(a)</p> <p>(11)(b)</p> <p>(11)(c)</p>			
19	Amended definition of "affected person" to clarify that the affected person's comments, recommendations, or objections have to be submitted to the local government after the transmittal hearing for the plan amendment and before the adoption of the amendment.	163.3184(1)(a)			
20	Required the local government to include such materials as DCA specifies by rule with each plan amendment transmittal.	163.3184(3)(b)			
21	Gave the local government 120 days , rather than 60 days, after receipt of the objections, recommendations, and comments to adopt or adopt with changes the plan or amendment ; and gives the local government 10 days, rather than 5 days, after adoption to transmit the adopted plan or amendment to DCA. Also requires that a copy of the adopted plan or amendment be transmitted to the regional planning council.	163.3184(7)(a) [Now: 163.3184(7)(c)1]			
22	Provided that the Secretary of DCA, as well as a "senior administrator other than the Secretary" can issue a notice of intent (NOI) .	163.3184(8)(b)			
23	Required that the Division of Administrative Hearings hearing must be held "in the county of and convenient to" the affected local jurisdiction.	163.3184(9)(b) & (10)(a)			
24	Provided that new issues cannot be raised concerning plan compliance more than 21 days after publication of the NOI.	163.3184(10)(a)			
25	Added a procedure for Compliance Agreements .	163.3184(16)			
26	<p>Changed the requirements for small scale amendments:</p> <ul style="list-style-type: none"> Increased the geographic size from 5 to 10 acres of residential land use at a density of 10, rather than 5, units per acre; and for other land use, an increase from 3 to 10 acres. Also 	163.3187(1)(c)			

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	<p>increased the annual total from 30 to 60 acres.</p> <ul style="list-style-type: none"> Allowed local governments to use a newspaper ad of less than a quarter page in size. Authorized DCA to adopt rules establishing an alternative process for public notice for small scale amendments. Provided that small scale amendments require only an adoption hearing. 				
27	Provided that a plan amendment required by a compliance agreement may be approved without regard to the twice-a-year limitation on plan amendments.	163.3187(1)(e) [Now: 163.3187(1)(d)]			
28	Stated that nothing in the statute prevented a local government from requiring a person requesting an amendment to pay the cost of publication of notice .	163.3187(5)			
29	Created an alternative process for amendment of adopted comprehensive plans	163.3189			
30	Provided that the first EAR report is due 6 years after the adoption of the comp plan, and subsequent EAR reports are due every 5 years thereafter.	163.3191(5) [Now: 163.3191(13)]			
31	<p>Amended the Development Agreement Act by providing:</p> <ul style="list-style-type: none"> Development agreements are not effective unless the comp plan or plan amendments related to the agreement are found in compliance. Development agreements are not effective until properly recorded and until 30 days after received by DCA. 	<p>163.3235</p> <p>163.3239</p>			
1993: [Ch. 93-206, <u>Laws of Florida</u> (aka the ELMS bill) and Ch. 93-285, S. 12, <u>Laws of Florida</u>]					
32	Amended the intent section to include that constitutionally protected property rights must be respected.	163.3161(9)			
33	Added definitions for "coastal area", "downtown revitalization", "Urban redevelopment", "urban infill", "projects that promote public transportation", and "existing urban service area."	163.3164			
34	Amended the scope of the act to provide for the articulation of state, regional, and local visions of the future physical appearance and qualities of a community.	163.3167(11)			
35	<p>Amended the requirements for the housing element by:</p> <ul style="list-style-type: none"> Having the element apply to the jurisdiction, rather than the area. Including very-low income housing in the types of housing to be considered. 	163.3177(6)(f)1.			

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	<ul style="list-style-type: none"> Provided guidance that the creation or preservation of affordable housing should minimize the need for additional local services and avoid the concentration of affordable housing units only in specific areas. Required DCA to prepare an affordable housing needs assessment for all local jurisdictions, which will be used by each local government in preparing the EAR report and amendments, unless DCA allows the local government to prepare its own needs assessment. 	(f)2.			
36	<p>Amended the intergovernmental coordination element (ICE) by:</p> <p>Requiring each ICE to include:</p> <ul style="list-style-type: none"> A process to determine if development proposals will have significant impacts on state or regional facilities. A process for mitigating extrajurisdictional impacts in the jurisdiction in which they occur. A dispute resolution process. A process for modification of DRI development orders without loss of recognized development rights. Procedures to identify and implement joint planning areas. Recognition of campus master plans. Requiring each county, all municipalities within that county, the school board, and other service providers to enter into formal agreements, and include in their plans, joint processes for collaborative planning and decision-making. <p>Requiring DCA to:</p> <ul style="list-style-type: none"> Adopt rules to establish minimum criteria for ICE. Prepare a model ICE. <p>Establish a schedule for phased completion and transmittal of ICE plan amendments.</p>	<p>163.3177(6)(h)1. and 2.</p> <p>[Note: Requirement deleted in 1996]</p> <p>[Now: 163.3177(9)(h) 163.3177(9)(h) 163.3177(6)(h)5]</p>			
37	Providing that amendments to implement the ICE must be adopted no later than December 31, 1997 [Now: 1999] .	Now: 163.3177(6)(h)5.			
38	Requiring a transportation element for urbanized areas.	<p>163.3177(6)(h)</p> <p>[Now: 163.3177(6)(j)]</p>			
39	Adding an optional hazard mitigation/post disaster redevelopment element for local governments that are not required to have a coastal management element.	163.3177(7)(l)			
40	Requiring DCA to consider land use compatibility issues in the vicinity of airports .	163.3177(10)(l)			

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
41	<p>Amended the coastal management element by:</p> <ul style="list-style-type: none"> Defining "high hazard coastal areas" as category I evacuation zones, and stated that mitigation and redevelopment policies are at the discretion of the local government. Affirming the state's commitment to deepwater ports, and required the Section 186.509 dispute resolution process to reconcile inconsistencies between port master plans and local comp plans. Encouraging local governments to adopt countywide marina siting plans. Requiring coastal local governments to identify spoil disposal sites in the future land use and port elements. Requiring each county to establish a process for identifying and prioritizing coastal properties for state acquisition. 	<p>163.3178</p> <p>(2)(h)</p> <p>(5)</p> <p>(6)</p> <p>(7)</p> <p>(8)</p>			
42	<p>Created a new section for concurrency which:</p> <ul style="list-style-type: none"> Provides concurrency on a statewide basis only for roads, sewers, solid waste, drainage, potable water, parks and recreation, and mass transit; a local government can extend concurrency to public schools if it first conducts a study to determine how the requirement would be met. Set timing standards for concurrency of: <ul style="list-style-type: none"> For sewer, solid waste, drainage and potable water facilities, in place no later than the issuance of the certificate of occupancy. For parks and recreation facilities, no later than 1 year after issuance of certificate of occupancy. For transportation facilities, in place or under actual construction no later than 3 years after issuance of a certificate of occupancy. Allowing exemptions from transportation concurrency for urban infill, urban redevelopment and downtown revitalization. Allowing a de minimis transportation impact of not more than 0.1% of the maximum volume of the adopted level of service as an exemption from concurrency. Authorizing the designation of transportation management areas. Allowing urban redevelopment to create 110% of the actual transportation impact caused by existing development 	<p>163.3180</p>			

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	<p>before complying with concurrency.</p> <ul style="list-style-type: none"> • Authorizing local governments to adopt long-range transportation concurrency management systems with planning periods of up to 10 years where significant backlogs exist. • Requiring local governments to adopt the level-of-service standard established by the Department of Transportation for facilities on the Florida Intrastate Highway System. • Allows development that does not meet concurrency if the local government has failed to implement the Capital Improvements Element, and the developer makes a binding commitment to pay the fair share of the cost of the needed facility. 				
43	Provided a procedure to ensure public participation in the approval of a publicly financed capitol improvement.	163.3181(3)			
44	<p>Amended the procedure for the adoption of plans and plan amendments as follows:</p> <ul style="list-style-type: none"> • Proposed plans or amendments, and materials, must be transmitted to the regional planning councils, the water management districts, the Department of Environmental Protection, and the Department of Transportation as specified in DCA's rules. • DCA reviews amendments only upon the request of the regional planning council, an affected person, or the local government, or those, which it wishes to review. • The regional planning council's review of plan amendments is limited to effects on regional facilities or resources identified in the strategic regional policy plan and extra jurisdictional impacts. • DCA may not require a local government to duplicate or exceed a permitting program of a state, federal, or regional agency. 	163.3184			
45	Provided that local governments cannot amend their comp plans after the date established for submittal of the EAR report unless the report has been submitted.	163.3187(5) [Now: 163.3187(6)(a)]			
46	Changed the Alternative Process for the amendment of adopted comp plans to the Exclusive Process.	163.3189(1)			
47	Provided that plan amendments do not become effective until DCA or the Administration Commission issues a final order determining that the amendment is in compliance.	163.3189(2)(a)			

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
48	Provides that the sanctions assessed by the Administration Commission do not occur unless the local government elects to make the amendment effective despite the determination of noncompliance.	163.3189(2)(b)			
49	Authorizing the local government to demand formal or informal mediation , or expeditious resolution of the amendment proceeding.	163.3189(3)(a)			
50	Amended the EARs section to require additional statements of: <ul style="list-style-type: none"> The effect of changes to the state comprehensive plan, ch. 163, part II, 9J-5 and the strategic regional policy plan. The identification of any actions that need to be taken to address the planning issues identified in the report. Proposed or anticipated amendments. A description of the public participation process. Encourage local governments to use the EAR to develop a local vision. Allows DCA to grant a 6 month extension for the adoption of plan amendments required by the EAR. Requires plan amendments to be consistent with the report. Allows municipalities of less than 2,500 to submit the EAR no later than 12 years after initial plan, and every 10 years thereafter. Authorized DCA to review EAR for sufficiency, but not for compliance. DCA authorized to delegate review to the regional planning council . Administration Commission is authorized to impose sanctions for failure to timely implement the EAR. DCA authorized to enter into agreement with municipalities of less than 5,000 and counties of less than 50,000 to focus planning efforts on selected issues when updating the plans. 	163.3191 [Note: 163.3191 was amended and reworded in 1998. Check statutes for current wording.]			
1994 [Ch. 94-273, S. 4, <u>Laws of Florida</u>]					
51	A plan amendment for the location of a state correctional facility can be made at any time, and does not count toward the twice-a-year limitation .	163.3187(1)(f) [Now: 163.3187(1)(e)]			
1995 [Ch. 95-181, ss. 4-5; Ch. 95-257, ss. 2-3; Ch. 95-310, ss. 7-12; Ch. 95-322, ss. 1-7; Ch. 95-341, ss. 9, 10, and 12, <u>Laws of Florida</u>]					
52	Required opportunities for mediation or alternative dispute resolution where a property owner's request for a comprehensive plan amendment is denied by a local government [Subsection 163.3181(4)] and prior to a hearing where a plan or plan	163.3184(10)(c)			

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	amendment was determined by the DCA to be not in compliance.				
53	Added a definition for “transportation corridor management” [Subsection 163.3164(30)] and allowed the designation of transportation corridors in the required traffic circulation and transportation elements and the adoption of transportation corridor management ordinances.	163.3177(6)(j)9.			
54	Amended the definition of “public notice” and certain public notice and public hearing requirements to conform to the public notice and hearing requirements for counties and municipalities in Sections 125.66 and 166.041, respectively.	163.3164(18), 163.3171(3), 163.3174(1) and (4), and 163.3181(3)(a), 163.3184(15)(a)-(c), 163.3187(1)(c)			
55	Prohibited any initiative or referendum process in regard to any development order or comprehensive plan or map amendment that affects five or fewer parcels of land.	163.3167(12)			
56	Reduced to 30 [Note: changed to 20] days the time for DCA to review comp plan amendments resulting from a compliance agreement .	163.3184(8)(a)			
57	Amended the requirements for the advertisement of DCA's notice of intent .	163.3184(8)(b)			
58	Required the administrative law judge to realign the parties in a Division of Administrative Hearings (DOAH) proceeding where a local government adopts a plan amendment pursuant to a compliance agreement.	163.3184(16)(f)			
59	Added clarifying language relative to those small scale plan amendments that are exempt from the twice-per-year limitation and prohibited DCA review of those small scale amendments that meet the statutory criteria in Paragraph 163.3187(1)(c).	163.3187(1)(c) and (3)(a)-(c)			
60	Required DCA to consider an increase in the annual total acreage threshold for small scale amendments . (later repealed by s. 16, Ch. 2000-158, Laws of Florida).	163.3177(7)			
61	Required local planning agencies to provide opportunities for involvement by district school boards and community college boards .	163.3174(1)			
62	Required that the future land use element clearly identify those land use categories where public schools are allowed.	163.3177(6)(a)			
63	Established certain criteria for local governments wanting to extend concurrency to public schools . (later amended by s. 5, Ch. 98-176, Laws of Florida).	163.3180(1)(b) [Now: 163.3180(13)]			
1996: [Ch. 96-205, s. 1; Ch. 96-320, ss. 10-11; 96-416, ss. 1-6, 15, <u>Laws of Florida</u>]					
64	Substantially amended the criteria for small scale amendments that are exempt from the twice-per-year limitation .	163.3187(1)(c)			

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
65	Revised the objectives in the coastal management element to include the maintenance of ports .	163.3177(6)(g)9.			
66	Provide that certain port related expansion projects are not DRIs under certain conditions.	163.3178(2), (3), and (5)			
67	Allowed a county to designate areas on the future land use plan for possible future municipal incorporation .	163.3177(6)(a)			
68	Required the ICE to include consideration of the plans of school boards and other units of local government providing services but not having regulatory authority over the use of land.	163.3177(6)(h)			
69	Revised the processes and procedures to be included in the ICE.	163.3177(6)(h)			
70	Required that within 1 year after adopting their ICE each county and all municipalities and school boards therein establish by interlocal agreement the joint processes consistent with their ICE.	163.3177(6)(h)2.			
71	Required local governments who utilize school concurrency to satisfy intergovernmental coordination requirements of ss. 163.3177(6)(h)1.	163.3180(1)(b)2. [Now: 163.3180(13)(g)]			
72	Permitted a county to adopt a municipal overlay amendment to address future possible municipal incorporation of a specific geographic area.	163.3217			
73	Authorized DCA to conduct a sustainable communities demonstration project .	163.3244 [Now: Repealed.]			
1997: [Ch. 97-253, ss. 1-4, <u>Laws of Florida</u>]					
74	Amended the definition of de minimis impact as it pertains to concurrency requirements.	163.3180(6)			
75	Established that no plan or plan amendment in an area of critical state concern is effective until found in compliance by a final order.	163.3184(14)			
76	Amended the criteria for the annual effect of Duval County small scale amendments to a maximum of 120 acres.	163.3187(1)(c)1.a.III			
77	Prohibited amendments in areas of critical state concern from becoming effective if not in compliance.	163.3189(2)(b)			
1998: [Ch. 98-75, s. 14; Ch. 146, ss. 2-5; Ch. 98-176, ss. 2-6 and 12-15; Ch. 98-258, ss. 4-5, <u>Laws of Florida</u>]					
78	Exempted brownfield area amendments from the twice-a-year limitation .	163.3187(1)(g)			
79	Required that the capital improvements element set forth standards for the management of debt .	163.3177(3)(a)4.			
80	Required inclusion of at least two planning periods – at least 5 years and at least 10 years.	163.3177(5)(a)			

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
81	Allowed multiple individual plan amendments to be considered together as one amendment cycle.	163.3184(3)(d)			
82	Defined “optional sector plan” and created Section 163.3245 allowing local governments to address DRI issues within certain identified geographic areas.	163.3164(31) and 163.3245			
83	Established the requirements for a public school facilities element .	163.3177(12)			
84	Established the minimum requirements for imposing school concurrency .	163.3180(12) [Now: Section (13)]			
85	Required DCA adopt minimum criteria for the compliance determination of a public school facilities element imposing school concurrency.	163.3180(13) [Now: Section14]]			
86	Required that evaluation and appraisal reports address coordination of the comp plan with existing public schools and the school district's 5-year work program.	163.3191(2)(i) [Now: 163.3191(2)(k)]			
87	Amended the definition of “in compliance” to include consistency with Sections 163.3180 and 163.3245.	163.3184(1)(b)			
88	Required DCA to maintain a file with all documents received or generated by DCA relating to plan amendments and identify; limited DCA's review of proposed plan amendments to written comments, and required DCA to identify and list all written communications received within 30 days after transmittal of a proposed plan amendment.	163.3184(2), (4), and (6)			
89	Allowed a local government to amend its plan for a period of up to one year after the initial determination of sufficiency of an adopted EAR even if the EAR is insufficient.	163.3187(6)(b)			
90	Substantially reworded Section 163.3191, F.S., related to evaluation and appraisal reports .	163.3191			
91	Changed the population requirements for municipalities and counties which are required to submit otherwise optional elements.	163.3177(6)(i)			
1999: [Ch. 99-251, ss. 65-6, and 90; Ch. 99-378, ss. 1, 3-5, and 8-9, <u>Laws of Florida</u>]					
92	Required that ports and local governments in the coastal area, which has spoil disposal responsibilities , identify dredge disposal sites in the comp plan.	163.3178(7)	X		
93	Exempted from the twice-per-year limitation certain port related amendments for port transportation facilities and projects eligible for funding by the Florida Seaport Transportation and Economic Development Council.	163.3187(1)(h)	X		
94	Required rural counties to base their future land use plans and the amount of land designated industrial on data regarding the	163.3177(6)(a)	X		

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	need for job creation, capital investment, and economic development and the need to strengthen and diversity local economies.				
95	Added the Growth Policy Act to Ch. 163, Part II to promote urban infill and redevelopment.	163.2511,163.25,14,163.2517,163.2520,163.2523, and 163.2526			
96	Required that all comp plans comply with the school siting requirements by October 1, 1999.	163.3177(6)(a)		FLUE Policy 10.18	
97	Made transportation facilities subject to concurrency.	163.3180(1)(a)		Concurrency Mngmt. System	
98	Required use of professionally accepted techniques for measuring level of service for cars, trucks, transit, bikes and pedestrians.	163.3180(1)(b)		Concurrency Mngmt. System	
99	Excludes public transit facilities from concurrency requirements.	163.3180(4)(b)		Operation of law	
100	Allowed multiuse DRIs to satisfy the transportation concurrency requirements when authorized by a local comprehensive plan under limited circumstances.	163.3180(12)	X		
101	Allowed multimodal transportation districts in areas where priorities for the pedestrian environment are assigned by the plan.	163.3180(15)	X		
102	Exempted amendments for urban infill and redevelopment areas, public school concurrency from the twice-per-year limitation .	163.31879(1)(h) and (i) [Now: (i) and (j)]		Operation of law	
103	Defined brownfield designation and added the assurance that a developer may proceed with development upon receipt of a brownfield designation. [Also see Section 163.3221(1) for "brownfield" definition.]	163.3220(2)		Operation of law	
2000: [Ch. 2000-158, ss. 15-17, Ch. 2000-284, s. 1, Ch. 2000-317, s. 18, <u>Laws of Florida</u>]					
104	Repealed Section 163.3184(11)(c), F.S. , that required funds from sanction for non-compliant plans go into the Growth Management Trust Fund.	163.3184(11)(c) [Now: Repealed]	X		
105	Repealed Section 163.3187(7), F.S. that required consideration of an increase in the annual total acreage threshold for small scale plan amendments and a report by DCA.	163.3187(7) [Now: Repealed]	X		
106	Repealed Sections 163.3191(13) and (15), F.S.	163.3191(13) and (15) [Now: Repealed]	X		
107	Allowed small scale amendments in areas of critical state concern to be exempt from the twice-per-year limitation only if they are for affordable housing.	163.3187(1)(c)1.e	X		
108	Added exemption of sales from local option surtax imposed under Section 212.054, F.S., as examples of incentives for new	163.2517(3)(j)2.	X		

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	development within urban infill and redevelopment areas .				
2001: [Ch. 2001-279, s. 64, <u>Laws of Florida</u>]					
109	Created the rural land stewardship area program.	163.3177(11)(d)	X		
2002: [Ch. 2002-296, ss. 1 - 11, <u>Laws of Florida</u>]					
110	Required that all agencies that review comprehensive plan amendments and rezoning include a nonvoting representative of the district school board .	163.3174		School Board representative included in Technical Review Committee	
111	Required coordination of local comprehensive plan with the regional water supply plan.	163.3177(4)(a)		Not done. Required by SB 360.	Needs to be included in Potable Water Element
112	Plan amendments for school-siting maps are exempt from s. 163.3187(1)'s limitation on frequency.	163.3177(6)(a)		Operation of law	
113	Required that by adoption of the EAR , the sanitary sewer, solid waste, drainage, potable water and natural groundwater aquifer recharge element consider the regional water supply plan and include a 10-year work plan to build the identified water supply facilities.	163.3177(6)(c)		Not done.	Needs to be included in the referenced Plan elements
114	Required consideration of the regional water supply plan in the preparation of the conservation element.	163.3177(6)(d)		Not done.	Needs to be included in the Conservation Element.
115	Required that the intergovernmental coordination element (ICE) include relationships, principles and guidelines to be used in coordinating comp plan with regional water supply plans.	163.3177(6)(h)		Not done.	Needs to be included in ICE
116	Required the local governments adopting a public educational facilities element execute an inter-local agreement with the district school board, the county, and non-exempting municipalities.	163.3177(6)(h)4.	X		
117	Required that counties larger than 100,000 population and their municipalities submit a inter-local service delivery agreements (existing and proposed, deficits or duplication in the provisions of service) report to DCA by January 1, 2004. Each local government is required to update its ICE based on the findings of the report. DCA will meet with affected parties to discuss and id strategies to remedy any deficiencies or duplications.	163.3177(6)(h)6., 7., & 8.			
118	Required local governments and special districts to provide recommendations for statutory changes for annexation to the Legislature by February 1, 2003.	163.3177(6)(h)9.			
119	Added a new Section 163.31776 that allows a county, to adopt an optional public educational facilities element in cooperation with the applicable school board.	163.31776		Not done	
120	Added a new Section 163.31777 that requires local governments and school boards to enter into an inter-local agreement that	163.31777		Done. Currently being revised to comport with SB 360	

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	addresses school siting, enrollment forecasting, school capacity, infrastructure and safety needs of schools, schools as emergency shelters, and sharing of facilities.				
121	Added a provision that the concurrency requirement for transportation facilities may be waived by plan amendment for urban infill and redevelopment areas.	163.3180(4)(c)	X		
122	Expanded the definition of “affected persons” to include property owners who own land abutting a change to a future land use map.	163.3184(1)(a)		Operation of law.	
123	Expanded the definition of “in compliance” to include consistency with Section 163.31776 (public educational facilities element).	163.3184(1)(b)		Operation of law.	
124	Streamlined the timing of comprehensive plan amendment review.	163.3184(3), (4), (6), (7), and (8)	X		
125	Required that local governments provide a sign-in form at the transmittal hearing and at the adoption hearing for persons to provide their names and addresses.	163.3184(15)(c)		Being done.	
126	Exempted amendments related to providing transportation improvements to enhance life safety on “controlled access major arterial highways” from the limitation on the frequency of plan amendments contained in s.163.3187(1).	163.3187(1)(k)	X		
127	Required EARs to include (1) consideration of the appropriate regional water supply plan, and (2) an evaluation of whether past reductions in land use densities in coastal high hazard areas have impaired property rights of current residents where redevelopment occurs.	163-3191(2)(1)		Included as part of this EAR	
128	Allowed local governments to establish a special master process to assist the local governments with challenges to local development orders for consistency with the comprehensive plan.	163.3215	X		
129	Created the Local Government Comprehensive Planning Certification Program to allow less state and regional oversight of comprehensive plan process if the local government meets certain criteria.	163.3246	X		
130	Added a provision to Section 380.06(24), Statutory Exemptions , that exempts from the requirements for developments of regional impact, any water port or marina development if the relevant local government has adopted a “boating facility siting plan or policy” (which includes certain specified criteria) as part of the coastal management element or future land use element of its comprehensive plan. The adoption of the boating facility siting plan or policy is exempt from the limitation on the frequency of	163.3187(1)	X		

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	plan amendments contained in s.163.3187(1).				
131	Prohibited a local government, under certain conditions, from denying an application for development approval for a requested land use for certain proposed solid waste management facilities.	163.3194(6)		Operation of law.	
2003: [Ch. 03-1, ss. 14-15; ch. 03-162, s. 1; ch. 03-261, s. 158; ch. 03-286, s. 61, <u>Laws of Florida.</u>]					
132	Creates the Agricultural Lands and Practices Act . (2): Provides legislative findings and purpose with respect to agricultural activities and duplicative regulation. (3): Defines the terms “farm,” “farm operation,” and “farm product” for purposes of the act. (4): Prohibits a county from adopting any ordinance, resolution, regulation, rule, or policy to prohibit or otherwise limit a bona fide farm operation on land that is classified as agricultural land. (4)(a): Provides that the act does not limit the powers of a county under certain circumstances. (4)(b): Clarifies that a farm operation may not expand its operations under certain circumstances. (4)(c): Provides that the act does not limit the powers of certain counties . (4)(d): Provides that certain county ordinances are not deemed to be a duplication of regulation .	163.3162		Operation of law	
133	Changes “State Comptroller” references to “Chief Financial Officer.”	163.3167(6)	X		
134	Provides for certain airports to abandon DRI orders.	163.3177(6)(k)	X		
135	Amended to conform to the repeal of s. 235.185 and the enactment of similar material in s. 1013.35.	163.31776(1)(b)(2)-(3)	X		
136	Amended to conform to the repeal of ch. 235 and the enactment of similar material in ch. 1013.	163.37111(1)(c), (2)(e)-(f), (3)(c), (4), (6)(b)	X		
2004: [Ch. 04-5, s. 11; ch. 04-37, s. 1; ch. 04-230, ss. 1-4; ch. 04-372, ss. 2-5; ch. 04-381, ss. 1-2; ch. 04-384, s. 2, <u>Laws of Florida.</u>]					
137	(10): Amended to conform to the repeal of the Florida High-Speed Rail Transportation Act, and the creation of the Florida High-Speed Rail Authority Act.	163.3167	X		

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	<p>military installations.</p> <p>(11)(d)1.: Requires DCA, in cooperation with other specified state agencies, to provide assistance to local governments in implementing provisions relating to rural land stewardship areas.</p> <p>(11)(d)2.: Provides for multicounty rural land stewardship areas.</p> <p>(11)(d)3.-4: Revises requirements, including the acreage threshold for designating a rural land stewardship area.</p> <p>(11)(d)6.j.: Provides that transferable rural land use credits may be assigned at different ratios according to the natural resource or other beneficial use characteristics of the land.</p> <p>(11)(e): Provides legislative findings regarding mixed-use, high-density urban infill and redevelopment projects; requires DCA to provide technical assistance to local governments.</p> <p>(11)(f): Provides legislative findings regarding a program for the transfer of development rights and urban infill and redevelopment; requires DCA to provide technical assistance to local governments.</p>		<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>		
140	<p>(1): Provides legislative findings with respect to the shortage of affordable rentals in the state.</p> <p>(2): Provides definitions.</p> <p>(3): Authorizes local governments to permit accessory dwelling units in areas zoned for single family residential use based upon certain findings.</p> <p>(4) An application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to a very-low-income, low-income, or moderate-income person or persons.</p> <p>(5): Provides for certain accessory dwelling units to apply towards satisfying the affordable housing component of the housing element in a local government's comprehensive plan.</p>	Creates 163.31771	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>		

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	(6): Requires the DCA to report to the Legislature.				
141	Amends the definition of “in compliance” to add language referring to the Wekiva Parkway and Protection Act .	163.3184(1)(b)	X		
142	(1)(m): Created to provide that amendments to address criteria or compatibility of land uses adjacent to or in close proximity to military installations do not count toward the limitation on frequency of amending comprehensive plans. (1)(n): Created to provide that amendments to establish or implement a rural land stewardship area do not count toward the limitation on frequency of amending comprehensive plans.	163.3187	X X		
143	Created to provide that evaluation and appraisal reports evaluate whether criteria in the land use element were successful in achieving land use compatibility with military installations .	163.3191(2)(n)		Included in this EAR	
2005 [Ch. 2005-157, ss 1, 2 and 15; Ch. 2005-290; and Ch. 2005-291, ss. 10-12, <u>Laws of Florida</u>]					
144	Added the definition of “financial feasibility.”	Creates ss. 163.3164(32)			
145	(2): Required comprehensive plans to be “ financially ” rather than “economically” feasible . (3)(a)5.: Required the comprehensive plan to include a 5-year schedule of capital improvements . Outside funding (i.e., from developer, other government or funding pursuant to referendum) of these capital improvements must be guaranteed in the form of a development agreement or interlocal agreement . (3)(a)6.b.1.: Required plan amendment for the annual update of the schedule of capital improvements. Deleted provision allowing updates and change in the date of construction to be accomplished by ordinance. (3)(a)6.c.: Added oversight and penalty provision for failure to adhere to this section’s capital improvements requirements. (3)(a)6.d.: Required a long-term capital improvement schedule if the local government has adopted a long-term concurrency management system. (6)(a): Deleted date (October 1, 1999) by which school sitting requirements must be adopted.	163.3177		Currently in process	

Changes to Chapter 163, F.S. 1986-2005	Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
<p>(6)(a): Add requirement that future land use element of coastal counties must encourage the preservation of working waterfronts, as defined in s.342.07, F.S.</p> <p>(6)(c): Required the potable water element to be updated within 18 months of an updated regional water supply plan to incorporate the alternative water supply projects selected by the local government to meet its water supply needs.</p> <p>(6)(e): Added waterways to the system of sites addressed by the recreation and open space element.</p> <p>(11)(d)4.c.: Required rural land stewardship areas to address affordable housing.</p> <p>(11)(d)5.: Required a listed species survey be performed on rural land stewardship receiving area. If any listed species present, must ensure adequate provisions to protect them.</p> <p>(11)(d)6.: Must enact an ordinance establishing a methodology for creation, conveyance, and use of stewardship credits within a rural land stewardship area.</p> <p>(11)(d)6.j.: Revised to allow open space and agricultural land to be just as important as environmentally sensitive land when assigning stewardship credits.</p> <p>(12): Must adopt public school facilities element.</p> <p>(12)(a) and (b): A waiver from providing this element will be allowed under certain circumstances.</p> <p>(12)(g): Expanded list of items to be to include colocation, location of schools proximate to residential areas, and use of schools as emergency shelters.</p> <p>(12)(h): Required local governments to provide maps depicting the general location of new schools and school improvements within future conditions maps.</p> <p>(12)(i): Required DCA to establish a schedule for adoption of the public school facilities element.</p>				

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	<p>(12)(j): Established penalty for failure to adopt a public school facility element.</p> <p>(13): (New section) Encourages local governments to develop a “community vision,” which provides for sustainable growth, recognizes its fiscal constraints, and protects its natural resources.</p> <p>(14): (New section) Encourages local governments to develop a “urban service boundary,” which ensures the area is served (or will be served) with adequate public facilities and services over the next 10 years. See s. 163.3184(17).</p>				
146	163.31776 is repealed	163.31776 [Now: Repealed]			
147	<p>(2): Required the public schools interlocal agreement (if applicable) to address requirements for school concurrency. The opt-out provision at the end of Subsection (2) is deleted.</p> <p>(5): Required Palm Beach County to identify, as part of its EAR, changes needed in its public school element necessary to conform to the new 2005 public school facilities element requirements.</p> <p>(7): Provided that counties exempted from public school facilities element shall undergo re-evaluation as part of its EAR to determine if they continue to meet exemption criteria.</p>	163.31777			
148	(2)(g): Expands requirement of coastal element to include strategies that will be used to preserve recreational and commercial working waterfronts, as defined in s.342.07, F.S.	163.3178			
149	<p>(1)(a): Added “schools” as a required concurrency item.</p> <p>(2)(a): Required consultation with water supplier prior to issuing building permit to ensure “adequate water supplies” to serve new development is available by the date of issuance of a certificate of occupancy.</p> <p>(2)(c): Required all transportation facilities to be in place or under construction within 3 years (rather than 5 years) after approval of building permit.</p>	163.3180			

Changes to Chapter 163, F.S. 1986-2005	Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
<p>(4)(c): Allowed concurrency requirement for public schools to be waived within urban infill and redevelopment areas (163.2517).</p> <p>(5)(d): Required guidelines for granting concurrency exceptions to be included in the comprehensive plan.</p> <p>(5)(e) – (g): If local government has established transportation exceptions, the guidelines for implementing the exceptions must be “consistent with and support a comprehensive strategy, and promote the purpose of the exceptions.” Exception areas must include mobility strategies, such as alternate modes of transportation, supported by data and analysis. FDOT must be consulted prior to designating a transportation concurrency exception area. Transportation concurrency exception areas existing prior to July 1, 2005 must meet these requirements by July 1, 2006, or when the EAR-based amendment is adopted, whichever occurs last.</p> <p>(6): Required local government to maintain records to determine whether 110% de minimis transportation impact threshold is reached. A summary of these records must be submitted with the annual capital improvements element update. Exceeding the 110% threshold dissolves the de minimis exceptions.</p> <p>(7): Required consultation with the Department of Transportation prior to designating a transportation concurrency management area (to promote infill development) to ensure adequate level-of-service standards are in place. The local government and the DOT should work together to mitigate any impacts to the Strategic Intermodal System.</p> <p>(9)(a): Allowed adoption of a long-term concurrency management system for schools.</p> <p>(9)(c): (New section) Allowed local governments to issue approvals to commence construction notwithstanding s. 163.3180 in areas subject to a long-term concurrency management system.</p> <p>(9)(d): (New section) Required evaluation in EAR of progress in improving levels of service..</p>				

N/A = Not Applicable

<p>Changes to Chapter 163, F.S. 1986-2005</p>	<p>Chapter 163, F.S. Citations</p>	<p>N/A*</p>	<p>Addressed (where/how)</p>	<p>Amendment Needed By Element</p>
<p>(10): Added requirement that level of service standard for roadway facilities on the Strategic Intermodal System must be consistent with FDOT standards. Standards must consider compatibility with adjacent jurisdictions.</p> <p>(13): Required school concurrency (not optional).</p> <p>(13)(c)1.: Requires school concurrency after five years to be applied on a “less than districtwide basis” (i.e., by using school attendance zones, etc).</p> <p>(13)(c)2.: Eliminated exemption from plan amendment adoption limitation for changes to service area boundaries.</p> <p>(13)(c)3.: No application for development approval may be denied if a less-than-districtwide measurement of school concurrency is used; however the development impacts must to shifted to contiguous service areas with school capacity.</p> <p>(13)(e): Allowed school concurrency to be satisfied if a developer executes a legally binding commitment to provide mitigation proportionate to the demand.</p> <p>(13)(e)1.: Enumerated mitigation options for achieving proportionate-share mitigation.</p> <p>(13)(e)2.: If educational facilities funded in one of the two following ways, the local government must credit this amount toward any impact fee or exaction imposed on the community:</p> <ul style="list-style-type: none"> • contribution of land • construction, expansion, or payment for land acquisition <p>(13)(g)2.: (Section deleted) – It is no longer required that a local government and school board base their plans on consistent population projection and share information regarding planned public school facilities, development and redevelopment and infrastructure needs of public school facilities. However, see (13)(g)6.a. for similar requirement.</p> <p>(13)(g)6.a.: [Formerly (13)(g)7.a.] Local governments must establish a uniform procedure for determining if development</p>				

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	<p>applications are in compliance with school concurrency.</p> <p>(13)(g)7. [Formerly (13)(g)8.] Deleted language that allowed local government to terminate or suspend an interlocal agreement with the school board.</p> <p>(13)(h): (New 2005 provision) The fact that school concurrency has not yet been implemented by a local government should not be the basis for either an approval or denial of a development permit.</p> <p>(15): Prior to adopting Multimodal Transportation Districts, FDOT must be consulted to assess the impact on level of service standards. If impacts are found, the local government and the FDOT must work together to mitigate those impacts. Multimodal districts established prior to July 1, 2005 must meet this requirement by July 1, 2006 or at the time of the EAR-base amendment, whichever occurs last.</p> <p>(16): (New 2005 section) Required local governments to adopt by December 1, 2006 a method for assessing proportionate fair-share mitigation options. FDOT will develop a model ordinance by December 1, 2005.</p>				
150	<p>(17): (New 2005 section) If local government has adopted a community vision and urban service boundary, state and regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.</p> <p>(18): (New 2005 section) If a municipality has adopted an urban infill and redevelopment area, state and regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.</p>	163.3184			
151	<p>(1)(c)1.f.: Allowed approval of residential land use as a small-scale development amendment when the proposed density is equal to or less than the existing future land use category. Under certain circumstances affordable housing units are exempt from this limitation.</p> <p>(1)(c)4.: (New 2005 provision) If the small-scale development</p>	163.3187			

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2005		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	<p>amendment involves a rural area of critical economic concern, a 20-acre limit applies.</p> <p>(1)(o): (New 2005 provision) An amendment to a rural area of critical economic concern may be approved without regard to the statutory limit on comprehensive plan amendments.</p>				
152	<p>(2)(k): Required local governments that do not have either a school interlocal agreement or a public school facilities element, to determine in the EAR whether the local government continues to meet the exemption criteria in s.163.3177(12).</p> <p>(2)(l): The EAR must determine whether the local government has met its various water supply requirements, including development of alternative water supply projects.</p> <p>(2)(o): (New 2005 provision) The EAR must evaluate whether its Multimodal Transportation District has achieved the purpose for which it was created.</p> <p>(2)(p): (New 2005 provision) The EAR must assess methodology for impacts on transportation facilities.</p> <p>(10): The EAR-based amendment must be adopted within a single amendment cycle. Failure to adopt within this cycle results in penalties. Once updated, the comprehensive plan must be submitted to the DCA.</p>	163.3191			
153	<p>(10) New section designating Freeport as a certified community.</p> <p>(11) New section exempting proposed DRIs within Freeport from review under s.380.06, F.S., unless review is requested by the local government.</p>	163.3246			

Rule 9J-5, Florida Administrative Code

Beginning with 1999.

Table ____ Changes to Rule 9J-5, F. A. C

Changes to Rule 9J-5, F.A.C. 1989-2003		9J-5, F.A.C. Citations	NA	Addressed (where/how)	Amendment Needed By Element
50	Required policies of the conservation element to address land uses known to affect adversely the quality and quantity of water sources , including natural groundwater recharge areas, well head protection areas and surface waters used as a source of public water supply, and the protection and conservation of wetlands .	9J-5.013(2) and (3)			
February 20, 1996					
51	Repealed rule requirements for the Traffic Circulation Element; Mass Transit Element; Ports, Aviation and Related Facilities Element . <i>Note: Certain local governments must continue to prepare these elements pursuant to 163.3177, F.S., and 9J-5.019, F.A.C.</i>	9J-5.007, 9J-5.008, and 9J-5.009			
52	Repealed rule requirements for the Recreation and Open Space Element . <i>Note: Section 163.3177, F.S., requires local governments to prepare this element.</i>	9J-5.014			
53	Repealed rule requirements for consistency of local government comprehensive plans with Comprehensive Regional Policy Plans and with the State Comprehensive Plan . <i>Note: Local government comprehensive plans are required by section 163.3184(1)(b), F.S., to be consistent with the applicable Strategic Regional Policy Plan and the State Comprehensive Plan.</i>	9J-5.021			
October 20, 1998					
54	Established requirements for the Public School Facilities Element for Public School Concurrency for local governments that adopt school concurrency.	9J-5.025			
March 21, 1999					
55	Defined public transit and stormwater management facilities	9J-5.003	X		
56	Revised the definitions of affordable housing, coastal planning area, port facility , and wetlands .	9J-5.003	X		
57	Repeal the definitions of adjusted for family size, adjusted gross income, development, high recharge area or prime recharge area, mass transit ,	9J-5.003	X		

Table ____ Changes to Rule 9J-5, F. A. C

Changes to Rule 9J-5, F.A.C. 1989-2003		9J-5, F.A.C. Citations	NA	Addressed (where/how)	Amendment Needed By Element
	paratransit, public facilities, very low-income family.				
58	Revised provisions relating to adoption by reference into the local comprehensive plan.	9J-5.005(2)(g) and (8)(j)	X		
59	Repealed transmittal requirements for proposed evaluation and appraisal reports , submittal requirements for adopted evaluation and appraisal reports, criteria for determining the sufficiency of adopted evaluation and appraisal reports, procedures for adoption of evaluation and appraisal reports. <i>Note: transmittal requirements for proposed evaluation and appraisal reports and submittal requirements for adopted evaluation and appraisal reports were incorporated Rule Chapter 9J-11, F.A.C.</i>	9J-5.0053(2) through (5)	X		
60	Repealed conditions for de minimis impact and referenced conditions in subsection 163.3180(6), F.S.	9J-5.0055(3)6	X		
61	Required the future land use map to show the transportation concurrency exception area boundaries of such areas have been designated and areas for possible future municipal incorporation.	9J-5.006(4)	X		
62	Required objectives of the Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water and Natural Groundwater Aquifer Recharge Element to address protection of high recharge and prime recharge areas.	9J-5.011(2)		Not done.	Needs to be included in elements.
63	Repealed the Intergovernmental Coordination Element process to determine if development proposals would have significant impacts on other local governments or state or regional resources or facilities, and provisions relating to resolution of disputes, modification of development orders, and the rendering of development orders to the Department of Community Affairs (DCA)	9J-5.015(4)	X		
64	Clarified that local governments not located within the urban area of a Metropolitan Planning Organization are required to adopt a Traffic Circulation Element and that local governments with a population of 50,000 or less are not required to prepare Mass Transit and Ports, Aviation and Related Facilities Elements .	9J-5.019(1)	X		

Table ____ Changes to Rule 9J-5, F. A. C

Changes to Rule 9J-5, F.A.C. 1989-2003		9J-5, F.A.C. Citations	NA	Addressed (where/how)	Amendment Needed By Element
65	Required objectives of the Transportation Element to:	9J-5.019(4)(b)			
	<ul style="list-style-type: none"> Coordination the siting of new, or expansion of existing ports, airports, or related facilities with the Future Land Use, Coastal Management, and Conservation Elements; 			Transportation Element Policy 1.6.4	
	<ul style="list-style-type: none"> Coordination surface transportation access to ports, airports, and related facilities with the traffic circulation system; 			Transportation Element Policies 1.7.1, 1.7.2	
	<ul style="list-style-type: none"> Coordination ports, airports, and related facilities plans with plans of other transportation providers; and 			Transportation Element Policy 1.7.1	
	<ul style="list-style-type: none"> Ensure that access routes to ports, airports and related facilities are properly integrated with other modes of transportation. 			Transportation Element Policy 1.7.1	
66	Required policies of the Transportation Element to:	9J-5.019(4)(c)			
	<ul style="list-style-type: none"> Provide for safe and convenient on-site traffic flow; 			Transportation Element Policy 3.3.1	
	<ul style="list-style-type: none"> Establish measures for the acquisition and preservation of public transit rights-of-way and corridors; 			Transportation Element Policy 4.1.1	
	<ul style="list-style-type: none"> Promote ports, airports and related facilities development and expansion; 			Transportation Element Policy 3.1.3	
	<ul style="list-style-type: none"> Mitigate adverse structural and non-structural impacts from ports, airports and related facilities; 			Transportation Element Policy 3.1.4	
	<ul style="list-style-type: none"> Protect and conserve natural resources within ports, airports and related facilities; 			Not done	Needs to be included in Transportation Element
	<ul style="list-style-type: none"> Coordinate intermodal management of surface and water transportation within ports, airports and related facilities; and 			Transportation Element Policy 1.6.2	
	<ul style="list-style-type: none"> Protect ports, airports and related facilities from encroachment of incompatible land uses. 			Transportation Element Policy 1.6.5	
67	Added standards for the review of land development regulations by the Department.	9J-5.022	X		
68	Added criteria for determining consistency of land development regulations with the comprehensive plan.	9J-5.023	X		

Table ____ Changes to Rule 9J-5, F. A. C

Changes to Rule 9J-5, F.A.C. 1989-2003		9J-5, F.A.C. Citations	NA	Addressed (where/how)	Amendment Needed By Element
February 25, 2001					
69	Defined general lanes	9J-5.003	X		
70	Revised the definition of “ marine wetlands. ”	9J-5.003	X		
71	Repeal the definition of “ public facilities and services. ”	9J-5.003	X		
72	Revised procedures for monitoring , evaluating and appraising implementation of local comprehensive plans.	9J-5.005(7)			This needs to be included In monitoring and eval.
73	Repealed requirements for evaluation and appraisal reports and evaluation and appraisal amendments.	9J-5.0053	X		
74	Revised concurrency management system requirements to include provisions for establishment of public school concurrency.	9J-5.005(1) and (2)			This must be done per SB 360
75	Authorized local governments to establish multimodal transportation level of service standards and established requirements for multimodal transportation districts.	9J-5.0055(2)(b) and (3)(c)	X		
76	Authorized local governments to establish level of service standards for general lanes of the Florida Intrastate Highway System within urbanized areas, with the concurrence of the Department of Transportation.	9J-5.0055(2)(c)	X		
77	Provide that public transit facilities are not subject to concurrency requirements.	9J-5.0055(8)	X		
78	Authorized local comprehensive plans to permit multi-use developments of regional impact to satisfy the transportation concurrency requirements by payment of a proportionate share contribution.	9J-5.0055(9)	X		
79	Required the future land use map to show multimodal transportation district boundaries, if established.	9J-5.006(4)	X		
80	Authorized local governments to establish multimodal transportation districts and, if established, required local governments to establish design standards for such districts.	9J-5.006(6)	X		
81	Required data for the Housing Element include a description of substandard dwelling units and repealed the requirement that the housing inventory include a locally determined definition of standard and substandard housing conditions.	9J-5.010(1)(c)	X		

Table ____ Changes to Rule 9J-5, F. A. C

Changes to Rule 9J-5, F.A.C. 1989-2003		9J-5, F.A.C. Citations	NA	Addressed (where/how)	Amendment Needed By Element
82	Authorized local governments to supplement the affordable housing needs assessment with locally generated data and repealed the authorization for local governments to conduct their own assessment.	9J-5.10(2)(b)	X		
83	Required the Intergovernmental Coordination Element to include objectives that ensure adoption of interlocal agreements within one year of adoption of the amended Intergovernmental Coordination Element and ensure intergovernmental coordination between all affected local governments and the school board for the purpose of establishing requirements for public school concurrency .	9J-5.015(3)(b)		Intergovernmental Coordination Element Objective 1.6	
84	Required the Intergovernmental Coordination Element to include:	9J-5.015(3)(c)			
	<ul style="list-style-type: none"> Policies that provide procedures to identify and implement joint planning areas for purposes of annexation, municipal incorporation and joint infrastructure service areas; 			Intergovernmental Coordination Element Objective 1.1	
	<ul style="list-style-type: none"> Recognize campus master plan and provide procedures for coordination of the campus master development agreement; 			Not done.	Needs to be included in ICE
	<ul style="list-style-type: none"> Establish joint processes for collaborative planning and decision-making with other units of local government; 			Not done.	Needs to be included in ICE
	<ul style="list-style-type: none"> Establish joint processes for collaborative planning and decision making with the school board on population projections and siting of public school facilities; 			Not done.	Needs to be included in ICE
	<ul style="list-style-type: none"> Establish joint processes for the siting of facilities with county-wide significance; and 			Not done.	Needs to be included in ICE
	<ul style="list-style-type: none"> Adoption of an interlocal agreement for school concurrency. 			Currently in process.	
85	Required the Capital Improvements Element to include implementation measures that provide a five-year financially feasible public school facilities program that demonstrates the adopted level of service standards will be achieved and maintained and a schedule of capital	9J-5.016(4)(a)		Not done.	Needs to be included in Capital Improvements Element

Table ____ Changes to Rule 9J-5, F. A. C

Changes to Rule 9J-5, F.A.C. 1989-2003		9J-5, F.A.C. Citations	NA	Addressed (where/how)	Amendment Needed By Element
	improvements for multimodal transportation districts , if locally established.				
86	Required the Transportation Element analysis for multimodal transportation districts to demonstrate that community design elements will reduce vehicle miles of travel and support an integrated, multi-modal transportation system.	9J-5.019(3)	X		
87	Required Transportation Element objectives for multimodal transportation districts to address provision of a safe, comfortable and attractive pedestrian environment with convenient access to public transportation.	9J-5.019(4)	X		
88	Authorized local governments to establish level of service standards for general lanes of the Florida Intrastate Highway System within urbanized areas, with the concurrence of the Department of Transportation.	9J-5.019(4)(c)	X		

Chapter 5

Chapter 5 – Public Participation and Major Issues

Public Participation

The Okaloosa County Department of Growth Management contracted with Okaloosa-Walton College to provide Dr. David L. Goetsch as facilitator for a series of community meetings intended to identify major issues that would be facing the county over the next ten years. Dr. Goetsch's final report is provided as Attachment A. A total of 8 meetings were held involving government agencies, chambers of commerce, the Economic Development Council, and the general public.

A total of 115 local residents, community leaders, government representatives, and military leaders participated in the meetings. These participants represent a broad cross-section of the local community. The issues most frequently identified are summarized by community – Crestview, Niceville-Valparaiso, Fort Walton Beach, and Destin are described in Attachment A.

Major Issues

Tabulation of major issues for each community resulted in the identification of major issues for the county in general. These major issues are identified and prioritized 1 (highest) through 10 (lowest) as follows.

1. Transportation (vehicular – roads, bypasses, etc.).
2. Affordable housing.

3. Local response to BRAC issues.
4. Growth management.
5. Public transportation.
6. Economic development.
7. 46th Test Wing issues.
8. Utility infrastructure (water, sewer, gas, electric, etc.).
9. Stormwater runoff.
10. Five issues tied for 10th place: environmental protection; Eglin/community interaction; emergency evacuation; joint land use with Eglin, county, and cities, and; quality of life/recreation.

Planning Considerations

It is important to realize that for most of the major issues identified there are existing programs and procedures in place to effectuate planning for improvements. In this regard, the comprehensive plan should not duplicate these but rather recognize how they can be integrated into the planning process.

1. Transportation: Traffic congestion and roadway improvements were identified as the major issue for transportation. Roadways in the county are classified by statute as either part of the State Highway System (Ch. 335,F.S.) or the County Road System (Ch. 336,F.S.). By law, roadway improvements on the State Highway System (SHS) are identified and scheduled through the Okaloosa-Walton Transportation Planning Organization (TPO). The TPO is comprised of local, regional, and state officials responsible for making recommendations to the Florida Department of Transportation (FDOT) regarding transportation projects and improvements on the SHS. These are then evaluated by FDOT and incorporated into the FDOT District 3 Work Program. The majority of the traffic congestion problems in the county are on the SHS. In this regard, the county's involvement in solving these problems is primarily through participation on the TPO. Planning documents available in support of the comprehensive plan are the 2007-2011 FDOT District Work Plan, the 2030 Transportation Plan, and the US 98 Corridor Study.

Responsibility for maintenance on and improvement of the County Road System is with Okaloosa County Public Works. Public Works, in consultation with the county commissioners and county administrator, identify road projects to be undertaken on an annual basis. These are then incorporated into the Capital Improvements Program for the current fiscal year. Planning documents in support of the comprehensive plan are found in the Public Works Capital Improvements Projects.

2. Affordable housing: There are several affordable and workforce housing initiatives taking place in the county. The official affordable housing program is offered through the county's State Housing Initiatives Partnership (SHIP) program which offers housing assistance to qualified very low, low, and moderate income households. As part of the SHIP program the county must have prepared and periodically updated a Housing Assistance Plan (HAP) and a Housing Incentive Plan (HIP). Each of these should be referenced in the comprehensive plan.

Other workforce housing initiatives are related to the regional BRAC Growth Management Study and the Economic Development Council (EDC) Workforce Housing Initiative. The EDC formed the Workforce Housing Initiative to include Santa Rosa, Okaloosa, and Walton Counties as well as Eglin AFB. This initiative will address current housing needs in addition to the anticipated influx of military personnel and their families.

3. Local response to BRAC issues: The Eglin AFB Base Realignment and Closure (BRAC) will result in mission realignments that will generate an estimated \$304 million in new construction spending and the addition of some 6,000 additional military and civilian jobs. In response the county is partnering with the Department of Defense, state agencies, and adjacent counties in several ways. The county has established an Eglin Installation Growth Committee which is charged with assisting in the formulation of a Joint Land Use Study (JLUS) which will be used to formulate a Growth Management Plan for the Santa Rosa, Okaloosa, and Walton County region. The results and recommendations of these efforts will undoubtedly necessitate additional changes to the comprehensive plan in the near future which are not contemplated at the time of this EAR.

4. Growth Management: Many of the concerns raised relative to growth management will be addressed as a result of other planning efforts currently in play. These include the regional Growth Management Plan and the deliberations of the Governor's Sustainable Emerald Coast Committee.

5. Public Transportation: Public transportation in the county is provided by Okaloosa County Transit which is housed in the Growth Management Department. The transit system is comprised of shuttles which run along fixed routes on a regularly scheduled basis. The Center for Urban Transportation Research (CUTR) has produce for the Okaloosa-Walton Transportation Planning Organization (TPO) a five-year Transit Development Plan (TDP) for the years 2003-2007. Each transit property that receives State Transit Block Grant funding is required by FDOT to prepare a TDP. This requirement is intended to ensure that the provision of public transportation services is consistent with the travel needs and mobility goals of the local

communities that are served by the transit system. By establishing a strategic focus and mission for transit services, the TDP can serve as a guide in the future development of the local transit system.

6. Economic Development: Economic development programs are handled primarily through the Economic Development Council (EDC) of Okaloosa County and the local Chambers of Commerce. As the primary economic agency for the county, the EDC takes on many initiatives and offers an array of assistance plans and avenues of information. The initiatives the EDC engages in results in the successful creation of jobs, infrastructure development, and the continuation of a higher quality of life.

7. 46th Test Wing issues: This issue involves a decision by the Air Force as to whether or not all or portions of the 46th Air Force Test Wing will be moved from Eglin AFB to California. The 46th Test Wing employs some 3,500 airmen, civil servants, and contractors. This is a strategic military decision and political issue which can rightfully be addressed as part of the comprehensive planning process.

8. Utility infrastructure (water, sewer, gas, electric, etc.): In terms of utilities services the county only has control and responsibility for water and sewer, and then only within a limited service area. Other utility infrastructure such as gas, electric, telephone, etc. is available from other public, semi-public, or private providers. Water and sewer services are provided by Okaloosa County Water and Sewer (OCWS). Infrastructure needs will be examined as part of the Eglin regional Growth Management Study and should be incorporated into the comprehensive plan upon completion of that study.

9. Stormwater runoff: Stormwater and drainage issues are the responsibility of Okaloosa County Public Works. Stormwater issues and improvement projects are identified in the Master Stormwater Management Plan, 2003. This plan should form the basis for revised stormwater objectives and policies in the comprehensive.

Summary

It is evident from the preceding text that there are programs, plans and procedures in place to address the majority of the major issues identified. In many cases, these plans and programs are required by state statute and must be implemented according to law. In this regard, a central role of the comprehensive plan should be to identify and consolidate these plans and programs so that they are working in concert rather than piecemeal and fragmented.

ATTACHMENT A
Final Report of Public Input

Final Report of Public Input

Okaloosa County

**COMPREHENSIVE PLAN EVALUATION AND APPRAISAL REPORT
(E.A.R.)**

Prepared by:

**David L. Goetsch
Vice-President, Okaloosa-Walton College
serving as the
Public Input Facilitator**

September 12, 2006

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EXECUTIVE SUMMARY

The Okaloosa County Department of Growth Management contracted with Okaloosa-Walton College to provide Dr. David L. Goetsch to serve as the facilitator of several meetings to collect public input relating to major issues the County and its citizens will face over the next 10 years. One meeting involved representatives of other governmental agencies, two were general public meetings, and five were conducted in conjunction with the local economic development council and four local chambers of commerce. The meetings took place in July, August, and September, 2006.

A total of 115 local residents, community leaders, government representatives, and military leaders participated and provided input. These participants represented a broad cross-section of the local business, industry, government, military, and not-for-profit sectors as well as the general public. The issues most frequently identified by participants were summarized by community—Crestview, Niceville-Valparaiso, Fort Walton Beach, and Destin—and for the County in general. Those issues for the overall County are as follows:

1. Transportation (roads, by-passes, etc.)
2. Affordable housing
3. Local response to BRAC issues
4. Growth management
5. Public transportation
6. Economic development
7. 46th Test Wing issues

OVERVIEW AND INTRODUCTION

The Okaloosa County Department of Growth Management contracted with Okaloosa-Walton College to provide Dr. David L. Goetsch to serve as the facilitator of several meetings to collect public input relating to major issues the County and its citizens will face over the next 10 years. These meetings took place during the months of July, August, and September, 2006. The issues most frequently identified during these public meetings will be included as part of the preparation of the Okaloosa County Comprehensive Plan Evaluation and Appraisal Report (E.A.R.).

One meeting was coordinated with other governmental agencies and organizations and was attended by representatives from various agencies. Four meetings were jointly sponsored by the local chambers of commerce for the communities of Crestview, Niceville-Valparaiso, Fort Walton Beach, and Destin. Two meetings were scheduled for the general public; one for north county residents at the Crestview Courthouse and one for south county residents at the Water and Sewer Complex in Fort Walton Beach. One additional meeting was held in conjunction with the Okaloosa Economic Development Council, an organization consisting of business and community leaders from throughout Okaloosa County.

PUBLIC INPUT SUMMARIES

Community leaders, inter-agency representatives, and members of the general public were given opportunities to provide input during meetings held in various locations across Okaloosa County. The public input provided in each of these individual meetings is summarized in this section.

InterAgency Meeting (12 participants)

This meeting took place in the City Council Chambers at Niceville City Hall on July 20, 2006. Twelve people attended and gave input representing the following agencies: Northwest Florida Water Management District, West Florida Regional Planning Council, City of Destin, Florida Department of Transportation, Florida Division of Forestry, and Okaloosa County. The top ten issues identified by this group in order of priority were as follows:

1. Transportation (roads, by-passes, etc.)
2. Growth management
3. Storm-water runoff remediation
4. Environmental protection
5. Utility infrastructure (water, sewer, gas, electric, communications, etc.)
6. Affordable housing
7. Local response to BRAC issues
8. Economic development
9. Public transportation (need for more)
10. Density of development

Crestview Chamber of Commerce Meeting (21 participants)

The Crestview Chamber of Commerce cooperated with the facilitator in organizing a public input meeting held on July 27, 2006. Twenty-one people participated and provided input. These participants included the executive director, president, vice-presidents, committee chairs, and board members of the Chamber as well as other community leaders. The top ten issues identified by this group in order of priority were as follows:

1. Affordable housing
2. Transportation (roads, by-passes, etc.)
3. 46th Test Wing Issues (Loss of high-level jobs)
4. Economic development
5. Growth management
6. Utility infrastructure (water, sewer, gas, electric, communication)
7. Density of Development
8. Local response to BRAC issues
9. Emergency evacuation
10. Eglin/community interaction (community needs versus range encroachment)

Okaloosa Economic Development Council Meeting (20 participants)

The Okaloosa Economic Development Council (EDC) cooperated with the facilitator in organizing a public input meeting held on July 27, 2006. Twenty people participated and provided input. These participants included the EDC's executive director, president, officers, board members, and staff as well as representatives of Eglin Air Force Base; a group which represented a broad cross-section of the local business, government, military, and not-for-profit communities. The top ten issues identified by this group in order of priority were as follows:

1. Affordable housing
2. Transportation (roads, by-passes, etc.)
3. Local response to BRAC issues
4. Economic development
5. Growth management
6. 46th Test Wing issues (Loss of high-level jobs)
7. Eglin/community interaction (community needs versus range encroachment)
8. Density of development
9. Public transportation
10. Environmental protection

Fort Walton Beach Chamber Meeting (17 participants)

The Fort Walton Beach Chamber of Commerce cooperated with the facilitator in organizing a public input meeting held on August 24, 2006. Seventeen people participated and provided input. These participants included the Chamber's chief executive officer, board chair, division directors, committee chairs, board members, and staff as well as other community leaders. The top ten issues identified by this group in order of priority were as follows:

1. Transportation (roads, by-passes, etc.)
2. Affordable housing
3. Economic development
4. Growth management
5. Law enforcement/public safety
6. Environmental protection
7. Emergency response infrastructure and coordination
8. Quality of life/recreation
9. Beach restoration
10. Storm water runoff remediation

Niceville-Valparaiso Chamber of Commerce Meeting (20 participants)

The Niceville-Valparaiso Chamber of Commerce cooperated with the facilitator in organizing a public input meeting held on August 23, 2006. Twenty people participated and provided input. These participants included the Chamber's executive director, president, vice-president, committee chairs, and board members as well as representatives of Eglin Air Force Base and other community leaders. The top ten issues identified by this group in order of priority were as follows:

1. Transportation (roads, by-passes, etc.)
2. Growth management
3. Storm water runoff remediation
4. Local response to BRAC issues
5. Joint land use with Eglin, county, and cities
6. 46th Test Wing issues (Loss of high-level jobs)
7. Affordable housing
8. Quality of life/recreation
9. Local homeland security issues
10. Emergency response infrastructure

Destin Chamber of Commerce Meeting (21 participants)

The Destin Chamber of Commerce cooperated with the facilitator in organizing a public input meeting held on August 28, 2006. Twenty-one people participated and provided input. These participants included the Chamber's chief executive office, board chair, officers, board members, and staff as well as other community leaders. The top ten issues identified by this group in order of priority were as follows:

1. Local response to BRAC issues
2. Affordable housing
3. Beach restoration
4. Transportation (roads, by-passes, etc.)
5. Growth management
6. Joint land use with Eglin, County, and cities
7. Public transportation
8. Economic development
9. Density of development
10. Eglin/community interaction (community needs versus range encroachment)

General Public Meeting – North County (0 participants)

The Okaloosa County Department of Growth Management gave legal notice of a public input meeting scheduled for 6:00pm on September 5, 2006 at the Okaloosa County Courthouse in Crestview. The meeting attracted no participants.

General Public Meeting – South County (4 participants)

The Okaloosa County Department of Growth Management gave legal notice of a public input meeting scheduled for 6:00pm on September 7, 2006 at the Okaloosa County Water and Sewer Building in Fort Walton Beach. Four people participated and provided input. The top ten issues identified by these four people were as follows:

1. Utility infrastructure (water, sewer, gas, electric, communications)
2. Transportation (roads, by-passes, etc.)
3. Public transportation
4. Local response to BRAC issues
5. Emergency evacuation
6. Quality of life/recreation
7. 46th Test Wing issues (Loss of high-level jobs)
8. Airport-related issues

9. Public access to beaches
10. Prohibition against rezoning changes that would impair the established use of private property

COUNTYWIDE COMPILATION OF PUBLIC INPUT

Using the public input summaries from each community-based meeting and the general public meetings, the facilitator compiled the top ten issues for the overall county. Those issues in order of priority are as follows:

1. Transportation (roads, by-passes, etc.)
2. Affordable housing
3. Local response to BRAC issues
4. Growth management
5. Public transportation
6. Economic development
7. 46th Test Wing issues (Loss of high-level jobs)
8. Utility infrastructure (water, sewer, gas, electric, communication)
9. Storm water runoff remediation
10. Five issues tied for 10th place as follows:
 - a. Environmental protection

- b. Eglin/community interaction (community needs versus range encroachment)
- c. Emergency evacuation
- d. Joint land use with Eglin, County, and cities
- e. Quality of life/recreation

Chapter 6

Chapter 6 – Recommendations

Generally

There have been significant changes since the comprehensive plan was revised in 2000. The county has experienced unprecedented growth, especially in north county around the Crestview area. Many county priorities have changed, many objectives of the plan have been accomplished or are no longer applicable, and there have been substantial changes to growth management laws. There has also been a noticeable population shift from the south end to the north end of the county with attendant predictions that Crestview will soon surpass Fort Walton Beach as the county's most populous city. These considerations and more must be addressed as part of the EAR-based revisions to the comprehensive plan.

The county will be facing increasing challenges toward managing growth and keeping up with needed public services and infrastructure. The south end of the county will be experiencing a demand for higher density development and redevelopment while the north end will experience the growing pains of conversion from a primarily rural area to an increasingly urban-type area. The plan should be modified to accommodate these changes as well as to update the objectives and policies to reflect current and anticipated conditions and circumstances.

General Recommendations

- The plan would benefit from re-styling and re-formatting to make it more user-friendly.
- An "Administrative Procedures" or "Administration" section should be included to describe how the plan will be administered and implemented.
- The plan should serve to coordinate and focus other established planning programs, procedures and planning studies currently in play.

Future Land Use Element

This element should be substantially revised to reflect current trends and anticipated conditions.

- The future land use categories listed in the plan should be re-evaluated as to applicability and function.
- The distribution of land use categories on the future land use map (FLUM) should be re-examined in consideration of changed conditions. In particular, the distribution of the Agriculture and Low Density Residential FLUM categories.
- Distribution of the Agriculture FLUM category should be based on tangible measures such size of the property, suitability for agricultural purposes, and property tax classifications.
- The Low Density Residential (LDR) FLUM category has been assigned to areas which are unlikely to become developed as LDR areas within the 10-year planning timeframe. The LDR FLUM category should be re-distributed base on definitive location criteria such as environmental constraints and availability of infrastructure.
- The distribution of the future land use categories shown on the FLUM should be drawn along specific, identifiable boundaries such as property lines, section lines, or physical natural or man-made features.
- To the extent practicable, FLUM categories should be coordinated with the underlying existing land use so as to avoid the creation of non-conforming uses.
- All FLUE objectives and policies should be measurable and should be referenced to the governmental or public purpose they are trying to fulfill or promote.
- The plan would benefit from an actual "Conservation" FLUM category which describes how locally significant environmental resources will be conserved and protected.

Transportation Element

This element should be substantially updated.

- Roadway levels-of-service (LOS) are outdated and should be revised consistent with current conditions and practices.
- The element must be revised to be consistent with SB 360.
- Roadway functional classifications should be described in more detail and assigned to a roadway classification map.
- A clear distinction should be made between the State Highway System and the County Road System with regard to maintenance and improvement responsibilities of the state and the county.
- The Transportation Planning Organization (TPO) planning process and FDOT Five-Year Work Program should be incorporated into the element.
- The element should be more oriented to transportation facilities and improvements which are under direct county jurisdiction.
- The Future Traffic Circulation Map needs to be updated.
- Need to add policies regarding protection of natural resources within airports.
- Need to incorporate results and recommendations of the Eglin Growth Management Study and the Sustainable Emerald Coast Committee.

Housing Element

This element should be revised to focus more on established housing programs such as the county's SHIP program and attendant Housing Assistance Program, and Housing Incentive Program. Results of other affordable housing efforts such as the Economic Development Council Workforce Housing Initiative should be incorporated into the element as may be applicable.

General Utilities

General utilities include sanitary sewer, potable water, and stormwater drainage. Each of these sub-elements should be re-
valuated with regard to current applicability of established level-of-service standards and objectives that have been
achieved during the past six years. The potable water sub-element must be revised to be consistent with the regional water
supply plan from the water management district as per SB 360. Other plans and programs such that have become available
since the plan was revised, such as the stormwater master plan, should be incorporated into the plan.

Natural Groundwater Aquifer Recharge

Objectives and policies must be included in the plan to protect identified high aquifer recharge areas.

Coastal Management Element

The "coastal planning area" should be identified. The element should generally be updated to include any new FEMA or
hurricane evacuation requirements resulting from the 2004-2005 hurricane season.

Conservation Element

Objectives and policies presented in this element are generally still valid. The element would benefit from restructuring so
that those resources which merit special protection are more clearly identified and a detailed description of how these will
be conserved and protected is provided. Consideration of the regional water supply plan must be included per SB 360.

Recreation and Open Space Element

The county completed a "Parks and Recreation Master Plan" in 2003. This plan should form the basis for updating this element.

Capital Improvements Element, Monitoring and Evaluation Procedures, Concurrency Management System

Each of these will require revision to be consistent with SB 360.