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**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM**

SUBJECT: Summary of Florida Senate Bill 1906 and Required Actions of Local Government

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: Matthew West **CONTACT:** Tony Matthews **EXT.** 7373

Agenda Date <u>08/07/02</u> Regular <input type="checkbox"/> Consent <input type="checkbox"/> Work Session <input type="checkbox"/> Briefing <input checked="" type="checkbox"/> Public Hearing – 1:30 <input type="checkbox"/> Public Hearing – 7:00 <input type="checkbox"/>
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MOTION/RECOMMENDATION:

Information item regarding requirements of Senate Bill 1906 as described on the attached table.

(Countywide)

(Tony Matthews, Principal Planner)

BACKGROUND:

During the 2002 Florida Legislature session, numerous changes, both required and optional, were made to the state's growth management legislation. A summary of these changes, and recommended actions, are shown on the attached table.

The purpose of this briefing is to inform the LPA/P&Z of upcoming changes to the Vision 2020 Plan and required action items pursuant to SB 1906 which became effective May 31, 2002.

STAFF RECOMMENDATION:

Recommend actions as described on the attached table.

Staff is meeting with each County Commissioner to discuss this item.

Reviewed by:
Co Atty: _____
DFS: _____
Other: _____
DCM: _____
CM: _____
File No. <u>NA</u>

Attachment: Summary of Senate Bill 1906.
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SUMMARY OF SENATE BILL 1906 REQUIRING LOCAL GOVERNMENT ACTION

Item	Reference (Florida Statutes)	Subject	Purpose	Action	Outsource/budget adjustment needed
1	163.3174	Local Planning Agency (LPA)	Requires school board to appoint nonvoting representative to serve as member of LPA.	<ul style="list-style-type: none"> • Amend Land Development Code (with next available cycle) to provide for representative appointed by school board. • Board of County Commissioners may choose to grant voting status to the school board representative. 	None
2	163.3177 and 163.3191	Regional Water Supply Plans	Improve coordination of local government comprehensive plans with St. Johns River Water Management District (SJRWMD) regional water supply plan.	<ul style="list-style-type: none"> • Amend <u>Vision 2020 Plan</u> to add language regarding coordination with SJRWMD to consider regional water supply plan pursuant to 373.0361, FS, or if no regional plan, the district water management plan pursuant to 373.036(2), FS. • Amend <u>Vision 2020 Plan</u> to include a 10 year work plan for building water supply facilities (County only) to serve existing and new development. • Amend <u>Vision 2020 Plan</u> to state that the legislature finds that the reuse of reclaimed water is a critical component of meeting the state's existing and future water supply needs while sustaining natural systems. 	<p>Some outsourcing may be necessary.</p> <p>Some outsourcing may be necessary to prepare the subject 10 year work plan.</p>

SUMMARY OF SENATE BILL 1906 REQUIRING LOCAL GOVERNMENT ACTION

Item	Reference (Florida Statutes)	Subject	Purpose	Action	Outsource/budget adjustment needed
				<ul style="list-style-type: none"> • Amend County water and wastewater master plan to include language regarding the required 10 year work plan. • Deadline for plan amendment: 12/10/02. • Deadline for 10 year work plan: 1/1/05. 	
3	163.3177	Public School Sitings	Encourage elementary schools as focal points for neighborhoods.	<ul style="list-style-type: none"> • Amend <u>Vision 2020 Plan</u> to add language recognizing the use of elementary schools as focal points for neighborhoods. • Deadline: 12/10/02. 	None
4	163.3177	Interlocal Service Delivery Agreements	Identify local government interlocal agreements to determine any deficiencies and duplication of services.	<ul style="list-style-type: none"> • County, municipalities and special districts to submit report to Department of Community Affairs (DCA) to address existing and proposed service delivery agreements regarding education, sanitary sewer, public safety, solid waste, drainage, potable water, parks and recreation, and transportation facilities, and identify any deficits or duplication of services (capital or operational). 	Outsource and tie in with #6 (Public Schools Interlocal Agreement).

SUMMARY OF SENATE BILL 1906 REQUIRING LOCAL GOVERNMENT ACTION

Item	Reference (Florida Statutes)	Subject	Purpose	Action	Outsource/budget adjustment needed
				<ul style="list-style-type: none"> • DCA and East Central Florida Regional Planning Council (RPC) to meet with all local governments in RPC area to discuss reports and potential remedies to deficiencies and duplications. • Amend <u>Vision 2020 Plan</u> to add policy to meet this requirement. • Deadline for plan amendment: 12/10/02. • Amend <u>Vision 2020 Plan</u> based on findings in report. • Deadline to submit study to DCA: 1/1/04. 	
5	163.3177	Annexation	Recommend to legislature statutory changes for annexation, including changes relating to service delivery in areas to be annexed.	<ul style="list-style-type: none"> • Prepare recommendations through County's Planning Technical Advisory Committee (PTAC). • Amend Vision 2020 Plan to add policy to meet this requirement. • Deadline: 2/1/03 	None
6	163.31777	Public Schools Interlocal Agreement	Local governments and school boards shall enter into an interlocal agreement to jointly establish specific ways in which the plans and processes of	<ul style="list-style-type: none"> • County, municipalities and school board to enter into interlocal agreement to address processes for matters such as: (a) consistent projections between the local 	Outsource and tie in with #4 (Interlocal Service Delivery Agreements).

SUMMARY OF SENATE BILL 1906 REQUIRING LOCAL GOVERNMENT ACTION

Item	Reference (Florida Statutes)	Subject	Purpose	Action	Outsource/budget adjustment needed
			<p>local governments and school boards are to be coordinated.</p>	<p>government and school board regarding population growth and student enrollment; (b) sharing of information regarding school facilities and local plans for redevelopment/new development; (c) coordination regarding school closures, renovations and new site selection; (d) determination of on site and offsite improvements relating to schools; (e) school board to notify local governments of school capacity (optional); (f) participation of local governments with schools boards 5-year facilities program and plant survey; (g) Safe Paths to Schools program; (h) joint use of school board or local government facilities; (i) dispute resolution; and (j) oversight process including public participation for implementation of the agreement.</p> <ul style="list-style-type: none"> • Statutes encourage adoption of a single agreement among participants. • Office of Educational Facilities and SMART Schools Clearinghouse to review and comment on interlocals. 	

SUMMARY OF SENATE BILL 1906 REQUIRING LOCAL GOVERNMENT ACTION

Item	Reference (Florida Statutes)	Subject	Purpose	Action	Outsource/budget adjustment needed
				<ul style="list-style-type: none"> • DCA will provide model agreement and review all agreements with input from Department of Education. • DCAs approval of agreement is subject to challenge per Chapter 120, FS. • State may impose sanctions (withholding of certain funds) on the local government and school board if interlocals are not submitted in a timely fashion. • Amend the "School Board Interlocal Agreement of 2001" to address the requirements of this statute not currently within the 2001 agreement, with assistance from PTAC. • Amend <u>Vision 2020 Plan</u> to add policy to meet this requirement and include language that the legislature finds that integration of the growth management system and planning of public educational facilities is a mater of great public importance. 	

SUMMARY OF SENATE BILL 1906 REQUIRING LOCAL GOVERNMENT ACTION

Item	Reference (Florida Statutes)	Subject	Purpose	Action	Outsource/budget adjustment needed
				<ul style="list-style-type: none"> • Deadline for plan amendment: 12/10/02. • Deadline for agreement: 5/1/03 	
7	163.3184	Process for Adoption of Comprehensive Plan or Plan Amendments.	Provides miscellaneous changes to processes relating to plan amendments reviewed by DCA and agencies.	<ul style="list-style-type: none"> • County must post the notice of intent issued by DCA regarding plan amendments on the County's website within 5 days of receipt from DCA. • Public hearing sign in sheets (at transmittal and adoption) must state that signatories will receive a courtesy informational statement concerning publications of DCAs notice of intent, and sign in form must indicate and include the name of any person who submits written comments. • DCA to provide a model form to local governments. • Revise speaker and written comments forms for plan amendments to address this requirement in the interim until DCA model form is provided to local governments. 	

SUMMARY OF SENATE BILL 1906 REQUIRING LOCAL GOVERNMENT ACTION

Item	Reference (Florida Statutes)	Subject	Purpose	Action	Outsource/budget adjustment needed
				<ul style="list-style-type: none"> • Begin with 7/23/02 BCC hearing. 	
8	235.185	School District Educational Facilities Plan (EFP)	School Board to submit EFP to local government.	<ul style="list-style-type: none"> • County to review and comment on annual EFP to determine consistency of proposed EFP with <u>Vision 2020 Plan</u>, impacts of proposed development to public school capacity, and whether a plan amendment is needed to accommodate the EFP. • Deadline: Annually 	None

Note: This table provides an overview of the major provisions relating to growth management from Senate Bill 1906 of the 2002 Florida Legislature. Only items that require local government action are included in this table.

Optional Actions:

SB 1906 also provides for, at the discretion of local governments, but does not require, creation of a public educational facilities element in collaboration with the school board to address such issues as infrastructure needs, co-location, location of schools, demands on school capacity from plan amendments and rezonings, methods for determining school capacity, etc. Also provided for is the creation of a comprehensive planning certification program for governments committed to exemplary planning practices and to directing growth to a certain geographic that are appropriate for urban growth, thus requiring less state and regional oversight of the plan amendment process. Local governments may also establish a special master process to assist with challenges to development orders for consistency with comprehensive plans. Please refer to SB 1906 for more details regarding these items.

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