

# Item 05-00 Amend Introduction

## **INTRODUCTION**

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In 1985 the State Legislature passed Florida's Growth Management Act. Officially referred to as the "Local Government Comprehensive Planning and Land Development Regulation Act of 1985," this bill requires all local governments in the State to adopt Comprehensive Land Use Plans. This legislation was in response to the tremendous population growth in the State. Growth pressure and population growth continue into the 21<sup>st</sup> century. The ~~accelerated~~ growth rate has ~~begun~~ continued to stress and, in some cases, exceed the ability of local and state governments to provide basic facilities and services to adequately support the needs of its citizens. Daily we encounter the evidence of growth related problems; crowded schools, traffic snarls, dwindling open space areas, water shortages, and water use restrictions have become all too common. The Growth Management Act is the State's formula to cope with the problems created by rapid growth.

The challenge presented by the legislation to Volusia County was threefold. First to meet the requirements of the State, second to deal with growth issues, and most importantly to prepare a plan responsive to the needs and concerns of the citizens of Volusia County.

## MEETING THE CHALLENGE

The County organized the planning program to meet the State requirements by breaking the work into three (3) areas. The first area was the technical requirements with which County staff must deal. The second area was the policy direction of the Plan which must be determined by the Local Planning Agency and the County Council; and the third was the citizen participation program which coordinates citizen participation in the planning process. These three organizational components are more fully explained as follows:

### Technical Requirements

The technical requirements of the State Act were prepared by the Department of Community Affairs in Tallahassee. These requirements are referred to as Administrative Rule 9-J5. The first organizational step taken at the staff level was to form an interdepartmental task group to review the State rules. Based on the efforts of this group, a work program was put together and an overall schedule was formulated to coordinate the work activities.

### Policy Direction

Although the technical work of the Comprehensive Plan is coordinated by County staff, the two official groups responsible for the policy direction of the Plan are the County Council and the Planning and Land Development Regulation Commission (PLDRC). The Commission is advisory to the County Council and, in addition to many other duties, has the responsibility of recommending the Comprehensive Plan to the Council. They fulfill the role of the Local Planning Agency (LPA) required by the State Rule 9-J5.

### Citizen Participation

The County made a major commitment to comply with the citizen participation requirements of the State law. The key to citizen participation in Volusia County are the Citizen Resource Committees. These committees were formed at the direction of County Council and the PLDRC to include citizen involvement in the planning process. Members of the CRC's (there are five CRC's altogether) were nominated by organizations in the County. These organizations represent individual citizens,

development interests, environmental groups, industry, service sector organizations, agricultural interests, municipal service district board members, academic institutions and others. The CRC's met over a period of a year. To facilitate the process, the major elements of the planning program were divided among the CRC's. The function of the CRC's was to review draft information and to comment on the proposed goals, objectives, and policies within each plan element.

## UPDATES

Since the 1990 adoption of the Comprehensive Plan, the County has updated the Plan twice through the Evaluation and Appraisal process – once in 1998 and the next time in 2007. The intent of the updates is to take into account changes to state law and to reflect changing conditions within the community. The intent is that the Plan would stay relevant by efficiently addressing contemporary growth related challenges in a fiscally responsible manner.

## BUILDING BLOCKS OF THE PLAN

Chapters 1 through 18 of the Comprehensive Plan contain the elements and sub-elements which are the basic building blocks of the Plan. There are eleven required elements that cover the subjects of: Future Land Use, ~~Traffic Circulation~~ Transportation, ~~Mass Transit, Port, Aviation and related~~, Housing, Utility (which includes; Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge), Coastal Management, Conservation, Recreation and Open Space, Capital Improvements, ~~and~~ Intergovernmental Coordination, ~~and~~ Public School Facilities (Scheduled for 2008). In addition, ~~the Council directed staff to prepare three (3)~~ there are two non-required optional elements covering the subjects of: Cultural Facilities, ~~Scenic Roads~~, and Historic Preservation. Within each of these subject areas, it was the responsibility of the County to: inventory and analyze existing conditions and facilities; to establish standards to determine if there are any existing deficiencies or needs; and, to project future needs.

An important component of the program was that each element and the plan as a whole is goal directed. For each element, goals, objectives and policies were established for the purposes listed below:

- Goals - determine the direction of the plan elements.
- Objectives - represent measures of goal fulfillment and activities.
- Policies - are programs which implement the objectives.

## FITTING THE BLOCKS TOGETHER

There are some important terms and concepts which should be presented to help explain how the elements fit together. These concepts are as follows:

"Future Land Use Plan" - this term refers to the fact that the Comprehensive Plan must contain a plan map which, along with the supporting elements, must serve to direct future actions of the local government which affect the use of land. The time frame of the Volusia County Comprehensive Plan is from ~~1990 to 2010~~ 2005 to 2025, which represents the traditional twenty year time frame for which land use plans are prepared.

"Comprehensive" - the term comprehensive as applied to the Plan means that the Plan is to cover, at a minimum, the entire area under the government's jurisdiction and that the Plan covers all the elements and subjects required by the State rule. Comprehensive also implies that the subject areas are coordinated with one another so that each element supports the other in a "comprehensive" manner.

"Guidelines" - early in the planning process it was recognized that guidelines should be established to give continuity to the planning program. Plan guidelines are statements which represent the underlying assumptions which support the Plan preparation. The first guideline was formulated to set forth the overall direction of the program and to establish a link with the "quality of life." This guideline is stated as:

#### Guideline One

The Comprehensive Land Use Plan shall be prepared to direct the activities of the County toward the achievement of a planning program which coordinates urban growth. The Plan shall be guided by sound planning principles and practices which will be applied to improve urban conditions and to protect the agricultural areas and the County's natural resources. The overall intent of the Plan is to maintain and improve the quality of life for the present and future residents of Volusia County.

The next guideline established the target or horizon of the Plan which is tied to projected population over a twenty year period to the year ~~2010~~ 2025. This guideline is stated as:

#### Guideline Two

It is the intent of the Plan to maintain and extend appropriate levels of urban service necessary to support the existing and projected populations over the length of the planning period.

The third guideline deals with the comprehensive scope of the numerous goals, objectives, and policies contained within the Plan document. Goals, objectives, and policies deal with diverse topics such as the coastal zone, commerce, industry, recreation and open space, transportation, conservation, housing and utilities. Because no one policy in one area can be applied independently of other policies in other areas, the following guideline was established:

#### Guideline Three

The Comprehensive Plan will be construed as a complete document and no specific goal, objective, policy or recommendation shall be used independently.

### CONCURRENCY/LEVEL OF SERVICE

The most significant requirement of the 1985 Growth Management Act is the concurrency requirement. This requirement goes to the heart of growth management, and in simple terms, means that local governments must coordinate development with the provision of certain facilities. The required facilities are roads, water, sewer, drainage, solid waste, recreation and Mass transit.

The local government must establish minimum levels of service at which these facilities operate. Once the levels of service are established, no development may be permitted which would cause one of the required facilities to operate below the minimum level. The concurrency provision requires that the basic infrastructure will be in place prior to, or concurrent with, the impact of development and that no development order, or permit, may be issued until a determination is made that concurrency can be achieved.

### BUILDING AND TESTING LEVELS OF SERVICE

The financial test of the Plan is its ability to balance the cost of the Plans facilities with the projected revenues of the County. The Plan's cost is the accumulative total to construct all the facilities projected in all the elements at the desired level of service. In this way we test, or balance the projected level of service. If projected capital revenues exceed the total cost of facilities, we have a surplus of funds and have the option to improve service levels. On the other hand, if the projected cost exceeds anticipated revenues then we have to find a way to balance cost with revenue. To do this may require lower levels of service, or an increase in revenues, or the moderation of the rate of growth.

The work of building and testing levels of service is accomplished in the Capital Improvement Element. It is within this element that the Plan must demonstrate that it is financially feasible.

### ~~PLAN IMPLEMENTATION/CHANGING CONDITIONS~~

~~No plan is worthwhile unless it can be implemented. The State Planning Act recognized this when it mandated that local plans shall have achievable goals, measurable objectives, and shall be financially feasible. Succinctly put, the Plan must state what it is to accomplish, when it is to be accomplished, to what level or levels it is to perform, and that it can be paid for.~~

~~Given that the Plan meets the above criteria, what is there to insure that it will not be placed on a shelf and forgotten or conveniently overlooked when it does not fit in with changing conditions? The answer to this question is threefold. First, any change to a plan, goal, objective, policy or level of service, or a change which affects a geographic area, requires a plan amendment. Government actions must be consistent with the Plan and, therefore, any deviation requires a formal process which is subject to public scrutiny. Before the change can take place an amendment must be approved. Secondly, the plan is subject to the concurrency requirements previously outlined and levels of service must be constantly monitored to insure consistency with the Comprehensive Plan. Lastly, major Plan amendments are required every five years. This amendment process would necessitate the same steps required for preparing the Plan and would comprehensively bring all elements up to date. This step requires that the numerous measures established in the Plan be used to test the degree of implementation or success of the Plan. The concurrency requirements and five year overhauls insure that the Plan will keep up with changing conditions.~~

### HOW DOES THE PLAN AFFECT THE INDIVIDUAL RESIDENTS OF VOLUSIA COUNTY?

The Plan deals with the relationship between revenues, services, and population growth and in so doing addresses questions related to the quality of life. Questions such as what will the trip to work, home, shopping, or to the beach be like in the future? Will there be sufficient parks and recreation areas? Are there measures being taken and planned for to protect the quantity and quality of the water resources? Will there be a sufficient number of well stocked libraries? Will there be school

space to educate our children? Will there be enough potable water without negatively impacting natural resources? Will there be any large areas which are left in a natural state so that nature can be observed and studied? Will it cost more in the future to support a lower level of service than exists now? Who should pay and what will be the total price? These are examples of some of the questions which the Plan deals with and which ~~effect~~ affect the lives of residents and the quality of life in Volusia County.