

# **PLANNING COMMITTEE REPORT**

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## **PLANNING COMMITTEE REPORT**

### **Members**

The Planning Committee consisted of the following individuals:

- Jimmy Goff, Chair
- Don Ammerman
- Scott Gabrielson
- Monty Knox
- Frances Pignone
- Kathy Putnam

### **Meeting Schedule and Presenters**

The Planning Committee (the “Committee”) held its first meeting on August 30, 2005 and met on six separate occasions, concluding its deliberations on March 16, 2006. A chart compiling the Committee’s schedule of meetings and the presenters is attached as Appendix A.

### **Side-By-Side Comparisons**

A detailed Side-By-Side Comparison of the data presented and considered by the Committee is attached as Appendix B. The data cited in the Side-by-Side Comparison is information provided by either Orange County or the City of Orlando and is not based on any independent calculations or studies prepared by the Committee. To help the readers better understand the terminology in this Planning Report, a glossary of planning terms used is attached as Appendix C.

### **Findings of Fact**

The following findings of fact were determined by the Committee to be of significance and are the basis for their conclusions and recommendations:

*Planning Fact #1* The Committee participated in a teleconference call with a representative from the Hillsborough County City-County Planning Commission (HCCCPC) at the Committee meeting held on December 30, 2005. (Source: Ray Chiaramonte, HCCCPC). The following are the significant findings from that call:

- The HCCCPC was established in 1950. Because there was no long-range planning, Sam Gibbons spearheaded an effort to remove planning one step from

politics and to have a planning commission that would make recommendations to the elected representatives of Hillsborough County.

- The HCCCPC prepares the Comprehensive Land Use Plan for the four jurisdictions of Hillsborough County.
- The HCCCPC has a staff of 60 who are under the County civil service workers (12 of the 60 are MPO members who specialize in transportation planning).
- Their Urban Service Area, adopted in the 1990s, restricted two-thirds of Hillsborough County to the Rural Service Area. The two-thirds restriction is still in place, and the Urban Service Area is actually smaller now than it was then. The Urban Service Area helps promote redevelopment. By somewhat limiting the opportunities for development in the County the policy promotes redevelopment in the city.
- The HCCCPC is funded by ad valorem taxes according to a formula, but it goes through the County budget process.
- The HCCCPC, in its deliberations, considers the impact of planning decisions on all jurisdictions.
- As regards to annexations, the HCCCPC only gets involved if a land use change is requested in connection with the annexation.
- The HCCCPC makes recommendations to a Board. The HCCCPC has a 90% Board agreement rate with their recommendations. Both the media and citizens are supportive of the HCCCPC. The HCCCPC has a full time media person.
- Hillsborough County and all of its cities but one, Tampa, have planning departments. Tampa has relied on the HCCCPC for planning. Now Tampa desires to have its own planning staff. The HCCCPC works at a more comprehensive, long-range, broader level than the municipal planning staffs.
- The HCCCPC prepares and recommends the comprehensive plans for all jurisdictions.
- State law governs the HCCCPC duties and responsibilities.
- The HCCCPC reviews capital improvements (Capital Improvements Programs) of each jurisdiction for consistency with the Comprehensive Plan.
- The HCCCPC has not been able to standardize land use codes for the entire county.

- The HCCCPC would like to get a dedicated funding source tied to population growth.
- The HCCCPC does proactive planning and when it recognizes a problem it recommends a fix. For example, the HCCCPC developed a “livable roadways” program for the County in response to the HCCCPC observation that roadways did not have an attractive appearance.
- The HCCCPC reviews every zoning action for consistency with the Comprehensive Plan.

*Planning Fact #2* The Committee participated in a teleconference call with representatives from the Tallahassee and Leon County Planning Department at the Committee meeting held on January 19, 2006. (Source, unless otherwise noted, was: Fred Goodrow, Tallahassee and Leon County Planning Department). The following are the significant findings from that call:

- The Tallahassee and Leon County Planning Department, established in the 1960s, is based on an agreement between Tallahassee and Leon County that is reviewed every six years, and that applies only to Comprehensive Planning and rezoning. Tallahassee (size: 102.7 sq. miles) is the only municipality in Leon County (size: 670 sq miles), although there are some “Census Designated Places” (CDP), such as Woodville. These CDPs are not municipalities. (Source: Ed Young, Tallahassee and Leon County Planning Department).
- Both Tallahassee and Leon County have to agree for changes to be made to the urban district (size: 161.3 sq miles). (Source: Ed Young, Tallahassee and Leon County Planning Department). It is one of the most compact developed area in the state.
- The Tallahassee and Leon County Planning Department is funded out of the general fund.
- The Tallahassee and Leon County Planning Department is looked on as a planning resource and they are involved with infrastructure planning (i.e. water, sewer, roads).
- The Tallahassee and Leon County Planning Department is preparing the Evaluation and Appraisal Report (EAR) for the entire Plan.

*Planning Fact #3* The Committee participated in a teleconference call with representatives from the Pinellas County Planning Council at the Committee meeting held on January 19, 2006. (Source: David Healey, Pinellas County Planning Council). The following are the significant findings from that call:

- Created by a special act of the State Legislature in 1973 and a Charter Amendment in 1988.
- The Pinellas County Planning Council has 13 members representing 25 entities (1 county, 24 cities).
- The Pinellas County Planning Council prepares and administers the countywide Comprehensive Land Use Plan.
- Local plans can be more restrictive than a county plan, but cannot exceed the parameters of the countywide plan. There is consistency in density, definitions, etc.
- The Pinellas County Planning Council is holding workshops to educate communities on the EAR so that each community can prepare its EAR.
- 10 of the 24 cities have their own planning departments. The other cities depend on the Pinellas County Planning Council. Small cities are served by other utilities that provide utility planning by contract. Many of the small cities only have one main street.
- The Pinellas County Planning Council is funded by a separate ad valorem millage rate (0.020) under their charter.
- The Pinellas County Planning Council doesn't reach far beyond comprehensive planning. For example, the Council does not plan down to the utility level. Redevelopment is now a major concern. The Pinellas County Planning Council has a countywide Redevelopment Plan.

*Planning Fact #4* Both Orange County and the City of Orlando are currently meeting State concurrency requirements. Both governments have adopted Comprehensive Land Use Plans that have been approved by the State of Florida Department of Community Affairs. Any amendments to those Plans have been approved through a similar process that requires comment from the Regional Planning Council, from the public and from adjoining governments.

*Planning Fact #5* The County and City meet quarterly with each other. The meetings could be formalized. Planning for certain infrastructure needs (e.g. fire stations, roads, police stations, parks) could be better coordinated.

*Planning Fact #6* The State of Florida requires that all cities and counties establish level of service standards for purposes of concurrency. Concurrency requires that adequate facilities be in place at time of development. Levels of service standards are required for parks, roads, water, sewer, solid waste, stormwater and transit. The City of Orlando and Orange County's adopted level of service standards are different in each

area. See Appendix D for the Orange County and City of Orlando levels of standards for the seven service areas.

*Planning Fact #7* Appendix E compares the planning staff totals for Orange County and Orange County municipalities with the staff totals for Pinellas County.

*Planning Fact #8* The City of Orlando is one of two municipalities statewide, with Lakeland being the other, to enter into a Local Comprehensive Planning Agreement (LGCPA) with the Florida Department of Community Affairs. Under the LGCPA, most of the City's Growth Management Plan (GMP) amendments are exempt from state and regional review. However, the City is still subject to a maximum of two amendments to the Regular GMP per year. In exchange for this benefit, the City is required to monitor a series of baseline conditions, pursue several community development goals and submit an annual report indicating changes to the baseline conditions and progress in achieving the stated community development goals. (*Source: Dean Grandin, City of Orlando City Planner*). Note: More information is available in Appendix F - Local Government Comprehensive Certification Agreement (LGCPA).

*Planning Fact #9* Since 1980, Orange County has used an Urban Service Area (USA) concept in its Comprehensive Policy Plan (CPP) to indicate areas of the County appropriate for urban and suburban growth and the provision of urban services, such as central water and wastewater service that make such growth possible.

- In 1991, in response to changes in Florida's growth management legislation, Orange County adopted a new USA boundary at the parcel level. This new USA boundary was less conceptual and more regulatory in nature, with a defined threshold of 14,801 acres available for USA boundary expansion to accommodate projected growth over the planning period.
- In response to unanticipated population and economic growth, which has added an estimated 127,000 new residents to Orange County since 2000 (U.S. Census), the 14,801 acre allocation already has been added to the USA, and additional expansions are considered on a case-by-case basis through amendments to Orange County's CPP. This approach has led to challenges, in that cities' lack of coordination with the USA in their annexations and growth and the County's incremental USA expansions make public service planning more fragmented. To address some of these challenges and to meet the needs of growth in a sustainable fashion, Orange County conducted the Horizon West planning process with landowners and citizens in southwest Orange County to address the future uses of former citrus groves no longer suitable for agriculture use and located near the County's internationally-renowned International Drive theme parks and tourist areas. The Horizon West sector planning process included a series of community meetings and design workshops for the overall planning area and its individual Villages. The workshops helped create detailed specific area plans for the area's land uses, environmental protection and provision of adequate infrastructure to meet the needs of new development.

- This sector planning process became a model for revisions to Florida's growth management laws in 1998 to offer an incentive-based alternative to the Development of Regional Impact (DRI) process. Recognizing the considerable time and resources needed for the DRI process, an optional area-wide master planning process, pursuant to Section 163.3245, Florida Statutes, was enabled for the sector planning of large-scale developments planned in a comprehensive and detailed manner with extensive public participation. Horizon West is a sector plan under this statutory criteria, which helps to ensure that Horizon West's development is compatible, sustainable, and has public facilities and services that add to the community's quality of life.

*Planning Fact #10* The Hillsborough County City-County Planning Commission, the Tallahassee and Leon County Planning Department, and the Pinellas County Planning Council each prepare a countywide comprehensive land use plan. Other jurisdictions within the county may or may not have their own planning department. There are differences in how the three consolidated planning departments are funded. Two are funded by ad valorem taxes, with one according to a formula and the funding going through the county budget process and one by a set millage rate. The other is funded by the general fund.

*Planning Fact #11* Florida law requires the coordination of planning between the School Board and the respective local governing bodies to ensure that plans for construction and opening of public educational facilities are facilitated and coordinated in time and place with plans for residential development, concurrently with other necessary services. Such planning requires, in part and without limitation, that the location of public educational facilities must be consistent with the comprehensive plan and implementing land development regulations of appropriate local governing bodies. To fulfill this statutory requirement, and in recognition of the benefits to their citizens and students, the Orange County Public Schools, Orange County and the City of Orlando have entered into an interlocal agreement regarding school capacity. The agreement establishes the process for determining the availability of school capacity and the roles and responsibilities of the respective parties in determining and resolving school capacity issues. (Source: Linda Rhinesmith, Economic Development Manager, City of Orlando).

*Planning Fact #12* Both the Orange County and the City of Orlando have professional planning staffs that are effectively dealing with this area's substantial growth. The Committee saw plenty of evidence of cooperation and communication between the two staffs.

## **Conclusions**

Based upon testimony received by the Committee members during its various meetings, the Committee unanimously adopted the five conclusions that follow at their meeting held on March 16, 2006:

*Planning Conclusion #1* Planning done in a comprehensive way would result in better intergovernmental cooperation, would probably save money through avoidance of duplication of service provision and could better serve citizens.

*Planning Conclusion #2* Both Orange County and the City of Orlando have good Comprehensive Plans.

*Planning Conclusion #3* Orange County and the City of Orlando Planning Divisions have agreed informally to meet on a quarterly basis to discuss plans for new development and ongoing projects.

*Planning Conclusion #4* Concurrency is a complex issue that needs further refinement throughout the state and cannot simply be resolved through the efforts of Orange County and the City of Orlando. It is anticipated that the new 2005 Growth Management Act will result in refinements and rules necessary to help further manage growth and its impact on service delivery and facilities.

*Planning Conclusion #5* The efforts of the planning staffs of Orange County and the City of Orlando are very professional and commendable.

## ***Recommendations***

Consolidation of the Orange County City of Orlando planning departments was studied for efficiencies in service delivery, economies of scale, opportunities for enhanced intergovernmental cooperation and other related issues. The Committee recommends that the Study Commission adopt the following recommendations for further consideration by both the County and the City:

### **PLANNING RECOMMENDATION #1**

That because the Committee found that neither efficiencies in service delivery nor economies of scale would result from consolidation of services, and because bigger is not necessarily better, neither the Orange County and City of Orlando Planning Departments nor their services be consolidated.

### **PLANNING RECOMMENDATION #2**

That Orange County and the City of Orlando explore creating common elements and terminology in respect to the Land Development Codes, including such areas as landscape standards, sign regulations, etc.

### **PLANNING RECOMMENDATION #3**

That Orange County and the City of Orlando should jointly plan for parks, fire, schools, roads and other critical infrastructure needs, such as was demonstrated by the Southeast Sector plan between the City and the County.

### **PLANNING RECOMMENDATION #4**

That Orange County and the City of Orlando formalize their quarterly meetings between planning staff to evaluate common issues and opportunities and jointly study areas with shared boundaries (e.g. International Drive corridor).

### **PLANNING RECOMMENDATION #5**

That Orange County and the City of Orlando should coordinate the development and methodology for impact fees.