

1.0 GENERAL REQUIREMENTS

Chapter 163.3161 – 163.3215, Florida Statutes 9I.E. local Government Comprehensive planning and Land Development Regulation Act) and Chapter 9J-5, Florida Administrative Code (i.e. Minimum Criteria For Review of Local Government Comprehensive Plans and Determination of Compliance) establish basic requirements for the format and content of the City of South Bay Comprehensive Plan.

1.1 CHAPTER 163.3161 – 163.3215, FLORIDA STATUTES

Chapter 163.3164 (3), Florida Statutes defines “Comprehensive Plan” as a “Plan that meets the requirements of Section 163.3177 and 163.3178”. Section 163.3177 lists required conditions, studies, surveys and elements of the Comprehensive Plan, including:

1. Written and graphic material necessary to support the principles, guidelines and standards for the orderly and balanced future economic, social, physical, environmental and fiscal development of the area;
2. Elements of the Comprehensive Plan must be consistent with each other and the Plan shall be economically feasible;
3. A CAPITAL IMPROVEMENTS element, to be reviewed on an annual basis, designed to consider the need for and the location of public facilities to encourage the efficient use of such facilities;
4. Coordination of the Comprehensive Plan with: (1) those of adjacent municipalities municipalities; (2) the County; (3) the Region (Treasure Coast Regional Planning Council); and (4) the State Comprehensive Plan.
5. Policy recommendations for the implementation of the Comprehensive Plan; and
6. The following elements: FUTURE LAND USE; ~~TRAFFIC CIRCULATION~~ TRANSPORTATION; SANITARY SEWER, SOLID WASTE, ~~DRAINAGE~~ STORMWATER MANAGEMENT, POTABLE WATER, AND NATURAL GROUNDWATER AQUIFER RECHARGE; CONSERVATION; RECREATION AND OPEN SPACE; HOUSING; and INTERGOVERNMENTAL COORDINATION.

In addition, it is required that local Comprehensive Plans be compatible with and further the Treasure Coast Regional Planning Council Regional Policy Plan and the Florida Comprehensive Plan.

Further, the following two provisions of Chapter 163, Florida Statutes are emphasized by the State:

1. Local governments are charged with setting levels of service for public facilities in their Comprehensive Plan in accordance with which development must occur and permits will be issued; and
2. Public facilities and services needed to support development shall be available concurrent with the impacts of such development.

Chapter 163. 3178, Florida Statutes, which addresses the COASTAL MANAGEMENT element requirements does not apply to South Bay, since the City does not fall within the Coastal Zone, as defined in Chapter 480.24, Florida Statutes.

1.2 CHAPTER 9J-5, FLORIDA ADMINISTRATIVE CODE

Chapter 9J-5, Florida Administrative Code establishes the general requirements for a Comprehensive Plan.

1.2.1 Format Requirements

The Comprehensive Plan shall consist of those items listed below. All other documentation may be considered as support documents. Support documents need not be adopted unless the local government desires to include all or part thereof within the Comprehensive Plan. All background data, studies, surveys, analyses and inventory maps not adopted as part of the Comprehensive Plan is being considered for adoption and while it is in effect. Unless local government desires to include more, the Comprehensive Plan shall consist of:

1. Goals, Objectives and Policies;
2. Requirements for capital improvements implementation;
3. Procedures for monitoring and evaluation of the local plan;
4. Required maps showing future conditions; and
5. A copy of the local Comprehensive Plan adoption ordinance at such time as the plan is adopted.

The Comprehensive Plan format shall include:

1. A table of contents;

2. Numbered pages;
3. Element headings;
4. Section headings within elements;
5. A list of included tables, maps and figures;
6. Titles and sources for all included tables, maps and figures;
7. A preparation date;
8. The name of the preparer.

All maps included in the Comprehensive Plan shall include major natural and man-made geographic features, city, county and state lines, when applicable; and shall contain a legend indicating a north arrow, map scale and date.

1.2.2 Data and Analysis Requirements

All Goals, Objectives, Policies, standards, findings and conclusions within the Comprehensive Plan and its support documents shall be based upon relevant and appropriate data. Data or summaries thereof shall not be subject to the compliance review process. All tables, charts, graphs, maps, figures and data sources, and their limitations shall be clearly described where such data occur in the above documents.

Chapter 9J-5, Florida Administrative Code shall not be construed to require original data collection by local government; however, local governments are encouraged to utilize any original data necessary to update or refine the Comprehensive Plan data base so long as methodologies are professionally accepted.

Data are to be taken from professionally accepted existing sources, such as the United States Census, State Data Center, State University System of Florida, regional planning councils, water management districts or existing technical studies. The data used shall be the best available existing data, unless the local government desires original data or special studies. Where data augmentation, updates or special studies or surveys are deemed necessary by a local government, appropriate methodologies shall be clearly described or referenced and shall meet professionally accepted standards for such methodologies.

The Comprehensive Plan shall be based upon resident and seasonal population estimates and projections. Resident and seasonal population estimates and projections shall be either those provided by the University of Florida, Bureau of Economic and Business Research, those provided by the Executive Office of the Governor, or shall be generated by the local government.

1.2.3 Level of Service Standard Requirements

Level of service standards shall be established for ensuring that adequate facility capacity will be provided for future development and for purposes of issuing development orders or development permits, pursuant to Section 163.3202 (2) (g), Florida Statutes. Each local government shall establish a level of service standard for each public facility located within the boundary for which such local government has authority to issue development orders or development permits.

1.2.4 Internal Consistency Requirements

The required elements shall be consistent with each other. All elements of a particular Comprehensive Plan shall follow the same general format. Where data are relevant to several elements, the same data shall be used, including population estimates and projections.

Each map depicting future conditions must reflect Goals, Objectives and Policies within all elements and each such map must be contained within the Comprehensive Plan.

1.2.5 Plan Implementation Requirements

Recognizing that the intent of the Legislature is that local government Comprehensive Plans are to be implemented, pursuant to Subsection 163.3161 (5), and Section 163.3194, 163.3201 and 163.3203, Florida Statutes, the sections of the Comprehensive Plan containing Goals, Objectives and Policies shall describe how the local government's programs, activities and land development regulations will be initiated, modified or continued to implement the Comprehensive Plan in a consistent manner. It is not the intent of Chapter 9J-5 to require the inclusion of implementing regulations in the Comprehensive Plan but rather to require identification of those programs, activities and land development regulations that will be part of the strategy for implementing the Comprehensive Plan and the goals, objectives and policies that describe how the programs, activities and land development regulations will be carried out consistent with Section 163.3201, Florida Statutes. Chapter 9J-5 does not mandate the creation, limitation or elimination of regulatory authority for other agencies nor does it authorize the adoption or require the repeal of any rules, criteria or standards of any local, regional or state agency.

1.2.6 Monitoring and Evaluation Requirements

For the purpose of evaluating and appraising the implementation of the Comprehensive Plan, each Comprehensive Plan shall contain a section identifying five-year monitoring, updating and evaluation procedures to be followed in the preparation of the required ~~five-year~~ Evaluation and Appraisal Report. That section shall address:

1. Citizen participation in the process;
2. Updating appropriate baseline data and measurable objectives to be accomplished in the first five-year period of the plan, and for the long-term period;
3. Accomplishments in the first five-year period, describing the degree to which the Goals, Objectives and Policies have been successfully reached;
4. Obstacles or problems which resulted in underachievement of Goals, Objectives or Policies.
5. New or modified Goals, Objectives or Policies needed to correct discovered problems; and
6. A means of ensuring continuous monitoring and evaluation of the plan during the ensuing five-year period.

1.2.7 Procedural Requirements

Comprehensive Plans, Plan elements and Plan amendments shall be considered, adopted and amended pursuant to the procedural requirements of Section 163.3161 – 3215, Florida Statutes, including but not limited to the following:

1. The Comprehensive Plans for municipalities shall be prepared and submitted within the same timeframes as the counties in which the municipalities are located and all plans shall be prepared and submitted in accordance with the schedule adopted by the Department of Community Affairs pursuant to Subsection 163.3167 (2), Florida Statutes.
2. The Comprehensive Plan or element shall be prepared in accordance with Section 163.3174 and Subsection 163.3167 (4), Florida Statutes, relating to local planning agencies. Proposed plans, elements, portions thereof and amendments shall be considered at a public hearing with due notice by the Local Planning Agency (LPA) prior to making its recommendations to the governing body pursuant to Subsection 163.3174 (4), and Section 163.3174, Florida Statutes.
3. The Comprehensive Plan, element or amendment shall be considered and adopted in accordance with the procedures relating to public participation adopted by the governing body and the LPA pursuant to Section 163.3181, Florida Statutes, and Section 9J-5.004, Florida Administrative Code. The local government shall submit with its initial transmittal, pursuant to Section 163.3167 (2), Florida Statutes, and subsequent transmittals pursuant to Section 163.3191, Florida Statutes, a copy of the procedures for public participation that have been adopted by the LPA and the governing body;

4. The Comprehensive Plan and any Comprehensive Plan amendments shall be transmitted after formal action by the governing body in accordance with the provisions of Section 163.3187, Florida Statutes, and the procedural rule adopted by the Department of Community Affairs pursuant to Subsection 163.3177 (9), Florida Statutes;
5. The Comprehensive Plan shall not be amended more than two times during any calendar year except in the case of amendments directly related to a Development of Regional Impact (DRI) pursuant to Section 380.05, 380.061 and 163.3187 (1) (c), Florida Statutes or in the case of any emergency pursuant to Section 163.3187 (1) (a), Florida Statutes. The Comprehensive Plan, elements and amendments shall be adopted by ordinance and only after the public hearings required by Section 163.3184 (15) (b), Florida Statutes have been conducted after notices required by Sections 163.3184 (15) (b) and (c), Florida Statutes. Upon adoption, the local government shall transmit to the Department of Community Affairs a copy of the ordinance and the required notices; and
6. The Comprehensive Plan shall be evaluated and updated as required by Section 163.3191, Florida Statutes, and Chapter 9J-5, Florida Administrative Code. A copy of the adopted report required by Section 163.3191, Florida Statutes shall be transmitted to the Department at the time of the governing body's transmittal of related amendments pursuant to Section 163.3191 (4), Florida Statutes.
7. Procedures for amending the Comprehensive Plan are exhibited on FIGURE 1-1.

1.3 COMPONENTS OF THE SOUTH BAY COMPREHENSIVE PLAN

The South Bay Comprehensive Plan and Support Documentation report is structured to meet all of the statutory and rule requirements as defined in Sections 1.1 and 1.2 above. However, for the purposes of formal adoption, the following components shall comprise the City of South Bay Comprehensive Plan:

1.3.1 Goal, Objectives and Policies

The following sections of this report shall comprise the Goals, Objectives and Policies component of the Comprehensive Plan:

FUTURE LAND USE – Section 3.4 1

~~TRAFFIC CIRCULATION~~ TRANSPORTATION – Section 4.6 1

HOUSING – Section 5.4 1

SANITARY SEWER, SOLID WASTE, ~~DRAINAGE~~ STORMWATER MANAGEMENT, POTABLE WATER AND NATURAL GROUNDWATER AQUIFER

RECHARGE – Section 6.6 1

CONSERVATION – Section 7.2 1

RECREATION AND OPEN SPACE – Section 8.41
INTERGOVERNMENTAL COORDINATION – Section 9.4 1
CAPITAL IMPROVEMENTS – Section 10.4 1

1.3.2 Capital Improvements Implementation

Sections 1.6.5 and 10.3.3.3 of this report shall comprise the Capital Improvements implementation component of the Comprehensive Plan.

1.3.3 Monitoring and Evaluation

Sections 1.6.1, 1.6.2, 1.6.3, 1.6.4 and 1.6.6 in this report shall comprise the Monitoring and Evaluation component of the Comprehensive Plan.

1.3.4 Maps Showing Future Conditions

Required maps showing future conditions are included within the Goal, Objectives and Policies component of the Comprehensive Plan or are incorporated therein by reference to another Section of this report.

1.3.5 Comprehensive Plan Adoption Ordinance

The adoption ordinance shall be included herein at the time of Comprehensive Plan adoption. (To be included as FIGURE 1-1).

1.4 SUPPORT DOCUMENTATION

The balance of this Report, not specifically cited in Sections 1.3.1 to 1.3.5 shall be considered as the support documentation component to the South Bay Comprehensive Plan and Support Documentation report.

1.5 PLANNING PERIOD

According to Chapter 9J-5.005 (4), Florida Administrative Code, each Comprehensive Plan shall include at least two planning periods; one for at least the first five-year period subsequent to the plan's adoption and one for at least an overall ten-year period. On this basis, the following two planning periods are utilized in the South Bay Comprehensive Plan: Short-range – ~~1989 to 1994~~ 2008 to 2013 and Long-term – ~~1994 to 1999~~ 2013 to 2018.

1.6 MONITORING AND EVALUATION PROCEDURES

The intent of this Section is to meet that portion of the General Requirements of the State comprehensive planning requirements, regarding monitoring and evaluation procedures.

Specifically, Chapter 9J-5.005 (7), Florida Administrative Code states: “For the purpose of evaluating and appraising the implementation of the Comprehensive Plan...shall contain a section identifying ~~five-year~~ monitoring, updating and evaluation procedures to be followed in the preparation of the required ~~five-year~~ evaluation and appraisal reports.” The Florida Administrative Code further specifies that the following matters shall be addressed:

1. Citizen participation in the process;
2. Updating appropriate baseline data and measurable objectives to be accomplished in the first five-year period of the plan, and for the long-term period;
3. Accomplishments in the first five-year period, describing the degree to which the Goals, Objectives and Policies have been successfully reached;
4. Obstacles or problems which resulted in underachievement of Goals, Objectives or Policies;
5. New or modified Goals, Objectives or Policies needed to correct discovered problems; and
6. A means of ensuring continuous monitoring and evaluation of the Plan during the five-year period.

The items identified above are addressed either separately or in combination in this section and incorporated as part of the South Bay Comprehensive Plan.

1.6.1 Citizen Participation

The City of South Bay adopted Resolution No. _____ (Ref: FIGURE 1-1) on _____, which adopted specific public participation procedures to be adhered to in updating its Comprehensive Plan.

When the City begins the adoption or amendment process, it is required by State law that appropriate public hearings to be held. Chapter 163, Part II, Florida Statutes needs to be closely followed and adhered to at that time. As particular issues or matters of an expressed community concern arises, the Local Planning Agency should, if it deems it necessary, hold public meetings or hearings, to address such concerns. This would further enhance the citizen’s participation in the planning process.

Depending upon the detail and need for summaries, the Local Planning Agency shall decide if, and when, to prepare Executive Summaries of Comprehensive Plan elements and documentation.

1.6.2 Updates to Baseline Data and Objectives

All data, information and matters of fact that form the basis for the Comprehensive Plan (support documentation) should be updated ~~at least once every five years~~ in accordance with required timeframes of State law and rules. It is further recommended that data, information and matters of fact for all elements of the Plan be updated at similar times, rather than at intervals. By doing so, the City will establish a data base that will be internally consistent for the entire Comprehensive Plan. This will provide a specific timeframe for the collection and analysis of data, information and matters of fact upon which the Plan elements can be developed.

The process should be formalized ~~at least once every five years~~ for a rational and methodical presentation of information. However, the City Local Planning Agency should assemble data, information and matters of fact on a regular (annual, semi-annual) basis or as information becomes available (when dependent on data and information from sources other than from the local government).

By proceeding in the update process in this manner, the City can formally synthesize and update baseline information for each five year planning period increment and develop historical trends to be used for the long-term planning needs.

Based on the compilation of information, the City should be able to develop a logical, systematic methodology to measure the objectives and implementation activities proposed in the Comprehensive Plan. Data can be evaluated and assessed against those objectives of the Plan that are quantifiable. Updates to matters of fact and basic background information will help assess those objectives and implementation activities that are non-quantifiable.

1.6.3 Obstacles, Problems and Achievements

When baseline data, information and matters of fact are periodically updated and analyzed, the successes and failures of the Comprehensive Plan will become evident. The obstacles and problems witnessed by the City that have affected implementation of Plan directives should be identified and reviewed. Based on the evaluation and assessment of those problems and subsequent underachievement of adopted goals, objectives and policies, the City should strive toward correcting those shortcomings. Each Goal, Objective and Policy of every Comprehensive Plan element should be reviewed and assessed according to its current adequacy. If the direction for growth and development have changed in the City of South Bay or the emphasis has shifted, additional Goals, Objectives and Policies may need to be incorporated into the Plan to reflect new directions and intentions. When the Evaluation and Appraisal Report (EAR) is prepared, it should follow the procedure described above. This methodology and procedure will keep the City abreast of its problems and concerns while providing for current up-to-date growth and development directions established in its Comprehensive Plan.

1.6.4 Continuous Monitoring and Assessment

Although a formalized Evaluation and Appraisal Report (EAR) is only required to be prepared ~~at least once every five years~~ in accordance with timeframes prescribed by State law and rules, the City of South Bay Comprehensive Plan should be continually scrutinized and reviewed for current applicability.

The City should also coordinate data base collection activities with Palm Beach County, Treasure Coast Regional Planning Council, its municipal neighbors, appropriate State agencies and any other jurisdictions/entities that affect the City's growth and development. These activities would enhance the comprehensive planning process in general and foster increased intergovernmental coordination activities.

1.6.5 Monitoring and Evaluating Capital Improvements

In addition to the General Requirements for monitoring and evaluation procedures identified in Chapter 9J-5.005 (7), F.A.C., it is further required that the Capital Improvements element be reviewed on an annual basis (Ref. Chapter 9J-5.016 (5), REQUIREMENTS FOR MONITORING AND EVALUATION). Therefore, the City shall review the CAPITAL IMPROVEMENTS elements of the Comprehensive Plan each year to evaluate and assess the need for amendments thereto.

Defined capital expenditures and projects should be reviewed to determine what has been accomplished. Any capital projects that have been completed can be reported as implemented. Those projects that have been accomplished or that have been partially accomplished should be reassessed for current applicability. If determined to still be a valid concern and applicable, then those capital improvements should be re-prioritized and re-scheduled appropriately for inclusion in the Plan's CAPITAL IMPROVEMENTS element. Those that no longer are valid or do not apply should be deleted in future plans and projections. These decisions and actions should be compiled, reported and utilized for inclusion in the City's EAR.

The monitoring and evaluation of capital improvements should be closely coordinated and timed with the City's annual budgetary process. The City's budget, when necessary, contains line item budgets for capital outlays/expenditures. Therefore, it is incumbent upon the City to review the Comprehensive Plan at budget preparation time to determine which capital projects have been accomplished in the current year and what anticipated needs are for the ensuing fiscal year. If these needs conflict with what is in the adopted CAPITAL IMPROVEMENTS element of the Plan, then appropriate need to be accomplished.

Annual review of the CAPITAL IMPROVEMENTS element in conjunction with review and assessment of other elements of the Comprehensive Plan should concur with the monitoring and evaluation requirements established in Chapter 9J-5, F.A.C.

1.6.6 Measurability

It is the intent of this Comprehensive Plan to develop Objectives which are measurable and Policies which provide the means by which to measure the effectiveness of Objectives in moving toward the end state or Goals of the Plan. It is further the intent of this Plan to establish planning timeframes to measure the effectiveness of Objectives and Policies, as adopted. For purposes of this Comprehensive Plan, it is presumed that the accomplishment of Objectives and Policies will occur within the five (5) year planning period, unless otherwise specifically stated or identified in the Plan; or, if the Objective or Policy specifically regards the update, revision to, or preparation of new development regulations to implement the City of South Bay's Comprehensive Plan. Where revisions, updates or preparation of development regulations are required, they will be accomplished within one year from the submittal date of the Comprehensive Plan, pursuant to Chapter 163.3202, Florida Statutes, or as State requirements may change from time to time.

Comprehensive Plan Amendments Procedures

(To Be Inserted)

Adopting Ordinance
(To Be Inserted)

FIGURE 1-2

Resolution No. ____