

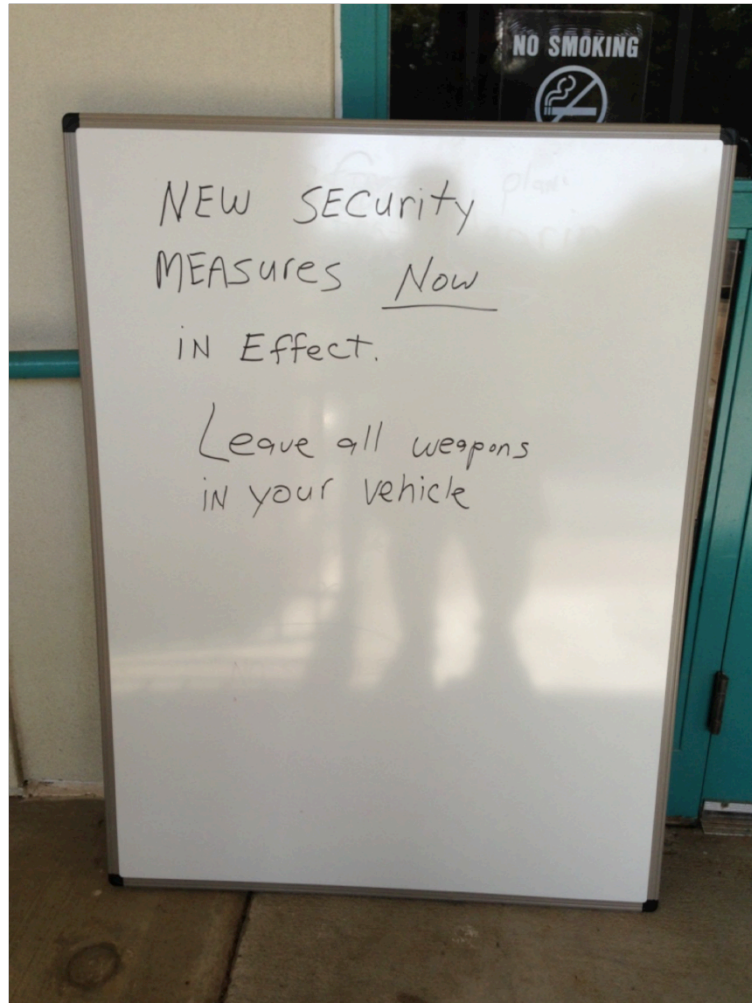
Sector Planning in Florida

Where are we now in 2014?

Marco Island Presentation

July 2014

New Policy





Overview

- History
- Players
- Minimum Requirements
- Examples
- Lessons Learned
- Q&A

Top Ten Facts You Must Know about Sector Planning

- 10 – No need, No DRI, Long-Term
- 9 – No true experts/New Law
- 8 – 15,000 acres
- 7 – Available to all
- 6 – Design/Urban Form
- 5 – 2 step process but 1 plan amendment
- 4 – No clear agency role for DSAP other than DEO
- 3 – Environmentalists Looking for Significant Benefit
- 2 – Entitlements
- 1 – Wave of the Future if you have the Land

Sector Planning History in Florida

- Large Landowners felt slighted from Beginning
- Florida Land Council
- State of Agriculture in Florida
- First attempts – Rural Land Stewardship, Pilot Program for Sector Planning
- RLSA Rule Challenge – Need
- 2011 – The Perfect Storm
 - Economy, Anti-DCA sentiment
- Environmentalists Offer

Why the New Laws Were Needed

- Respond to Needs of Florida's Largest Landowners
- Address Pressure on Growth Management since original laws were passed
- **Provide a tool to plan for landowners and local government to plan for its largest private owned lands**
- **Tool to preserve environmental resources**

Pressure to Develop

- Profitability of Agriculture in Florida – Citrus, Cattle, Timber, Prime Farmland
- Land Owner Compensation for Environmental Benefits
- **Publicly Traded Companies Dominate Large Landowners – Will turn a profit in blueberries, sod or houses**
- Legislative Efforts to Allow Development in Rural Areas
- Oh yeah – we are historically a high growth state
- **Turn away from the coast? (Fishkind)**



Benefits of Sector Planning

- Its Planning
 - Master Plan / Long Term Plan
 - Land Use
 - Transportation
 - Utilities
 - Consider the sources for facilities upfront
- Protect eco-systems not parcel by parcel
- Requires Design Component
- **Negotiation with Single Owner/Company**



Benefits

- Environmental Protection
 - Protection of Ecosystems not parcel by parcel
 - **Does not require fee simple purchase of resources**
 - Requires protection of resources through conservation easements

Florida Trend – April 2011



CARLTON FIELDS
ATTORNEYS AT LAW



Major Landowners in Florida

- **Ag Reserves – 673,000 acres [383,000 acres in the Panhandle (former St. Joe land) and 290,000 acres Deseret Ranches of Florida]**
- Plum Creek Timber – 590,000 acres
- Foley Timber – 562,000 acres
- Rayonier – 401,000 acres
- Lykes Brothers – 337,000 acres
- Mosaic – 254,000 acres
- Bascom Southern – 194,000 acres
- **St. Joe Company – 193,000 acres**
- Florida Crystals – 155,000 acres
- US Sugar – 153,000 acres
- Alico – 139,607 acres
- Barron Collier – 80,000 acres
- King Ranch – 40,000 acres

Florida's Top 10 PRIVATE LANDOWNERS

Landowner/Acres

Mouse-over bars to isolate landowner holdings.
Click on landowner name to go to article.

1. Plum Creek Timber
590,000

2. St. Joe Co.
576,000

3. Foley Timber
562,000

4. Rayonier
401,000

5. Lykes Bros.
337,000

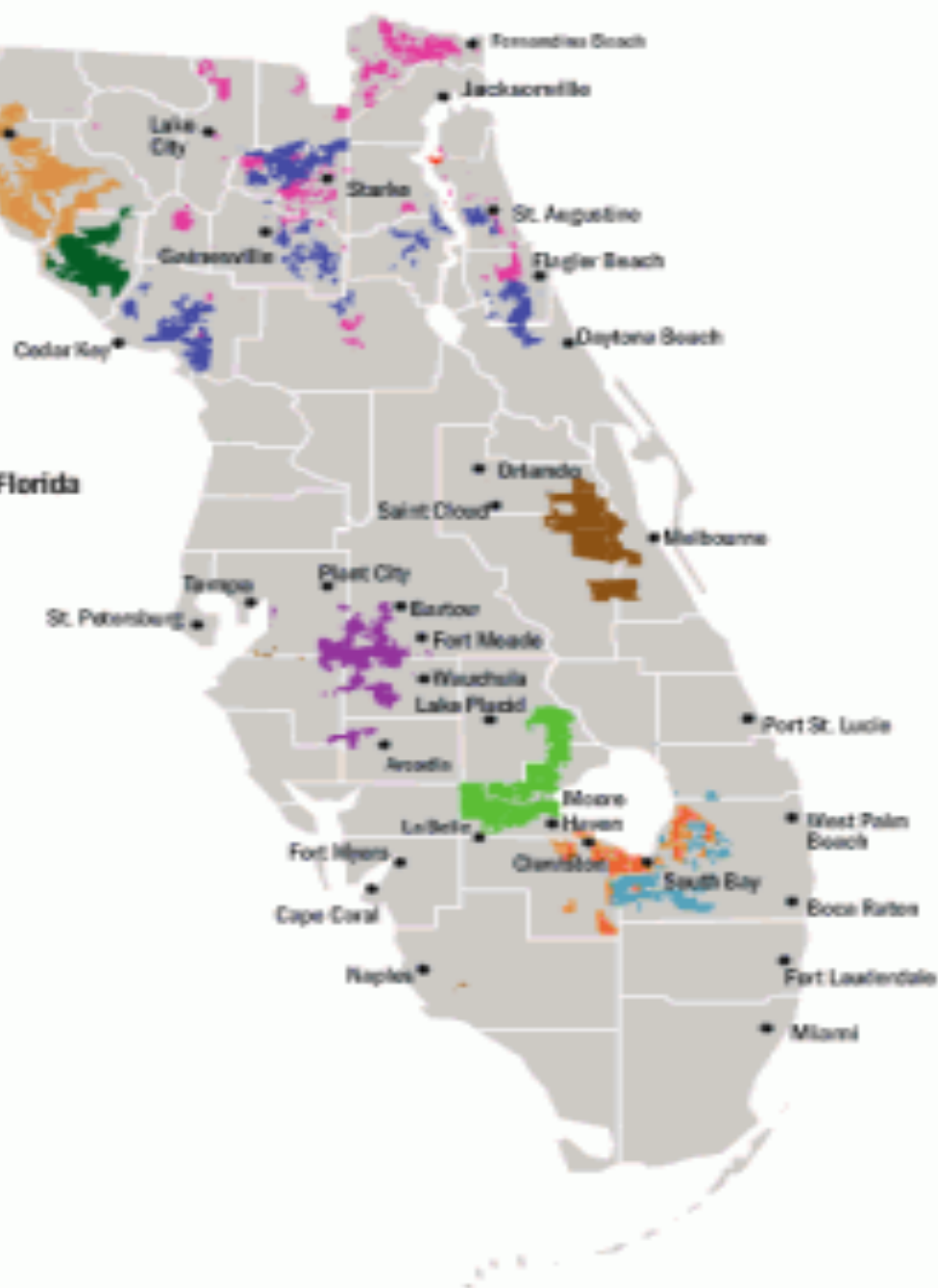
6. Desert Ranches of Florida
290,000

7. Mosaic
254,000

8. Bascom Southern
194,000

9. Florida Crystals
155,000

10. U.S. Sugar
153,000



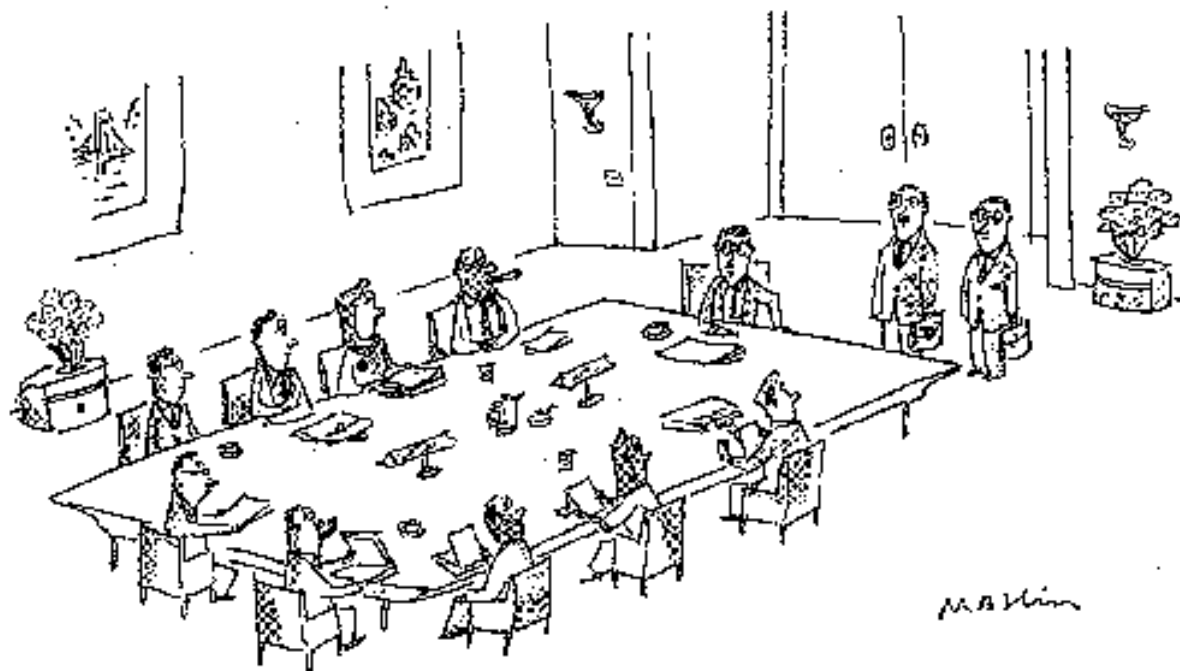


Quote from Florida Trend Article

- Their main concern is predictability – both that their resources remain viable and not encroached and that they have the ability to develop in the future



Minimum Sector Plan Requirements



"Would everyone check to see they have an attorney? I seem to have ended up with two."



FLORIDA
DEPARTMENT *of*
ECONOMIC
OPPORTUNITY

Sector Planning Overview

2013

Mike McDaniel/James Stansbury

General

- Statutory reference: 163.3245
- Purpose
 - Long Range Planning (20 to 50 years)
 - Intended for substantial geographic areas
 - **Must have at least 15,000 acres** (previously 5,000)
 - Focus
 - **Urban Form**
 - Regionally significant resources
 - Regionally significant facilities
- Demonstration of need not required
- DRI Review exemption

Getting Started

- No longer requires agreement with state land planning agency for authorization to begin
- Scoping meeting is optional (not used)
 - If held, purpose is to identify
 - Relevant planning issues
 - Available data and resources
 - Public Meeting
 - RPC prepares recommendations to local government and DEO
- Using Pre-application meeting instead

Getting Started

- Two levels
 - Long-Term Master Plan (**General**)
 - Adopted by plan amendment
 - Subject to state coordinated review process
 - Detailed Specific Area Plans (DSAP) (**Detailed**)
 - Adopted by local ordinance
 - DRI exempt
 - Rendered to state land planning agency and subject to appeal and enforcement similar to a DRI
 - Must contain 1,000 acres (can be waived)

Long-Term Master Plan

- Consists of :
 - A framework map (Long-Term Land Use Map) identifying major land uses and land use patterns, densities and intensities (Min and Max)
 - Data and analysis and policies addressing:
 - Water Supplies
 - Transportation and public facilities
 - Regionally significant natural resources
 - Principles and guidelines addressing urban form/design
 - Procedures to address extra-jurisdictional impacts
 - Buildout Analysis (best guess) similar to comp plan amendment
 - Draft policies (new element) to implement the sector plan



Long-Term Master Plan

- Upon approval of the long-term master plan:
 - **The MPO long-range transportation plan must be consistent, to the maximum extent feasible, with the master plan's projected population and approved uses**
 - The master plan's transportation facilities must be developed in coordination with the adopted MPO long-range transportation plan
 - **The water supply needs, sources, and resource/supply development projects shall be incorporated into the regional water supply plan**
 - A consumptive use permit may be issued commensurate with the long-term planning period

Detailed Specific Area Plan (DSAP)

- **Detailed** analysis and identification, appropriate policies, and capital improvements addressing:
 - Detailed land use (Map H) and policies (DO or PUD)
 - Land uses
 - Water supplies and conservation
 - Transportation and other public facilities
 - Natural resource protection, including conservation easements
 - Detailed principles and guidelines addressing urban form
 - Specific procedures to address extra-jurisdictional impacts
- DEO can challenge if it determines that DSAP inconsistent with Long-Term Plan
- No other agencies have official role (but have permitting responsibility except RPC)
- Environmental lands placed in conservation easement at time of DSAP approval. All environmental lands placed in conservation easement but last DSAP



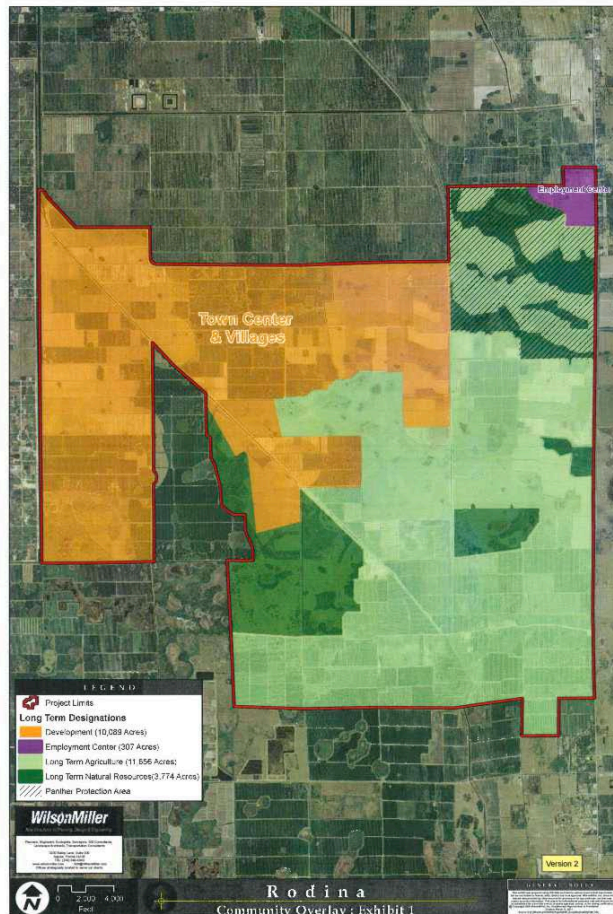
Conversions

- Plan amendments adopted prior to July 1, 2011, and containing at least 15,000 acres may convert to Sector Plans through an agreement with DEO if consistent with criteria for long-term master plan



Sector Plan Examples

Example: Long-Term Master Plan



Urban Form/Prototypes

Figure 4-1
Town Center Prototype



Figure 4-2
Village Center Prototype





Sector Plan Examples

- Rodina concept map
- Prototypes
- DCA example
- Plum Creek- heavy public involvement



Lessons Learned

- Agencies – RPC wants a role
- How much info – need to talk to agencies
- Pre-Ap not Scoping
- What if need in local plan
- Agency must include long-term plan in water and transportation planning
- Environmentalists want something out of it
- Hybrid (DRI/Comp Plan) but it is a comp plan amendment so consistency etc.
- Difficulties in Projecting Long Term (40-50 years)

Questions, Comments or Smart Remarks?



*"From the violent nature of the multiple stab wounds,
I'd say the victim was probably a consultant."*