

EXHIBIT "F" CONTINUED

Questions posed to DCA at Southwest Ranches Visioning I Prepared by Mike McDaniel and Dan Lucas, Department of Community Affairs

1. *How often do the DCA rules change within the legal framework?*
Rule changes are always within the legal framework and occur about once every 1-2 years.
2. *What is the timeframe within which we are required to submit our plan?*
§163.3167(4), Florida Statutes, gives the time allotted to a municipality to submit its comprehensive plan:

A municipality established after the effective date of this act shall, within 1 year after incorporation, establish a local planning agency, pursuant to s. 163.3174, and prepare and adopt a comprehensive plan of the type and in the manner set out in this act within 3 years after the date of such incorporation. A county comprehensive plan shall be deemed controlling until the municipality adopts a comprehensive plan in accord with the provisions of this act. If, upon the expiration of the 3-year time limit, the municipality has not adopted a comprehensive plan, the regional planning agency shall prepare and adopt a comprehensive plan for such municipality.
3. *From the DCA perspective, what opportunities exist for public participation in the comprehensive plan development process?*
The public participation process and the process for adoption of a comprehensive plan are detailed in §163.3181 and §163.3184, Florida Statutes.
4. *Can our land use plan be changed to increase the tax base?*
Yes. A local government can seek to foster economic development measures through its plan in order to raise its tax base.
5. *Are land uses not considered "development" exempted from the plan?*
No, the plan requires all areas to have some land use designation. Areas that cannot or will not be developed may be given a designation such as "park" or "open space" or "conservation" but must be identified within the plan.
6. *Are open space tax credits inconsistent with the county plan?*
DCA staff has contacted the County for a response to this question.

DCA received this answer from Broward County:

There is nothing in the Broward County Land Use Plan which would not allow a tax credit program. In fact, there are a couple of policies which a program such as this would be consistent.

7. *What is the amendment process outside the town's process?*

The Broward County Charter, effective January 1, 1975, established the Broward County Planning Council with countywide land use planning authority. The Overview to the Future Land Use Element of the Broward County Land Use Plan states that the County's "...plan places requirements upon local governments in excess of those required by Rule 9J-5 (Florida Administrative Code), while permitting them a degree of flexibility in formulating their implementation programs and activities." Section I.B. of the Introduction to the Broward County Land Use Plan states: "Local jurisdictions may submit their own land use plans to the Council to be reviewed for certification. If the Council determines the local land use plan is in substantial conformity with the County Land Use Plan, the Council will certify the plan. A detailed explanation of certification is found in the Plan Implementation Requirements Section of this plan."

8. *Is commercial land use mandatory?*

No. The local government has the prerogative to determine whether or not there will be any commercial land use allocations.

9. *Does DCA consider issues like water supply in its review of plans?*

Yes, the Department considers demand and available capacity for public facilities such as potable water, drainage, sewer, and solid waste.

10. *Does the Comprehensive Plan go through DCA directly or through the County?*

For a municipality in Broward County, the plan will need to be certified by the County (see question 7). DCA requires a plan to be in compliance with Chapter 163, Florida Statutes, and Rule 9J-5, Florida Administrative Code.

11. *What is DCA's definition of "sprawl"?*

Rule 9J-5.003(134), Florida Administrative Code, defines "urban sprawl" as the following:

"Urban sprawl" means urban development or uses which are located in predominantly rural areas, or rural areas interspersed with generally low-intensity or low-density urban uses, and which are characterized by one or more of the following conditions: (a) The premature or poorly planned conversion of rural land to other uses; (b) The creation of areas of urban development or uses which are not functionally related to land uses which predominate the adjacent area; or (c) The creation of areas of urban development or uses which fail to maximize the use of existing public facilities or the use of areas within which public services are currently provided. Urban sprawl is typically manifested in one or more of the following land use or development patterns: Leapfrog or scattered development; ribbon or strip commercial or other development; or large expanses of predominantly low-intensity, low-density, or single-use development.

12. *Town would like to look at a copy of DCA's 13 criteria for "sprawl".*

The indicators of urban sprawl are found in Rule 9J-5.006(5)(g), Florida Administrative Code:

Primary indicators. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

1. Promotes, allows or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.
2. Promotes, allows or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.
3. Promotes, allows or designates urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments.
4. As a result of premature or poorly planned conversion of rural land to other uses, fails adequately to protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
5. Fails adequately to protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.
6. Fails to maximize use of existing public facilities and services.
7. Fails to maximize use of future public facilities and services.
8. Allows for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
9. Fails to provide a clear separation between rural and urban uses.
10. Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
11. Fails to encourage an attractive and functional mix of uses.
12. Results in poor accessibility among linked or related land uses.
13. Results in the loss of significant amounts of functional open space.

13. What is DCA's responsibility?

To review comprehensive plans and plan amendments for compliance with Chapter 163, Florida Statutes, and Rule 9J-5, Florida Administrative Code.