

Appendix F-2: Florida Administrative Code s.

9J-5.015 Intergovernmental Coordination Element

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It is the purpose of the intergovernmental coordination element to identify and resolve incompatible goals, objectives, policies and development proposed in local government comprehensive plans and to determine and respond to the needs for coordination processes and procedures with adjacent local governments, and regional and state agencies. Intergovernmental coordination shall be utilized to the extent required to carry out the provisions of this Chapter.

(1) Intergovernmental Coordination Data Requirements. The element shall be based upon the following data pursuant to Subsection 9J-5.005(2). The area of concern for municipalities shall include adjacent municipalities, the county, and counties adjacent to the municipality. The area of concern for counties shall include all municipalities within the county, adjacent counties, and adjacent municipalities.

(a) All adjacent governments, school boards and other units of local government providing services but not having regulatory authority over the use of land, independent special districts, water management districts, regional planning agencies, and state agencies with which the local government coordinates shall be inventoried. This inventory shall also include regional or state agencies with land use or environmental regulatory authority, and authorities, independent special districts, and utility companies, which provide services within the local jurisdiction.

(b) For each entity listed in Paragraph (1)(a), the element shall briefly describe the existing coordination mechanisms indicating the subject, the nature of the relationship and the office with primary responsibility for coordination.

(2) Intergovernmental Coordination Analysis Requirements. The element shall be based upon the following analyses requirements which support the comprehensive plan pursuant to Subsection 9J-5.005(2).

(a) The effectiveness of existing coordination mechanisms described in Paragraph (1)(b), such as intergovernmental agreements, joint planning and service agreements, special legislation and joint meetings or work

groups which are used to further intergovernmental coordination;

(b) Specific problems and needs within each of the comprehensive plan elements which would benefit from improved or additional intergovernmental coordination and means for resolving those problems and needs;

(c) Growth and development proposed in comprehensive plans in the area of concern and a comparison with the appropriate comprehensive regional policy plan in order to evaluate the needs for additional planning coordination; and

(d) The comprehensive plan's coordination with the rules, principles for guiding development, and development regulations in any designated area of critical state concern falling partially or wholly within the local government's jurisdiction.

(3) Requirements for Intergovernmental Coordination Goals, Objectives, and Policies.

(a) The element shall contain one or more goal statements which establish the long-term end toward which intergovernmental coordination activities are ultimately directed.

(b) The element shall contain one or more specific objectives for each goal statement, which address the requirements of Paragraph 163.3177(6)(h), Florida Statutes, and which:

1. Coordinate the comprehensive plan with the plans of school boards, other units of local government providing services but not having regulatory authority over the use of land, and with the comprehensive plans of adjacent municipalities, the county, and adjacent counties;
2. Ensure that the local government addresses through coordination mechanisms the impacts of development proposed in the local comprehensive plan upon development in adjacent municipalities, the county, adjacent counties, the region and in the state;
3. Ensure coordination in establishing level of service standards for public facilities with any state, regional or local entity having operational and maintenance responsibility for such facilities;
4. Ensure coordination in the designation of new dredge spoil disposal sites for counties and municipalities located in the coastal area having spoil disposal responsibilities.
5. Ensure adoption of interlocal agreements within one year of adoption of the amended intergovernmental coordination element, pursuant to the requirements of Section 163.3177(6)(h)2., F.S.
6. Ensure intergovernmental coordination between all affected local governments and the school board as specified in section 163.3180(13)(f), F.S., for the purpose of establishing concurrency requirements for public school facilities, if imposed by local option.

(c) The element shall contain one or more policies for each objective which address programs, activities, or procedures for:

1. The coordination of planning activities mandated by the various elements of the comprehensive plan with other local governments, school boards, other units of local government providing services but not having regulatory authority over the use of land, the region, and the state;
2. Resolving conflicts with other local governments through the regional planning council's informal mediation process;
3. The provision of services and information;
4. Provide procedures to identify and implement joint planning areas for the purposes of annexation, municipal incorporation and joint infrastructure service areas;
5. Reviewing the relationship of proposed development of the area to the existing comprehensive plans of adjacent local governments;
6. Consistent and coordinated management of certain bays, estuaries and harbors that fall under the jurisdiction of more than one local government in the case of local governments required to prepare a coastal management element;
7. The review of development proposed in the comprehensive plan including a policy statement indicating relationships of the proposed development to the existing comprehensive plans of adjacent local governments;
8. Involving the navigation and inlet districts and other appropriate state and federal agencies and the public in providing for or identifying dredge spoil disposal sites for the counties and municipalities in the coastal area with spoil disposal responsibilities; and
9. Resolving conflicts between a coastal local government and a public agency seeking a dredge spoil disposal site through the Coastal Resources Interagency Management Committee's dispute resolution process.
10. Recognition of campus master plans prepared pursuant to section 240.155, Florida Statutes, and procedures for coordination of the provisions of the campus master development agreement.
11. Establish joint processes for collaborative planning and decision-making with other units of local governments providing facilities and services but not having regulatory authority over the use of land on population projections and the location and extension of public facilities subject to concurrency.
12. Establish joint processes for collaborative planning and decision-making with the school board on population projections and the siting of public school facilities.
13. Establish joint processes for the siting of facilities with county-wide significance, including locally unwanted land uses, such as solid waste disposal facilities.

14. If imposed by local option, the adoption of an interlocal agreement for school concurrency as specified in section 163.3180(13)(g), F.S.

Specific Authority 163.3177(9), (10) FS.

Law Implemented 163.3177(1), (4), (5), (6)(h), (8), (9), (10), 163.3180(13) FS.

History--New 3-6-86, Amended 10-20-86, 3-23-94, 3-21-99, 2-25-2001.

ANNOTATIONS

Compliance

Neighborhood association challenged comprehensive plan adopted by City of Gainesville, alleging non-compliance with Chapter 163, Part II, F.S., and Rules 9J-5.005, 9J-5.006, 9J-5.007, 9J-5.008, 9J-5.011, and 9J-5.015, F.A.C. Association failed to show to exclusion of fair debate that plan was not in compliance. City's comprehensive plan is consistent with and furthers state comprehensive plan construed as whole. Promotion of infill development, maximizing existing facilities, separation of rural and urban land uses, and downtown revitalization are efforts in furtherance of state comprehensive plan. Higher densities within downtown areas are generally considered to be not only sound planning principles, but they achieve many of state's goals. University Park Neighborhood Ass'n, Inc. v. Department of Community Affairs, 15 FALR 1107 (1993).