

EVALUATION AND APPRAISAL REPORT AMENEMENTS

City of Margate
Comprehensive Plan
October 2, 2018

BACKGROUND



163.3191 Evaluation and appraisal of comprehensive plan.

(1) At least once every 7 years, each local government shall evaluate its comprehensive plan to determine if plan amendments are necessary to reflect changes in state requirements in this part since the last update of the comprehensive plan, and notify the state land planning agency as to its determination.

BACKGROUND

163.3191 Evaluation and appraisal of comprehensive plan.

(2) If the local government determines amendments to its comprehensive plan are necessary to reflect changes in state requirements, the local government shall prepare and transmit within 1 year such plan amendment or amendments for review pursuant to s. 163.3184.

BACKGROUND

163.3191 Evaluation and appraisal of comprehensive plan.

(3) Local governments are encouraged to comprehensively evaluate and, as necessary, update comprehensive plans to reflect changes in local conditions. Plan amendments transmitted pursuant to this section shall be reviewed pursuant to s. 163.3184(4).

BACKGROUND

163.3191 Evaluation and appraisal of comprehensive plan.

(4) If a local government fails to submit its letter prescribed by subsection (1) or update its plan pursuant to subsection (2), it may not amend its comprehensive plan until such time as it complies with this section.

BACKGROUND

163.3191 Evaluation and appraisal of comprehensive plan.

(4) **If a local government** fails to submit its letter prescribed by subsection (1) or **update its plan pursuant to subsection (2), it may not amend its comprehensive plan until such time as it complies with this section.**

BACKGROUND

PROPOSED AMENDMENTS



CAPITAL IMPROVEMENTS ELEMENT



Policy 1.5.

Annually adopt a schedule of capital improvements that includes any publicly funded projects of federal, state, or local government, and that may include privately funded projects for which the local government has no fiscal responsibility. Projects necessary to ensure that any adopted level-of-service standards are achieved and maintained for the 5-year period must be identified as either funded or unfunded and given a level of priority for funding.

CAPITAL IMPROVEMENTS ELEMENT

Policy 5.4.

The City's concurrency management system will ensure that the necessary facilities and services are available concurrent with the impacts of development. The City of Margate will conduct its concurrency review ~~for local facilities at the time of plat~~ prior to issuance of a development order. ~~The City of Margate shall review all City plats and continue to participate in the countywide development review committee plat review and approval process.~~

CAPITAL IMPROVEMENTS ELEMENT

Policy 5.4. (continued)

The City and County plat approval process will require that necessary regional and local facilities and services be available concurrent with the impacts of development through any of the following situations:

- The necessary facilities are in place at the time ~~a plat approval~~ the development order is issued, or ~~a plat approval~~ the development order is issued subject to the condition that the necessary facilities will be in place when the impacts of the development occur.
- The necessary facilities are under construction at the time ~~a plat approval~~ the development order is issued.
- The necessary facilities are the subject of a binding contract executed for the construction of those necessary facilities at the time the development order ~~a plat approval~~ is issued.

CAPITAL IMPROVEMENTS ELEMENT

Policy 5.4. (continued)

- The necessary facilities have been included in the 5-year schedule of capital improvements ~~Broward County or City of Margate's annual budget~~ at the time ~~a plat approval~~ the development order is issued although the facilities are not yet the subject of a binding contract for their construction. The City of Margate shall make a determination that it will not remove the budgetary provision for the necessary facilities from the budget.
- The applicant in good faith offers to enter into a binding agreement to pay for or construct its proportionate share of required transportation improvements in a manner consistent with F.S. § 163.3180(5), and that the proportionate-share contribution or construction is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility, pursuant to F.S. 163.3180.

CAPITAL IMPROVEMENTS ELEMENT

Policy 5.4. (continued)

- The applicant enters into a binding agreement to pay for or construct its proportionate share of the school facilities necessary to serve the proposed development pursuant to Objective 1.3.0 of the Public Schools Facilities Element, or adequate school facilities will be in place or under actual construction within 3 years after approval of final plat, site plan or functional equivalent.

CAPITAL IMPROVEMENTS ELEMENT

Policy 6.2. The Level of Service standard shall be ~~110% of the permanent Florida Inventory of School Housing (FISH) capacity for each public elementary, middle and high school~~ the higher of 100% gross capacity (including relocatables) or 110% permanent Florida Inventory of School Housing (FISH) capacity for the purpose of establishing uniform, districtwide level-of-service standards for public schools, as outlined in the adopted Third Amended Interlocal Agreement.

CAPITAL IMPROVEMENTS ELEMENT

Policy 2.2.1. The City of Margate ~~shall adopt and implement~~
adopted in 1994 and since then maintains a concurrency
management system that assures substantial conformity with both
the Margate and Broward County Comprehensive Plans when
assessing all development activities. Further, provides that a
development order may be issued within ~~when~~ an impacted
roadway that exceeds its adopted LOS standard only if one or
more of the following mitigation measures apply:

TRANSPORTATION ELEMENT

Policy 2.2.1:2.g

~~g. The proposed development meets all of the de minimis criteria~~

g. The applicant in good faith offers to enter into a binding agreement to pay for or construct its proportionate share of required transportation improvements in a manner consistent with F.S. §163.3180(5), and that the proportionate-share contribution or construction is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility, pursuant to F.S. §163.3180.

TRANSPORTATION ELEMENT

After Policy 2.2.1:2.h.ii

The Margate development review and approval process will ensure that necessary facilities and services will be available concurrent with the impacts of development consistent with ~~Rule 9J-5.005(3)(c) F.A.C.~~ F.S. §163.3180 through any of the following situations. Development Action includes any land use change, site plan approval, building permit, zoning permit, subdivision approval, rezoning, special exception, variance, or any other official action of the City Commission or other appropriate City official or agency.

TRANSPORTATION ELEMENT

After Policy 2.2.1:2.h.ii

(e) At the time a Development Action is approved by the City Commission, or other appropriate City officials, the City is able to assure that the necessary transportation facilities will be in place within a reasonable period of time consistent with ~~the Rule 9J-5.0055(3)(c), F.A.C.~~ F.S. §163.3180. At a minimum, the necessary transportation facilities are to be included within a financially feasible Capital Improvements Element or an alternative implementation plan which is determined by the ~~Florida Department of Community Affairs~~ State Land Planning Agency to be in compliance with ~~Rule 9J-5 of the Florida Administrative Code~~ F.S. §163.3180 and supported by all necessary implementing land development regulations and a concurrency monitoring system; and/or

TRANSPORTATION ELEMENT

After Policy 2.2.1:2.h.ii

(f) The applicant in good faith offers to enter into a binding agreement to pay for or construct its proportionate share of required transportation improvements in a manner consistent with F.S. §163.3180(5), and that the proportionate-share contribution or construction is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility, pursuant to F.S. §163.3180.

TRANSPORTATION ELEMENT

Policy 2.4. Utilize the SFRPC ~~informal~~ dispute resolution program to resolve intergovernmental disputes, ~~when agreed to by all affected parties.~~ [9J-5(3)(c)2] as required by F.S. §163.3177.

INTERGOVERNMENTAL COORDINATION
ELEMENT

Objective 1.1.0. Pursuant to Chapters 163.3177 and 163.3180 F.S. and the Third Amended and Restated Interlocal Agreement for Public School Facility Planning (TRILA), the City shall provide comments to the School Board during its annual preparation, update and adoption of the Five-Year District Educational Facilities Plan (DEFP). The School Board shall also ensure that school facilities are planned to meet the long-term planning period of the Public School Facility Element (PSFE) of the City of Margate Comprehensive Plan, consistent with the provisions of the TRILA.

PUBLIC SCHOOLS FACILITIES ELEMENT

Policy 1.1.1. The City hereby adopts the most current Broward County School Board ~~DEFP~~ (Broward County School Board annually adopted district educational facilities plan (DEFP) ~~dated September 7, 2010, as amended, for fiscal years 2010-11 to 2014-15, including the 5-year schedule of capital improvements~~) is ~~hereby adopted~~ into the CIE.

PUBLIC SCHOOLS FACILITIES ELEMENT

Policy 1.1.2. The ~~financially feasible~~ schedule of capital improvements of the DEFP shall be annually adopted into the City of Margate Comprehensive Plan Capital Improvements Element (CIE) schedule of capital improvements by reference.

PUBLIC SCHOOLS FACILITIES ELEMENT