

- VOLUME 11
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- SUMMER 2012

OVERVIEW

DEVELOPING FLORIDA'S PLANNING
PROFESSIONALS SINCE 1951



2012 FPZA STATE CONFERENCE RECAP



Amway Center in Downtown Orlando

What a great conference—our 60th! Amazing, and hopefully a memorable one for all who attended. First, a special thanks to all the speakers who donated their time. The presentations were educational and often inspiring. Second, thank you to the sponsors, without whom the Central Florida Chapter would not have been able to offer the conference at a reasonable price. The combination of financial support from our sponsors and outstanding sessions from all of our presenters provided a tremendous value to our members.

This year's conference provided sessions on numerous planning techniques and principles necessary to effectively link our community together. We heard from various experts in the fields of multi-modal transportation, sustainability, mixed uses, and private/public partnerships, which collectively create better places and improve the quality of life for residents and visitors of Florida. Downtown Orlando and the Embassy Suites provided an outstanding venue, with immediate access to explore the successful mixed-use

developments, restaurants, and nightlife within the urban core and the Thornton Park neighborhood.

The new Amway Center and City of Orlando Fire Station #1 ("The Big House") provided interesting venues for the mobile tour, highlighting not only the success of LEED-certified construction, but also the relationship between effective planning principles and the built environment. The employees of each facility and the city in general both appear proud of the facilities, helping to secure a stronger sense of place for the City of Orlando. The conference wrapped up on Friday with an outstanding awards luncheon, acknowledging thoughtful and thought-provoking projects that inspire each of us to exceed expectations. Overall, the conference was a tremendous success for the Central Florida Chapter, FPZA, and hopefully for everyone who attended.

BY THE NUMBERS:

- 154 total registrations (89 full plus 65 additional single day/special event)
- Including all the speakers, we provided a total of 180 name tags.

The annual conference requires a lot of effort from a lot of people, so, last, but definitely not least, a big thank you to each of the board members of the Central Florida Chapter and the state board who collectively put on a great conference for a great cause. See you all again next year, June 5 – 7, in Daytona Beach! The Surfcoast Chapter is sure to put on an outstanding 61st conference in 2013.

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A WORD FROM THE PRESIDENT



Since the inaugural state conference in 1952, the members of FPZA have gathered annually to exchange ideas and best practices, discuss the impacts and influence of planning, and, of course, have a little fun. Sixty years later, the 2012 FPZA State Conference in beautiful downtown Orlando lived up to the

tradition set forth by the Association's founders in providing an outstanding educational and entertaining three-day event.

Many thanks are due to the Central Florida Chapter for their excellent work hosting the 2012 FPZA State Conference. Amye King, the Conference Chair, Scott Stuart, Matthew Boerger, Erin Provenza, and all the members of the 2012 conference committee gave the FPZA membership an amazing and memorable milestone conference, held in a perfect venue and location.

I would also like to extend gratitude to the 2012 Awards Committee for all their hard work this year. Awards Chair Lara Dietrich and her committee did another fantastic job in vetting and presenting this year's awards. Congratulations to all of our 2012 FPZA Award winners!

Special thanks to the 2011-2012 FPZA Executive Committee and State Board Members for their volunteerism and dedication to the Association. Through the leadership of Nancy Roberts (Immediate Past President), Paula McMichael (President-Elect), Courtney Mendez (Vice President of Membership Services), and Rachel Layton (Past President), FPZA remained strong, relevant, and a valuable asset to our members. I welcome our newest officer to the Executive Committee, John Thomson (Vice President of Financial Affairs). John's leadership as chapter president was integral in re-establishing the Surfcoast Chapter, going from being inactive just three years ago to winning FPZA's Outstanding Chapter of the Year Award for a second consecutive year in 2012. We all look forward to the experience and enthusiasm John will bring to the Executive Committee. And I truly believe I would be summarily impeached if I did not thank Executive Administrator Wanda Classe and Sunni Simmons for all their diligent work in keeping FPZA running.

The previous year saw much advancement for FPZA, and with the help and support of our members I look to keep the Association moving in a positive direction. Now that does

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not mean there will not be challenges before us, as the economy is still tough for Florida and placing a heavy burden on planning statewide. To that end, and to the extent that it helps, FPZA will continue to offer compensated membership to our members that are unemployed.

Additionally, I seek to build upon our successful outreach efforts such as the quarterly Regional Forums and our Social Media outlets. Our Regional Forum Initiative is now in Year 3 and each one has been absolutely incredible. With timely, locale-based topics, the Regional Forums are always well attended, well received, and provide an excellent venue for intelligent discussion among our industry colleagues. Since starting our Social Media campaign two years ago, we have been able to reach our members and deliver information in a completely new fashion. Participation in FPZA's Linked In Group is growing daily, as well as involvement in the individual chapter's Linked In and Facebook sites. But as with all new technologies, I know there is always room for improvement. So in the coming months, we will seek input from you as to how our outreach efforts can better serve you.

A stronger FPZA starts with improving our chapters. I look to our well-established chapters, like First Coast, Surfcoast, Central Florida, Gulf Coast, and Calusa as positive models of success and want to instill that long-standing success into our chapters that are inactive or currently active but in need of a boost. As a statewide organization, it is our duty to "Live Our Mission" and provide those who want to become involved and benefit professionally from FPZA every opportunity to do just that.

Building our membership is also an important element in strengthening FPZA. This is especially true in regard to increasing our exposure among younger professionals who will become the future leaders of this organization. Attracting and inviting more student involvement is also essential to the growth of FPZA. So I look forward to working closely with not only the existing planning schools across the state, but with other allied academics such as Geography, Public Administration, Law, and Architecture. The beauty of FPZA is the diverse range of expertise and experiences shared by its members.

When it comes down to it, it can be simply stated that FPZA is carried by the support and participation of members like you. If you are an existing member, thank you for your continued involvement. And if you are a new member, I am excited that you have chosen to become part of FPZA. Given the times, I know maintaining and establishing membership in a professional organization can be a difficult financial decision and a time-consuming choice. But I hope that in FPZA you will not only reap the benefits of our shared knowledge, but experience what it truly means to be an appreciated member of the Florida Planning and Zoning Association. I look forward to seeing you at one of your chapter events very soon. But if we do not catch each other then, we will surely meet at the 61st Annual 2013 FPZA State Conference in Daytona Beach next June. I will be the one on the beach!




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WAKE UP & SMELL THE COFFEE! PLANNING FOR CLIMATE CHANGE

BY ERIN L. DEADY, P.A.

Already in 2012, the U.S. is experiencing unprecedented droughts and warmer winter temperatures. While some may argue weather patterns are “merely cyclical,” the greater scientific community collectively argues that these conditions are a sign of things to come with a warming planet. There are some that will continue to deny that global warming and the resulting changing climate is due to natural varying conditions, but regardless of the source (manmade or natural forces), we are seeing a warming planet. Now what does that mean to us all beyond just the “doom and gloom” of sea level rise, public health impacts, harsher conditions for vulnerable populations and the infrastructure we rely upon to inhabit Florida? One thing it means is that we can't deny these scientific conditions and data any more. It's not just a “political question,” which is a loaded legal term, it's a common sense fact that may impose liability in the wake of its ignorance. As a lawyer and land planner, I've tried to educate my clients on the realities of climate change, but now I just give people an overview of the regulation, legislation, and litigation and let them decide.

Most people think of these issues and consider the United Nations Framework Convention on Climate Change (UNFCCC) (1992) and their voluntary goal of reducing greenhouse gas emissions (GHGs) from developed countries to 1990 levels by 2000 or the Kyoto Protocol (1997) which established binding targets to reduce GHGs 5.2% below 1990 levels by 2012. But the U.S. response has been much different. We have made attempts at legislation; we have litigated these issues clear up to the U.S. Supreme Court; and at the Regional/State/Local Government levels, there have been some efforts to begin planning, preparing and analyzing. From a regulatory and policy perspective as a nation, we have made attempts at “cap-and-trade” or regulation where GHGs are capped and allocated through the distribution of “allowances” representing a right to emit them, we now regulate vehicle standards (as a result of a major precedent-setting lawsuit) and we are just starting to regulate activities (permitting) of public and private actions and their effect on GHGs, energy use or just generally climate change. We have begun to require reporting of levels of GHGs over a certain threshold (25,000 metric tons of carbon equivalent), we have launched Federal Trade Commission Standards and rules on marketing “green” and we have strengthened (and litigated) the Integration of efficiency standards into



national and state building codes. We have National Energy Policies and we have had numerous lawsuits to shape policy and regulation.

In *Massachusetts v. EPA*, the end result was that GHGs were found to be regulated under Clean Air Act and EPA has the authority to require reporting on emissions. EPA has also led on requiring more stringent vehicle emissions standards. Plaintiffs have begun using the Endangered Species Act & Permitting to force agencies to protect species such as the polar bear and sea turtles. Then we have the “nuisance claim” where Plaintiffs allege harm from other activities. This is the one to watch because it could put you on the wrong side of a deposition if you are in government, and it could be your saving grace if you are trying to force government agencies and entities to make better decisions.

BUT WHAT DOES THAT MEAN AT THE STATE AND LOCAL GOVERNMENT LEVELS? A LOT.

The reality is currently, from a strictly planning perspective, there are no Federal requirements on planning for climate change or what any plans should or could include. There is a Federal Interagency Climate Change Adaptation Task Force which produced a 2010 Progress Report and 2011 Update, there are multiple Federal Agency sustainability/climate plans as required by federal Executive Order, but there is a mixed bag on state and local “requirements” from varying sources. Florida's history on these issues is even harder to parse through. Through State Executive Order we have required the reduction of emissions to 2000 levels by 2017, to 1990 levels by 2025, and by 80 percent of 1990

levels by 2050. Florida has adopted the California motor vehicle emission standards (22-percent reduction in vehicle emissions by 2012 and a 30-percent reduction by 2016). We have increasing energy efficiency standards in our Florida Building Code Chapter 553, F.S. increasing standards, we have requirements for governments to build greener, we have mechanisms to do that through things like PACE (Property Assessed Clean Energy) energy financing programs and we permissively allow local governments to establish “Adaptation Action Areas” in Chapter 163, F.S.

SO WE ARE REQUIRED TO MAKE THE RIGHT DECISIONS? WRONG.

I wish we could answer differently on this question but just consider the *Kivalina & Steadfast* cases. Essentially the question was and remains: who is going to move the native Alaskan Tribe and does the insurance carrier have to defend the claim? The original *Kivalina* case started as a nuisance claim for money damages from the energy industry for destruction of a Tribe's native homeland by flooding and sea level rise impacts from climate change. The case is currently on appeal in 9th Circuit at the federal level. Interestingly, the court found “...if an individual driving a car (and thus contributing to emissions) could also be a defendant ... how a court could determine who was liable?” This gets to causation of climate change. The energy industry defendants turned to their insurance carrier, Steadfast, and litigation ensued there too. It was found that Steadfast had no duty under the commercial general liability policies issued by it to defend its insured, AES Corp., against climate change/global warming-based causes of action.

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2012 FPZA AWARD WINNERS

BY: LARA DIETRICH

The FPZA Awards define the standard for land development and public/private sector planning statewide. For decades, the awards program has been a centerpiece of the FPZA's intention to identify and promote best practices in planning. FPZA was pleased to accept so many phenomenal entries this year and to recognize so many commendable projects. Congratulations to the winners!

OUTSTANDING PUBLIC STUDY AWARD HIGHLANDS COUNTY 2030 COMPREHENSIVE PLAN



Rachel Whitcomb Layton, AICP, FPZA Past President, Jennifer Codo-Salisbury, Planning Director CFPRC, Mark Hill, Director of Development Services, Commissioner Barbara Stewart, and Brady Woods, FPZA President

The Highlands County 2030 Comprehensive Plan (Plan) sets forth an Urban Growth Area (UGA) which drives growth in areas when infrastructure and services have historically been provided and are planned through the 2030 planning horizon. The Plan, based on extensive studies and public involvement, emphasizes sound planning principles and practices, including compact urban growth with concentrations on future mobility and transit, healthy communities, and energy and resource conservation as higher densities and intensities are supported.

OUTSTANDING PUBLIC STUDY AWARD NORTHERN HORIZONS GROWTH STRATEGY

"Northern Horizons," submitted by the Okaloosa County Department of Growth Management, is a growth, conservation, and infrastructure strategy for the unincorporated area of Okaloosa County situated north of the Eglin Federal Reservation. The strategy is intended to identify areas for: 1) limited growth due to potential for incompatible development encroachment upon

the various military missions ongoing at Eglin Air Force Base as well as conservation of significant natural resources such as floodplains, wetlands, and known wildlife habitat areas; 2) rural growth so as to conserve prime farmlands, sustain viable agricultural and farming activities, and maintain rural character and lifestyle, and; 3) preferred growth to accommodate future urban and suburban development as well as provide focus for infrastructure projects.

OUTSTANDING PUBLIC DEVELOPMENT AWARD—HARBORWALK EAST PROJECT



Rachel Whitcomb Layton, AICP, FPZA Past President, David Hilston, Urban Design Manager, City of Punta Gorda and Brady Woods, FPZA President

The City of Punta Gorda took a run-down, uninviting area and turned it into an elegant urban trail running alongside mangrove forests and the Peace River. A trail nearly a half-mile long is a signature part of the City's planned 18 miles of bicycle and pedestrian friendly trail system known as the Ring Around the City. These trails link all the major residential and commercial areas of the City, enhancing community health, livability, and quality of life.

OUTSTANDING PRIVATE REDEVELOPMENT AWARD—CVS PHARMACY IN GAINESVILLE, FLORIDA

The CVS Pharmacy Project demonstrated its commitment to excellence in planning principles and superior site design from its inception to its realization by accomplishing the following tasks:

1. Redesign of an existing brownfield retail site to accommodate a 20,000 SF commercial, mixed use building with drive thru, avoiding contaminated areas of the site;



Rachel Whitcomb Layton, AICP, FPZA Past President, Tina Ekblad, David Depew, and Brady Woods, FPZA President

2. Clean up area soil and groundwater restoring functionality to an urban creek;
3. Incorporation of an urban mobility plan for pedestrian, bicycles, and transit;
4. Creation of a landscaped/hardscaped pedestrian plaza;
5. Improved access management and accommodation of the site's future role adjacent to north/south and east/west arterial thoroughfares.

OUTSTANDING PRIVATE DEVELOPMENT AWARD—FRANCES ARCHBOLD HUFTY LEARNING CENTER AND ADRIAN ARCHBOLD LODGE



Rachel Whitcomb Layton, AICP, FPZA Past President, Dr. Hilary Swain, Commissioner Barbara Stewart, Trustee, and Brady Woods, FPZA President

The Frances Archbold Hufty Learning Center and Adrian Archbold Lodge is a new public facility located at Archbold Biological Station (www.archbold-station.org), a not-for-profit ecological research, conservation, and education organization in south central Florida. The buildings, awarded LEED platinum status, serve as a gateway to Archbold's globally threatened scrub preserve, and showcase approaches to environmental sustainability including planning, architecture, construction, engineering, technology, energy

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2012 FPZA AWARD WINNERS

and water conservation, native landscaping, and history, combined with a deep understanding of nature, ecology, conservation and science.

DESIGN EXCELLENCE AWARD—CITY OF WINTER SPRINGS TOWN CENTER DISTRICT CODE



Rachel Whitcomb Layton, AICP, FPZA Past President, Randy Woodruff, AICP, and Bobby Howell, AICP and Brady Woods, FPZA President

The Winter Springs Town Center District is located in the geographic center of Winter Springs. The Town Center is a mixed-use development that provides an urban center where cultural events and community activities are hosted year-round. The code that allowed its development was one of the first "form-based" codes adopted in the United States. As development progressed, limitations of the code became evident. Dover-Kohl & Partners and city staff presented a workshop to the City Commission recommending a re-write of the code utilizing a transect-based approach, while preserving several of the elements of the existing code. This re-write was completed in-house by the Winter Springs Community Development Department, with an estimated cost savings of \$75,000 to the City's taxpayers and within seven months from the Commission's directive.

OUTSTANDING GRASSROOTS/NON-PROFIT INITIATIVE AWARD—CLAY HILL NEIGHBORHOOD OVERLAY DISTRICT DESIGN GUIDELINES

The Clay Hill Community Association (CHCA), through civic discourse, tenacity and a strong



Rachel Whitcomb Layton, AICP, FPZA Past President, Bill Garrison, President, Clay Hill Community Association, Brady Woods, FPZA President, Clay County's Mike Kloehn, Planning and Zoning Director, and Carolyn Morgan, Senior Planner

record of community engagement, accomplished the adoption of the Clay Hill Overlay District Design Guidelines by the Clay County Board of County Commissioners in May 2011. The guidelines will provide direction for the development of Clay Hill. The CHCA exhibited outstanding grassroots initiative by their commitment, self-reliance and willingness to engage the community on the difficult issues of future development and regulation. At a time when there seems to be a push to lower standards, the initiative of the CHCA to raise the bar within their own community is particularly noteworthy.

OUTSTANDING ENVIRONMENTAL PROJECT AWARD—LEE COUNTY PORT AUTHORITY NEW GENERAL AVIATION TERMINAL PROJECT AT PAGE FIELD



Rachel Whitcomb Layton, AICP, FPZA Past President, Josh Philpott, Manager of Planning, Renee Kwiat, Manager of Environmental Compliance, Ellen Lindblad, Director of Planning & Environmental Compliance and Brady Woods, FPZA President

The New General Aviation Terminal Project at Page Field Airport enhanced the urban core of Lee County by revitalizing a historic World War II Army Air Field by using architectural forms to mimic the World War II Era style along with working together with local, state and federal agencies to enhance the environment of the airfield, provide a historic aviation facility and museum to the community while promoting sustainable development. The project modernized the facility while respecting the historical role it played in the community and using sustainable development practices.

INNOVATION AWARD—THE CENTER FOR BUILDING HOPE



Rachel Whitcomb Layton, AICP, FPZA Past President, Mike Bell, P.E. Senior Principal, WilsonMiller Stantec, Susan Kenyon, The Center for Building Hope and Brady Woods, FPZA President

The Center for Building Hope is an innovative new LEED accredited building located in the master planned community of Lakewood Ranch in Sarasota, Florida. More critical than ever to the healing of cancer patients is the influence of psychological support and the environment. The facility is located on a serene site surrounded by preserved pine flatwoods, a wetland system, and an onsite lake. The project successfully integrates the technology of green building into a beautiful, cohesive design solution that serves the people of Florida who are affected by cancer.

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2012 FPZA AWARD WINNERS

OUTSTANDING VISIONING AWARD FIRST COAST VISION



Rachel Whitcomb Layton, AICP, FPZA Past President, Green Cove Springs Councilmember and Chairman Bob Page and Brady Woods, FPZA President

With the benefit of regional leaders, the Regional Community Institute (RCI) created First Coast Vision. First Coast Vision kicked off with Reality Check First Coast, a regional visioning exercise in May of 2009. A large and representative group of elected officials, business people and non-governmental agency managers participated and the Reality Check exercise resulted in the identification of alternative growth patterns and guiding principles. Ultimately, the RCI presented First Coast Vision to Northeast Florida Regional Council (NEFRC), and NEFRC accepted it to be used as an educational and discussion document, and a basis for the update to the Strategic Regional Policy Plan.

OUTSTANDING STUDENT AWARDS



Kevin McCarthy, USF, Graduate Student
Jamie Schindewolf, FSU, Graduate Student
Juan Castillo, Jr., UF, Graduate Student

OUTSTANDING CHAPTER AWARD— SURFCAOST CHAPTER



The Surfcoast Chapter has continued to rally their existing members and recruit new members through numerous collaborations in hosting and supporting events monthly throughout the Flagler and Volusia County communities. They will be hosting the 2013 FPZA State Conference in Daytona Beach, Florida.

OUTSTANDING LEGISLATOR AWARD SENATOR LIZBETH BENAQUISTO



Senator Lizbeth Benacquisto supported the Qualified Target Industries Bill that enhanced incentives for businesses relocating to Florida. She promoted the Spaceport Facilities Bill

that enables spaceport facilities to utilize infrastructure funds to advance critical projects. Senator Benacquisto is Deputy Majority Leader of the Florida Senate, a significant position as a freshman. She is Chair of the Budget Committee on Transportation, Tourism and Economic Development, Vice Chair of the Florida's General Government Appropriations, and a member of the Transportation, Communications Energy and Public Utilities, PreK-12 Education, Budget, and Reapportionment Committees, where she champions economic and sustainable development for the State of Florida.

OUTSTANDING JOURNALIST AWARD MARK SIMPSON



Rachel Whitcomb Layton, AICP, FPZA Past President, Mark Simpson and Brady Woods, FPZA President

Mark Simpson is the News Director for WMFE Orlando, a public broadcasting station. Mark's work shows his understanding that issues close to urban planners are important to the larger community and help to create a better built environment for everyone. Mark has interviewed prominent government figures on his radio show *Intersection*, such as Florida Governor Rick Scott and John Mica, and took the time to ask them balanced questions about planning topics, such as about the new Growth Management amendments and the development of commuter rail in Central Florida. He is recognized for his success and focus on issues central to our profession. The evolution of comprehensive planning and growth management strategies in the



FPZA 2012-2013 Executive Committee

Courtney Mendez, AICP, VP Membership Services,
John Thomson, AICP, VP Financial Affairs, Paula
McMichael, AICP, President Elect, Brady Woods
President and Nancy Roberts, Past President (not
shown)

OVERVIEW

JOHN H. CROFTS, AICP RECEIVES GEORGE W. SIMONS, JR. AWARD

Northeast Florida Region and the City of Jacksonville closely parallels the professional career track of John H. Crofts, AICP, until recently the Deputy Director of Planning for the Jacksonville Planning and Development Department. John began as an Assistant Planner in 1972 and ascended through the planning ranks. He has fostered innovative planning strategies and positive change in Jacksonville, the largest city in Northeast Florida and the Continental United States. These accomplishments have been made in a practical, deliberate, and patient manner by creating and implementing, for the first time in Jacksonville, numerous plans and programs designed to ensure the character of existing neighborhoods and the location of future development while simultaneously protecting the bountiful natural and historical resources in the area. This is exemplified by John's direction and central involvement in the development of Jacksonville's milestone 2010 Comprehensive Plan and supportive land development regulations which featured, amidst other strategies, an innovative *Special Management Areas Program* that defined the City's primary natural resource systems. This forward thinking program provided a foundation and framework for reducing sprawl and the ultimate preservation and acquisition of 81 square miles of environmentally sensitive land. Land acquisition and improvements derived from this effort have culminated in a total expenditure of over \$230 million, bolstering Jacksonville's claim to possessing the nation's largest urban park

system.

From the regional perspective, as a planner with the Jacksonville Area Planning Board, which functioned as the regional planning agency in the seven counties of Northeast Florida until 1977, John also prepared and coordinated the development of numerous regional baseline studies and plans financed in part through planning grants from Section 701 of the Housing Act of 1954. Inherent to these initial policy plans was the collection, analysis and portrayal of vast amounts of detailed and relevant information and the engagement of extensive public involvement. John has always functioned as a mediator among conflicting community interests as well as a facilitator, using his professional judgment and expertise to educate and help identify the best resolutions to the growth-related issues creating the conflicts.

The most encompassing portion of John's planning career was his thirty year tenure of service with the Jacksonville Planning and Development Department. Over this timeframe, John was the longest continuing appointed official in this city of approximately 900,000 people serving at the pleasure of five



Rachel Whitcomb Layton, AICP FPZA Past President, John H. Crofts, AICP and Brady Woods, FPZA President

mayors and six planning directors. As a Division Chief and Deputy Director, he has been a model of stability, productivity and continuity responsible for the preparation and implementation of myriad local plans, studies, and programs. He has mentored hundreds of planners, and was the consistent "face" of planning for scores of City Council members. Their recognition of his service and his achievements is included in the FPZA member statement. John is largely responsible for the high esteem with which planners and planning have been held in Northeast Florida over the years, and we all benefit from his legacy.

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The question there was did the damage (to the Alaskan Tribe in Kivalina) result from an "occurrence"? The answer was no on two different occasions at different levels in the case. Basically, "If an insured knew or should have known that certain results would follow from his acts or omissions, there is no 'occurrence' within the meaning of a comprehensive general liability policy..."

Comer v. Murphy Oil is another case along the lines of this "nuisance" theory. March 20, 2012, a federal judge in Mississippi dismissed for the second time *Comer v. Murphy Oil USA, Inc.*, a lawsuit by various Mississippi property owners against numerous oil, coal, and chemical companies seeking tort liability for climate changes from a "more intense" hurricane Katrina resulting from energy industry GHGs. This case never got legs the first go around, and the court concluded that *Comer II* raised essentially the same claims as *Comer I* with the plaintiffs not entitled to another bite at the apple. It will likely be appealed to 5th Circuit.

The case to really watch is *In re Katrina Canal Breaches Consolidated Litigation* (Robinson), 647 F. Supp.2d 644 (E.D. La. 2009). Here 400+ plaintiffs sued to recover for Katrina-related damages and the

Corps' mismanagement of the Mississippi River Gulf Outlet or MRGO. Seven of these plaintiffs (the "Robinson plaintiffs") went to trial. The Plaintiffs won, but the Corps appealed to 5th Circuit and summarily lost. It wasn't even close. The court found the Corps had no sovereign immunity, the data was there and the Corps was negligent (grossly) in ignoring it in terms of maintaining the levees that breached during Katrina. The Corps had no defense under the Flood Control Act (no safe haven) and there was no exception under Federal Tort Claims Act because the Corps did nothing to protect against the storm surge effect. So what does this typical negligence case have to do with climate change? The Court found the Corps should have updated their EIS on the levees pursuant to the National Environmental Policy Act and they have an ongoing obligation under NEPA to consider adapting to a changing climate. The import is severe:

- Negligence (this could attach to privately constructed structures too);
- Scientific data is "foreseeable" such as sea level rise data; and
- There was just under \$720,000 awarded to 5 plaintiffs.

Let that sink in. Damages for failing to consider climate change impacts for managing the levees, or plan to manage them with new impacts, during

Katrina. Think about all the infrastructure decisions local governments make every day. There could be liability for failing to plan for climate change in decisions that local governments make.

CONCLUSIONS

We will see impacts in our lifetimes, with data showing we've seen about six inches of sea level rise already in the last 100 years. Likely, at least, we will see another six inches in the next 30 years. There is a new paradigm shift afoot. Addressing climate change is no longer a "voodoo science" undertaken by a bunch of "fringy" people. It's becoming a necessity, not just because the information is there and it's prudent, now there may be liability for NOT taking that information into consideration when planning, permitting, building, constructing and doing all the things the public and private sector do. Moreover, it just makes good sense and no matter what legal or planning argument one can make to avoid it, there's no argument that can defeat it.

Erin L. Deady, P.A., specializes in environmental, land use, and water law and has a strong track record in securing grants for government clients. Erin L. Deady, P.A. is a full service Law Firm serving Of Counsel to Corbett and White, P.A. She may be reached at erin@corbettandwhite.com.

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CITRUS SQUARE AND JANIE'S GARDEN: PLANNING FOR WALKABLE URBANISM IN SARASOTA

BY: COURTNEY MENDEZ, AICP

The City of Sarasota recently hosted a walking tour of two award-winning infill/redevelopment projects: Citrus Square and Janie's Garden. The two projects are similar in their mixed-use design, with the inclusion of ground-floor retail along the street frontage with residential above. In addition, both projects have received numerous awards for architecture and design. However, the projects differ in many ways as well. Most notably, Citrus Square was constructed by a private developer at full market rate and Janie's Garden Phase II is a project of the Sarasota Housing Authority providing for affordable housing (all residents must earn 60% or less of AMI). The primary purpose of the tour was to look at how both projects meet important community objectives: community character; parking, walkability and bicycle mode support; transit orientation; and stormwater management, based on LEED ND standards. The ability to compare the two projects based on the same criteria allowed participants to see the positive aspects and potential drawbacks of each design approach. The tour also highlighted the ability to achieve many of the same objectives within two different settings and under different financing mechanisms. This article summarizes the tour and discussion points.



Citrus Square

The tour kicked off at Citrus Square, located at 411 North Orange Avenue. Citrus Square is a mixed-use development adjacent to the core of downtown Sarasota with approximately 10,000 square feet of street level retail and 20 residential units above, located on approximately 0.8 acres. The site is zoned Downtown Edge, which allows up to 25 units per acre plus non-residential development within a maximum five-story height (as-built, three

stories). The project is generally considered the first large project to be completed under the City's Form-Based Downtown Code.

The tour at Citrus Square was led by Chris Gallagher, the Urban Designer responsible for the project and a proud resident of Citrus Square. In speaking about community character and walkability, Gallagher described the process that he went through to create the traditional-feeling urban streetscape, including review of historical pictures of main streets from the turn of the century and photographs of doors and architectural details taken by the developer in Europe. Important items incorporated from his expertise and study were deeper recess of windows and doors, custom masonry details, balconies to provide a window from the residential units to the City, and depth of sidewalks, among others. In addition to the visual aspects, he also discussed many of the other design features that were critical to the project, such as tenant mix in the ground-level retail; parking; stormwater vaulting; and use of the rear alley for refuse and loading. Gallagher also pointed out that the addition of 50 on-street angled parking spaces was critical to meet the demands of the restaurants and retail space, even though it is substantially above what is required by Code. The required resident and commercial tenant parking is provided to the rear of the property, off the alley. The site is also within easy walking distance of the downtown core and is served by transit. In terms of comparison with LEED ND standards, this site would likely meet the prerequisites for smart location, wetland and water body conservation, agricultural conservation, floodplain avoidance, walkable streets, and compact development. Using the walk score criteria (www.walkscore.com), this site achieved an overall score of 91 – what they call a “Walker's Paradise”. Gallagher would agree; since living at Citrus Square he infrequently uses his vehicle, since there are two restaurants, a dry cleaner and other retail just downstairs, he is able to walk to work daily, and can easily walk to most downtown locations.

Janie's Garden is located along the 1400 block of Dr. Martin Luther King Jr. Way, in the Newtown Community. Janie's Garden Phase II contains 68 new apartments and 10,500 square feet of ground floor retail. The project was developed under a

special overlay district for the Housing Authority, which required ground-floor retail and allowed residential at 25 units/acre. The corridor along Dr. Martin Luther King Jr. Way, including the subject property, were also recently rezoned to the Commercial Business Newtown (CBN) district which requires buildings to be oriented to the street and encourages mixed use development through both design standards and reduced parking standards. Under this district, other future redevelopment projects will continue to redefine this corridor as a mixed-use and pedestrian-friendly environment.



Janie's Garden

Bill Russell, Director of the Sarasota Housing Authority, led the discussion at the Janie's Garden site along with City staff. Much discussion centered on the process taking the project from a superblock style housing project to a mixed-income community oriented towards new cross-street connections and internal pedestrian walkways. Phase II, the focus of the tour, added retail along the Dr. Martin Luther King Jr. Way street frontage, with two stories of apartments above. The project was completed this past December and the first retail tenant – a small convenience grocery – is open and additional leases are being signed. The design of the building has a more contemporary feel than Citrus Square, with a stucco façade and glazed window panels. The stores are also located along a slightly elevated walkway to meet FEMA requirements. An attractive mid-block breezeway is provided to allow easy pedestrian access from the Phase I residential units as well as access to parking behind. Some parallel parking is also available on-street, although most parking is located to the rear. Another interesting aspect of

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the Janie's Garden project is a pedestrian plaza at the corner of MLK and Lemon Avenue, which was designed to function with a future Bus Rapid Transit Line proposed to run adjacent to the site. During the tour, it provided a great shaded area for us to gather and discuss the project. In terms of comparison with LEED ND standards, Janie's Garden Phase II would likely meet the criteria for smart location, wetland and waterbody conservation, agricultural conservation, walkable streets, and is close in terms of compact development. The site is located within a floodplain, but was previously developed, thus also likely meeting these criteria. This site is located within more of a mixed residential and neighborhood commercial location, so the Walkscore for this project was 55, or "Somewhat Walkable". However, it is interesting to note that the level of pedestrian activity around the site was quite visible during the tour. In point, as we were there, the Vice Mayor for the City was riding his bike past on his way from a meeting, noticed our group, and stopped by to say a few words. In addition, as the retail space is filled with uses serving the local residents, that walk score will likely increase.

Although each project took a slightly different approach, both are great examples of infill and redevelopment projects that are responsive to urban design, provide mixed-use in scale with the needs of the surrounding neighborhood, and give the necessary attention to walkability of the project.

Many thanks go to the APA Suncoast Chapter and Florida House for Sustainable Development for sponsorship of the event, co-organizers Lisa Nisenson and Courtney Mendez, speakers, and all of the planners and architects that participated. Savory Street Café, located at Citrus Square, also provided some excellent appetizers for the happy hour that followed. If you are near Sarasota, please check out these two projects. You can also delve into the Zoning Code on the City's website (www.sarasotagov.com) to learn more about both Zoning Districts. Also, check out www.citrusquare.com and www.sarasotahousing.org for additional information on each project.

Courtney Mendez is a senior planner with the City of Sarasota. She has experience spanning both the public and private sectors, and has worked on a variety of infill and redevelopment projects. You may contact her with questions or comments at courtney.mendez@sarasotagov.com.

MEMBER PROFILE

SHARON TARMAN, AICP, FPZA GULF COAST CHAPTER

Q. WHERE ARE YOU FROM ORIGINALLY?

A. I am a Florida native and have lived in the Tampa Bay area all of my life

Q. WHAT COLLEGE/UNIVERSITY DID YOU ATTEND/GRADUATE FROM? PLEASE LIST YOUR DEGREE(S) AND IF YOU HAVE ANY SPECIALIZED TRAINING.

A. I do not have a formal education in planning. My career has taken many paths and it started out in property appraising with the Manatee County Property Appraiser's Office then progressed to the Manatee County Planning Department where I learned about the planning profession. In 2001, while working for Sarasota County, I passed the AICP exam and became a certified planner. I worked for a private engineering firm for about 3 years and then returned to Manatee County.

Q. HOW DID YOU BECOME INVOLVED IN FPZA AND HOW LONG HAVE YOU BEEN A MEMBER?

A. I became involved with FPZA in 2006 and hold the 3rd Vice President position in the Chapter.

Q. WHAT IS YOUR CURRENT POSITION AND AREA (S) OF EXPERTISE?

A. My current position, Emergency Management Officer, with the Emergency Management Division of the Manatee County Public Safety Department utilizes the

knowledge that I have obtained over the years in the planning field.

Q. WHAT ARE YOUR HOBBIES AND INTERESTS?

A. My family is the most important thing in my life and especially spending time with my grandchildren Taylor (7), Dominic (5), and Wyatt (3). My hobbies include reading, quilting, knitting, and cooking. I love to go hiking in the mountains.

Q. WHAT DO YOU THINK YOU'D BE DOING NOW IF YOU HADN'T CHOSEN YOUR CURRENT PROFESSION?

A. I think that I might have gone into the health care field. I like helping people.

Q. IF A NEW COLLEGE GRADUATE ASKED YOU FOR ADVICE ABOUT YOUR FIELD, WHAT WOULD YOU TELL THEM?

A. I would tell them to look for the area that they think that they are most interested in but also to look at the other areas in the planning field. It is amazing how many areas the planning field touches and it is just not about urban planning.

Q. WHAT PERSONAL GOALS WOULD YOU LIKE TO ACHIEVE (BEFORE YOU RETIRE)?

A. My personal goal before I retire is to achieve the Florida Professional Emergency Management (FPEM) certification and to learn as much as I can about the emergency management field.



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THE HISTORY OF GROWTH MANAGEMENT IN FLORIDA

BY TIMOTHY BROWN, AICP

Part I of this article reviewed Growth Management in Florida through the 1970s and Part II reviewed the 1980s and 90s.

PART III: GROWTH MANAGEMENT IN FLORIDA FROM 2000 TO THE PRESENT

In 2000, Governor Bush created the Growth Management Study Commission by Executive Order. Governor Bush tasked the Commission with reviewing Florida's growth management system to ensure that it met the needs of the State's growing and diverse population and to make adjustments as necessary based on the experience of implementing the current system. The Commission made 89 recommendations for changes to the existing growth management laws.

In 2001, the legislature made changes to the DRI program. This legislation increased by 150% the threshold for DRI review in counties designated as rural areas of critical economic concern. In 1999, Governor Bush designated Gadsden, Gulf, Franklin, Calhoun, Liberty, Holmes, Washington, and Jackson Counties in the Florida Panhandle under this program. In 2001, DeSoto, Glades, Hardy, Hendry, Highlands, and Okeechobee in Florida's southwest received this designation. The legislation also exempted airports and petroleum storage facilities from DRI review. Also included in the 2001 legislation was the Rural Land Stewardship Area pilot project. Similarly set up as the optional sector plan program, it allowed up to five communities to designate large rural areas by plan amendment for future development. Transfer of density credits were allowed if specified sustainable development practices were followed including designating agricultural and conservation easements.

In 2002, the legislature required local governments to consider available classroom space and water supplies before approving new development. The legislation also streamlined development orders and provided for an optional special master process to resolve disputes. It waived certain concurrency requirements for urban infill and redevelopment areas and created a Local Government Comprehensive Planning

Certification Program to replace the Sustainable Communities Demonstration Program. In 2005, the legislature made some of the biggest changes to growth management since the Growth Management Act was adopted in 1985. The legislation made school concurrency mandatory, except for built-out or no growth areas. It included incentives for local governments to adopt a vision as well as urban service boundaries, which would make future land use map amendments within urban service boundaries exempt from State and regional review. It also made some technical changes to small scale comprehensive plan amendments and the DRI program. It allowed for a "proportionate fair share contribution" to mitigate development impacts. Development orders and permits cannot be denied if the developer pays his proportionate fair share. It also provided \$1.5 billion dollars to local governments for infrastructure needs when certain planning standards are adopted, which included \$750 million in recurring revenue and \$750 million in non-recurring revenue. It required that by December 1, 2007, all Capital Improvement Elements demonstrate through a "financial feasibility test" that adopted levels of service for required concurrency management facilities can be met and maintained. If this is not accomplished by December 1, 2007, no comprehensive plan amendments may be adopted and sanctions against non-complying local governments may apply. In addition, the legislation allocated funding to the Water Management Districts for the development of alternative water supplies. It tightened the requirements for Regional Water Supply Plans, including requiring mandatory public hearings and local government coordination; a 20-year planning horizon for the Plans; and requirements for water reservations and minimum flows and levels. Local governments were required to amend their comprehensive plans to be consistent with the Regional Water Supply Plans within 18 months of the regional plan's adoption. It also required water to be available for new development by the issuance of the Certificate of Occupancy. The legislation also created three study commissions. The School Concurrency Task Force was to submit its reports to the legislature by December

2005; The Impact Review Task Force was to submit its report by February 2006; and the Century Commission for a Sustainable Florida was to make its first annual report in January 2007.

In 2006, Charlie Crist was elected Florida's Governor. In 2008, the legislature made technical changes to the DRI program; extended Florida Forever for 10 more years; and implemented energy legislation that was a priority of Governor Crist. This legislation implemented the governor's Executive Orders for reduction targets of greenhouse gas emissions and the development of a regulator rule that would cap electric utility greenhouse gas emissions. Also included was a provision that required gasoline sold in Florida to contain 10% ethanol by June 2011.

In 2010, Rick Scott was elected Florida's Governor. Governor Scott had no previous government experience and had never held elective office.

Hometown Democracy

Hometown Democracy was a nonpartisan grass roots effort to allow more citizen input into the growth management process. It would require a taxpayer funded referendum for adoption of amendments to local government comprehensive plans. It was put on the ballot as an initiated constitutional amendment to the Florida Constitution.

Initially it was attempted for the 2005 ballot. However, the Florida Supreme Court found that the language for the amendment did not meet the Single Subject Rule for amending the Florida Constitution. At least in part due to this measure, the 2006 Florida Legislature changed the requirement for approval of initiated constitutional amendments from a simple majority to a 60% super majority. It was again attempted for the 2008 ballot. This time the Court threw out a number of signatures and the measure failed to meet the minimum 611,009 signatures to get a constitutional amendment on the ballot. In 2010, the measure was certified and put on the ballot as

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Amendment 4. There was tremendous opposition to this amendment from the business and development industries led by the Florida Chamber of Commerce. Opponents outspent proponents by five to one. On November 2, 2010, the measure was defeated at the polls. The measure garnered only 33% of the vote.

Community Planning Act

In 2011, Florida was ranked 4th nationally for foreclosures behind Nevada, Arizona, and California. According to the U.S. Census Bureau, there were approximately 1.6 million (18%) vacant homes in Florida, which was the highest percentage in the country. With this backdrop, the 2011 Florida Legislature adopted HB 7207, otherwise known as the Community Planning Act, which essentially repealed Florida's landmark growth management law and eliminated 25 years of growth management case law. Not only that, but over the previous four years (2007-2010) the DCA approved local future land use map comprehensive plan amendments totaling more than 950,000 acres, which would accommodate over 600,000 new homes and 1.5 million square feet of new commercial activity. A coalition of organizations along with former Governor and Senator Bob Graham urged Governor Scott to veto HB 7207, but on June 2, 2011, he signed it into law.

The portion of the law pertaining to local government comprehensive plans and plan amendments included the repeal of Rule 9J-5, Florida Administrative Code, in its entirety; State review is limited to protecting important State Resources and Facilities and greater authority and deference is given to local governments; specific language is added providing that comprehensive plans and plan amendments should not constitute an inordinate burden on property rights; financial feasibility provisions, energy efficiency provisions, and 2009 amendments regarding dense urban land areas were repealed; Regional Planning Councils are no longer charged with preparing plans or plan amendments for local government that fail to fulfill their statutory responsibilities; a Public School Facilities Element is no longer required, however, public school interlocal agreements are still required but are not subject to State review; the twice per year limitation on plan amendments

is removed; need is no longer a requirement, a comprehensive plan must be based on the minimum amount of land required to accommodate the medium Bureau of Economic and Business Research (BEER) population projections for a 10-year planning period but is not required to impose maximum limitations on uses; mandatory concurrency for transportation, parks, and schools are repealed and are now optional; sanitary sewer, solid waste, drainage, and potable water are still subject to concurrency on a Statewide basis; a plan amendment is required to rescind any optional concurrency provisions.

If concurrency is applied to transportation facilities, the Department of Transportation must be consulted when proposed plan amendments affect facilities on the Strategic Intermodal System, public transit facilities must be exempt from concurrency, and proportionate fair share payments must be allowed; and the calculation for proportionate fair share is amended to remove the cost of existing deficiencies, trips assigned to toll roads, and cumulative impacts from the calculation, and a credit on a dollar for dollar basis must be provided for impact fees, mobility fees, and other transportation mitigation requirements but must be reduced up to 20% by the percentage share that the project's traffic represents of the added capacity of an improvement or by the amount specified by local ordinance, whichever yields the greater credit.

There are now three plan amendment processes including Expedited Review, which is applicable to all plan amendments except for those subject to one of the other review processes; State Coordinated Review, which is applicable to EAR-based amendments, sector plans, Areas of Critical State Concern, Rural Land Stewardship Areas, and newly adopted comprehensive plans for newly incorporated municipalities; and Small Scale Amendments. State agencies can only comment on important State Resources and Facilities, which are not defined in the law, and the State Comprehensive Plan is no longer a factor in determining compliance. For Small Scale Amendments, the density cap is removed; text amendments directly related to map changes are now allowed; the limitation on plan amendments to the same property granted a change in the previous 12 months to the same owner's property

within 200 feet of property granted a change in the previous 12 months is deleted; and the acreage is increased to 120 acres per calendar year; and as a reaction to Hometown Democracy, initiative or referendums for plan amendments and development orders are prohibited.

There were other technical amendments to sector plans, the DRI program, development orders, transportation concurrency, Capital Improvements Elements, citizen challenges to comprehensive plans or plan amendments, Evaluation and Appraisal Reports, and Rural Land Stewardship Areas.

Other legislation eliminated the Florida Department of Community Affairs (DCA) and rolled the Division of Community Planning into the newly created Florida Department of Economic Opportunity (DEO). Most experts consider this a conflict of interest as the DEO is responsible for bringing business and growth to the State and the Division is responsible for monitoring the regulation of this growth. Governor Scott ran on a platform of eliminating the DCA, which he categorized as a job killer, and the incoming Senate President indicated that the elimination of the DCA was one of his priorities going into the legislative session. Governor Scott also ran on a platform of creating jobs; however, the dissolution of the DCA eliminated jobs in the process. In addition, the legislator that sponsored HB 7207 is a developer himself and his projects were overseen by the DCA. The 2011 legislative session became a situation of, if you don't like the rules or the rules aren't working for you, then you change the rules.

Because the Town of Yankeetown's Charter provided for referenda for approval of comprehensive plan amendments, the Town sued the State requesting that HB 7207 be declared unconstitutional. The 2012 Florida Legislature remedied this by passing HB 7081, which was a "glitch bill" to the 2011 Community Planning Act. This bill grandfathered local ordinances and charter provisions that allowed for referendum votes on comprehensive plan amendments and/or development orders as of June 1, 2011. It also required population projections be distributed both to municipalities and unincorporated areas within a county by the Office of Economic and Demographic Research; made several revisions

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to optional school concurrency provisions; revised timelines for action by the Department of Economic Opportunity and the Administration Commission in issuing final orders; and prohibited RPC's from providing consultant services unless it is being done for statutorily mandated services. Other legislation also made several technical changes to the DRI program.

Conclusion

As demonstrated above, historically the State of Florida has taken a pragmatic, balanced, and bipartisan approach to growth management. ELMS I was created in the 1970's, ELMS II in the 1980's, ELMS III in the 1990's, and the Growth Management Study Committee in the 2000's. These entities were created under both Democratic and Republican Governors. Florida has been known as a leader and an innovator in the regulation of growth. Over the last decade, the system was piecemealed and this resulted in a more complicated system with unintended consequences. Most experts would agree that the system was ready for another overhaul in order to simplify it and deal with these unintended consequences. There was a Statewide call for another ELMS or Growth Commission to study the system and develop appropriate alternative solutions. However, under

the guise of economic development, the Republican controlled Florida Legislature along with Governor Scott basically scrapped the system without even considering starting over with something else. What makes Florida special is its environment. Special places like the Everglades, the Green Swamp, and the Big Cypress Swamp will be under threat more than ever now. The State is experiencing more algae blooms in various streams, rivers, and lakes as well as more red tide along the coast. Figure 4 shows a toxic algae bloom on the Caloosahatchee River, which is located in Southwest Florida.

Figure 4: Caloosahatchee River



Most experts expect to see more wetlands drained as a result of the new law. It is also expected that a greater share of the costs of

infrastructure improvements will fall to the taxpayers as a result of the law. With Florida being so overbuilt at this time, this should not be much of a problem in the short term. With 1.6 million empty homes, the homebuilders aren't exactly breaking down the door to build more homes. It will take years to move this inventory. However, in the longer term we are probably looking at more congested roadways, more crowded schools, more overburdened sewer systems, infrastructure deterioration, and environmental degradation. Sound familiar? Who will want to bring their business or their family to Florida then?

Tim Brown is a Staff Planner with the City of Dothan, Alabama and Chair-elect of APA's County Planning Division. Tim has over 19 years of planning experience in the State of Florida and is the recipient of the 2011 Florida Chapter Award for Distinguished Contribution to the Chapter. He may be reached at (334) 615-3416 or e-mail him at twbrown@dothan.org.



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OVERVIEW

FORMER GLATTING JACKSON/AECOM FIRM PRINCIPALS JOIN LITTLEJOHN ENGINEERING ASSOCIATES

Littlejohn Engineering Associates (LEA) announces three key additions to their Orlando office. Brent Lacy, AICP will serve as Director of Transportation Planning. Jay Hood, RLA will serve as Director of Landscape Architecture. Bruce Hall, RLA will serve as Senior Landscape Architectural Project Manager. All three were leaders in the prestigious Planning, Landscape Architectural and Environmental firm of Glattig Jackson, which is now known as AECOM. The three join former GJ/AECOM Principal Carey Hayo, AICP, who LEA hired six months ago.

For 25 years, the pre-eminent Florida Planning, Landscape Architecture and Environmental firm of Glattig Jackson was a recognized leader in their field, not only for signature projects in Florida but also across the nation. When AECOM acquired the firm, it was just not the same for a number of the key principals who led GJ to the many achievements they enjoyed. "While AECOM is a good firm," said Brent Lacy, Director of Transportation Planning now with Littlejohn, "their focus and method of delivering projects was not as client focused as I was accustomed to and wanted to provide as my client's trusted advisor." He added that "several of us have wrestled with that. In making the switch to Littlejohn Engineering Associates, we are excited to have our fires rekindled and to be able to provide the level of client service we know how to provide and enjoy. LEA is a great multi-disciplined firm and destined to be a force in Florida in both the public and private sectors as the economy picks up. Jay, Bruce, Carey and I are just overjoyed to be here."

Littlejohn Engineering Associates was established in 1989. The company has a combined staff of 105, including 59 professionals and has been a top 10 engineering firm for the last 5 years in Middle Tennessee. The firm offers services in surveying, civil, site development engineering, transportation, landscape architecture, urban planning, municipal and utility engineering, environmental engineering, industrial engineering and industrial hygiene and health and safety services.

MEMBER PROFILE SCOTT McGRATH, FPZA SURFCOAST CHAPTER

Q. WHERE ARE YOU FROM ORIGINALLY?

A. I grew up in rural northwest Ohio and after high school got into construction. I worked my way up to crew foreman, and then worked as a subcontractor and contractor until the market for new homes crashed after September 11, 2001. I had some community college background, but at this point decided it was time to return to school full-time.



Q. WHAT ARE YOUR HOBBIES AND INTERESTS?

A. I like snorkeling (especially places where I can scavenge stuff for my saltwater reef tank), kayaking, saltwater fishing, and college football.

Q. WHAT DO YOU THINK YOU'D BE DOING

NOW IF YOU HADN'T CHOSEN YOUR CURRENT PROFESSION?

A. Wasting away in Margaritaville?

Q. IF A NEW COLLEGE GRADUATE ASKED YOU FOR ADVICE ABOUT YOUR FIELD, WHAT WOULD YOU TELL THEM?

A. The Co-ops were essential for getting real-world work experience needed to get a job. Today's students must find ways to get the experience by volunteering, interning, co-op or whatever to get a foot in the door.

Q. WHAT PERSONAL GOALS WOULD YOU LIKE TO ACHIEVE (BEFORE YOU RETIRE)?

A. My professional goals and dreams are all over the map, however, I intend to stay put for about three years while working on my MPA. I would love to work a stint in the Keys, probably near retirement. I wouldn't mind working in Chicago, Miami Beach, or Memphis because of the urban, transportation, cultural and other unique complexities they offer. Of course, after securing my MPA, I could also go into City or Non-profit management, too. The future is wide open.

Q. WHAT COLLEGE/UNIVERSITY DID YOU ATTEND/GRADUATE FROM? PLEASE LIST YOUR DEGREE(S) AND IF YOU HAVE ANY SPECIALIZED TRAINING.

A. I attended the Urban Planning Program at the University of Cincinnati, in Cincinnati, Ohio. The program includes a co-op component that allows students to have two years of real world experience in planning. Through these Co-ops, I was able to perform a comprehensive plan update, a parking study, and a blight study before graduating school with Bachelor in Urban Planning (BUP) degree.

I am currently attending UCF pursuing a Master's of Public Administration and a Nonprofit Management Certification.

Q. HOW DID YOU BECOME INVOLVED IN FPZA AND HOW LONG HAVE YOU BEEN A MEMBER?

A. I was invited to Surfcoast chapter resurrection luncheon in 2009 and have been on the board ever since. I am currently serving as President of the Surfcoast Chapter.

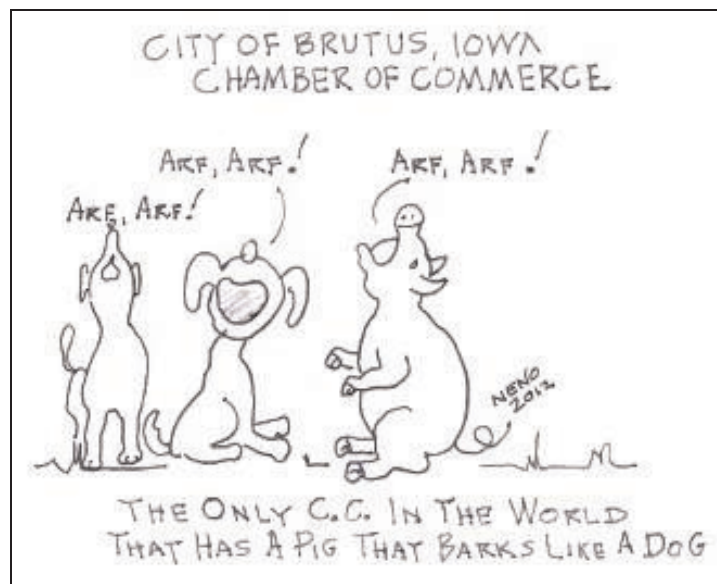
Q. WHAT IS YOUR CURRENT POSITION AND AREA (S) OF EXPERTISE?

OVERVIEW

THE PIG THAT BARKS LIKE A DOG AND FOUNDED A CITY

BY: NENO J. SPAGNA, DPA

Dr. Neno J. Spagna is a pioneer Florida planner whose planning experience in Florida dates back to 1947 as a student at the University of Miami (Florida). He has written a short, humorous story about the unintended consequences of planning decisions entitled "Brutus, the Pig that Barks Like a Dog." Is viewing a pig that barks like a dog a permissible agricultural use, or will the hapless pig-owners—after several public hearings, neighborhood meetings, and a legal interpretation from the County Attorney—be forced into commercial zoning and the changes that brings? To find out, email Dr. Spagna at nenospagna@comcast.net.



UPCOMING SURVEY OF MEMBERS

Watch your inboxes in the next month for a very brief emailed survey. We're looking for your feedback on FPZA and hope you'll take five minutes to share your thoughts with us. If you have any questions about the survey, please contact President-Elect Paula McMichael at paulamcmichael@live.com.

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Planning professionals - public and private zoning staff, transportation engineers, land-use lawyers, expert witnesses, members of the Florida Bar, city, county and state-elected officials, members of local planning and zoning boards, university professors, architects, landscape architects, housing professionals, real estate agents, transportation specialists, surveyors, marketing professionals, communications directors, graphic artists, students of land planning, public relations professionals...and more.

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Call the state office of FPZA at (407) 895-2654 for chapter membership within Florida and your local community. Visit our website at www.FPZA.org.

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CLASSIFIED ADS:

Job ads, positions wanted, RFPs – First 50 words: FPZA members, free, non-members \$15; 76-100 words: \$25; each additional 20 words above 100: \$5. Ad copy should include position, title, location, responsibilities, special requirements, deadlines (where applicable), and, where possible, salary. Editing of job ads for space and format is the prerogative of the *Overview*. **Contact the FPZA office at (407)895-2654 or fpza@bellsouth.net for more information.**

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OVERVIEW

BOARD OF DIRECTORS MEETING MINUTES

JUNE 23, 2012

EMBASSY SUITES | ORLANDO, FL

President Woods called the meeting to order at 9:10 AM.

The following were present:

BRADY WOODS – GULF COAST
STEPHEN THOMPSON – GULF COAST
RACHEL LAYTON – GULF COAST
COURTNEY MENDEZ – GULF COAST
PAULA MCMICHAEL – CALUSA
ARLEEN HUNTER – CALUSA
LARA DIETRICH – FIRST COAST
THAD CROWE – FIRST COAST
DIANE CHADWICK – SUN COAST
PAUL WIECZOREK – SPRINGS
LEIGH KERR – SOUTH FLORIDA
KELLY RAY – SOUTH FLORIDA
SCOTT STUART – CENTRAL FLORIDA
JOHN THOMSON – SURF COAST
SCOTT MCGRATH – SURF COAST
WANDA CLASSE ATTENDED AS ADMINISTRATOR

WELCOME AND INTRODUCTIONS

President Woods welcomed everyone and thanked them for attending. Introductions were made by each individual stating their name and chapter affiliation.

2012 CONFERENCE OVERVIEW

Scott Stuart stated that the conference appears to have been a success both by attendance and financially. He stated that there were 175 names on the registration list and 61 were full registrants. The financial goal of the conference was met and exceeded. He thanked Brady Woods for securing sponsorships for the conference and exceeding the projected budget for sponsorship income. There was discussion regarding the cost of registration and if it had any effect on attendance. Full registration this year was \$275 down from \$325 last year. The consensus from the discussion was most people attending would have attended at last year's price so it did not appear to be as big a draw as they had hoped. He stated that it would take a couple of weeks to determine the final numbers on the



conference. Paul Wiczorek made a pledge of \$250.00 to the Surfcoast 2013 Conference.

ADMINISTRATOR'S REPORT

Wanda Classe distributed director packets. The Membership Report showed 522 as the total number of members, 171 individual members, 342 members from 106 agencies, six students, one Past President Emeritus and two paid Past Presidents Emeritus.

Wanda stated that the May 31, 2012 total bank balance was \$32,630.87.

President Woods called attention to the Presidential Appointees list and confirmed with Lara Dietrich, Thad Crowe and Arleen Hunter that they would remain. Leigh Kerr stated that Earl Hahn from South Florida had expressed an interest in becoming active. John Thomson stated that he was pretty sure Tom Brooks would remain. President Woods will confirm the other Appointees and asked for volunteers or suggestions for the remaining slots.

Members were asked for additions or deletions to the March 31, 2012 board of directors meeting minutes. Lara Dietrich

made a motion to approve the minutes. Paul Wiczorek seconded the motion; approved.

Wanda Classe stated that only 18 ballots were returned. President Woods stated that next year he would like the ballot emailed out separately, with no other attachments or announcements.

She also stated that dues normally go out immediately after the conference. She asked any chapter changing their dues, to let her know by July 1.

VP FINANCIAL AFFAIRS

Courtney Mendez distributed the financial report from January through May 2012. She stated that the \$250.00 appearing in the Projects to be Determined was the APA sponsorship. After the report was reviewed, Thad Crowe made a motion to accept the report as presented. Lara Dietrich seconded the motion; approved. She also stated that she had met with Incoming Treasurer John Thomson and turned the records over to him.

President Woods stated he made the decision to give 10% off all merchandise at the conference.

CONTINUED ON PAGE 20

OVERVIEW

MEETING MINUTES CONTINUED

VP MEMBERSHIP SERVICES

Chair Paula McMichael stated that at the last board meeting, it was suggested to hold the membership survey until after the Conference, giving everyone the deadline of July 16 to submit or change the questions. Lara Diettrich made a motion to pay for Survey Monkey out of the Chapter Development budget. Stephen Thompson seconded the motion; approved. She will send the survey out for board members to review.

There are currently 210 people who have joined the state's Linked In site. Wanda will now send Courtney Mendez, Amy Johnson, and Kelly Ray the information for those wanting to join.

There was a discussion regarding the bylaws stating that to qualify for Student Membership, the student must be a full time student carrying at least 12 credits per semester/quarter. There was also discussion that this bylaw dealt with membership and not scholarship. A committee was formed to clarify student membership and students qualifying for scholarship. The committee will consist of Brady Wood, Lara Diettrich, Thad Crowe, Paul Wiczorek and Scott McGrath.

PRESIDENT ELECT

Brady Woods will have APA's continuing education credit acknowledgements redirected to Paula. He will reiterate to all chapters that they must send their events to Paula. He encouraged all chapters to send their events to Wanda to be placed on the web site.

OVERVIEW

Paula McMichael stated that the next deadline for the Overview is July 16, 2012. Lara will send list of award winners and pictures. Brady will submit a President's Report. Central Florida will submit an article and pictures of conference.

CHAPTER REPORTS

- **Calusa Chapter** – The chapter is having quarterly events. A social is being planned for July. Election of officers and directors will also be held in July.
- **Central Florida** – The chapter has spent the last year concentrating on the Conference.
- **First Coast** – The chapter held a spring social and will continue to hold lunch meetings.
- **Gulf Coast** – The chapter is holding lunch programs every other month. They had a speaker from the Port of Manatee at their last meeting. They also budgeted to sponsor two unemployed planners to attend the conference and also to attend their lunch meetings.
- **South Florida** – The chapter has had no events but they do have an active Facebook page.
- **Springs** – The chapter held the March Forum on agriculture.
- **Sun Coast** – The chapter has had no meetings but they were a \$500 conference sponsor.
- **Surfcoast** – They are in the process of planning the 2013 conference. They are continuing to hold monthly meetings.

NEW BUSINESS

The upcoming year's board meetings were tentatively set:

- October 2012 – Surfcoast Chapter
- January 2013 – Gulfcoast Chapter
- April 2013 South Florida Chapter
- June 2013 – Surfcoast Chapter in conjunction with the 2013 Conference.

Leigh Kerr stated that the South Florida Chapter was looking into hosting the 2014 Conference.

ADJORN – With no further business, the meeting adjourned at 11:25 AM.



*The OVERVIEW is a quarterly publication of the Florida Planning & Zoning Association. Publication dates are February, May, August, and November. The views expressed in the OVERVIEW are those of the Editor or other contributors and do not necessarily reflect the opinions of the FPZA. News articles, press releases, or other contributions are encouraged. Ad space is also available. Business card ads are \$100/year or can be pro-rated for fewer issues. Material should be emailed to the Editor and may be edited to conform to space and/or style requirements. Letters must be signed. **News and advertising deadline for the Fall 2012 issue is October 8, 2012.***

COMPLIMENTARY MEMBERSHIP

FPZA will extend a complimentary membership, for up to one year, to current members who have been laid off or lost their job due to the economic situation. Please contact the FPZA Office at (407) 895-2654 or fpza@bellsouth.net, or the VP of Member Services, Courtney Mendez, at courtneymendez@sarasota.gov for more information.

OVERVIEW

MEMBERSHIP IN FPZA
LOCAL CHAPTERS

DUES

TO JOIN THE FLORIDA PLANNING AND ZONING ASSOCIATION, IDENTIFY A CHAPTER CONTAINING YOUR LOCATION ON THE LIST AT LEFT. REFER TO THE CURRENT LIST OF CHAPTER DUES BELOW TO DETERMINE THE APPROPRIATE DUES AMOUNT. THESE AMOUNTS INCLUDE BOTH STATE AND LOCAL DUES.

Chapter	Individual Dues	Agency/ Organization Dues	Planning Boards*
Apalachee	\$55	\$125	\$125
Calusa	\$60	\$130	\$130
Central Florida	\$65	\$160	\$160
First Coast	\$80	\$170	\$170
Gulfcoast	\$60	\$135	\$135
Gulfstream	\$60	\$145	\$145
Heartland	\$55	\$120	\$120
Northwest	\$55	\$120	\$120
Springs	\$55	\$125	\$125
South Florida	\$55	\$120	\$120
Surfcoast	\$70	\$170	\$170
Suncoast	\$65	\$140	\$140
Suwannee	\$55	\$120	\$120

- Agency/Organizational membership may have a maximum of three individuals. Elected / Appointed Planning Board may have a maximum of five individuals. Include these names with the attached application form for them to receive all the FPZA benefits.
- Full-time Students may utilize a Student Membership and may join at a dues rate of \$5.00 per individual. Include student identification with this application. (First Coast Student dues are \$15.00 per individual.)
- Sustaining Members, wishing to increase their financial support of FPZA, may increase individual dues to \$100.00.

CHAPTERS BY COUNTY

APALACHEE CHAPTER

Franklin • Gadsden • Jefferson • Leon
Liberty • Madison • Taylor • Wakulla

CALUSA CHAPTER

Charlotte • Collier • Hendry • Lee

CENTRAL FLORIDA CHAPTER

Lake • Orange • Osceola • Polk • Seminole • Brevard

FIRST COAST CHAPTER

Clay • Duval • Nassau • Putnam • St. Johns

GULFCOAST CHAPTER

Manatee • Sarasota

GULFSTREAM CHAPTER

Indian River • Martin • Palm Beach • St. Lucie

HEARTLAND CHAPTER

Desoto • Glades • Hardee • Highlands • Okeechobee

NORTHWEST CHAPTER

Bay • Calhoun • Escambia • Gulf • Holmes • Jackson
Okaloosa • Santa Rosa • Walton • Washington

SPRINGS CHAPTER

Alachua • Citrus • Hernando • Levy • Marion • Sumter

SOUTH FLORIDA CHAPTER

Broward • Miami-Dade • Monroe

SURFCOAST CHAPTER

Flagler • Volusia

SUNCOAST CHAPTER

Hillsborough • Pinellas • Pasco

SUWANNEE CHAPTER

Baker • Bradford • Columbia • Dixie • Gilchrist
Hamilton • Lafayette • Suwannee • Union

MEMBERSHIP APPLICATION

NAME	List additional names as applicable for Agencies or Organizations.
AFFILIATION	1. _____
ADDRESS	2. _____
CITY/STATE/ZIP	3. _____
PHONE	List additional names as applicable for Elected or Appointed Board Members.
FAX	1. _____
EMAIL	2. _____
LOCAL CHAPTER	3. _____
REFERRED BY	4. _____
FPZA DUES \$ _____	5. _____

Mail application with check payable to FPZA to:
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