

City of Davenport

Polk County, Florida



"Gateway to the Ridge"

2030 Comprehensive Plan

Administration Section

ADMINISTRATION SECTION

SECTION I

OVERVIEW OF THE CONCURRENCY MANAGEMENT SYSTEM

Section 9J-5.0055, Florida Administrative Code, requires local governments to prepare and adopt a Concurrency Management System. The Concurrency Management System is a mechanism to assist in the implementation of the goals, objectives, and policies of the comprehensive plan. The purpose of the Concurrency Management System is to ensure that facilities and services needed to support development will be available concurrent with the impacts of such development. Prior to the issuance of a development order and development permit, the Concurrency Management System must ensure that the established level of service standards required for the following facilities will be maintained:

- a) Roads
- b) Potable Water
- c) Sanitary Sewer
- d) Solid Waste
- e) Drainage
- f) Parks and Recreation
- g) Public Schools

The Concurrency Management System is an accounting system that maintains a record of the existing levels of service and what impacts, if any, can be expected as a result of proposed developments, facility expansions, and other factors that can affect the established level of service standards of a community.

REQUIREMENTS FOR CONCURRENCY

Davenport requires that all development meet the requirements of concurrency.

ISSUANCE OF DEVELOPMENT ORDERS OR PERMITS

The City's Concurrency Management System shall ensure that all development can meet the requirements for concurrency prior to the issuance of a local development order or permit. All applicants for development orders or permits shall be required to provide all information deemed necessary by the City so that the impacts of the proposed development may be accurately assessed. Once the City has determined that a proposed development meets the requirements for concurrency, and has issued a City development order or permit, the City shall not revoke that development order or permit because of a subsequent facility capacity deficiency, unless the proposed development would cause unhealthy or unsafe conditions, or unless the proposed development was issued a development order or permit under erroneous information supplied by the proposed developer, or unless the proposed developer fails to meet the conditions of approval of the development order or permit once construction has begun. In this latter situation, certificates of occupancy may also be denied.

The City shall establish expiration dates for development orders, development permits, and for the reserved capacity of public facilities allocated to specific development orders or permits as required by concurrency.

Level of Service shall be based upon existing facilities or improvements or expansions if the improvements or expansions are funded within the first three years of the Capital Improvements Plan of the Capital Improvements Element.

SECTION II**MONITORING AND EVALUATION**

The City of Davenport will monitor and evaluate its Comprehensive Plan through an Evaluation and Appraisal Report. The preparation of the report shall be consistent with the procedures outlined in Rule 9J-5.005(7), Florida Administrative Code, and Chapter 163.3191, Florida Statutes.

As required by state regulations, an Evaluation and Appraisal Report shall be prepared. The Davenport City Commission, as the designated Local Planning Agency, shall orchestrate Comprehensive Plan monitoring.

Adoption of the EAR shall not constitute an amendment to the Comprehensive Plan, rather, recommended amendments or updates to individual elements will be developed and adopted by separate action. The EAR shall be transmitted to the state land planning agency with proposed amendments to the plan when such amendments are transmitted pursuant to Chapter 163.3184, F.S.

SECTION III

PUBLIC PARTICIPATION PROCEDURES FOR DEVELOPMENT OF A LOCAL COMPREHENSIVE PLAN

LEGAL REQUIREMENTS

Chapter 163.3181, Florida Statutes, as amended, and Chapter 9J-5, Florida Administrative Code, require the local governing body and local planning agency to adopt procedures to provide for and encourage public participation in the comprehensive planning process. These procedures must include:

1. Provisions to notify real property owners of official actions that will affect the use of their property;
2. Provisions to keep the general public informed throughout the planning process;
3. Provisions to assure that the public has opportunities to provide written comments;
4. Provisions to assure that required public hearings are held; and
5. Provisions to assure the consideration of and response to public comments.

AGENCIES AND THEIR ROLES

Two agencies are responsible for producing a local comprehensive plan. Their respective roles can be summarized as follows.

LOCAL GOVERNING BODY

The Davenport City Commission has the legislative responsibility for the adoption of the Comprehensive Plan. The general duties and responsibilities of the local governing body as they relate to the comprehensive planning program are:

1. To adopt and amend the Comprehensive Plan;
2. To conduct a minimum of two (2) public hearings prior to the adoption or amendment of the Comprehensive Plan; or any element of the plan;
3. To appropriate funds for salaries, fees, and expenses necessary to produce the Comprehensive Plan;

4. To approve and submit the approved Evaluation and Appraisal Report to the Florida Department of Community Affairs as required by Chapter 163.3191, Florida Statutes; and
5. To adopt Land Development Regulations, Land Development Codes, and amendments thereto that are consistent with the adopted Comprehensive Plan.

LOCAL PLANNING AGENCY

The Local Planning Agency is a group established by ordinance by the local governing body. It has the advisory responsibility to review and make any recommendations to the City Commission, which are required or deemed necessary for the conduct of the City's comprehensive planning program. The general duties and responsibilities of the Local Planning Agency are:

1. To prepare the Comprehensive Plan and make recommendations to the local governing body regarding the adoption or amendment to the plan;
2. To conduct a public hearing prior to the recommendation of the local governing body for the adoption or amendment of the Comprehensive Plan or any element of the plan;
3. To monitor and oversee the effectiveness and status of the Comprehensive Plan and make recommendations to the local governing body for any changes to the plan which may be required;
4. To evaluate and appraise the comprehensive plan and prepare reports as required by Chapter 163.3191, Florida Statutes;
5. To review amendments to the Land Development Regulations, which implement the Comprehensive Plan and make recommendations to the local governing body as to the consistency of the proposal with the adopted Comprehensive Plan; and
6. To perform any other functions, duties and responsibilities assigned by the local governing body.

PUBLIC PARTICIPATION PROCEDURE

To ensure that the public has adequate opportunities to participate in the comprehensive planning process, the following procedures have been adopted.

1. The Local Planning Agency will hold public workshops or meetings to solicit the views, opinions, ideas, and concerns of the public in relation to the Comprehensive Plan.

2. The Local Planning Agency will hold a minimum of one (1) public hearing for the purpose of receiving public comments prior to recommending the adoption of the Comprehensive Plan or any element or portion thereof.
3. The Local Governing Body will hold a minimum of two (2) public hearings prior to the adoption of the Comprehensive Plan or element or portion thereof.
4. As they are scheduled, public workshops, meetings, and hearings will be advertised in a local newspaper of general circulation, and be posted at city hall. Notices will include the date, time, place, and purpose of the meeting, workshop or hearing.
5. The public may submit written comments about the Comprehensive Plan or element or portion thereof to the chairman of the Local Planning Agency c/o City Hall. All verbal and written comments will be recorded and duly considered prior to the adoption of the Comprehensive Plan or element or portion thereof.
6. As they become available, summaries of Comprehensive Plan documents will be available for public inspection at the office of the city clerk during normal business hours.