

University of Florida Internal Operating Memorandum

Number: 06-13

Date: March 31, 2006 (Supercedes No. 03-6 dated March 28, 2003)

Subject: Submittal, Review, Adoption and Public Hearing Process of Campus Master Plans and Campus Master Plan Amendments

Authority: Florida Board of Governor's January 7, 2003 resolution
Section 1013.30, F.S., Chapter 6C-21, F.A.C.

I. Submission of Campus Master Plans

The University of Florida shall submit to the Board of Trustees a proposed campus master. Prior to submission to the Board of Trustees, the proposed campus master plan and support materials are to be reviewed by the University Land Use and Facilities Planning Committee. Upon recommendation from the Land Use and Facilities Planning Committee, the proposed campus master plan and support materials are to be submitted to the Vice President for Finance and Administration or designee for review and transmittal to the Board of Trustees. The university shall submit a transmittal letter from the University President or designee that specifies:

- (a) name, title, address, and telephone number of the university contact person who is familiar with the proposed plan;
- (b) any optional elements that are included in the plan;
- (c) the university location where the proposed campus master plan will be made available for public inspection during university business hours, (8:00 a.m. - 5:00 p.m. Monday thru Friday);
- (d) the proposed campus master plan, including all items specified in Subsection 1013.30(3), F.S., and in Chapter 6C-21, F.A.C.;
- (e) support documents used in preparing the plan or summaries of such support documents if not proposed to be adopted as part of the campus master plan; and
- (f) a statement identifying any schedules, maps, data or analyses, or other support documents required by Chapter 6C-21, Part II, F.A.C., but not submitted and the justification for each omission (i.e., data not available, requirement not applicable, etc.).

II. Master Plan Amendments

The university shall determine whether to submit proposed amendments to adopted campus master plans and support materials to the Board of Trustees based upon the extensiveness of the amendments. Prior to submittal to the Board of Trustees, all master plan amendments shall be reviewed by the University Land Use and Facilities Planning Committee and recommended to the

Vice President for Finance and Administration.

A campus master plan amendment that meets the criteria established in Subsection 1013.30(9)(a)(b)(c), F.S., shall be considered a **Major Amendment**. A major amendment to an adopted campus master plan may only be made one time during any calendar year and is subject to the agency review and public hearing provisions herein and in Florida Statute. A major amendment to the adopted campus master plan shall be adopted by the Board of Trustees. The statutory criteria to define a major amendment are as follows:

- i. Increase the density or intensity of use of land on the campus by more than 10 percent;
- ii. Decrease the amount of natural areas, open space, or buffers on the campus by more than 10 percent;
- iii. Rearrange land uses in a manner that will increase the impact of any proposed campus development by more than 10 percent on a road or on another public facility or service provided or maintained by the state, the county, the host local government, or any affected local government.

A campus master plan amendment that does *not* meet the criteria established in Subsection 1013.30(9)(a)(b)(c), F.S., shall be considered a **Minor Amendment**. A minor amendment that, together with previously adopted minor amendments, creates cumulative impacts consistent with the statutory criteria in Subsection 1013.30(9)(a)(b)(c) F.S., over the course of the effective period for the adopted campus master plan shall be subject to the requirements of a major amendment. A minor amendment to an adopted campus master plan may be made no more than quarterly and is preferable to be made semi-annually or annually. A minor amendment is not subject to agency review or public hearing provisions, however, a courtesy review shall be provided to the local governments that are party to the university's campus development agreement. This courtesy review may be provided through the review process of the University Land Use and Facilities Planning Committee, on which those agencies have representation. A minor amendment may be adopted by the Board of Trustees at the discretion of the University President, or may be accepted by the University President independently. Minor amendments not formally presented for adoption by the Board of Trustees may be presented as information to the Board of Trustees' Facilities Committee.

Corrections, updates or modifications to the adopted Capital Improvements Element concerning costs, revenue sources, acceptance of facilities or facility construction dates consistent with the adopted plan, and corrections, updates, or modifications of current costs in other plan elements shall not be considered to be plan amendments, and are not subject to these provisions. However, updated status of projects in the Capital Improvement Element should be included as information in any amendment package.

III. Public Involvement in Proposed Campus Master Plans and Major Amendments

The final draft campus master plan/major amendments shall be presented to the Board of Trustees and its Facilities Committee for review, comment and approval to transmit to other reviewing agencies.

Once the Board of Trustees has reviewed the campus master plan/major amendment and before it is adopted, the proposed campus master plan/major amendment and support materials must be sent for review to the City of Gainesville, Alachua County, Florida Department of Community Affairs, Florida Department of Environmental Protection, Florida Fish and Wildlife Conservation Commission, St. Johns Water Management District, Suwannee Water Management District, North Central Florida Regional Planning Council and the host or affected local governments for any satellite properties contained in the plan. The commencement of this review period must be advertised in newspapers of general circulation within the host local government and any affected local government to allow for public comment.

The responsibilities of the reviewing agencies and governments identified above and in statute include but are not limited to the following:

- (a) The review by state agencies and water management districts related to the statutory responsibilities of the agencies and comments regarding those areas required to be addressed in the campus master plan by Subsection 1013.30(3), F.S.
- (b) The review by the appropriate regional planning council in the context of the relationship and effect of the campus master plan on the adopted strategic regional policy plan, and comments of any other regional agencies to which the regional planning council may have referred the plan, in accordance with Subsection 163.3184(5), F.S.
- (c) The review by the appropriate host and affected local governments in the context of the relationships and impacts of the campus master plan on the local government's adopted comprehensive plan including the requirements placed upon public services and facilities, and compatibility of adjacent land uses, in accordance with Subsection 163.3184 (5), F.S.

Any comments from the reviewing agencies and governments shall be sent in writing to the university's Office of the Vice President for Finance and Administration within ninety (90) calendar days after receipt of the proposed campus master plan. The Vice President for Finance and Administration shall be responsible for communicating to the Board of Trustees these comments and the university's response to them.

In addition to the public agency review process, a public participation process will be conducted to include an informal information session and two public hearings as set out herein. The information session and public hearings will constitute the formal public review process. However, the public and campus community will be engaged through informal workshops and forums from the start of the plan development process. The informal information session will not be the first opportunity for public input into the campus master plan. The informal information session is held before the first public hearing and the first public hearing is held before the draft master plan is sent to the public agencies for review. The second public hearing is held in conjunction with the adoption of the draft master plan by the University's board.

If no one objects to, or comments on, the plan during the ninety (90) day public review period, then the master plan/major amendment shall be proceed to the Board of Trustees for final adoption. If there are objections to, or comments about, the plan during the ninety (90) day public review period, then the Office of the Vice President for Finance and Administration shall schedule

meetings and discussions with the university planner and representatives of reviewing agencies and governments as necessary to consider appropriate revisions to the campus master plan and agreed upon revisions to the proposed campus master plan/major amendments shall be made by the university. The university shall advertise and conduct the second public hearing consistent with the requirements of Subsection 163.3184(15), F.S. at such time as will permit objections and comments received by the University to be discussed and considered.

IV. Public Hearings for Proposed Campus Master Plans and Major Amendments

A. **Applicability.** The following requirements shall apply to proposed campus master plans and major amendments to an adopted campus master plan as defined herein.

B. **Authorization.** The Office of the Vice President for Finance and Administration shall submit the proposed campus master plan/major plan amendment to the university's General Counsel for review to determine consistency with Subsection 1013.30 (3) and (4), F.S. Upon determination by the General Counsel that the campus master plan/major amendments submittal package includes all the required elements and support materials, the General Counsel shall send a notice to the Vice President for Finance and Administration authorizing the university to advertise and conduct the first public hearing and to subsequently transmit the proposed campus master plan/major amendment for external agency and government review.

C. **Scheduling.** An informal information session and two public hearings shall be conducted to allow for review and comment on the proposed campus master plan/major amendment prior to final adoption. The first public hearing shall be scheduled to occur approximately five working days prior to transmittal of the proposed campus master plan/major amendment to the external review agencies identified in Subsection 1013.30(6), F.S. Advertisement for the first public hearing shall include the required notice announcing commencement of the 90-day agency review period per section (3) above.

The second public hearing shall be conducted within 45 days of the close of the 90-day public review period or at such time as the review agencies have reached agreement with the university to address necessary revisions, whichever is later.

The information session and public hearings shall be held within the host community of the main campus on a weekday, approximately 7 days after the first advertisement for the information session or each hearing is published. To ensure full public participation and comment, the information session and public hearings should be scheduled after normal business hours, to begin at approximately 7:00 P.M. The venue for the public hearing must be accessible for members of the public with disabilities.

D. **Advertising.** The two public hearings shall be advertised in a newspaper of general paid circulation in the county and of general interest and readership in the community pursuant to Chapter 50, F.S. not one of limited subject matter. The required advertisements shall be no less than 2 columns wide by 10 inches long in a standard size

or a tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. It is the legislative intent that, whenever possible, the advertisement shall appear in a newspaper that is published at least 5 days a week unless the only newspaper in the community is published less than 5 days a week. The advertisement shall be in substantially the following form and include an agenda:

NOTICE OF CAMPUS MASTER PLAN ADOPTION

The University of Florida proposes to adopt/amend a campus master plan to govern the use of land within the area shown on the map in this advertisement for the years _____ (begin year — end year).

A public hearing on the campus master plan/ plan amendment will be held on _____ (date and time) at _____ (meeting place). Interested parties are invited to appear at the public hearing and be heard regarding the proposed campus master plan/plan amendment. Interested parties who cannot attend this hearing are invited to submit written comments to (name and address of university planner).

A copy of the proposed campus master plan/plan amendment is available for inspection at _____ (physical address) during the normal business hours of _____ (time and days of week) or online at _____ (internet URL address).

Within five working days following the public hearing, the proposed campus master plan/plan amendment shall be transmitted to those external review agencies identified in

Subsection 1013.30(6), F.S. These agencies shall have 90 days after receipt of the proposed campus master plan/plan amendment in which to conduct their review and provide comments to the University of Florida Board of Trustees.

Any person requiring reasonable accommodation in order to attend and participate in this public hearing should contact the university's ADA Office at (telephone number and TDD number of the university's ADA Coordinator) by _____ (date two days prior to the public hearing date).

E. Format. At the beginning of the public hearing, the university shall provide an agenda and sign-in sheet in order to record the name and contact information attendees. Members of the public who wish to speak at the public hearing will be provided a speaker card on which to record their address for the purpose of facilitating future notice requirements. The speaker cards should be collected prior to the beginning of the public comment period. The university representative serving to moderate the public hearing may limit public comment to a period of a minimum of 3 minutes if necessitated by a large

number of people wishing to speak. Speakers whose comments echo previous comments should be encouraged to state for the record the nature of their concerns and that their concerns are similar to those of previous speakers. Further, those persons with written comments should be encouraged to state for the record that they have written comments, and then submit the written comments as part of the official record of this proceeding.

The public hearings should begin with a brief discussion of the following:

- (a) restatement of the purpose of the public hearing;
- (b) introduction of speakers and participants;
- (c) summary of statutory requirements for the campus master plan;
- (d) summary of the campus master planning process including the proceedings of the first public hearing if applicable;
- (e) announcement of the commencement and duration of the period for agency and public comments;
- (f) announcement of the remainder of the campus master planning process including, if applicable, the intent to conduct a second public hearing after receipt of agency and public comments, but prior to adoption of the plan or plan amendment; and
- (g) location where the plan or plan amendment is available for public inspection during normal business hours.

The university should then summarize the proposed campus master plan or plan amendment. This summary should address the following:

- (a) projected enrollment increases during the planning period;
- (b) need for academic and support facilities;
- (c) anticipated changes in land uses;
- (d) planned on-campus development and construction projects;
- (e) projected impacts on local public facilities, services and natural resources;
- (f) mitigation of off-campus impacts on public facilities, services and natural resources; and
- (g) modifications made to the campus master plan based upon previous public or agency comment if applicable.

V. Adoption of Campus Master Plans and Plan Amendments

At the Board of Trustees meeting, the university president or designee should be prepared to present a brief summary of the revised master plan/plan amendment. Minor plan amendments may be presented to the Board of Trustees for adoption at the discretion of the University President. This summary should include, but not be limited to:

- (a) significant land use changes and campus development proposed during the planning period;
- (b) the schedule of and source of funds for capital improvements proposed during the planning period;
- (c) an assessment of projected on-site and off-site impacts of proposed campus development during the planning period and proposed measures to mitigate those impacts;

- (d) assurances that the university has complied with all of the statutory prerequisites for plan adoption.

Adoption of the campus master plan shall be by action of the Board of Trustees.

VI. Notice of Affected Persons for Campus Master Plans and Major Amendments

Within forty-five (45) days after the date the campus master plan/major amendment is adopted by the Board of Trustees, the Office of the Vice President for Finance and Administration shall effect notification to all affected persons that the plan was adopted, and identify a location where the plan may be obtained or inspected. An affected person is a host local government; an affected local government; any state, regional or federal agency; or a person who resides, owns property, or owns or operates a business within the boundaries of a host local government or affected local government as provided in Subsection 1013.30(1)(c), Florida Statute. In order to qualify under this definition, each person, other than a host or affected local government, must have submitted oral or written comments, recommendations, or objections to the University during the period of time beginning with the advertisement of the first public hearing and ending with the adoption of the campus master plan or plan amendment. If the plan or plan amendment is amended at the adoption hearing, this time period will be extended by 7 calendar days. However, any comments, recommendations, or objections filed during the extension will be limited to any amendments adopted at the adoption hearing.

Attachment 1

CONTACT PERSONS FOR LOCAL, REGIONAL AND STATE AGENCIES, HOST AND AFFECTED

LOCAL GOVERNMENTS

(Host local government) (Affected local government)

Main Campus

Mayor
City of Gainesville
Post Office Box 490-19
Gainesville, Florida 32602-0490

Chairperson
Alachua County of Board of County Commissioners Post Office
Box 2877
Gainesville, Florida 32602

Seahorse Key

Chairperson
Levy County Board of County Commissioners

Fort Lauderdale REC

Mayor
Town of Davie
6591 Southwest 45th Street
Davie, Florida 33314

Chairman
Broward County Board of County Commissioners
115 South Andrews Avenue
Ft. Lauderdale, Florida 33301

Mid-Florida REC

Mayor
City of Apopka

Chairperson
Orange County Board of County Commissioners

REGIONAL PLANNING COUNCILS Executive
Director
North Central Florida Regional
Planning Council
2009 Northwest 67 Place
Gainesville, Florida 32653

WATER MANAGEMENT DISTRICTS Executive
Director
St. Johns River Water Management District Post
Office Box 1429
Palatka, Florida 32178-1429

Executive Director
Suwannee River Water Management District 9225 CR 49
Live Oak, Florida 32060

STATE AGENCIES

Chief, Bureau of Local Planning Department of
Community Affairs 2555 Shumard Oak
Boulevard Tallahassee, Florida 32399-2100

Director, Office of Environmental Services Fish and Wildlife
Conservation Commission 620 South Meridian Street, Room
325 Tallahassee, Florida 32399-1600

Chief, Bureau of Environmental Services Department of
Environmental Protection 3900 Commonwealth
Boulevard Tallahassee, Florida 32399

Senior Cabinet Aide
Department of State
The Capitol
Tallahassee, Florida 32399-0250

Director, Office of Policy Planning Florida
Department of Transportation

605 Suwanee Street, Mail Station #28 Tallahassee,
Florida 32399-0450 History: New 3-28-2003

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