Impact of CPA 2011 on Local Comprehensive Plans
October 18, 2012

Charles Pattison, FAICP
President
1000 Friends of Florida
Local decision making is where the action is

- Narrower state review authority means less scrutiny and ORC benefit
- Fairly debatable standard on expedited review means fewer successful citizen challenges – when expedited review was a pilot program the legal standard was “preponderance of the evidence”
- More flexibility but less certainty (agency comments, urban sprawl, internal issues)
Local Decision Making (2)

- Energy Efficiency/Greenhouse gas reduction eliminated as a state issue
- Need and financial feasibility tests gone
- Loss of RLSA administrative rule and subsequent statutory changes put locals at the forefront rather than the state land planning agency
- Sector plan allowance outside the planning timeframes has implications for all aspects of the comprehensive plan
- Not a consideration yet but unlimited plan amendments will make cumulative and comprehensive plan considerations much more difficult
Local Decision Making (3)

- Lowered expectations overall/less rigor
- 3rd parties tougher burden
- FLUE has a minimum consideration of mid-range BEBR instead of Need, public facilities and environmental considerations
- Will talk water separately
- Balancing economic development with land use protections and “real estate markets”
- Financial feasibility and CIE tie is broken