

### **III. CAPITAL IMPROVEMENTS IMPLEMENTATION**

#### **A. FIVE-YEAR SCHEDULE OF IMPROVEMENTS**

The Five-Year Schedule of Improvements is an implementation tool to guide the timing, location, projected cost, and revenue sources for the capital improvements necessary to further the goals, objectives and policies of the Comprehensive Plan. The Five-Year Schedule of Improvements, Table 1, reflects the need to eliminate deficiencies, plan for future needs and replace obsolete or worn-out facilities.

#### **B. MONITORING AND EVALUATION**

Capital improvements programming is a continuous process, and requires a regular on-going involvement by citizens, staff, and the Town Commission. Some of the factors that require regular monitoring and evaluation include: fluctuating revenue streams, modifications to Town-owned facilities, cost estimate increases, financial markets and interest rates, and public perceptions of taxation and expenditures. The Capital Improvements Element should be reviewed on an annual basis.

The capital improvements planning process must be organized to establish a sound basis in both community and fiscal planning. Annual review of the Capital Improvements Element (CIE) will be coupled with annual adoption of a capital improvements program and a capital improvement budget. The emphasis in this process should be on establishing the necessity of projects being programmed. In return for confirmation of the necessity of a project, fiscal planning will identify a reliable source of funding.

In addition, capacity and service demands of public facilities needed to serve new development will be monitored and evaluated on a continuous basis. This evaluation program is an integral part of the Town's Concurrency Management System which is implemented in accordance with Chapter 163.3180, Florida Statutes (FS) and Rule 9J-.0055, Florida Administrative Code.

The annual review will be the responsibility of the Planning, Zoning and Building Department, with involvement of the Finance Director and department heads. The proposed amendments will be considered by the Planning and Zoning Board and the Town Commission prior to transmittal to DCA. CIE Objective 1.6 and Policy 1.6.1 memorializes the requirement to update the CIE annually, pursuant to Chapter 163.3177(b)1, FS. The objective and policy must be transmitted no later than December 1, 2007. Failure to comply with the statutory requirement results in a prohibition to change the future land use plan unless the CIE is updated.

The review process will include an analysis of the following factors:

1. Updates, corrections, and revisions to costs, revenues, target dates, and locations.
2. Consistency with the other elements of the Comprehensive Plan.
3. Actions of other agencies such as the Florida Department of Transportation.
4. The continued validity of priority assignments.
5. Projects completed or progress toward completion.
6. The level of service being achieved.

7. The debt capacity of the Town.
8. Grants or private donations received or being considered.
9. Account balances and reserves.
10. Emerging facility or land needs for the latter portion of the planning period.
11. Recommendations for implementing the 5-year program in Year One.
12. Public perceptions of the process, the necessity of projects in the 5-year program, and willingness to support capital improvements at the level planned.
13. The financial feasibility of the Comprehensive Plan.

## IV. INTERGOVERNMENTAL COORDINATION PROCESS

### A. INVENTORY OF COORDINATING ENTITIES

In order to effectively implement federal, regional, state, and local planning policies, it is necessary to identify all the agencies with which the Town of Longboat Key must coordinate. Additionally, it is necessary to describe existing coordination mechanisms and their effectiveness, thereby evaluating needs for additional coordination. The following is an inventory of the various governments and agencies that provide service or have jurisdiction over the Town of Longboat Key. Tables 1 through 3 have been provided to depict the existing coordination between the Town and the various governmental agencies.

#### 1. Federal Government

The federal agencies with which the Town of Longboat Key has ties are the U.S. Coast Guard (USCG), the U.S. Army Corps of Engineers (COE), the Environmental Protection Agency (EPA), the Department of the Interior, and the Department of Homeland Security (see Table 1).

The Town of Longboat Key's planning processes are primarily affected by federal legislation relating to barrier islands, particularly regarding potential sources of funding for infrastructure and beach renourishment. Therefore, interaction with the various federal agencies, such as COE and EPA, generally concerns the availability of federal funds and the permitting process.

Other federal involvement includes coordination with the Department of Interior, Fish and Wildlife Service, which is responsible for covering migratory birds and endangered species. The Town of Longboat Key works with this agency to identify and protect endangered species on the island. The Town also works closely with the USCG regarding the scheduling of drawbridge openings on the Intracoastal Waterway.

The National Weather Service, the branch of the Department of Homeland Security charged with monitoring weather conditions, has established direct contact with the Town of Longboat Key through the National Weather and Emergency Line to assist the Town during severe weather emergencies.

**TABLE 1**  
**INTERGOVERNMENTAL COORDINATION: FEDERAL AGENCIES**

<b>Coordinating Entities</b>	<b>Existing Coordination</b>	<b>Subject</b>	<b>Office with Primary Responsibility</b>	<b>Nature of Relationship/ Effectiveness</b>
Department of Homeland Security	National Weather and Emergency Line (Joint Planning and Work Groups through Disaster Preparedness Committees)	Emergency Planning (National Weather Service)	Police Department	In severe weather only/ Effective
Department of Interior	Legislative Authority	Environmental (Fish and Wildlife)	Public Works Department	Jurisdictional/Effective
EPA	Legislative Authority	Environmental Protection	Public Works Department	Jurisdictional/Effective
Federal Emergency Management Agency (FEMA)	Legislative Authority	Disaster Response and Relief	Public Works Department	Jurisdictional/Effective
National Flood Insurance Program (NFIP)	Legislative Authority	Flood Insurance, Construction Compliance and Mitigation	Public Works/Planning, Zoning & Building Departments	Jurisdictional/Effective
U.S. Army Corps Of Engineers	Legislative Authority	Navigable Waterways; Permit Construction; Dredge and Fill in Waterways	Public Works Department	Jurisdictional/Effective
U.S. Coast Guard	Legislative Authority	Search and Rescue; Federal Law Enforcement (draw/bridge scheduling)	Police Department	Jurisdictional/Effective

**TABLE 1 (Continued)  
INTERGOVERNMENTAL COORDINATION: STATE AGENCIES**

<b>Coordinating Entities</b>	<b>Existing Coordination</b>	<b>Subject</b>	<b>Office with Primary Responsibility</b>	<b>Nature of Relationship/ Effectiveness</b>
DCA	Bureau of Local Resource Planning	Growth Management	Planning, Zoning & Building Departments	Advisory/Effective
DHR	Legislative Authority	Protection of Historic and Archaeological Resources	Planning, Zoning & Building Department	Advisory/Effective
FDEP	Legislative Authority	Environmental Protection; Permitting; Dredge and Fill	Public Works/Planning, Zoning & Building Departments	Jurisdictional/Effective
		Protection of Natural Resources (coastal construction setback line)	Public Works/Planning, Zoning & Building Departments	Jurisdictional/Effective
FDOT	Representation on the MPO	Protect natural resources of the State of Florida, particularly the marine environment	Police Department	Jurisdictional/Respond on request; Marine Patrol has insufficient resources for routine patrol
FFWC	Legislative Authority	Transportation	Public Works/Planning, Zoning & Building Departments	Jurisdictional/Effective
HRS (Juvenile Justice)	Juvenile Services through HRS, Law Enforcement	Protection of Fish and Wildlife Resources	Public Works/Police Departments	Jurisdictional/Effective
SWFWMD	Legislative Authority	Juvenile Detention/Protective Services	Police Department	Juvenile Services/Effective
		Stormwater, Protection of Natural Resources	Public Works Department	Jurisdictional/Effective

Source: RS&H, 1988  
Town of Longboat Key updated May 1995 and 2007

## 2. State of Florida

The state agencies with which the Town of Longboat Key coordinates are the Department of Environmental Protection (DEP), Department of Community Affairs (DCA), Department of State, Division of Historical Resources (DHR), Florida Department of Transportation (FDOT), the Florida Fish and Wildlife Commission (FFWC); and the Florida Department of Health and Rehabilitative Services (HRS) (see Table 1).

Dredge and fill permit applications are submitted to the DEP, which is considered the major regulatory agency for the state's environment, with responsibilities for air, water, and land protection. DEP then submits the application to the appropriate agencies, including COE, for review.

DEP is also the conservation agency in charge of protecting state lands, regulates submerged sovereign lands, coastal construction, beach erosion, and marine fisheries and patrol. DEP has jurisdiction over the "coastal construction setback line". Permits are submitted to the Bureau of Beaches and Shore for any coastal construction activity. In addition, the Marine Patrol, the law-enforcement branch of DEP, is charged with protecting the natural resources of the state, as well as policing the surrounding waterways for polluters and enforcing motorboat laws.

The Town of Longboat Key Police Department works with the Department of Health and Rehabilitative Services, Division of Children, Youth, and Family Services, concerning juvenile detention and protective services as needed.

The DHR is responsible for protecting the historic, archaeological, and architectural resources of the State of Florida. The division also provides technical assistance and grants with regard to inventorying cultural resources and establishing historic districts. DHR and the Town of Longboat Key are commenting agencies on federal or state aid applications, including Community Development Block Grants, 201 Wastewater Treatment Plants, Land and Water Conversation Fund Grants, and Federal Aviation Administration and FDOT funded projects. DHR and the Town also comment on COE and DEP permit applications within or adjacent to the Town.

The Town coordinates with FFWC, the agency constitutionally charged with managing, regulating, and protecting wildlife and freshwater fish, to identify and protect rare and endangered vegetative communities on the key.

The Town works closely with FDOT concerning traffic circulation planning. The Town contracted with FDOT for the Town's Public Works Department to maintain SR 789's right-of-way. The Town of Longboat Key Planning, Zoning and Building Department currently coordinates traffic circulation planning with the FDOT 5-year transportation plan and the Sarasota-Manatee Metropolitan Planning Organization (MPO) Long Range Plan.

The Town of Longboat Key submits its Comprehensive Plan as prepared under the Local Government Comprehensive Planning and Land Development Regulation Act of 1985 to DCA and statutorily required agencies for review.

### 3. Regional

Table 2 identifies the existing coordination between the Town of Longboat Key and the various regional agencies. The following more fully addresses that coordination.

#### a. Regional Planning Councils

Municipal governments are not mandated to participate in or become members of a regional planning council. However, each county is a member of the regional planning council created within the comprehensive planning district encompassing that county. Since the Town of Longboat Key is uniquely situated within the boundaries of two counties, Manatee and Sarasota, it falls within the jurisdictions of two regional planning councils, Tampa Bay Regional Planning Council (TBRPC) and Southwest Florida Regional Planning Council (SWFRPC) (see Figure 1). Town members have attended meetings and monitored the actions of both councils. In addition, the Town has received technical assistance and advice on planning-related matters from both planning councils.

The Florida Regional Planning Council Act, passed in 1980 and subsequently amended, requires that each regional planning council prepare and adopt a Strategic Regional Policy Plan (SRPP). The Act also requires that once the SRPP is adopted it must be utilized by the regional planning council as “the basis for review of developments of regional impact, regional review of federally assisted projects, and other regional overview and comment functions.” Local governments are required to review the goals and policies of the State Comprehensive Plan and appropriate regional policy plans. A major concern in preparing the Town of Longboat Key’s Comprehensive Plan has been the issue of consistency with two regional policy plans. The Town of Longboat Key is the only municipality in the state to fall under the jurisdiction of two regional planning councils and thereby be subject to two regional policy plans.

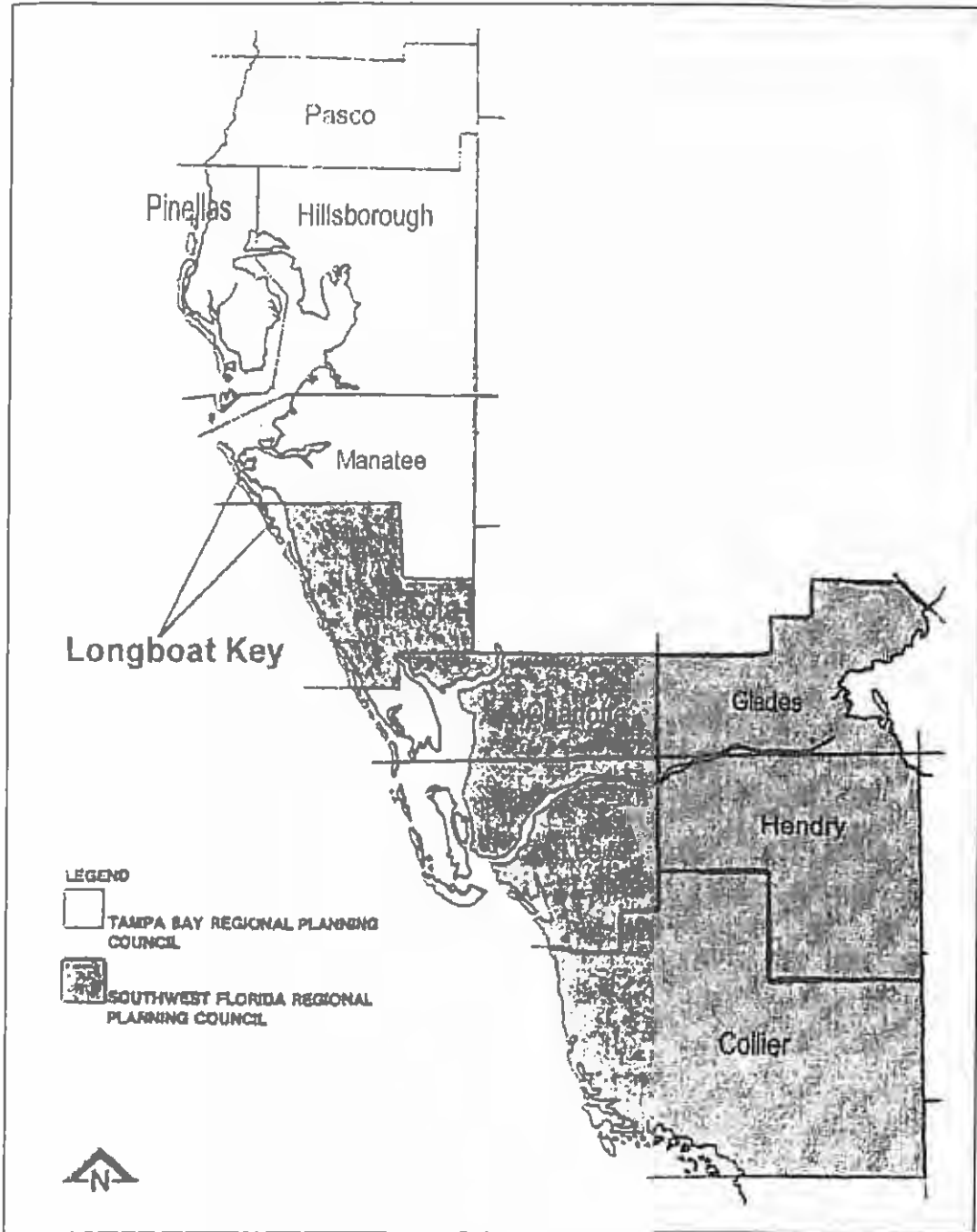
A local plan is considered consistent with the regional comprehensive policy plan if it is compatible with and furthers the regional comprehensive policy plan. Compatibility will be determined through the inclusion of related goals. The local plan furthers the regional comprehensive policy plan if it takes action to realize the goals identified in the regional comprehensive policy plan. In order to be consistent with the regional comprehensive plans of both planning councils, Longboat Key’s Comprehensive Plan must further and implement the goals and policies of the regional plans of the two involved regional planning councils.

**TABLE 2  
INTERGOVERNMENTAL COORDINATION: REGIONAL AND METROPOLITAN**

Coordinating Entities	Existing Coordination	Subject	Office with Primary Responsibility	Nature of Relationship
<b>REGIONAL</b>				
SWFRPC	Technical Advisory Committee meetings/ Informal discussions	Planning-related regional issues	Public Works/Planning, Zoning & Building Departments	Consultants to local governments/Underutilized
TBRPC	Limited communication/ Informal discussions	Planning-related regional issues	Public Works/Planning, Zoning & Building Departments	Consultants to local governments/Underutilized
SWFWMD	Manasota Basin Board, Community and Legislative Affairs Department, Sarasota Regulation Department	Water resources		Water regulations for the region/Effective
PRMRWA	Committees to identify water-related issues	Water supply	Public Works	Regional water authority/Effective
WCIND	Special Taxing District	Navigable Inland Waterway	Public Works/Planning, Zoning & Building Departments	Agent for submission of local grant applications for funding the region
<b>METROPOLITAN</b>				
SBEP	Membership	Sarasota Bay management	Public Works/Planning, Zoning & Building Departments	Management Board and Technical Advisory Committee for bay management
Manatee County Health Department		Water and Wastewater (safety regulations)	Public Works Department	Jurisdictional/Effective
MPO	Membership	Transportation Planning	Public Works/Planning, Zoning & Building Departments	Technical Advisory Committee



**FIGURE 1: REGIONAL PLANNING COUNCIL BOUNDARIES**



Every effort was made to prepare the Town of Longboat Key's Comprehensive Plan in compliance with the policy plans of the two involved regional planning councils, Southwest Florida Regional Planning Council (SWFRPC) and Tampa Bay Regional Planning Council (TBRPC). However, priorities, as well as goals and policies, differ from region to region, creating significant problems in coordination and implementation for Longboat Key's Comprehensive Plan.

A closer alliance currently exists with SWFRPC because of the joint effort between Longboat Key and SWFRPC to address the issues surrounding Sarasota Bay, a priority issue to Longboat Key residents.

Town staff will continue to participate in public forum with both regional planning councils and will strive to identify those issues relevant to Longboat Key. It is the Town's intent to continually promote formal and informal agreements with various governmental factions associated with both regional planning councils.

b. Southwest Florida Water Management District (SWFWMD)

SWFWMD is a regional agency assigned the tasks of water use regulation, stormwater management, and wetlands protection and mitigation for all or part of 16 counties from Levy to Charlotte, including the counties of Manatee and Sarasota. This regional area is subdivided into nine basin boards. The Manasota Basin Board is the governing board of the Town of Longboat Key. The Board provides funding for projects that further the goals of the water management district, through the Cooperative Funding Initiative. In addition, SWFWMD is the Community Affairs Coordinator in the Sarasota Service Office.

The mission of SWFWMD involves the management and conservation of surface and groundwater resources within the District. Major regulatory programs include well construction, water use permitting, and environmental resources permitting, including stormwater management and wetlands. In addition, SWFWMD also monitors hydrologic conditions around the District and implements a water shortage plan when shortages occur.

Another key program is the District's Quality of Water Improvements Program, which coordinates plugging of abandoned wells. In addition, SWFWMD encourages water conservation through educational programs, demonstration projects, and water conservation documents.

SWFWMD has begun its implementation of the Surface Water Improvement and Management (SWIM) Act. Legislation requires that the District develop plans to clean up Tampa Bay and prioritize other bays, lakes, and rivers in its 16-county area in need of restoration and preservation. The Town of Longboat Key, working through Sarasota and Manatee counties, has requested consideration for inclusion of Sarasota Bay on the District's priority list.

c. Peace River/Manasota Regional Water Supply Authority

The Peace River/Manasota Regional Supply Water Authority (PRMRWSA) was created for the purpose of developing, recovering, storing, and supplying water for county or municipal purposes in such a manner as will give priority to reducing adverse environmental effects of excessive or improper withdrawals of water from concentrated areas. The PRMRWSA service area includes the counties of Charlotte, DeSoto, Manatee, and Sarasota. The Town of Longboat Key works with PRMRWSA to identify and address issues of the region to ensure a dependable and adequate water supply. For instance, the Town participated in the study for Emergency Interconnects for the region and is in the process of implementing an emergency interconnect with the City of Sarasota. The Water Alliance is a component of the PRMRWSA and is a voluntary planning body formed to work collectively on water issues facing the region. The PRMRWSA and Water Alliance represents opportunities for cooperation among local governments in addressing future water supply needs and issues.

d. West Coast Inland Navigation District (WCIND)

The coastal counties in which the inland waterway is located, Sarasota, Manatee, Charlotte, and Lee, comprise the WCIND, a special taxing district. The prime function of the District is the assurance of a continued navigable waterway. WCIND acts as an agent for the submission of local grant applications to state and federal agencies for the dredging of inlets and passes and the utilization of spoil material for beach restoration. The Town of Longboat Key participates with Manatee and Sarasota counties through WCIND to obtain funding for inland waterway projects.

4. Metropolitan

Table 2 identifies the existing coordination between the Town of Longboat Key and the various metropolitan agencies. The following more fully addresses that coordination.

a. Sarasota-Manatee Metropolitan Planning Organization (MPO)

In order to qualify for federal transportation funds in the urban area, an ongoing transportation study must be conducted. The Metropolitan Planning Organization (MPO) currently directs an ongoing federally-assisted transportation planning process study in Longboat Key. The study is directed by the MPO, which is comprised of elected officials from the counties of Sarasota and Manatee, the Island Transportation Planning Organization (ITPO) (comprised of the cities of Bradenton Beach, Holmes Beach, and Anna Maria) and the municipalities of Bradenton, Longboat Key, North Port, Palmetto, Sarasota, and Venice. In addition, the FDOT is also represented on the MPO by nonvoting members. Longboat Key is represented on the Technical Advisory Committee of the MPO.

Two annual documents, a Unified Planning Work Program (UPWP) and a 5-year Transportation Improvement Program (TIP), are produced by the study. The UPWP estimates costs, manhours, etc., and the TIP considers highway and bicycle improvement projects programmed for the following 5 years. The findings of the study impact the local member governments' transportation plan elements.

b. Sarasota Bay Estuary Program (SBEP)

The Sarasota Bay Estuary Program established seven goals to restore the water quality of Sarasota Bay. The goals were then translated through action plans using objectives and policies. The program stresses cooperation among agencies and citizens, and is guided by: policy; management; and, citizens advisory and technical advisory committees.

Longboat Key residents are members of the Policy Board, and Town staff provide agency input through the Technical Advisory Committee. The Town participated in several SBEP sponsored interagency projects, as identified in the Town's Conservation/Coastal Management Element. The Town will continue to coordinate with the SBEP and assist with implementation of the program's action plan.

5. Counties (Manatee and Sarasota)

The unique natural location of the island creates the Town of Longboat Key's dependence on county governments for needed services, as well as coordination with adjacent municipalities. The following describes the various services the Town receives from the two counties, Manatee and Sarasota. Table 3 identifies the existing coordination between the Town and the counties.

a. Library Services

The Town of Longboat Key has a self-supporting private library, which is not connected in any way with Town, county, or state government. Residents of Longboat Key can pay annual membership fees to use the facility. The Tinsley Library is the nearest branch public library located in Manatee County in Bradenton Beach. There is an additional Manatee County library on Anna Maria Island in Holmes Beach. Sarasota County's nearest library site is Selby Library, located in the City of Sarasota. A Sarasota County bookmobile stops regularly at Plymouth Harbor on Ringling Boulevard in Sarasota, which is closer to residents of Longboat Key than the main Sarasota library.

Residents of Longboat Key receives free library services in their respective county of residence. A noncounty resident can use the county library services for either a one-time visitor's fee or an annual fee.

**TABLE 3  
INTERGOVERNMENTAL COORDINATION: LOCAL GOVERNING BODIES**

Coordinating Entities	Existing Coordination	Subject	Office with Primary Responsibility	Nature of Relationship/ Effectiveness
<b>Manatee</b>		<b>COUNTY</b>		
	Interlocal Agreements	Sanitary Sewer; Potable Water; Solid Waste and Recyclables	Public Works Department	Effective
	Mutual Aid Agreement for Fire Protection and Ambulance Services	Emergency Services/Fire Protection	Fire Department	Effective
	Operational and Voluntary Cooperation Agreement	Police Protection	Police Department	Effective
	Working Agreement with Manatee County Law Enforcement Agencies and HRS	Child Protection Investigation	Police Department	Effective
	Mutual Aid Agreement	FDLE – coordinate planning, operations, mutual aid, dispatch, and use of law enforcement personnel and equipment	Police Department	Effective (until 07-31-2010)
	Agreement with W.C.I.N.D. Longboat Key re: Greer Island	Greer Island Dredging	Public Works Department	Effective
	Numerous Interlocal Agreements Regarding Taxes	Collection Disbursement of Non-Ad Valorem Taxes	Finance Department	Effective

**TABLE 3 (continued)**  
**INTERGOVERNMENTAL COORDINATION: LOCAL GOVERNING BODIES**

Coordinating Entities	Existing Coordination	Subject	Office with Primary Responsibility	Nature of Relationship/ Effectiveness
<b>Manatee (continued)</b>	Manasota Council of Planning Directors	Growth Management/Bay Management Practices	Planning, Zoning & Building Department	Staff level/Effective
<b>Sarasota</b>	Mutual Aid Agreement	Emergency Services/Fire Protection/EMS	Fire Department	Effective
	Municipal Uniform Assistance Program	Police Protection	Police Department	Effective
	Manasota Council of Planning Directors	Growth Management/Bay Management Practices	Planning, Zoning & Building Department	Staff Level/Effective
	Numerous Interlocal Agreements Regarding Taxes	Collection Disbursement of Non-Ad Valorem Taxes	Finance Department	Effective
	Mutual Aid Agreement	FDLE – coordinate planning, operations, mutual aid, dispatch, and use of law enforcement personnel and equipment	Police Department	Effective (until 07-31 -2010)
	Agreement	Disaster debris volume reduction and disposal	<u>Public Works Department</u>	Effective

**TABLE 3 (continued)  
INTERGOVERNMENTAL COORDINATION: LOCAL GOVERNING BODIES**

<b>Coordinating Entities</b>	<b>Existing Coordination</b>	<b>Subject</b>	<b>Office with Primary Responsibility</b>	<b>Nature of Relationship/ Effectiveness</b>
<b>Sarasota (continued)</b>	Disaster recovery assistance contract	Prestorm Activities	Emergency Debris Management Services	Effective
	NPDES Permit EPA/FDEP	Pollution Control	Public Works Department	Effective
<b>COUNTY</b>				
<b>City of Venice</b>	Mutual Aid Agreement	Fire Protection	Fire Department	Effective
	Mutual Aid Agreement	Fire Protection	Fire Department	Effective
<b>MUNICIPALITIES</b>				
<b>City of North Port</b>	Mutual Aid Agreement	Fire Protection	Fire Department	Effective
	Mutual Aid Agreement	Fire Protection	Fire Department	Effective

**TABLE 3 (continued)**  
**INTERGOVERNMENTAL COORDINATION: LOCAL GOVERNING BODIES**

Coordinating Entities	Existing Coordination	Subject	Office with Primary Responsibility	Nature of Relationship/ Effectiveness
		<b>MUNICIPALITIES (continued)</b>		
<b>City of Bradenton</b>	Mutual Aid Agreement	Fire Protection	Fire Department	Effective
<b>West Manatee Fire-Rescue District</b>	Mutual Aid Agreement	Fire Protection	Fire Department	Effective
<b>Cedar Hammock Fire-Rescue District</b>	Mutual Aid Agreement	Fire Protection	Fire Department	Effective
<b>Police Departments of Bradenton, Bradenton Beach, Holmes Beach, New College of Florida, Palmetto, Sarasota, and Sarasota/Manatee Airport</b>	Mutual Aid Agreement	FDLE – coordinate planning, operations, mutual aid, dispatch, and use of law enforcement personnel and equipment	Police	Effective

Source: RS&H, 1988. Longboat Key Update 1998 and 2007



b. Public Safety

On an emergency response basis, both counties provide police protection to their respective residents on Longboat Key. Mutual aid agreements exist between the Town and other local governments in both counties. Further, mutual agreements for police department services, both for crisis assistance and for special expertise are in effect with both counties and the municipalities within them.

Because of Longboat Key's unique position within two counties, its location in a hurricane-prone area, and the lack of direct bridges from the key to the mainland, emergency planning is critical. Both counties address Longboat Key in their Comprehensive Emergency Management Plan (CEMP). In the event of severe weather, each county will operate an Emergency Operations Center, manned by county personnel and representatives of the Town of Longboat Key. In addition, each county provides a series of shelters to be used in the event of necessary evacuation. Ongoing emergency planning is coordinated with each county. Sarasota County has an Evacuation Committee and Manatee County maintains a Disaster Preparedness Committee. The Town has full radio coverage with the Manatee County system (Maccorn) and limited radio coverage with the Sarasota County system (Motorola). The Town is represented on both committees by designated liaisons.

c. Sanitary Sewer and Potable Water

The Town of Longboat Key has an agreement with Manatee County to pump the Town's wastewater to the county to be treated by the Manatee County Utilities System (MCUS). In addition, Longboat Key is provided water from the MCUS. The Town purchases water from Manatee County at wholesale prices and sells it to its residents, including those residing in Sarasota County. The potable water service agreement is for a 30-year term and became effective on February 6, 2007, and expires on September 30, 2031.

d. Solid Waste

The Town of Longboat Key granted a franchise to Waste Management of Manatee County for removal of solid waste. The franchise agreement is for a 5-year period. The franchisee disposes of the solid waste at a Manatee County landfill, located on Lena Road. The expected remaining life of the landfill is 24 years.

e. Other County Services

Manatee and Sarasota counties administer the tax collection/assessment and election registration for Longboat Key townspeople residing in their respective counties. The City Road and Bridge Fund is also collected by each respective county for the Town of Longboat Key. The Town of Longboat Key is a member of the Manasota League of Cities.

## 6. Municipalities

Table 3 identifies the existing coordination between the Town of Longboat Key and the various municipalities. The following more fully addresses that coordination.

The Town of Longboat Key's northern neighboring municipalities are Bradenton Beach, Holmes Beach, and Anna Maria. To the south lies the City of Sarasota. The Town of Longboat Key has established and maintains an ongoing relationship with the above-mentioned municipalities, as well as with the cities of Bradenton, Venice, and North Port. Coordination concerning disaster preparedness has fostered the communication between the municipalities. The Town of Longboat Key works closely with its neighboring municipalities to provide for the smooth and rapid evacuation of the residents and visitors on the key in the event of an emergency.

The Town has a combined agreement with the Sarasota Sheriff's Department, and Sarasota-Manatee County Airport Authority Police, New College Police, Sarasota Police, North Port Police, Venice Police, and University of South Florida Police Departments. Additionally, the Town is in the process of renewing the existing Operational and Voluntary Cooperation Agreement with the Manatee County Sheriff's Department. In addition, mutual aid agreements with all municipalities for fire protection and emergency service are in effect.

## 7. Special Authorities

The existing coordination between the Town of Longboat Key and the various special authorities are described below.

### a. Sarasota-Manatee Airport Authority

The Sarasota-Bradenton Airport is located on the northern perimeter of Sarasota County. The Sarasota-Manatee Airport Authority (SMAA) constituted by statute of the State of Florida, governs the Sarasota-Bradenton Airport's functions related to acquisition, operation, maintenance, and expansion of its facilities for the primary purpose of serving the citizens of Sarasota and Manatee counties. The Town of Longboat Key works closely with SMAA through representation on the Noise Abatement Advisory Committee and the Technical Advisory Committee for the development of a Noise Compatibility Program. The primary focus of that committee has been on resolution of the noise compatibility problem that has arisen as a result of the direction of airplane departures. Generally, the committee meets on a quarterly basis.

b. Sarasota and Manatee School Boards

Children are bused to grade and high schools on the mainland, depending on their county of residence. Input to either school board can occur through placement of an item on the agenda and appearing before either a regular or a special meeting. Because of the Town's large affluent retirement population, there are very few school-age residents on the key. In fact, according to the 1990 Census there were 226 persons under the age of 19 residing in Longboat Key. Representatives from the Town appear before the respective school board when an issue of relevance to Longboat Key is on the school board agenda. The Town regularly receives agendas and meeting notices from both school boards. The Town is represented by staff on both boards' Staff Working Groups.

c. Housing Authorities

Longboat Key is an affluent community with no demand for subsidized housing development. None of the public housing authorities or local governments in the area operate any subsidized housing programs within the Town. If a need were determined for federally-owned and subsidized public units, the Town would coordinate with the appropriate housing authorities or local government's community development divisions.

## V. PLAN MONITORING AND EVALUATION PROCEDURES

### A. MONITORING AND EVALUATION

The Town of Longboat Key Planning and Zoning Board shall monitor and oversee the effectiveness and status of the Comprehensive Plan and recommend to the Town Commission changes in the Comprehensive Plan that may be required from time to time.

The planning program shall be a continuous and ongoing process. The Town of Longboat Key Planning and Zoning Board shall prepare periodic reports on the Comprehensive Plan, which shall be sent to the Town Commission as required by state law after the adoption of the Comprehensive Plan or element or portion thereof following the procedures and contents set forth in Chapter 163.3191, Florida Statutes.

#### 1. Criteria for continuing evaluation of each comprehensive plan element

The following criteria shall be used in evaluating the effectiveness of each element of the Comprehensive Plan.

##### a. Review Impact of Changing Conditions

Major shifts in the magnitude, distribution, and/or characteristics of population, housing, land use, natural resources, public facilities, consumer demand and supply, capital, and outlay pressures, shall serve as major indicators of needed change in public policy included in the Comprehensive Plan and other public policies and programs directed toward implementing the Plan. The policy implications of major changes in demand and supply indicators shall be evaluated on a continuing basis.

Appropriate public policies and strategies shall be established and/or refined as needed in order to remain responsive to evolving problems and issues reflected by such significant shifts in economic, social, and physical change indicators.

##### b. Schedule, Budget, and Implement Programmed Activities

The timely scheduling, programming, budgeting, and implementation of activities identified in the Plan shall be evidence of the Town's effectiveness in executing a systematic program for implementing adopted goals, objectives, and policies that comprise each element of the Comprehensive Plan.

c. Coordinate with Public and Private Sectors

While continually implementing and evaluating the Comprehensive Plan policies and programs, the Town shall maintain a system of intergovernmental coordination as well as coordination with varied interests within the private sector concerned with growth management and resource conservation. The effectiveness of this approach shall be evaluated by the success of coordination and communication processes in resolving growth management and resource conservation problems and issues.

d. Achieve Effective Resolution of Growth Management and Resource Conservation Problems and Issues

The effectiveness of the Comprehensive Plan elements shall be measured by the Town's success in accomplishing the goals, objectives, and programs identified in the Comprehensive Plan. The Comprehensive Plan incorporates a systematic planning process for identifying evolving growth management and resource conservation problems and issues, generating alternative policy solutions, implementing preferred corrective program activity, and creating numerous opportunities for continued communication.

2. Content of Evaluation Reports

The evaluation reports shall be written and shall contain appropriate statements related to the following.

a. Major Planning and Development Problems

The evaluation report shall identify major planning and development problems, including the location and distribution of land uses and related physical, economic, social, or environmental impacts.

b. Major Shifts in Trends and Conditions

The evaluation report shall describe the condition of each element of the Comprehensive Plan, particularly with regard to evolving trends in population magnitude and distribution, housing, land use, economic base, fiscal management, or condition of natural resources.

c. Progress in Achieving Comprehensive Plan Objectives

The evaluation report shall describe progress in achieving Comprehensive Plan objectives.

d. Unanticipated Problems and Opportunities

The evaluation report shall describe the nature and extent of unanticipated and previously unforeseen problems and opportunities occurring since the Comprehensive Plan adoption or since the latest evaluative report.

e. Recommended Amendments

The evaluation report shall present any recommended amendments to the Comprehensive Plan elements, including reformulated objective policies and standards.

## **B. PUBLIC PARTICIPATION**

The Planning and Zoning Board and Town Commission shall adopt procedures designed to provide effective public participation in the comprehensive plan process and to provide real property owners with notice of all official actions, which will regulate the use of their property. During review and evaluation of the Comprehensive Plan or portions thereof, the Town shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public hearings with open discussion, communication programs, information services, and consideration of and response to public comment.

## **C. PLAN IMPLEMENTATION**

The Comprehensive Plan shall be implemented as a continuing process of growth management and resource conservation. In addition to specific goals, objectives, and programs included within the Comprehensive Plan elements, the Plan shall be implemented through:

1. Execution by the Town Commission of lawful responsibilities, including lawful delegation of powers to administrative and quasi-judicial boards and appointments thereto by the Town Commission. The Planning and Zoning Board, as the designated Local Planning Agency, shall carry out requisite activities pursuant to Chapter 163 et.seq., Florida Statutes, including an Annual Report assessing the status of the Comprehensive Plan, the Town's planning program, and priorities for implementing the Comprehensive Plan.

2. Execution of lawful administrative responsibilities of the Mayor, Town Manager, and staff pursuant to the Town Charter and to ordinances (either existing or as may be amended or adopted in the future). The portions of the Town of Longboat Key Code of Ordinances, which are concerned or partially concerned with growth management and conservation, are stated below. Although these ordinances are subject to amendment, they are listed herein to facilitate cross referencing and for general public information: Administration (Title III); Public Works (Title V); Traffic Code (Title VII); Aircraft and Airports (Title IX, Chapter 90); Animals (Title IX, Chapter 91); Beaches and Parks (Title IX, Chapter 92); Boats and Waterways (Title IX, Chapter 93); Fire Prevention Code (Title IX, Chapter 94); Garbage, Rubbish, and Junk (Title IX, Chapter 95); Health and Sanitation (Title IX, Chapter 96); Streets and Sidewalks (Title IX, Chapter 97); Trees (Title IX, Chapter 98); Business Regulations (Title XII); General Offenses (Title XIII); Buildings (Title XV, Chapter 150); Coastal Construction (Title XV, Chapter 151); Dredging and Filling (Title XV, Chapter 152); Electricity (Title XV, Chapter 153); Flood Control (Title XV, Chapter 154); Plumbing Code (Title XV, Chapter 155); Signs (Title XV, Chapter 156); Subdivision Regulations (Title XV, Chapter 157); Zoning Code and Appendix (Title XV, Chapter 158); and Zoning and Subdivision Fees (Title XV, Chapter 159).
3. Coordination with public agencies concerned with various aspects of growth management and resource conservation, including, without limitations, the following entities or their respective successor entities: Sarasota and Manatee Counties, the Southwest Florida and Tampa Bay Regional Planning Councils, the Southwest Florida Water Management District, state and federal agencies, and other relevant agencies concerned with growth management and resource conservation.
4. Cooperative actions between public and private interests, which are directed toward fulfilling the purpose and intent of the Comprehensive Plan.

#### **D. PLAN ADOPTION PROCEDURES**

The procedure for transmittal and adoption of a Comprehensive Plan or Comprehensive Plan amendment shall be by an affirmative vote of a majority of the members of the Town Commission present at the public hearing.

#### **E. AMENDMENT PROCEDURES**

##### **1. Town Initiated Amendments.**

The Town Commission on its own motion, or on recommendation of the Planning and Zoning Board may initiate amendment of the Town's adopted Comprehensive Plan or portions thereof as provided in Sections 163.3184, F.S., 163.3187, F.S. or 163.3189, F.S., as applicable and as such sections exist or may be amended. Transmittal and adoption of proposed amendments to the Comprehensive Plan shall require an affirmative vote of a majority of the members of the Town Commission present at the public hearing. Review and processing shall be as described in Paragraph C hereof.

2. Amendments Initiated by Property Owner/Agent Other than Town.

Every proposed amendment to the Town's Comprehensive Plan initiated by a Property Owner or Agent other than the Town shall be submitted in writing to the Planning Director or other designated officials, and the procedure for review shall be as described in Paragraph C hereof.

a. Application

Said proposed amendment shall be initiated by the property owners of the subject property or the authorized agents of such owners. The proposed amendment shall be submitted as an application which shall describe the affected property by legal description and where possible by street address, the present and proposed Future Land Use Plan designation, a statement describing the reason for petitioning for a change in the Future Land Use Plan, proposed text changes (if any), a statement providing the rationale for such text change and a statement describing consistency of the proposed change(s) with the adopted Comprehensive Plan. Such application shall be in a form prescribed by the Town and shall comply with all provisions of the Town Charter. If the owner's agent is petitioning, a sworn statement of authorization from the owner(s) shall be furnished as a part of the application.

b. Disclosure of Ownership

All such applications by owners or agents shall include a notarized statement showing each and every individual person having a legal, beneficial, and/or equitable ownership interest in the property cited in the application. Publicly held corporations, whose stock is traded on a nationally recognized stock exchange, shall only be required to disclose the name and address of the corporation, officers of said corporation, and registered agents upon whom service can be made.

c. Established Fee

A fee as may hereinafter be established by the Town Commission will be levied for processing each application and shall be paid to the Town of Longboat Key. One or more lots or parcel(s) of property may be included in a single petition, providing the properties comprise one contiguous area.



3. Procedure for Adoption of Amendment to the Town's Adopted Comprehensive Plan.

a. Bi-Annual Amendments

Except as provided in Section 163.3187, F.S., as exists or may be amended, the Town is statutorily restricted from amending its adopted Comprehensive Plan more than two times during any calendar year. Amendments subject to this limitation shall comply with the procedures set forth in Section 163.3184, F.S., as it exists or as may be amended.

i. Transmittal of Proposed Plan Amendment

Pursuant to state law, following a public hearing, any changes in the Comprehensive Plan recommended by the Planning and Zoning Board and approved by the Town Commission for transmittal, shall be forwarded for written comment to the state land planning agency, Southwest and Tampa Bay Regional Planning Councils, the Southwest Florida Water Management District, the DCA, the Florida Department of Transportation, Sarasota and Manatee Counties Local Planning Agencies, and those local governments or governmental agencies having filed a written request for such copy.

ii. Intergovernmental, Regional and County, and State Land Planning Agency Review

The Town shall review all written comments, objections and recommendations for modifications of the proposed amendment(s) as provided in Section 163.3184(7), F.S. Within 120 days of receipt of written comments from the state land planning agency, the Town Commission shall adopt or adopt with changes, Evaluation and Appraisal Report based Plan amendments. The Town Commission shall have 60 days, following public hearings, to adopt the amendment, adopt the amendment with changes, or determine it will not adopt non-Evaluation and Appraisal Report based proposed amendments. The Town shall, within 10 days of adoption, transmit the adopted Plan amendment(s) to the state land planning agency and copies of the amendment(s) to the named regional planning agency and other local governments or governmental agencies having filed a written request for such copy with the Town.

### iii. Determination of Compliance

#### a) Notice of Intent to find Plan Amendment in Compliance.

Pursuant to Section 163.3184(9) F.S., upon the state land planning agency's issuance of Notice of Intent to find the Comprehensive Plan amendment(s) transmitted pursuant to Sections 163.3167, 163.3189, or 163.3191 F.S., in compliance as provided therein, an affected person may file a petition with the agency pursuant to Sections 120.569 F.S., and 120.57, F.S., within 21 days after publication of Notice of Intent by the state land planning agency.

#### b) Notice of Intent to Find Plan Amendment to be Not in Compliance

Pursuant to Section 163.3184(10), F.S., a Notice of Intent to find the Comprehensive Plan amendments transmitted pursuant to Sections 163.3167, 163.3184, 163.3189 or 163.3191, F.S., not in compliance as provided therein, will be forwarded by the state land planning agency to the Division of Administrative Hearings of the Department of Management Services to conduct a proceeding under Sections 120.569 F.S. and 120.57 F.S. in the county of and convenient to the Town.

### iv. Public Hearing

#### a) Review by Planning and Zoning Board.

The Planning and Zoning Board shall publish notice and mail a written notice in compliance with all applicable state and local notice requirements. The notice shall be mailed certified return receipt requested and shall state in simple terms the proposed change(s) and the time and place of the public hearing. The notices shall be mailed at least 15 days prior to the scheduled hearing. The process can be initiated concurrently with the zoning amendment procedure. All costs associated with public notice requirements shall be paid by the applicant prior to the publication and mailing of public notice.

#### b) Review by Town Commission.

Following public hearing, the Planning and Zoning Board shall report its recommended action to the Town Commission for action on the requested Plan amendment. Upon receipt of the Board's report, the Town Commission, after giving public notice in compliance with all applicable state and local requirements, shall consider the application within 30 days of the submission of said report. Transmission and adoption of proposed amendments to the Comprehensive Plan shall require an affirmative vote of not less than a majority of the members of the Town Commission.

b. Plan Amendments Not Subject to Twice Annual Statutory Limitations

i. Emergencies

Pursuant to Section 163.3187, F.S., Comprehensive Plan amendments necessitated by or in response to an emergency as set forth in Section 163.3187(1)(a), F.S., may be considered without regard to statutory limits of frequency of consideration of amendments to the Plan.

ii. Developments of Regional Impact/Florida Quality Development.

Pursuant to and as provided in Section 163.3187, F.S., Comprehensive Plan amendments directly related to a proposed development of regional impact, including Florida Quality Developments pursuant to Section 380.061, F.S., may be considered without regard to statutory limits on frequency of consideration of amendments to the Plan.

iii. Compliance Agreement

Pursuant to Section 163.3187(1)(d), F.S., any Plan amendment required by a compliance agreement as provided in Section 163.3184(16), F.S., may be approved without regard to statutory limits on the frequency of adoption of amendments to the Comprehensive Plan.

iv. Small Area Plan Amendments

Small Area Plan Amendments as defined in Section 163.3187(1)(c), F.S., may be considered by the Town without regard to statutory limits in frequency of consideration of amendments to the Plan.

a) Public Notice

Town initiated amendments under this section are not required to comply with the procedure and public notice requirements of Section 163.3184(15)(c), F.S., if the provisions of Section 166.041(3)(c), F.S., are met. Amendments not initiated by the Town shall satisfy the public notice requirements of Section 163.3184(15)(c), F.S.

b) Compliance

Section 163.3187(3)(a), F.S., provides that the state land planning agency shall not review or issue a notice of intent for small area Plan amendments satisfying the requirements of Section 163.3187(1)(c), F.S. Any affected person may file a petition with the Division of Administrative Hearings pursuant to Section 120.569, F.S., and 120.57 to request a hearing challenging compliance of the small area Plan amendment with the applicable parts of Chapter 163, F.S.

c) Effective Date of Small Area Plan Amendment

The small area Plan amendment shall not become effective until 31 days after adoption. If challenged in a timely manner, the Plan amendment shall be effective upon issuance of a final order determining the Plan amendment is in compliance, as provided in Section 163.3187(3)(c), F.S.

4. Effective Date of Plan Amendment (Bi-Annual)

Pursuant to Section 163.3189(2)(a), F.S., Plan amendments processed in compliance with Section 163.3184, F.S., shall not become effective until the state land planning agency or the Administration Commission issues a final order of compliance.

5. Mediation/Resolution

Pursuant to Section 163.3189(3), F.S., if a notice of intent pertaining to a Plan amendment adopted by the Town has been issued and forwarded to the Division of Administrative Hearings, the Town may demand formal mediation or informal mediation or expeditious resolution by serving written notice on the state land planning agency, all parties to the proceedings, and the administrative law judge.

6. Plan Amendments following Evaluation and Report Based Plan Amendments

Upon agency determination that the Evaluation and Report or addendum have sufficiently addressed pertinent provisions of Section 163.3191, F.S., the Town may proceed with non-evaluation and report based Plan amendment in addition to those necessary to implement recommendations in the report or addendum.