

HSQ GROUP INC.

CONSULTING ENGINEERS • PLANNERS •
TRANSPORTATION

July 2011



HSQ Group, Inc. has always been known as a local small business enterprise providing hands on service by the owners of the company to its clients including government agencies. **HSQ Group, Inc.** recently obtained the **Minority Business Certification from the State of Florida, as well as FDOT DBE Certification.**

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FLORIDA GROWTH MANAGEMENT BILL

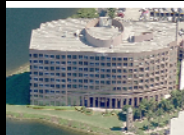
On June 2, 2011 the governor signed HB7207 which is now Chapter 2011-139 Law. This modifies the comprehensive land use planning methods and timing in an effort to promote growth and reduce red tape. Some of the highlight changes to the original plan are local government agencies will have more responsibility to monitor growth, concurrency is no longer a state mandate, encourages urban infill development and no longer requires twice a year comprehensive plan for compliance. Also, the bill changes definitions of some elements such as small scale land use amendment limitations, DRI threshold and Urban service boundary limits.

We spoke with several city planners, Broward Planning Council and Miami-Dade Planning and Zoning plus attended the DCA growth management implementation regional workshop in Boca Raton recently to get their input. At this time most cities are reviewing the new law and have not made any changes to their current plan or processing yet. Broward County has already changed the timing of the Land Use Plan Amendment schedule to allow submittals at any time instead of April and October only. Miami Dade County has not changed their submittal schedules and plan to keep it the same. Small scale land use amendments no longer require a maximum of 10 units per acre only that the gross acreage is 10 acres or less. **The three concurrency elements that can be removed are Schools, Traffic and Parks.** As of now, none of these have changed as it is adopted in the Comprehensive plan for each county and most cities. Broward County recently adopted the school concurrency in 2006 and the cities enter into a inner local agreement. Most cities do not like the school concurrency regulations because they have no control over it as it is a County function. This may be removed in the future as school overcrowding in Broward County is not as bad as it was during 2006. Traffic concurrency may remain in effect in all three counties except for the new regulations mandate a proportionate share impact fee. This will help promote urban infill in areas where roads are already over capacity. In the past, if the road was over capacity, the City or County will require the next developer to improve the road for the total cost even though they were not responsible for its current level of service. Now the developer will only pay for its share based upon the development impact and not be penalized for previous developments. **The total land use plan amendment process should now take 180 days compared to a full year or more in the past.**

Other major changes allow for another round of **permit extensions.** DRI development order approvals can be extended for 4 years. Environmental resource permits (ERP) and local permits can be extended for **another 2 years** provided the permit was extended under SB360 but was not able to extend under last year's SB1752 because of expiration date or the permit expires between 2012 and 2014. The new law does cap the total permit extension to a total of 4 years from 2009. A developer must apply for the extension within 90 days of the expiration of the permit.

There has been an initial back lash from opponents of this bill thinking this does away with land planning and growth management allowing development to affect wetlands and promote sprawl. The new law does not do that at all. It only moves responsibility to local governments and state resources such as wetlands, everglades, drinking water, drainage areas of special concern are still monitored and reviewed by the State. The new law promotes urban development and urban infill and discourages urban sprawl into agricultural lands and sensitive areas. It also promotes job growth by streamlining the approval process to attract new businesses to Florida that might go to another state where the process is simpler. Time will tell how this will affect the future of Florida Growth. We will continue to monitor the progress and keep you informed. **If you want to change the land use of your property or need to extend your current permits and approvals please contact HSQ Group to assist you.**

HSQ GROUP MOVED ITS MIAMI OFFICE



HSQ Group moved its office from Homestead to Miami near the airport to be more centralized in Miami Dade County to better serve our clients.