

**FLORIDA BOARD OF GOVERNORS
NOTICE OF PROPOSED REGULATION AMENDMENT**

DATE: April 2, 2009

REGULATION NUMBER AND TITLE: 21.202 Definitions

SUMMARY: An advisory group has worked over the past year with the Florida Conflict Resolution Consortium to revise and update the Board of Governor Master Planning Regulations. The group is composed of university, local government and community representatives.

The draft document has been circulated as well as posted on the Board of Governor's website, with the goal of soliciting comments and feedback. These revisions were presented at the March 26, 2009 Board of Governors meeting for public notice purposes; and if approved, will be presented for final approval in June 2009.

FULL TEXT OF THE REGULATION IS INCLUDED WITH THIS NOTICE.

AUTHORITY TO AMEND REGULATION(S): Section 7(d), Art. IX, Fla. Const.; BOG Regulation Development Procedure dated March 23, 2006.

THE BOARD OF GOVERNORS' OFFICIAL INITIATING THE PROPOSED AMENDMENT TO THE REGULATION: Chris Kinsley, Director, Finance & Facilities

COMMENTS REGARDING THE PROPOSED AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation on which you are commenting:

Chris Kinsley, Director, Finance & Facilities, Board of Governors, State University System, 325 W. Gaines Street, Suite 1652, Tallahassee, Florida 32399, (850) 245-9677 (phone), (850) 245-9685 (fax), or Chris.Kinsley@flbog.edu

21.202-1 Definitions.

As used in this chapter, the terms defined in Section ~~240.155~~, 1013.30, Florida Statutes, shall have the meanings provided in that Section. In addition, the following definitions are provided to clarify terms used in this chapter and not to establish or limit regulatory authority of other agencies or programs; however, institutions may choose alternative definitions which the Board of ~~Regents~~ Governors shall review to determine whether such definitions accomplish the intent of both this chapter and of Section ~~240.155~~, 1013.30, Florida Statutes.

(1) “Campus Development Agreement” means the fair share mitigation agreement referenced in Section 1013.30(10) F.S. The geographic area covered by the Campus Development Agreement may be the context area(s) or other land areas as identified in the Campus Master Plan.

(2) “Capital improvement” means physical assets constructed or purchased to provide, improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally non-recurring and may require multi-year financing. For the purposes of this rule, physical assets which have been identified as existing or projected needs in the individual campus master plan elements shall be considered capital improvements.

(3) “Circulation facilities” means roadways, sidewalks or other surfaces designated for pedestrian, non-vehicular, or vehicular movement.

(4) “Context area for Campus Development Agreements” means an area surrounding the university, within which on-campus development may impact local public facilities and services and natural resources, and within which off-campus development may impact university resources and facilities. The size of the context area may be defined by natural or man-made functional or visual boundaries, such as areas of concentration of off-campus student-oriented housing and commercial establishments, stormwater basins, habitat range, or other natural features. To facilitate planning analysis and intergovernmental coordination the context area may differ in configuration in the various elements of the campus master plan.

(5) “Development” means the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels.

(6) “Goal” means the long-term end toward which programs or activities are ultimately directed.

(7) “Infrastructure” means those man-made structures which serve the common needs of the population, such as roadways, stormwater management facilities, potable water facilities, sanitary sewer facilities, and solid waste facilities.

(8) “Intelligent transportation system management” means efforts to add information and communications technology to transport infrastructure and vehicles in an effort to manage factors that typically are at odds with each other, such as vehicles, loads, and routes to improve safety and reduce vehicle wear, transportation times, and fuel consumption.

(9) “Intermodal” means the connection between any two or more modes of transportation.

~~(8)~~(10) “Levels of Service” means an indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on and related to the operational

characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility.

(11) Mediation” means a process in which a neutral third person called a mediator acts to encourage and facilitate the resolution of a dispute between two or more parties. It is an informal and non-adversarial process with the objective of helping the disputing parties reach a mutually acceptable and voluntary agreement. In mediation, decision making authority rests with the parties. The role of the mediator includes, but is not limited to, assisting the parties in identifying issues, fostering joint problem solving, and exploring settlement alternatives.”

(12) “Mixed Use Development” means the practice of allowing more than one type of use in a building or set of buildings. In planning-zone terms, this can mean some combination of residential, commercial, industrial, office, institutional, or other land uses.

~~(9)~~(13) “Objective” means a specific, measurable, intermediate end that is achievable and marks progress toward a goal.

(14) “Planning Study Area” means an area surrounding the university within which on-campus and off-campus development should be coordinated for specific development activities such as housing, recreation, transportation, capital improvements, urban design and designation of future land uses. The Planning Study Area defines an area of influence that may differ for each type of development activity. To facilitate planning analysis and intergovernmental coordination, the planning study area may differ in configuration in the various elements of the campus master plan.

~~(10)~~(15) “Policy” means the way in which programs and activities are conducted to achieve an identified goal.

~~(11)~~(16) “Potable water facility” means a system of structures designed to collect, treat or distribute potable water, and includes water wells, treatment plants, reservoirs, and distribution mains.

~~(12)~~(17) “Public facility” means transportation systems or facilities, sewer systems or facilities, solid waste systems or facilities, stormwater management systems or facilities, potable water systems or facilities, educational systems or facilities, parks and recreation systems and facilities, and public health systems and facilities.

~~(12)~~(18) “Public transit” means passenger services provided by public, private or non-profit entities, such as commuter rail, express bus, and local fixed route bus.

~~(13)~~(19) “Recreation facility” means a component of a recreation site, such as a trail, court, athletic field or swimming pool.

~~(14)~~(20) “Sanitary sewer facilities” means structures or systems designed for the collection, transmission, treatment, or disposal of sewage, and includes trunk mains, interceptors, treatment plants and disposal systems.

~~(15)~~(21) “Solid waste facilities” means structures or systems designed for the collection, processing or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.

~~(16)~~(22) “Stormwater management facility” means a system of man-made structures designed to collect, convey, hold, divert or discharge stormwater, and includes stormwater sewers, canals, detention structures, and retention structures.

(23) “Sustainable Development” means development that uses methods, systems, and materials that do not deplete resources or interfere with natural cycles, and considers natural land, water, and energy resources as integral aspects of development.

(24) “Sustainability” means a dynamic state in which global ecological and social systems are not systematically undermined, so as to ensure that the ability of future generations to meet their needs is not compromised.

(25) “Trip Generation” means a transportation tool for forecasting travel demands by predicting the number of trips originating in or destined for a particular traffic analysis zone.

(26) “Traffic Analysis Zone” means the unit of geography used in conventional transportation planning models.

(27) “Transportation corridors” means any land area designated by the state, a county or a municipality which is between two geographic points and which area is used or is suitable for the movement of people and goods by one or more modes of transportation, including areas necessary for management of access and securing applicable approvals and permits.

~~(17)~~(28) “Transportation demand management” means strategies and techniques that can be used to increase the efficiency of the transportation system. Demand management focuses on ways of influencing the amount and demand for transportation by encouraging alternatives to the automobile and altering local peak hour travel demand. These strategies may include, but not be limited to, ridesharing programs, flexible work hours, telecommuting, shuttle services and parking management.

~~(18)~~(29) “Transportation system” means a multi-modal system of transportation facilities designed for the movement of people and goods.

~~(19)~~(30) “Transportation system management” means improving roads, intersections, and other related facilities to make the existing transportation system operate more efficiently. Transportation system management techniques include demand management strategies, incident management strategies, and other actions that increase the efficiency of the transportation system.

(31) “Urban Design” means the pattern of urban forms comprising a campus, neighborhood, city, town, or other municipality or the process of patterning such forms into a design.

(32) “Vision” means an ideal description of the future appearance and qualities of the university and its role in the host community and region to guide its planning.

~~Specific Authority 240.209(1), (3)(q), 240.155(22) FS. Law Implemented 240.155(3) FS. History—
New 2-15-94.~~