

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

RULE NO.:      RULE TITLE:

61G1-11.013    Definitions

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the rule to reflect the name change of the NCARB architecture internship program.

SUBJECT AREA TO BE ADDRESSED: Changes to architecture internship program name.

RULEMAKING AUTHORITY: 481.2055, 481.211, 481.213(6) FS.

LAW IMPLEMENTED: 481.203, 481.211, 481.221(4), (8), 481.223(1)(c), 481.229(1)(c), (6) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Krista Woodard, Executive Director, Board of Architecture and Interior Design, 2601 Blair Stone Road, Tallahassee, Florida 32399-0771.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.:      RULE TITLE:

61G4-18.001    Continuing Education Requirements for Certificateholders and Registrants

PURPOSE AND EFFECT: To update the language to incorporate the most recent exceptions from the 2017 Building Code into the Board rule by reference.

SUBJECT AREA TO BE ADDRESSED: To incorporate exceptions from the 2017 Florida Building Code into the rule by reference.

RULEMAKING AUTHORITY: 455.213(6), 455.2177,

455.2178, 455.2179, 489.108, 489.115 FS.

LAW IMPLEMENTED: 455.2123, 455.213(6), 455.2177, 455.2178, 455.2179, 455.271(6), 489.115, 489.116 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, (850)487-1395.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Massage Therapy**

RULE NO.:      RULE TITLE:

64B7-30.004    Citations

PURPOSE AND EFFECT: Update statute references and revise timelines for citations so that they do not conflict with mediation timelines.

SUBJECT AREA TO BE ADDRESSED: Statute references and timelines.

RULEMAKING AUTHORITY: 456.072, 456.077 FS.

LAW IMPLEMENTED: 456.072, 456.077 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kama Monroe, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF HEALTH**

**Board of Massage Therapy**

RULE NO.:      RULE TITLE:

64B7-30.005    Mediation

PURPOSE AND EFFECT: Update statute references and revise timelines for mediation so that they do not conflict with citations timelines.

SUBJECT AREA TO BE ADDRESSED: Statute references and timelines.

RULEMAKING AUTHORITY: 456.078 F.S

LAW IMPLEMENTED: 456.078 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kama Monroe, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
65C-35.001	Definitions
65C-35.002	Behavioral Health Services
65C-35.003	Parent or Legal Guardian Involvement
65C-35.004	Caregiver Involvement
65C-35.005	Child Involvement in Treatment Planning
65C-35.006	Taking a Child Into Custody Who Is Taking Psychotropic Medication
65C-35.007	Authority to Provide Psychotropic Medications to Children in Out-of-Home Care
65C-35.011	Medication Monitoring and Administration
65C-35.012	Requests for Second Opinions and Pre-Consent Reviews
65C-35.013	Medical Report
65C-35.014	Training on Psychotropic Medication

PURPOSE AND EFFECT: The Department intends to (1) Change the term “prescribing practitioner” to “prescribing physician,” and amend the terminology throughout the rules and in form CF-FSP 5339, Medical Report; (2) Amend the definition of “psychotropic medication” to include substances, though prescribed with the intent to treat other medical conditions, have the effect of altering brain chemistry; (3) Amend the age of children whose cases are required to have a pre-consent review; and (4) Clarify from whom child protective investigators, case managers, and other caregivers will receive training.

SUBJECT AREA TO BE ADDRESSED: Psychotropic Medication

RULEMAKING AUTHORITY: 39.0121, 39.01305, 39.407(3)(g), FS.

LAW IMPLEMENTED: 39.01305, 39.407(1)-(3), FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II  
Proposed Rules**

**FISH AND WILDLIFE CONSERVATION COMMISSION**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
68-1.003	Florida Fish and Wildlife Conservation Commission Grants Program

PURPOSE AND EFFECT: The proposed amendment to Rule 68-1.003, F.A.C. would address minor changes to Guidelines for the State Wildlife Grants Program.

SUMMARY: The proposed amendment would address revisions to Florida’s State Wildlife Grants Program Guidelines. These revisions would provide updated Implementation Goals in the document.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: Sections 206.606, 327.04, 327.47, 376.15(d), 379.106 FS.

LAW IMPLEMENTED: Sections 206.606, 327.47, 328.72, 376.15(d), (e), 379.106 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: State Wildlife Grants Program, Andrea Alden, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399, (850)488-3831

THE FULL TEXT OF THE PROPOSED RULE IS:

68-1.003 Florida Fish and Wildlife Conservation Commission Grants Program.

Subsections (1) through (10). No change.

(11) Florida’s State Wildlife Grants Program grants shall meet all additional program requirements set forth in Florida’s State Wildlife Grants Program Guidelines (dated February 2017~~2018~~), which are hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-09137>. The following forms are hereby adopted and incorporated by reference: FWC/SWG-1, entitled “Florida State Wildlife Grants Program Budget Form for Commission Principal Investigators,” February 2017, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07941>; FWC/SWG-2, entitled “Florida State Wildlife Grants Program Budget Form for Non-Commission Principal Investigators,” February 2017, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07942>; FWC/SWG-3, entitled “Florida State Wildlife Grants Program Application Form,” February 2017, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07943>; FWC/SWG-4, entitled “Florida State Wildlife Grants Initial Review Form,” available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08129>; FWC/SWG-5, entitled “Florida State Wildlife Grants Technical Review Form,” available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08131>; and FWC/SWG-6, entitled “Florida State Wildlife Grants Final Review Form,” available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08130>. The guidelines and forms are also available from the

Commission at 620 South Meridian Street, Tallahassee, Florida 32399-1600.

Subsection (12) through (13). No change.

Rulemaking Authority 206.606, 327.04, 327.47, 376.15(d), 379.106 FS. Law Implemented 206.606, 327.47, 328.72, 376.15(d), (e), 379.106 FS. History—New 4-4-04, Amended 3-15-05, Formerly 68A-2.015, Amended 5-22-07, 7-6-08, 1-18-09, 3-21-10, 6-30-10, 5-20-12, 2-9-15, 9-11-16, 9-13-16, 4-23-17, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: State Wildlife Grants Program, Andrea Alden, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399, (850)488-3831

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 7, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 9, 2018

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-6.0022  
 RULE TITLE: Possession of Class I, II, or III Wildlife in Captivity; Permit Requirements

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to clarify the experience requirements for a License to Possess Class I and/or Class II Wildlife for Exhibition or Public Sale (ESA) for alligators. The effect will be to achieve experience requirement consistency among all Class I and/or II ESA applicants and ensure public safety and the welfare of captive alligators.

SUMMARY: The proposed rule amendment would remove an exemption to the experience requirements for applicants seeking an ESA for alligators.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** Article IV, Section 9, Florida Constitution

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** April 25 - 26, 2018, 8:30 a.m. to 5:00 p.m., each day.

**PLACE:** Marriott Fort Lauderdale North, 6650 North Andrews Avenue, Ft. Lauderdale, Florida 33309.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Major Rob Beaton 620 South Meridian Street Tallahassee, FL 32399.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-6.0022 Possession of Class I, II, or III Wildlife in Captivity: Permit Requirements.

(1) through (4) No change.

(5) Qualification requirements for a permit to possess Class I or Class II wildlife:

All applicants shall qualify for permits as follows:

(a) through (c) No change.

(d) Experience and examination requirements for Class II permits:

1. through 2. No change

~~3. The above requirements shall not apply to applicants for permits to possess American alligators in accordance with Section 379.3751, F.S.~~

3.4. The above requirements shall not apply to applicants for permits to possess species of the family *Bovidae* in accordance with Sections 379.3711 and 379.3712, F.S.

(e) through (f) No change.

(6) through (7) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3761, 379.3762 FS. History—New 7-1-90, Amended 7-1-90, 7-1-91, 2-1-98, Formerly 39-6.0022, Amended 4-30-00, 1-1-08, 8-27-09, 7-8-10, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Colonel Curtis Brown, Director, Division of Law Enforcement, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission.

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 06, 2017

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** January 23, 2018

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

**RULE NO.:** 68A-15.061  
**RULE TITLE:** Specific Regulations for Wildlife Management Areas - Southwest Region

**PURPOSE AND EFFECT:** The purpose of the proposed rule amendment is to regulate SCUBA diving on Chassahowitzka Wildlife Management Area.

**SUMMARY:** The proposed rule amendment would prohibit SCUBA diving on Chassahowitzka Wildlife Management Area, except by individuals at least 18 years of age that have completed a no-cost electronic SCUBA diving registration with the Commission. The registration that the proposed amendment creates, provides general and area specific safety information for potential SCUBA divers. The registration also requires SCUBA divers to acknowledge risk, assume risk, and accept release of liability, prior to conducting SCUBA diving activities on Chassahowitzka. Registered Divers must present a copy of the completed registration if requested by the Commission and registration does not eliminate the Chassahowitzka daily use permit fee.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal

for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: Section 379.2223 FS

LAW IMPLEMENTED: Section 379.2223 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: ADA Coordinator (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.061 Specific Regulations for Wildlife Management Areas - Southwest Region

(1) through (13). No change.

(14)(a) through (d). No change.

(e) SCUBA diving on Chassahowitzka Wildlife Management Area is prohibited, except as otherwise provided in this paragraph.

1. SCUBA diving is allowed only by persons 18 years of age or older, after completion of the no-cost "Chassahowitzka WMA SCUBA Diving Registration" with the Commission, prior to SCUBA diving, accessed at <https://public.myfwc.com/CrossDOI/PermitMe>. A document encompassing the content of the registration entitled "Chassahowitzka SCUBA Registration Instructions" (Dated December 2017), is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-09134>, or from the Commission, at The Southwest Regional Office, 3900 Drane Field Road, Lakeland, Florida 33811-1207.

2. SCUBA Divers are required to present an electronic or paper copy of proof of registration and government issued identification upon request by the Commission.

3. Completion of the Chassahowitzka SCUBA diver registration does not eliminate the Chassahowitzka daily use permit fee requirement.

(15) through (17). No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313  
 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313

FS. History—New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 10-1-84, 7-1-85, 9-19-85, 5-7-86, 5-10-87, 6-8-87, 10-8-87, 5-1-88, 7-1-89, 7-1-90, 7-1-91, 7-2-91, 7-1-92, 8-23-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 8-7-97, 7-1-98, 10-20-98, 12-28-98, 7-1-99, Formerly 39-15.061, Amended 12-9-99, 3-30-00, 7-1-00, 7-1-01, 5-13-02, 5-25-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-1-10, 7-1-11, 7-1-12, 7-1-13, 7-1-14, 7-1-15, 7-1-16, 7-1-17, 9-14-17,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 8, 2016

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-25.003  
 RULE TITLE: Taking and Disposal of Nuisance-Alligators Statewide

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to allow contracted nuisance alligator trappers to sell nuisance alligators alive. The effect will be to eliminate the need for contracted trappers to purchase a License to Possess Class I and/or Class II Wildlife for Exhibition or Public Sale (ESA) to sell nuisance alligators alive.

SUMMARY: The proposed rule amendment would allow contracted nuisance alligator trappers to sell nuisance alligators alive without the need to purchase an ESA.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal

for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: April 25 - 26, 2018, 8:30 a.m. to 5:00 p.m., each day.

PLACE: Marriott Fort Lauderdale North, 6650 North Andrews Avenue, Ft. Lauderdale, FL 33309.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.003 Taking and Disposal of Nuisance Alligators Statewide.

(1) Only persons under contract with the Commission as nuisance alligator trappers, or their agents and assistants, who have been approved by the executive director, or his designee, shall take, possess and kill or sell live nuisance alligators as authorized by permit.

(2) through (3) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3012, 379.3751 FS. History—New 8-1-79, Amended 10-23-79, 6-22-80, 6-4-81, 6-21-82, 7-1-85, Formerly 39-25.03, Amended 6-1-86, 12-23-87, 5-5-88, 2-14-89, 4-11-90, 4-14-92, 3-30-95, 4-1-96, Formerly 39-25.003, Amended 4-30-00, 12-16-03, 5-18-06, 8-19-14,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 5, 2018

Section III  
Notice of Changes, Corrections and  
Withdrawals

NONE

Section IV  
Emergency Rules

NONE

Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-27.00212 Maintenance of Officer Certification

NOTICE IS HEREBY GIVEN that on February 2, 2018, the Florida Department of Law Enforcement received a petition for a permanent waiver of paragraph 11B-27.00212(12)(a), F.A.C., from Samuel Robert Abney, Jr. Petitioner wishes to permanently waive that portion of the Rule that states: To become eligible for reactivation of certification and reemployment in the discipline for which the officer has experienced a break-in-service, pursuant to subsection (11) of this rule section, the officer shall, on or after July 1, 1993, meet the following conditions: (a) If the break-in-service is between four years and eight years the officer shall: 1. Successfully demonstrate proficiency in the High-Liability Basic Recruit Training Courses pursuant to Rule 11B-35.0024, F.A.C; 2. Achieve a passing score on the applicable State Officer Certification Examination pursuant to procedures in Rule Chapter 11B-30, F.A.C; 3. Meet the minimum qualifications described in Rules 11B-27.002, 11B-27.0021, 11B-27.0022 and 11B-27.00225, F.A.C., as evidenced by an employing agency's compliance with Section 943.133(2), F.S. A copy of the Petition for Variance or Waiver may be obtained by contacting Dana Kelly, Agency Clerk, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by telephone at (850)410-7676.

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.011: Policy and Purpose

NOTICE IS HEREBY GIVEN that on January 31, 2018, the South Florida Water Management District (District) received an amended petition for waiver from Broward County (Application No. 16-0331-2) for utilization of Works or Lands of the District known as the L-67A, L-33 and Water Conservation Area 3B, Broward County for existing and proposed park facilities within Everglades Holiday Park. The original petition was received on January 11, 2017. The revised petition for waiver seeks, in addition to all of the previously requested items, authorization for stormwater treatment facilities within Works and Lands of the District. The amended petition seeks relief from subsections 40E-6.011(4) and (6), Fla. Admin. Code, which prohibit the placement of permanent & semi-permanent above-ground structures within 40 feet of top of canal bank within Works or Lands of the District and Rule 40E-6.221(3)(j), Fla. Admin. Code, which prohibits storage of hazardous materials, encroachments greater than 25% into the waterway, permanent structures/buildings, stormwater treatment facilities, and parking within Works and Lands of the District. A copy of the petition may be obtained from Juli Russell, (561)682-6268, jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: RULE TITLE:

62-610.865 Blending of Demineralization Concentrate with Reclaimed Water

The Department of Environmental Protection hereby gives notice that on January 31, 2018, the Department issued a Final Order granting Orange Tree Utilities Wastewater Treatment Plant's (WWTP) petition for a temporary variance from paragraphs 62-610.865(8)(b)(d), 62-610.865(9)(a), and 62-610.865(10)(b), F.A.C., which apply to a domestic wastewater facility that blends concentrate with reclaimed water. The WWTP is located at 1341 Oil Well Road, Naples, Florida. The petition was received on October 3, 2017. Notice of receipt of this Petition was published in the Florida Administrative Register on October 13, 2017. No public comments were received. The Final Order (File No. FLA014165) granted a temporary variance (through June 30, 2019), from the requirement for continuous monitoring and recording of flow and blend ratio, a temporary variance from the requirement to

store demineralization concentrate and a temporary variance from the requirement to establish an operating protocol for the blending. The Department action was based on Petitioner's showing that a strict application of the rule would result in substantial hardship to Petitioner.

A copy of the Order or additional information may be obtained by contacting Nolin Moon, South District, Department of Environmental Protection, P.O. Box 2549, Fort Myers, Florida 33902, telephone: (239)344-5672, Nolin.Moon@dep.state.fl.us, during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays.

**DEPARTMENT OF HEALTH**

Board of Medicine

RULE NO.: RULE TITLE:

64B8-9.009: Standard of Care for Office Surgery

NOTICE IS HEREBY GIVEN that on January 11, 2018, the Board of Medicine, received a petition for waiver or variance filed on behalf of Scott Loessin, M.D., from Rule 64B8-9.009, F.A.C. The Petitioner seeks a variance from paragraph 64B9-9.009(2)(f), which requires patients to be discharged within 24 hours of presenting to the office for surgical procedures. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Claudia Kemp, J.D., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

**Section VI**

**Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF EDUCATION**

The Florida Rehabilitation Council announces public meetings to which all persons are invited.

DATES AND TIMES: May 15, 2018, 9:00 a.m. – 5:30 p.m. ET, or until complete; May 16, 2018, 9:00 a.m. – 1:00 p.m. ET, or until complete

PLACE: Hilton Garden Inn, 8270 N Tamiami Trail, Sarasota, Florida; telephone conference: 1(888)670-3525, participant code 7513637441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Quarterly Meeting; General Quarterly Business.

A copy of the agenda may be obtained by contacting Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org.

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District  
 The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 27, 2018; 10:00 a.m.  
 PLACE: District's Sarasota Office, 6750 Fruitville Road, Sarasota, FL 34240

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Lori.manuel@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4606 (Ad Order EXE0602).

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District  
 The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 1, 2018; 9:00 a.m.

PLACE: District's Tampa Office, 7601 US Highway 301 N. Tampa, FL 33637

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Joint Agricultural and Green Industry Advisory Committee meeting: To discuss committee business. Governing Board Members may attend. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office Chief at 1(800)423-1476 (FL only) or (352)796-7211, ext. 4703; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Kelly.schwegel@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, ext. 4605 (Ad Order EXE0603).

**REGIONAL UTILITY AUTHORITIES**

Withlacoochee Regional Water Supply Authority  
 The Withlacoochee Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: February 16, 2018, 9:30 a.m.

PLACE: Water Resources Conference Room, Citrus County Government Center, 3600 W Sovereign Path, Lecanto, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The WRWSA Professional Services Evaluation Committee (PSEC) to review consultant Statements of Qualifications for the Regional Water Supply Plan Update project.

A copy of the agenda may be obtained by contacting: Richard Owen at richardowen@wrwsa.org or (352)527-5796 or by visiting the WRWSA website at www.wrwsa.org under Notices, RWSPU, View Additional Information, Download information.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the



agency at least 48 hours before the workshop/meeting by contacting: Richard Owen at richardowen@wrwsa.org or (352)527-5796. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Richard Owen at richardowen@wrwsa.org or (352)527-5796.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

The Board of Veterinary Medicine announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, March 1, 2018, 9:00 a.m.

**PLACE:** University of Florida, UF Small Animal Hospital, Banfield Conference Room (SAH 340), 2089 SW 16th Avenue, Gainesville, Florida 32608

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Discipline and General Business. Notice is being updated to reflect a correction in the meeting location.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1981.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Board of Veterinary Medicine, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1981. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact Board of Veterinary Medicine, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)717-1981.

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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Recreation and Parks**

The Florida Department of Environmental Protection, Division of Recreation and Parks, announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, February 20, 2018: 9:00 a.m. – 4:00 p.m., Stakeholder Meeting; 5:30 p.m. – 8:00 p.m., Preliminary Public Workshop

**PLACE:** Coconut Grove Sailing Club, 2990 South Bayshore Drive, Miami, FL 33133

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** An opportunity for the public to provide input on the future management of the Marjory Stoneman Douglas House as part of The Barnacle Historic State Park.

A copy of the agenda may be obtained by contacting Katrina Boler, Park Manager, The Barnacle Historic State Park, 3485 Main Highway, Coconut Grove, FL 33133, (305)442-6866, fax (305)442-6872, Katrina.Boler@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Katrina Boler, as listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

The Department of Health Board of Osteopathic Medicine announces a public meeting to which all persons are invited.

**DATE AND TIME:** February 22, 2018, immediately following the Physician Certification Pattern Review Panel Meeting

**PLACE:** Doubletree by Hilton Sunrise Sawgrass Mills, 13400 West Sunrise Blvd., Sunrise, Florida 33323 (954)851-1020

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the board.

A copy of the agenda may be obtained by contacting: christa.peace@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: christa.peace@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: christa.peace@flhealth.gov.

**DEPARTMENT OF CHILDREN AND FAMILIES**

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: March 8, 2018, 10:00 a.m. – 11:30 a.m., ET

PLACE: Human Services Building, Community Room, 1000 W. Tharpe Street, Tallahassee, FL 32303, teleconference: 1(888)670-3525, participant code: 245-089-579-1

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Children and Families, Circuit 2 Alliance - Community Action Team to provide a forum for providers and the Community to identify needs and gaps in services in order to improve the lives of children and families in the Big Bend area which covers Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla Counties. For those that cannot attend in person, the following conference call number is being provided for their convenience: 1(888)670-3525, participant code: 245-089-579-1. Agenda: Department of Children and Families Update, Big Bend Community Based Care Update, Mental Health Governing Council Update, Assisted Living Facilities Update.

A copy of the agenda may be obtained by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at jeanna.olson@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at jeanna.olson@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at jeanna.olson@myflfamilies.com.

**DEPARTMENT OF CHILDREN AND FAMILIES**

The Department of Children & Families announces a public meeting to which all persons are invited.

DATE AND TIME: March 22, 2018, 10:00 a.m. – 11:30 a.m., CT

PLACE: Panhandle Area Educational Consortium, 753 West Blvd., Chipley, FL 32428, telephone conference: 1(888) 670-3525, participant code: 245-089-579-1

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Children and Families, Circuit 14 Alliance - Community Action Team to provide a forum for providers and the Community to identify needs and gaps in services in order to improve the lives of children and families in the Big Bend area which covers Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla Counties. For those that cannot attend in person,

the following conference call number is being provided for their convenience: 1(888) 670-3525, participant code: 245-089-579-1. Agenda: Department of Children and Families Update, Big Bend Community Based Care Update, Mental Health Governing Council Update, Assisted Living Facilities Update.

A copy of the agenda may be obtained by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, (850)921-8269, jeanna.olson@myflfamilies.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, (850)921-8269, jeanna.olson@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, (850)921-8269, jeanna.olson@myflfamilies.com.

**COUNCIL OF COMMUNITY COLLEGE PRESIDENTS**

The Florida College System Council of Presidents announces a public meeting to which all persons are invited.

DATE AND TIME: March 9, 2018, 8:30 a.m.

PLACE: Association of Florida College

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to the Florida College System.

A copy of the agenda may be obtained by contacting: Sharlee Whiddon, (850)222-3222.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sharlee Whiddon. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michael Brawer, (850)222-3222.

**Section VII**

**Notice of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF HEALTH**

Board of Medicine

Notice is hereby given that the Board of Medicine has received a Petition for Declaratory Statement filed on behalf of Scott Loessin, M.D., on January 11, 2018. The Petitioner seeks a declaratory statement from the Board with regard to whether it is permissible for Petitioner to perform Level II and Level III

cosmetic and plastic surgery procedures in residential homes that will serve the limited purpose of a temporary office space where surgical procedures are performed. The Board will consider this petition at its meeting currently scheduled for Friday, April 6, 2018. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice. Copies of the petition may be obtained by writing Claudia Kemp, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin C03, Tallahassee, Florida 32399-3253, or from MQA.Medicine@FLHealth.gov.

**Section VIII  
Notice of Petitions and Dispositions  
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

**Section IX  
Notice of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

NONE

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

NONE

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BDC16-17/18 Crystal River Preserve State Park – Sewer  
Improvements

NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection, Bureau of Design and Construction is soliciting formal, competitive, sealed bids from contractors for bid number BDC16-17/18, Crystal River Preserve– Sewer Improvements. More info @ <https://tinyurl.com/BDC16-17-18>.

**Section XII  
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Thursday, February 1, 2017 and 3:00 p.m., Wednesday, February 7, 2018.

Rule No.	File Date	Effective Date
1S-9.005	2/1/2018	2/21/2018
5J-18.004	2/2/2018	2/22/2018
5J-25.009	2/2/2018	2/22/2018
20-69.002	2/1/2018	2/21/2018
59A-4.1265	2/2/2018	**/**/**
61G20-2.001	2/2/2018	2/22/2018
64B1-9.001	2/7/2018	2/27/2018
64B5-13.001	2/7/2018	2/27/2018
64B5-16.006	2/7/2018	2/27/2018
64B8-4.009	2/6/2018	2/26/2018
64B8-11.001	2/6/2018	2/26/2018
64B8-13.005	2/6/2018	2/26/2018
64B33-4.001	2/6/2018	2/26/2018
64B33-5.001	2/6/2018	2/26/2018
65C-15.003	2/5/2018	2/25/2018
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
Rule No.	File Date	Effective Date
40C-2.101	8/2/2017	**/**/**

59A-4.1265	2/2/2018	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	12/15/2017	**/**/****
69L-7.501	12/15/2017	**/**/****

**DEPARTMENT OF HEALTH**

Board of Nursing  
Emergency Action

On February 6, 2018, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Janine Marie Leonard, R.N., License # RN 9344420. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Division of Community Development  
Final Order No. DEO-18-010

In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1156-06

**FINAL ORDER**

**APPROVING LAKE ALFRED ORDINANCE NO. 1156-06**  
The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1156-06 (the “Ordinance”).

**FINDINGS OF FACT**

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on June 19, 2006, and rendered to the Department on December 29, 2017.
3. The Ordinance amends the City’s Unified Land Development Code text to establish districts for cluster subdivisions in Section 2.04.00. The Ordinance establishes these districts in Table 2.04.01(A) – Table of Land Uses, Table 2.04.01(B) – Table of Development Standards, and Sections 2.04.02 – Establishment of Base Zoning Districts and 7.01.01 – Cluster Subdivisions. The Ordinance recognizes “separate standards for

Residential Cluster Development for subdivisions in the Green Swamp” Area of Critical State Concern, which are detailed in Section 3.08.02 of Lake Alfred’s Unified Development Code.

**CONCLUSIONS OF LAW**

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See section 380.05(6), Florida Statutes.
  5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
  6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Policy 1.1.27.
  7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.
  8. The Ordinance is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any principles.
- WHEREFORE, IT IS ORDERED** that the Department finds that Lake Alfred Ordinance No. 1156-06 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby **APPROVED**.
- This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.
- DONE AND ORDERED** in Tallahassee, Florida.
- /s/  
James D. Stansbury, Bureau Chief  
Bureau of Community Planning and Growth  
Department of Economic Opportunity
- NOTICE OF ADMINISTRATIVE RIGHTS**  
ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.  
FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.  
DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS

120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. MEDIATION IS NOT AVAILABLE.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
OFFICE OF THE GENERAL COUNSEL  
107 EAST MADISON ST., MSC 110  
TALLAHASSEE, FLORIDA 32399-4128  
FAX (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 5th day of February, 2018.

/s/  
Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By Certified-U.S. Mail:  
The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development

Final Order No. DEO-18-005  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1308-12

FINAL ORDER

APPROVING LAKE ALFRED ORDINANCE NO. 1308-12

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1308-12 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on April 16, 2012, and rendered to the Department on December 29, 2017.
3. The Ordinance amends the City’s Unified Land Development Code text to establish requirements of accessory signage for nonresidential uses in residential districts. The Ordinance adopts frontage, dimensional, and aesthetic requirements. The Ordinance also restricts the types of signs, allowing only ground-mounted, pole, and wall signs. The Ordinance permits signs to be posted along publicly maintained roads, but further specifies that pole signs may only be placed along urban collectors as identified by the Comprehensive Plan. The Ordinance establishes dimensional restrictions for ground-mounted and pole signs based on road frontage and for wall signs based on building frontage. Ground-mounted and pole signs are not permitted to extend beyond the property line. The Ordinance establishes standards for illumination and landscaping for accessory signage for nonresidential uses in residential districts.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See section 380.05(6), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Policy 1.3.1.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that

area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with all the Principles for Guiding Development and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1308-12 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/

James D. Stansbury, Bureau Chief  
Bureau of Community Planning and Growth  
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. MEDIATION IS NOT AVAILABLE.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
OFFICE OF THE GENERAL COUNSEL  
107 EAST MADISON ST., MSC 110  
TALLAHASSEE, FLORIDA 32399-4128

FAX (850)921-3230  
YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF

THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 5th day of February, 2018.

/s/

Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By Certified-U.S. Mail:

The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

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DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-18-008  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1216-08

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FINAL ORDER

APPROVING LAKE ALFRED ORDINANCE NO. 1216-08  
The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1216-08 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.

2. The Ordinance was adopted by the City on April 7, 2008, and rendered to the Department on December 29, 2017.

3. The Ordinance amends the City’s Unified Land Development Code text to modify Article 6 by adopting regulations to implement the public school facilities concurrency management system. The Ordinance adds level of service standards to Section 6.01.06, and creates a standard of review for public school capacity determination by adding Section 6.01.07.07. The Ordinance also establishes school concurrency mitigation options.

**CONCLUSIONS OF LAW**

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See section 380.05(6), Florida Statutes.

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically the Public School Facilities Element Goal 2, Objectives 2.1 and 2.5 and Capital Improvements Element, Policy 3.4.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1216-08 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/

James D. Stansbury, Bureau Chief  
Bureau of Community Planning and Growth  
Department of Economic Opportunity

**NOTICE OF ADMINISTRATIVE RIGHTS**

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY

FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. MEDIATION IS NOT AVAILABLE.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
OFFICE OF THE GENERAL COUNSEL  
107 EAST MADISON ST., MSC 110  
TALLAHASSEE, FLORIDA 32399-4128  
FAX (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 5th day of February, 2018.

/s/

Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By Certified-U.S. Mail:  
The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk

120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

---

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-18-009  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1187-07

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**FINAL ORDER**

**APPROVING LAKE ALFRED ORDINANCE NO. 1187-07**  
The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1187-07 (the “Ordinance”).

**FINDINGS OF FACT**

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on March 19, 2007, and rendered to the Department on December 29, 2017.
3. The Ordinance amends the City’s Unified Land Development Code text to modify Sections 7.06.06 and 7.06.07 relating to subdivision regulation in the City of Lake Alfred. The Ordinance amends Section 7.06.06.02 to modify requirements for a performance bond, amends procedural requirements for construction inspection, and amends procedural requirements for submission of a final plat.

**CONCLUSIONS OF LAW**

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See section 380.05(6), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Element, Policy 1.3.1 and Transportation Element, Policy 1.3.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be

consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1187-07 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/

James D. Stansbury, Bureau Chief  
Bureau of Community Planning and Growth  
Department of Economic Opportunity

**NOTICE OF ADMINISTRATIVE RIGHTS**

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. MEDIATION IS NOT AVAILABLE.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
OFFICE OF THE GENERAL COUNSEL  
107 EAST MADISON ST., MSC 110  
TALLAHASSEE, FLORIDA 32399-4128  
FAX (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF



THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 5th day of February, 2018.

/s/  
Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By Certified-U.S. Mail:  
The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-18-007  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1267-10

FINAL ORDER

APPROVING LAKE ALFRED ORDINANCE NO. 1267-10  
The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1267-10 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.

2. The Ordinance was adopted by the City on January 19, 2010, and rendered to the Department on December 29, 2017.

3. The Ordinance amends the City’s Unified Land Development Code text to create a definition of “flag lot” in Article 9, definitions, and add Section 2.02.11, which regulates flag lots. The Ordinance regulates flag lots by limiting the number of residential units permitted on a flag lot and limiting the number of flag lots that are allowed adjacent to one another. The Ordinance regulates flag lots by setting dimensional requirements to ensure access of both owners and emergency service vehicles and requiring construction of fire hydrants within 250 feet of the buildable portion of certain flag lots. The Ordinance precludes the creation of flag lots in existing recorded subdivision plats.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See section 380.05(6), Florida Statutes.

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Policy 1.1.27(f).

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1267-10 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/  
James D. Stansbury, Bureau Chief  
Bureau of Community Planning and Growth  
Department of Economic Opportunity  
NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. MEDIATION IS NOT AVAILABLE.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK  
 DEPARTMENT OF ECONOMIC OPPORTUNITY  
 OFFICE OF THE GENERAL COUNSEL  
 107 EAST MADISON ST., MSC 110  
 TALLAHASSEE, FLORIDA 32399-4128  
 FAX (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 5th day of February, 2018.

/s/  
 Agency Clerk  
 Department of Economic Opportunity  
 107 East Madison Street, MSC 110  
 Tallahassee, FL 32399-4128

By Certified-U.S. Mail:  
 The Honorable Charles O. Lake, Mayor  
 155 East Pomelo Street  
 Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
 155 East Pomelo Street  
 Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
 120 East Pomelo Street  
 Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
 245 South Central Avenue  
 Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY  
 Division of Community Development  
 Final Order No. DEO-18-006

In re: A LAND DEVELOPMENT REGULATION  
 ADOPTED BY THE CITY OF LAKE ALFRED,  
 FLORIDA ORDINANCE NO. 1300-11

**FINAL ORDER**

APPROVING LAKE ALFRED ORDINANCE NO. 1300-11  
 The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1300-11 (the “Ordinance”).

**FINDINGS OF FACT**

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on September 19, 2011, and rendered to the Department on December 29, 2017.
3. The Ordinance amends the City’s Unified Land Development Code text to modify Article 4, Sign Regulations, by adopting definitions of flag, flagpole, and special event sign, amending the definition of portable sign, amending provisions relating to exempted signs, amending provisions relating to commercial signs, removing provisions relating to off-premises signs, and amending provisions relating to special events signs.

**CONCLUSIONS OF LAW**

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See section 380.05(6), Florida Statutes.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Policy 1.3.1.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent the Principles for Guiding Development as a whole and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1300-11 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/

James D. Stansbury, Bureau Chief  
Bureau of Community Planning and Growth  
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. MEDIATION IS NOT AVAILABLE.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
OFFICE OF THE GENERAL COUNSEL  
107 EAST MADISON ST., MSC 110  
TALLAHASSEE, FLORIDA 32399-4128  
FAX (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 5th day of February, 2018.

/s/

Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By Certified-U.S. Mail:  
The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-18-004

In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1231-08

FINAL ORDER

APPROVING LAKE ALFRED ORDINANCE NO. 1231-08  
The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1231-08 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is

a local government within the Green Swamp Area of Critical State Concern.

2. The Ordinance was adopted by the City on June 16, 2008, and rendered to the Department on December 29, 2017.

3. The Ordinance amends the City’s Unified Land Development Code text to decrease from 10 feet to 5 feet the required interior/rear/side setbacks for accessory structures on all lots in a residential zoning district of R-1AAA, R-1AA, R-1AA-B and R-1A with 10,000 square feet or greater lot size.

**CONCLUSIONS OF LAW**

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See section 380.05(6), Florida Statutes.

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Objective 1.3 and Policy 1.3.2.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with all the Principles for Guiding Development as a whole and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1231-08 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/

James D. Stansbury, Bureau Chief  
 Bureau of Community Planning and Growth  
 Department of Economic Opportunity

**NOTICE OF ADMINISTRATIVE RIGHTS**

Any person whose substantial interests are affected by this order has the opportunity for an administrative proceeding pursuant to section 120.569, Florida statutes.

For the required contents of a petition challenging agency action, refer to Rules 28-106.104(2), 28-106.201(2), and 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either sections 120.569 and 120.57(1), Florida statutes, or Sections 120.569 and 120.57(2), Florida statutes. Mediation is not available.

Any petition must be filed with the agency clerk of the department of economic opportunity within 21 calendar days of the final order being published in the florida administrative register. A petition is filed when it is received by:

Agency Clerk  
 Department of Economic Opportunity  
 Office of the general Counsel  
 107 East Madison St., MSC 110  
 Tallahassee, Florida 32399-4128  
 Fax (850)921-3230

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21 calendar days of the final order being published in the Florida Administrative Register.

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 7<sup>th</sup> day of February, 2018.

/s/

Agency Clerk  
 Department of Economic Opportunity  
 107 East Madison Street, MSC 110  
 Tallahassee, FL 32399-4128

By Certified-U.S. Mail:

The Honorable Charles O. Lake, Mayor  
 155 East Pomelo Street  
 Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
 155 East Pomelo Street  
 Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
 120 East Pomelo Street  
 Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
 245 South Central Avenue  
 Bartow, Florida 33830

Section XIII  
Index to Rules Filed During Preceding  
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

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