

CAPITAL IMPROVEMENTS ELEMENT

GOAL, OBJECTIVES AND POLICIES

GOAL 1: The City shall maintain a Capital Improvements Program to provide needed public facilities and services to its citizens in a manner that protects investments in existing facilities, maximizes the use of existing facilities, and promotes orderly, compact growth.

Objective 1.1:

The City shall provide capital improvements to correct the existing and projected deficiencies, maintain the adopted levels of service, replace or repair obsolete or worn out facilities, and accommodate desired future growth.

Policy 1.1.a: The City shall include all projects of \$25,000 or larger, identified in the other elements of this plan as necessary to maintain adopted levels of service or correct existing deficiencies in the five-year Capital Improvements Plan.

Policy 1.1.b: The City shall assess the level of service for the public facilities which have adopted level of service standards established by the Comprehensive Plan, on an annual basis, prior to or concurrent with the City's budget process.

Policy 1.1.b.1: The City shall identify those existing or projected public facility needs, which occur or are projected to occur, due to deficiencies in the maintenance of adopted level of service standards. Projected needs will be based on growth rate and development approvals.

Policy 1.1.c: The City shall review the 5-year Schedule of Capital Improvements, in accordance with Chapter 163.3177, F.S., on an annual basis. The City shall only schedule capital improvement projects consistent with the Goals, Objectives, and Policies of the Comprehensive Plan. Further, the City shall consider the financial feasibility of all projects within the Capital Improvements Element. Projects necessary to ensure that any adopted level-of-service standards are achieved and maintained for the 5-year period must be identified as either funded or unfunded and given a level of priority for funding.

Policy 1.1.d: The City shall prioritize all proposed capital improvement projects according to the following guidelines:

Priority 1: The capital improvement projects identified which are imminently needed to protect the public health, safety, and welfare shall be given highest priority;

Priority 2. The capital improvements projects related to maintain the adopted level of service standard for facilities are to be given the second order of priority;

Priority 3. The capital improvement projects that replace obsolete or worn out facilities or to make a logical extension of facilities within adopted Community Services Areas shall be given third priority; and

Priority 4. The capital improvement projects, which due to deficiencies based upon the established level of service standard within the Comprehensive Plan, are needed to provide public facilities to areas, which have received prior development approval, shall be given the fourth order of priority.

Priority 5. All other capital improvements shall be given the fifth order of priority.

Policy 1.1.e: The City shall review the effectiveness of the capital improvements planning program through the Procedure for Monitoring and Evaluation of the Capital Improvements Element, within this plan element.

Policy 1.1.f: The City of Alachua hereby adopts by reference the Five-Year District Facilities Workplan as formally adopted by the Alachua County School Board.

Objective 1.2:

The City shall require that all decisions regarding the issuance of development orders and permits shall be consistent with the development requirements of the Plan, the Land Development Regulations, and availability of public facilities and services necessary to support such development while maintaining the adopted level of service standards adopted for public facilities.



Quantity: System-wide wastewater collection and treatment will be sufficient to provide a minimum of 250 gallons per day per equivalent residential unit on an average annual basis. Plant expansion shall be planned in accordance with F.A.C. 62-600.405, or subsequent provision.

System Capacity: If the volume of existing use in addition to the volume of the committed use of the City's wastewater treatment facility reaches 85% of the permitted design capacity, no further development orders for projects without reserved capacity will be issued until additional capacity becomes available or funds to increase facility capacity are committed in accordance with a development agreement.

Policy 1.2.a.3: The City shall adopt the following level of service for solid waste:

.73 tons per capita per year

Policy 1.2.a.4: The City shall establish the following level of service for stormwater:

For all projects which fall totally within a stream, or open lake watershed, detention systems must be installed such that the peak rate of post-development runoff will not exceed the peak-rate of pre-development runoff for storm events up through and including either:

1. A design storm with a 10-year, 24-hour rainfall depth with Soil Conservation Service type II distribution falling on average antecedent moisture conditions for projects serving exclusively agricultural, forest, conservation, or recreational uses; or
2. A design storm with 100-year critical duration rainfall depth for projects serving any land use other than agricultural, silvicultural, conservation, or recreational uses.
3. The LOS standard for water quality treatment shall be treatment for the "first one inch" of runoff, and compliance with the design and performance standards established in Chapter 40C-42.025, FAC, and 42..035, FAC to ensure that the receiving water quality standards of Chapter 62.302.500, FAC are met and to ensure their water quality is not degraded below the minimum conditions necessary to maintain their classifications as established in Chapter 62-302, FAC. These standards shall apply to all new development and redevelopment and any exemptions, exceptions or thresholds in these citations are not applicable.

Infill residential development within improved residential areas or subdivisions existing prior to the adoption of this comprehensive plan, must ensure that its post-development stormwater runoff will not contribute pollutants which will cause the runoff from the entire improved area or subdivision to degrade receiving water bodies and their water quality as stated above.

Policy 1.2.a.5: The City shall establish the following levels of service for potable water:

Quality: Compliance with all applicable standards of the U.S. Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection.

Quantity: System-wide potable water distribution and treatment will be sufficient to provide a minimum of 275 gallons per day per equivalent residential unit on an average annual basis. Plant expansion shall be planned in accordance with, or subsequent provision.

System Capacity: If the volume of existing use in addition to the volume of the committed use of the City's potable water facility reaches 85% of the permitted design capacity, no further development orders for projects without reserved capacity will be issued until additional capacity becomes available or funds to increase facility capacity are committed in accordance with a development agreement.

Policy 1.2.a.6: The City shall establish the following level of service for recreation:

5 acres per 1,000 persons

Policy 1.2.a.7: The City shall utilize the level of service standards established in Policy 2.2.b of the Public School Facilities Element for Public Schools concurrency.

Policy 1.2.b: The City shall requires that public facilities which serve such development have a capacity which meets or exceeds the adopted level of service standard at the time the development permit or order is issued.

Objective 1.3

The City shall establish a capital improvements budgeting process to manage the fiscal resources of the City, so that needed capital improvements, identified within the Comprehensive Plan, are provided for existing and future development and re-development.

Policy 1.3.1 The City shall incorporate within the City's annual budgeting process, a capital improvements budget that addresses the needed projects found in the schedule of improvements and funding of this plan element.

Policy.1.3.2 The City shall not issue development orders and permits in areas where the adopted level of service standards for public facilities are not met.

Policy.1.3.3 The City shall apply for federal or state grant funding for projects which recognize the policies of the elements of this comprehensive plan whenever available and where it has been determined that the City has competitive standing in any ranking process for determining program award.

Policy 1.3.4 The City shall adhere to FEMA, Florida Building Code, and the City's Land Development Regulations requirements for flood plain management when replacing community facilities damaged due to storm surge or flooding.

IMPLEMENTATION

FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENTS

TABLE 1: FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENTS TO ADDRESS LEVEL OF SERVICE DEFICIENCIES.

PROJECT*	13/14	14/15	FUNDING SOURCE	15/16	16/17	17/18	TOTAL
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
*Note: No Capital Improvements Projects to address deficiencies in Level of Services are proposed for the 2013/2014 through 2017/2018 Schedule of Capital Improvements.							

PROCEDURE FOR MONITORING AND EVALUATION OF CAPITAL IMPROVEMENTS ELEMENT

The role of monitoring and evaluation of the Capital Improvements Element is important to the effectiveness of the City's planning program. This is due to the fluctuations in the revenues and expenditures of the City due to market and economic conditions.

The revenues and expenditures of the City will be used to predict fiscal trends in order to maintain the City's adopted level of service standards for public facilities and recreation. Therefore, the Capital Improvements Element requires a continuous program for monitoring and evaluation, and pursuant to Chapter 163, Part II, Florida Statutes, this element will be reviewed on an annual basis to ensure that the fiscal resources are available to provide the public facilities needed to support the established level of service standards.

The annual review is the responsibility of the City's Local Planning Agency. City staff, designated by the City manager will serve as advisory counsel to the Local Planning Agency dealing with all fiscal issues.

The Local Planning Agency shall consider the following points during the annual review to assist in the determination of findings and recommendations to the City Council:

- (1) The review of the criteria used to evaluate capital improvement projects in order to ensure that projects are being ranked in their appropriate order of priority;
- (2) The City's effectiveness in maintaining the adopted level of service standards;
- (3) The impacts of service provisions of other local, regional or state agencies upon the City's ability to maintain the adopted level of service standards.
- (4) Efforts by the City to secure grants or private funds, whenever available, to finance the provision of needed capital improvements;
- (5) The consideration of any corrections, updates and modifications concerning costs and revenue sources;
- (6) The consistency of the Capital Improvements element with the other elements of the Comprehensive Plan and most particularly it's support of the Future Land Use Element;

- (7) The City's ability to provide public facilities within respective geographic service areas in order to determine any need for boundary modification or adjustment; and
- (8) The appropriateness of including within the 5-year Schedule of Improvements those identified improvements needed for the latter part of the planning period.

The findings and recommendations of the Local Planning Agency will be transmitted to the City for review at a scheduled public hearing. Subsequent to review of the findings and recommendations of the Local Planning Agency, the City Council shall direct City staff to provide the Local Planning Agency with a 5-year Schedule of Improvements and any drafts for amendments to the Capital Improvements Element as deemed necessary by the City Council.

The Local Planning Agency shall consider the annual amendment of the 5-Year Schedule of Improvements at the first scheduled date for consideration of amendment to the City's Comprehensive Plan.

CONCURRENCY MANAGEMENT PURPOSE AND OVERVIEW

The City shall require a concurrency review to be made with applications for development approvals and a Certificate of Concurrency Compliance issued prior to development. The review will analyze the development's impact on traffic circulation, sanitary sewer, solid waste, drainage, potable water, and recreation. This review shall determine if the proposed development is concurrent with level of service standards for the above stated facilities. If the application is deemed concurrent, a Certificate of Concurrency Compliance will be issued by the Land Development Regulations Administrator. If the development requires any other development permit, a copy of the Certificate of Concurrency Compliance shall be included with any future application for a development permit. A separate concurrency review shall not be required for each development permit for the same project. Concurrency review addresses only the availability of public facilities and capacity of services and a Certificate of Concurrency Compliance does not represent overall development approval.

If the application for development is not concurrent, the applicant shall be notified that a certificate cannot be issued for the development. The burden of showing compliance with the adopted levels of service and meeting the concurrency test shall be upon the applicant.



The City Commission shall review applications for development and a development approval shall be issued only if the proposed development does not lower the existing levels of service of public facilities and services below the adopted level of service in the Comprehensive Plan.

The minimum requirements for concurrency within this management system are as follows:

(a) For sanitary sewer, solid waste, stormwater, and potable water facilities, developments shall meet the following standards to satisfy the concurrency requirements:

1. A development order or permit is issued subject to the condition that, at the time of the issuance of a certificate of occupancy or its functional equivalent, the necessary facilities and services are in place and available to serve the new development; or
2. At the time the development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S. and the City's Land Development Regulations, or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place and available to serve new development at the time of the issuance of a certificate of occupancy or its functional equivalent. [Section 163.3180(2), F.S.]

(b) For parks and recreation facilities, developments shall meet the following standards to satisfy the concurrency requirement:

1. At the time the development order or permit is issued, the necessary facilities and services are in place or under actual construction; or
2. A development order or permit is issued subject to the condition that, at the time of the issuance of a certificate of occupancy or its functional equivalent, the acreage for the necessary facilities and services to serve the new development is dedicated or acquired by the local government, or funds in the amount of the developer's fair share are committed; and

- a. A development order or permit is issued subject to the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent as provided in the adopted local government 5-year schedule of capital improvements; or
- b. At the time the development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent; or
- c. At the time the development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place or under actual construction not more than one year after issuance of a certificate of occupancy or its functional equivalent.

(c) For roads, development shall meet the following standards to satisfy the concurrency requirement, except as otherwise provided:

1. At the time a development order or permit is issued, the necessary facilities and services are in place or under construction; or
2. A development order or permit is issued subject to the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than three years after issuance of a certificate of occupancy or its functional equivalent as provided in the adopted local government five-year schedule of capital improvements. The schedule of capital improvements may recognize and include transportation projects included in the first three years of the applicable, adopted Florida Department of Transportation five-year work program. The Capital Improvements Element must include the following policies:

- a. The estimated date of commencement of actual construction and the estimated date of project completion.
 - b. A provision that a plan amendment is required to eliminate, defer, or delay construction of any road or mass transit facility or service which is needed to maintain the adopted level of service standard and which is listed in the five-year schedule of capital improvements; or
3. At the time a development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction no more than three years after the issuance of a certificate of occupancy or its functional equivalent; or
 4. At the time a development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place or under actual construction not more than three years after issuance of a certificate of occupancy or its functional equivalent. [Section 163.3180(2)(c), F.S.]

(d) For the purpose of issuing a development order or permit, a proposed development may be deemed to have a de minimis impact and not subject to the concurrency requirements if the proposed development order or permit creates an impact of not more than ten (10) average daily trips on the affected road from an existing parcel of record, contiguous commonly-held parcels, or a development proposal unless the impact exceeds the adopted level of service of a designated hurricane evacuation route.

These minimum requirements shall be ensured as follows:

1. **Building Permits.** The issuance of a building permit has more of an immediate impact on the level of service for public facilities than may be the case with the issuance of other types of development orders. Therefore, building permits shall be issued only when the necessary facilities and services are in place. The determination of the existence of the necessary facilities and services being in place shall be made by the Land Development Regulation Administrator as part of the Certificate of Concurrency Compliance procedure. For roads, this determination shall apply to the adopted level of service standards for roads within the City jurisdiction. All public facility impacts shall be determined based on the level of service of the facility throughout the facility geographic service area.
2. **Other Types of Development Orders.** Other types of development orders include, but are not limited to approval of subdivisions, re-zoning, special permits and site and development plan approval. These other types of development orders have less immediate impacts on public facilities and services than the issuance of a building permit. However, public facilities and services must be available concurrent with the impacts of development permitted by these other types of development orders. Therefore, subject to the Land Development Regulation Administrator determining that the necessary facilities or services are in place and are maintaining the adopted level of service, the following concurrency management requirements shall apply for the issuance of such development orders.
 - a. Provisions shall be included within the development order which shall require the construction of additional public facility capacity, where public facilities, due to the impacts of the development proposal do not meet the adopted level of service; and
 - b. Such provisions shall require the necessary public facilities be constructed by the developer and at the developer's expense, or by the public or private entity having jurisdictional authority over the facility to the adopted level of service so that the necessary facilities and services will be in place when the impacts of the development occur and within conformance with the 5-year schedule of improvements.

A concurrency test shall be made of the following public facilities and services for which level of service standards have been established in the Comprehensive Plan, which are (1) traffic circulation, (2) sanitary sewer, (3) solid waste, (4) drainage, (5) potable water and (6) recreation. The concurrency test for facilities and services will be determined by comparing the available capacity of a facility or service to the demand created by the proposed project. Available capacity will be determined by adding together the total excess capacity of any new facilities that meet the previously defined concurrency standards and subtracting any capacity committed through concurrency reservations or previously approved development orders.

1. For development orders and permits, the following determination shall apply:
 - a. If an applicant desires to determine whether there is sufficient capacity to accommodate their proposed project, the Land Development Regulation Administrator shall make an informal non-binding determination of whether there appears to be sufficient capacity in the public facilities and services to satisfy the demands of the proposed project.

If there appears to be insufficient capacity, the Land Development Regulation Administrator shall then make a determination of what public facilities or services would be deficient if the proposed project were approved.
 - b. There are certain development approvals that are ineligible to receive concurrency reservation because they are too conceptual and, consequently, do not allow an accurate assessment of public facility impacts. These development approvals are land use amendments to the Comprehensive Plan and rezoning requests. Those development approvals shall receive a non-binding concurrency determination.
 - c. Any concurrency determination, whether requested as part of an application for development approval or without an application for development approval, is a non-binding determination of what public facilities and services are available at the date of inquiry. The issuance of a Certificate of Concurrency Compliance shall be the only binding action, which reserves capacity for public facilities and services.

2. For roadways the following determination procedures shall apply:
 - a. The City shall provide level of service information either as set forth in the most recent Data and Analysis Report in support of the Comprehensive Plan, or based on the most current data available from Alachua County and the Florida Department of Transportation. If this level of service information indicates a level of service failure, the applicant may either (1) accept the level of service information as set forth, or (2) prepare a more detailed analysis.
 - b. If the applicant chooses to do a more detailed analysis the (1) applicant shall submit the completed alternative analysis to the Land Development Regulation Administrator for review, and (2) Land Development Regulation Administrator shall review the alternative analysis for accuracy and appropriate application of the methodology.
 - c. If the alternative methodology, after review and acceptance by the Land Development Regulation Administrator, indicates an acceptable level of service, the alternative methodology shall be used in place of the most recent Data and Analysis to support the City Comprehensive Plan.
 - d. Any proposed development shall be required to provide a trip distribution model, in addition to the requirements outlined above.
3. For sanitary sewer, solid waste, drainage, potable water, and recreation the following determination procedures shall apply:
 - a. The City shall provide level of service information as adopted in the Plan and the most current capacity data available for potable water and sanitary sewer.
 - b. If such level of service information indicates that the proposed project would not result in a level of service failure, the concurrency determination would indicate that adequate facility capacity at acceptable levels of service was available.
 - c. If such level of service information indicates that the proposed project would result in a level of service failure, the concurrency determination would be that adequate facility capacity at acceptable levels of service was not available at the date of application or inquiry.

In such cases where there are competing applications for public facility capacity, the following order of priority shall apply:

1. Issuance of a building permit based upon previously approved development orders permitting redevelopment;.
2. Issuance of new development orders permitting redevelopment;.
3. Issuance of new development orders permitting new development.

In addition, the following conditions apply to the City's concurrency management system:

1. No development order or development permit shall be issued which would require the City Commission to delay or suspend construction of any capital improvements on the 5-year schedule of Capital Improvements.
2. The result of any development not meeting adopted level of service standards for public facilities shall be cessation of the affected development or the reduction of the standard for level of service (which requires an amendment to the Comprehensive Plan).

CERTIFICATE OF CONCURRENCY COMPLIANCE

A Certificate of Concurrency Compliance shall only be issued upon final development approval. The Certificate of Concurrency Compliance shall remain in effect for the same period of time as the development order, Chapter 163 development agreement, or permit granting final development approval. If the development approval does not have an expiration date, the Certificate of Concurrency Compliance shall be valid for twelve (12) months from the date of issuance.