

Capital Improvements Element



City of
ALACHUA

THE GOOD LIFE COMMUNITY

CAPITAL IMPROVEMENTS

ELEMENT

Goal 1: Capital Improvements Program

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: Capital Improvements Projects

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 \$50,000 or larger identified in the other elements of this Comprehensive 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. This assessment shall occur prior to or concurrent with the City's budget process.

Policy 1.1.b.1: The City shall identify existing and projected public facility needs that have occurred or are projected to occur due to deficiencies in the 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, Florida Statutes, on an annual basis. The City shall only schedule capital improvement projects consistent with the Goals, Objectives, and Policies of the Comprehensive Plan. 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. Capital improvement projects which are imminently needed to protect the public health, safety, and welfare;

Priority 2. Capital improvements projects which are to maintain the adopted level of service standard for facilities;

Priority 3. Capital improvement projects that replace obsolete or worn out facilities or make a logical extension of facilities within adopted Community Services Areas;

Priority 4. Capital improvement projects which due to deficiencies in the adopted level of service standard are needed to provide public facilities to areas which have received prior development approval; and,

Priority 5. All other capital improvement projects.

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.

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

Objective 1.2: *Public Facilities Monitoring and Level of Service Standards*

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

Policy 1.2.a.1: *Wastewater 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 Rule 62-600.405, Florida Administrative Code, or subsequent provision.

Policy 1.2.a.2: *Wastewater System Capacity:* If the existing demand and reserved capacity 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: *Solid Waste:* The City shall adopt the following level of service for solid waste for residential uses:

.73 tons per capita per year

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

For all projects which are located completely within a stream or open lake watershed, detention systems must be designed 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, silvicultural, 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 level of service standard for water quality treatment shall be treatment for the “first one inch” of runoff, and shall be in compliance with the design and performance standards established in Rules 40C-42.025, and 40C-42.035, Florida Administrative Code, to ensure that the receiving water quality standards of Rule 62.302.500, Florida Administrative Code, are met and to ensure their water quality is not degraded below the minimum conditions necessary to maintain their classifications as established in Rule 62-302, Florida Administrative Code. These standards shall apply to all new development and redevelopment.
4. 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: *Potable Water*. 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.

System Capacity: Plant expansion shall be planned in accordance with Florida Administrative code. Additionally, if the existing demand and reserved capacity 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: *Recreation*: The City shall establish the following level of service for recreation:

5 acres per 1,000 persons, with 20 percent of this area as improved, passive parks

Policy 1.2.a.7: *Public Schools*: 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 require that public facilities needed to serve new development shall not degrade the adopted level of service standard at the time the development order is granted and that the capacity which exists will meet or exceed the adopted level of service standard.

Objective 1.3: *Maintenance of Public Facilities and Level of Service Standards*

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 development, new development, and redevelopment.

Policy 1.3.1: The City shall incorporate within the City's annual budgeting process a capital improvements plan that addresses the needed projects to maintain the adopted level of service standards for public facilities.

Policy 1.3.2: The City shall not issue development orders when the adopted level of service standards for all public facilities are not met.

Policy 1.3.3: The City shall apply for federal or state grant funding for projects which further the policies of the 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

5-Year Schedule of Capital Improvements

Table 1: 5-Year Schedule of Capital Improvements to Address Level of Service Deficiencies- FY 2020-2024

PROJECT DESCRIPTION	SCHEDULE	PROJECTED COST	GENERAL LOCATION	REVENUE SOURCE	CONSISTENCY WITH OTHER
None	N/A	N/A	N/A	N/A	N/A
Sources: City of Alachua Five-Year Schedule of Capital Improvements, FY 2020 – 2024; Florida Department of Transportation Five-Year Work Program, 2020 – 2024; Alachua County 2019 – 2024.					

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. 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 (LPA). City Staff designated by the City Manager will serve as liaison to the Local Planning Agency to address all fiscal needs required to ensure the adopted level of service standards are maintained and system deficiencies are considered for rehabilitation, replacement, maintenance, and expansion.

The LPA shall consider the following points during the annual review to assist in the determination of findings and recommendations to the City Commission:

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 its 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 Five Year Schedule of Capital Improvements those identified improvements needed for the latter part of the planning period.

The findings and recommendations of the LPA will be transmitted to the City Commission for review at a scheduled public hearing. Subsequent to review of the findings and recommendations of the LPA, the City Commission shall direct City Staff to include within the Five Year Schedule of Capital Improvements any amendments deemed necessary by the City Commission to maintain the adopted level of service standards.

CONCURRENCY MANAGEMENT PURPOSE AND OVERVIEW

The City shall require a concurrency review to be performed with applications for development approvals and a Certificate of Concurrency Compliance to be issued concurrent with the issuance of final development orders. The review will analyze a development's impact on transportation, sanitary sewer, solid waste, drainage, potable water, recreation, and public schools. This review shall determine if the development is concurrent with adopted level of service standards for all public facilities. If the application is deemed concurrent, a Certificate of Concurrency Compliance will be issued by the Land Development Regulations Administrator. A separate concurrency review shall not be required for each development permit for the same project, as long as the previously approved development permit considered the impacts generated by the subsequent development permit(s). Concurrency reviews address only the availability of public facilities. A 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 public facilities which were

determined to not be concurrent, the level of service deficiency, and the impact assessment that was the basis for the determination. The burden of showing compliance with the adopted levels of service and meeting the concurrency test shall be upon the applicant.

The LPA and City Commission shall review applications, as applicable, for development. A final development order shall be issued only if the proposed development will not degrade the level of service for all public facilities below the adopted level of service standards 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, development shall meet the following standards to satisfy the concurrency requirements:
 1. A final development order 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 final development order is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, and the City's Land Development Regulations, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, 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.
- b) For parks and recreation facilities, development shall meet the following standards to satisfy the concurrency requirement:
 1. At the time the development order is issued, the necessary facilities and services are in place or under actual construction; or
 2. A development order 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; or
 3. A development order 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 five-year schedule of capital improvements; or
4. At the time the development order 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
 5. At the time the development order is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, 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 transportation, new development shall meet the following standards to satisfy the concurrency requirement, except as otherwise provided:
1. At the time a development order is issued, the necessary facilities and services are in place or under construction; or
 2. A development order 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 as provided in the five-year schedule of capital improvements not more than three years after issuance of a certificate of occupancy or its functional equivalent. 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.
 3. The Capital Improvements Element and the five-year schedule of capital improvements shall address the following:
 - 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;
 - c. At the time a development order 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

- d. At the time a development order is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, to be in place or under actual construction not more than three years after issuance of a certificate of occupancy or its functional equivalent.

For the purpose of issuing a development order, a proposed development may be deemed to have a de minimis impact and not subject to the concurrency requirements if the proposed development order 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.

The 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 beginning place shall be made by the Land Development Regulations Administrator as part of the Certificate of Concurrency Compliance procedure. For transportation, this determination shall apply to the adopted level of service standards for transportation facilities within the City's corporate limits. 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 site plans, minor site plans, and final plats. These other types of development orders have less immediate impacts on public facilities than the issuance of a building permit. However, public facilities and services must be available concurrent with the impacts of the development permitted by these other types of development orders. Therefore, subject to the Land Development Regulations 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 due to the impacts of the development proposal public facilities 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 public facility so that the necessary facilities and services will be in place or under construction before the impacts of the development are created and within conformance with the five-year schedule of capital improvements.

A concurrency review shall be made of the following public facilities and services for which level of service standards have been established in the Comprehensive Plan: (1) transportation; (2) sanitary sewer; (3) solid waste; (4) drainage; (5) potable water; (6) recreation; and, 7) public schools. The concurrency review for facilities will be conducted by evaluating the available capacity of a public facility to the demand created by the proposed project and to the reserved capacity of the public facility. Available capacity is determined by subtracting the actual demand to a public facility, the reserved capacities for previously approved development orders, and the demand created by the proposed project from the total capacity.

1. For development orders, the following determination shall apply:
 - a. If an applicant requests a determination of whether there is sufficient capacity to accommodate a proposed project, the Land Development Regulations Administrator shall make an informal, non-binding determination of whether there appears to be sufficient capacity for each public facility to meet the demands of the proposed project. If there appears to be insufficient capacity, the Land Development Regulations Administrator shall then notify the applicant of public facilities which would be rendered deficient by the development.
 - b. There are certain development approvals that are ineligible to receive concurrency reservation because they are too conceptual or preliminary in nature and consequently do not allow an accurate assessment of public facility impacts. These development approvals include: amendments to the Future Land Use Map; rezonings; planned developments; and preliminary plats. 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 the available public facilities 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, and shall be rendered based upon the available capacity of each public facility at the time a Certificate of Concurrency Compliance is granted.
2. For transportation facilities, the following determination procedures shall apply:

- a. The City shall provide level of service information as set forth in the most recent reports as provided for in the Land Development Regulations. 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 for review by City Staff.
 - b. If the applicant chooses to prepare a more detailed analysis the applicant shall: (1) submit the completed transportation analysis to the Land Development Regulations Administrator for review; and, (2) the Land Development Regulations Administrator shall review the transportation analysis for accuracy and appropriate application of the methodology.
 - c. If the alternative methodology indicates an acceptable level of service, as determined by the Land Development Regulations Administrator in his or her sole discretion, the alternative methodology shall be used in place of the most recent level of service report.
 - 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. A development has received the issuance of a building permit based upon previously approved development orders;
2. A development has received the issuance of a development order permitting redevelopment;

3. A development has received the issuance of a development order 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 projects identified in the five-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 development application 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 concurrent with the issuance of a final development order. 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 one (1) year from the date of issuance by the Land Development Regulations Administrator.