

CAPITAL IMPROVEMENT ELEMENT



Goals, Objectives and Policies

CAPITAL IMPROVEMENT ELEMENT GOALS, OBJECTIVES, AND POLICIES

GOAL

Public facility and public service needs of Dunnellon citizens shall be met in a timely and efficient manner, while maintaining the financial health of the community and promoting orderly compact growth.

OBJECTIVE 1:

The Capital Improvement Element will be utilized throughout the planning period by the City as the formal guide to the construction of new capital facilities, which are necessary to correct existing deficiencies, identified in the Dunnellon Comprehensive Plan. This element shall also guide decisions on facilities to accommodate desired future growth through public or private investment, and/or to replace obsolete or worn out facilities.

POLICY 1-1:

Individual capital improvement projects will be budgeted and programmed annually following an evaluation process. Projects will be evaluated based on the following criteria:

1-1a: Priority based on other projects which are required to meet adopted levels of service, as specified by the individual elements of the Comprehensive Plan, and considering the;

1-1b: Necessity created by public hazards or potential public hazards;

1-1c: The urgency to eliminate existing capacity deficits;

1-1d: The total impact on the City's budget;

1-1e: The financial feasibility of the project; and

1-1f: The plans of other agencies, such as the Southwest Water Management District (SWFWMD) and the Florida Department of Transportation (FDOT) to provide public facilities within the City of Dunnellon.

1-1g: In providing capital improvements, the City shall limit the maximum of outstanding indebtedness to no greater than 10% of the property tax base.

POLICY 1.2: Beginning with the first full fiscal year following the adoption of the Dunnellon Comprehensive Plan, the annual budget process shall have a capital budget component, including adequate provisions for renewal and replacement of capital facilities under the control of the City.

POLICY 1.3: The provision of facilities identified in the schedule of capital improvements shall be sufficient to meet the needs of development approved prior to the adoption of the Dunnellon Comprehensive Plan.

Note: 9J-5.016 (3) (b) 2 is not applicable due to the fact that the City is located inland.

OBJECTIVE 2:

The Capital Improvement Element will be utilized throughout the planning period to coordinate land use decisions and available or projected fiscal resources with a schedule of capital improvement. The schedule of capital improvements will include new or expanded facilities and services needed to maintain adopted level of service standards.

POLICY 2.1: In order to ensure that capital expenditures further the objectives of the Dunnellon Comprehensive Plan each proposed project will be considered in light of the City’s policies, which are included in each element of the plan.

POLICY 2.2: The City will utilize the Capital Improvement Element to guide development in accord with the plan for future land use. Individual land use decisions will be based on the ability of the City, or the developer, to provide the necessary facilities.

OBJECTIVE 3:

It is the intent of the City of Dunnellon that all future development or expanded development will bear a proportionate cost of facility improvements necessitated by the development in order to maintain adopted level of service standards. The provision to ensure assignment of proportionate cost shall be included in the land development regulations to be adopted one year after plan submission for State review.

POLICY 3.1: The adopted levels of service for public facilities will be the same level of service standards adopted in the other elements of the Dunnellon Comprehensive Plan. They are listed as follows:

3-1a: Potable Water Facilities – 125 gallons per capita per day.

3-1b: Sanitary Sewer Facilities – 87 gpd per capita.

3-1c: Solid Waste Facilities – 5.3 pounds per capita per day.

3-1d: Neighborhood Parks – 2 acres per 1,000 population.

3-1e: Community Parks – 2 acres per 1,000 population

3-1f: Traffic – US 41 from Powell Rd. to North City Limits- Maintain & Improve (Backlogged) (other principal arterials and collector roads – LOS C)

Other principal arterials and collector roads LOS C

The adopted level of service standards are compatible with the level of service standards adopted by FDOT and Marion County for these roadways. Backlogged facilities shall

maintain operating condition, which is considered by FDOT to be peak hour increase in traffic of five percent or a decrease in average speed of one MPH.

3-1g: Drainage Facilities:

The City hereby establishes the following water quantity and quality level of service standards for drainage facilities:

LEVEL OF SERVICE STANDARD

The City shall enforce a 25-year frequency, 24-hour duration, design storm level of service for open basins and a 100-year 24 hour duration level of service for closed basins as the basis for stormwater management system design for proposed new development and redevelopment projects, and for determining availability of facility capacity. Stormwater collection systems (including designs for minimum impacts to the natural water flow), transport systems, and allowable peak density rates shall meet requirements and specifications as defined in the City of Dunnellon Land Development Code. Developers will also be required to analyze the ultimate effects of stormwater disposal for all storm events, up to and including the 100-year, 24-hour duration, and storm event. In addition, developers will comply where applicable with the SWFWMD flood control criteria for stormwater quantity and quality [Chapters 40D-4, 40D-40, and 40C-400, F.A.C.].

The demand for stormwater facility capacity by new development shall be determined based on the difference between the pre-development and post-development stormwater runoff characteristics (including rates and volumes) of the development site using the design storm level of service standard stated above and facility design procedures consistent with accepted engineering practice.

The City shall ameliorate the future discharge of inadequately treated stormwater runoff into waters and wetlands of the state by requiring that the first one-inch of runoff be retained on-site, or in the case of runoff entering any body of water designated an Outstanding Florida Water (OFW), the first one and a half inches shall conform to the standards used by SWFWMD and DEP.

Water Quality:

Stormwater Management Systems – Stormwater management systems shall be designed to either retain on-site the runoff generated by a 25-year, 24-hour storm or detain and discharge the runoff from a 25-year, 24-hour storm at peak discharge rates which do not exceed pre-development rates.

Water quality treatment, shall be provided for a volume equivalent to ¾ inch of depth over the entire site or the runoff from the first 1 ½ inches of rainfall on the entire site, consistent with Chapter 17-25.025(9), FAC, design criteria for Outstanding Florida Waters. All stormwater discharge facilities shall be designed so as to not degrade the

receiving water body below the minimum conditions necessary to assure the suitability of water for the designed use of its classification as established in Chapter 17-302, F.A.C.

Site-specific conditions may require other design criteria to be satisfied in order to obtain Water Management District construction permits and shall meet the requirements of Chapter 40D-4, as well as the requirements of FDER Chapter 17-40,420, FAC, State Water Policy. To ensure compliance with those requirements, a copy of a valid Water Management District permit or exemption letter shall be presented before building permits or development approvals are granted.

*Single family, duplex, triplex and quaruplex residential development not located directly on the water shall be exempt from this requirement, so long as stormwater runoff is accommodated by the City's facilities, in accordance with the level or service standards listed in b., above. However, all waterfront development must meet the above standards.

POLICY 3-2: The City shall include in the land development regulations to be adjusted in May 1992 the use of impact fees and/or developers agreements as mechanisms to assess new development a rational and equitable share of the costs of public facilities necessitated by the development.

OBJECTIVE 4:

The annual update of the Capital Improvement Element will be utilized as a guide to monitor capital improvements. It will demonstrate how the City will provide or require the provision of improvements that are identified by the other elements of the Dunnellon Comprehensive Plan.

POLICY 4-1: In addition to sources of revenue, which were available in the previous fiscal year, additional sources will be investigated by City staff on an annual basis. The Revenue sources section of the Capital Improvement Element will be updated to reflect current revenue conditions and these sources will be utilized to project revenues in the fiscal analysis.

POLICY 4-2: The City will continually explore alternative funding sources for capital projects. When examining the fiscal feasibility of a project the City will consider all available methods of financing and will proceed with a necessary project through the mechanism most beneficial to the city.

OBJECTIVE 5:

The Capital Improvement Element will balance available revenues and borrowing capacity with needed improvement in order to maintain the level of capital debt at a manageable level.

POLICY 5-1: A Capital Improvement project will be included in the Capital Improvement Element only after an adequate source of funding, or sources of funding, is/have been identified which will allow a level of flexibility consistent with the potential fiscal demands of the particular project.

POLICY 5-2: Capital improvement projects, or individual project phases, will be prioritized in order to allow for project scheduling in accordance with available funding.

POLICY 5-3: The City will maintain a contingency fund and/or line of credit which is sufficient to meet unplanned cost overruns in capital projects.

OBJECTIVE 6:

Decisions regarding the issuance of development orders and permits will be based upon coordination of the development requirements included in this plan, the land development regulations, and the availability of necessary public facilities needed to support such development at the adopted level of service standards.

POLICY 6-1: The City shall use the LOS standards adopted in Policy 3.1 of this Capital Improvements Element for water, sewer, solid waste, parks, traffic, and drainage when reviewing the impacts of new development and redevelopment upon public facilities.

POLICY 6-2: The City shall adopt within the land development regulations adopted by May 1, 1992, a concurrency management procedure to ensure that, at the time of development permit is issued, adequate facility capacity is available or will be available when needed to serve the development. Such concurrency management procedures shall be consistent with the provisions of 9J-5.0055, FAC.

POLICY 6-3: Proposed plan amendments and requests for new development or redevelopment shall be evaluated according to the following guidelines as to whether the proposed action would:

- a. contributed to a condition of public hazard as described in the Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element, and Recreation and Open Space Element.
- b. exacerbate any existing condition of public facility capacity deficits, as described in the Traffic Circulation, Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element, and Recreation and Open Space Element.
- c. generate public facility demands that may be accommodated by capacity increases planned in the 5-year schedule of improvements.
- d. conform with future land uses as shown on the future land use map of the Future Land Use Element, and service areas as described in the Sanitary Sewer, solid waste, drainage and natural aquifer groundwater recharge elements;
- e. if public facilities are developer-provided, accommodate public facility demands based upon adopted LOS standards:

- f. if public facilities are provided, in part or whole, by the city, demonstrate financial feasibility, subject to this element; and
- g. affect state agencies and water management districts facilities plans.

POLICY 6-4:

In order to ensure that the FDOT standards for the backlogged facility are met, the City’s concurrency management system shall be designed to ensure that development permits issued upon the adoption of this plan maintain operating conditions. Maintaining operating conditions shall be defined as: a peak hour increase in traffic of 5 percent or a decrease in average speed of 1 mph.

Capital Improvements Implementation

The requirements for implementation of the capital improvements component of the Dunnellon Comprehensive Plan are contained within earlier sections of this element. They are:

- 1. Schedule of Improvements - see Table 1. below
- 2. Determination of consistency with other plan elements - Described in the section entitled “Needs derived from other elements”
- 3. Projected costs and revenue sources - Table 5.
- 4. Programs to be adopted which will ensure that goals, objectives, and policies of this element are met.

**TABLE 1
CITY OF DUNNELLON CAPITAL IMPROVEMENTS
FY 1993-1997**

Project Description	Target Year	Estimated Cost (\$)
<u>SANITARY SEWER FACILITIES</u>		
1. Upgrade existing plant to meet compliance with FDER standards	1992	SF & H 500,000
2. Extensions to existing waterfront unsewered areas Blue Cove II; Burkett; Vogt Springs; then Hendrix Ave.	1992	SF & H 2,170,000
3. Redesign lift stations (5)	1993	SF & H 200,000
4. Upgrade manholes (150)	1997	SF & H 30,000
TOTAL SANITARY SEWER IMPROVEMENTS		
<u>DRAINAGE FACILITIES</u>		
1. Improve drainage at Dunnellon Square (Powell Road)	1993	GT 25,000
2. Improve drainage at Third Avenue and CR 40	1994	GT 45,000
Complete studies to determine method and cost to correct the following drainage deficiencies:		
3. McKinney Ave. Outfall	1994	GT 10,000

4. Palmetto Way Outfalls	1993	GT	15,000
TOTAL DRAINAGE FACILITY IMPROVEMENTS			95,000

TABLE 1 (Cont'd)
CITY OF DUNNELLON CAPITAL IMPROVEMENTS
FY 1993-1997

Project Description	Target Year		Estimated Cost (\$)
<u>POTABLE WATER FACILITIES</u>			
1. Purchase property for new well and Water tower (east of Rainbow River) Establish Well #4 (construct well, permitting and testing)	1992	WF	315,000
2. Upgrade water mains to meet pressure needs for fire department	1997	WF	100,000
3. Install isolation valves	1997		15,000
4. Purchase generator: Well #3	1991	WF	30,000
5. Dunnellon Heights water assessment district	1992	WF	25,000
6. New water tank – Well #4	1997		250,000

TOTAL POTABLE WATER FACILITY IMPROVEMENTS

RECREATION FACILITIES

1. Improve City beach (additional drainage and parking)	1995	GF	150,000
2. Recreational complex (bicycle/jogging trails)	1997	GF	5,000

TOTAL RECREATION FACILITY IMPROVEMENTS

155,000

Source: Director of Public works, City of Dunnellon, 1989.
 Henigar & Ray, Inc., 1991.

- *: GF: General Fund revenues
 GB: General Revenue Bonds
 SF: Sewer Fund
 FH: Farmers Home Admin. Loan/Grant
 WF: Water Fund Bonds
 RB: Revenue Bond
 GT: Local Option Gas Tax

TABLE 5
TOTAL REVENUE PROJECTIONS AND REVENUE PROJECTIONS
AFFECTING CAPITAL IMPROVEMENTS
CITY OF DUNNELLON: 1993-1997

TOTAL REVENUE PROJECTIONS						
Year	1993	1994	1995	1996	1997	
General Fund		1,208	1,275	1,348	1,426	1,509
Water Fund		267	295	325	358	394
Sewer Fund		222	238	256	275	295
Sanitation Fund		225	246	269	295	323
Revenue (\$)		1,922	2,054	2,198	2,354	2,521
PROJECTED REVENUE AVAILABLE FOR CAPITAL IMPROVEMENTS*						
General Fund		212	224	237	250	265
Water Fund		41	47	54	61	70
Sewer Fund		78	84	90	96	103
Sanitation Fund		24	27	29	32	35
Revenue (\$)		355	382	410	439	473

Source: Henigar & Ray, Inc., 1991.

Note: All figures in thousands.

* Based on FY 1988 / 89 Budget Proportions.

MONITORING AND EVALUATION PROGRAM

The Dunnellon Comprehensive Plan will be evaluated on an annual basis during the preparation of the annual budget in connection with the evaluation of the Capital Improvements Element. In addition, a program has been developed for the annual review of the plan to determine whether it is effectively guiding Dunnellon in decisions about growth and development. This program provides for monitoring on an annual basis as well as a more detailed evaluation after five years or as required by Florida Law.

The annual monitoring program is designed to consider accomplishments and obstacles encountered by Dunnellon in all areas covered by the Comprehensive Plan. At the end of the fiscal year a monitoring report will be prepared which includes a brief statement of the following:

1. Activities or programs undertaken and/or completed within the immediately past fiscal year which implement one or more provisions of the Comprehensive Plan.
2. A list of all plan amendments proposed and whether they were approved or denied.
3. Problems encountered during the fiscal year which require plan amendment for reasonable solution.
4. Recommendations regarding future actions, programs, or plan amendments in response to the findings in (1) through (4) above. Recommendations shall address whether data must be updated, goals/objectives/policies added or modified, and estimate the time and cost for carrying out the recommendations.
5. A brief summary of the development and redevelopment which has occurred in Dunnellon during the fiscal year.
6. A brief statement of the relationship of development within Dunnellon to the adopted levels of service.

The annual monitoring report shall be presented to the Dunnellon Town Council after review and comment by the Local Planning Agency (LPA). Consideration of the monitoring report shall be at a regular meeting of the Council.

Following the fifth anniversary of the adoption of the Dunnellon Comprehensive Plan, an Evaluation and Appraisal Report (EAR) shall be completed as required by Florida Law. This EAR shall be designed to summarize the annual monitoring reports, addressing each of the seven items described above for the total five-year period, and, in addition, including the following provisions:

1. A program for citizen participation in the evaluation process. The citizen participation program shall be the same as or substantially comparable to the program used for the initial completion and adoption of the Dunnellon Comprehensive Plan. If particular problems or obstacles have occurred during the five-year period since initial plan adoption, consideration shall be given to an expanded citizen participation program to address those problems. The citizen participation program shall be described in the EAR.
2. An updated data base including, at a minimum, revised population estimates and projections based upon 1990 census data. The updated data shall be used for appropriate revisions to projected needs for the various land uses, housing needs projections, and traffic volume projections. The EAR shall contain a complete methodology and explanation of the basis for determining updated data needs.

3. Recommendations for actions, programs, or plan amendments as a result of the cumulative findings from the annual monitoring reports, or the updated data and analysis.

**CITY OF DUNNELLON
CONCURRENCY MANAGEMENT SYSTEM**

INTRODUCTION

Chapter 9J-5, *Florida Administrative Code*, requires the adoption of a concurrency management system to ensure that facilities and services needed to support development are available concurrent with the impacts of such development. This concurrency management system is designed to ensure that prior to the issuance of a development order and development permit, the adopted level of service standards required within this Comprehensive Plan for roads, potable water, sanitary sewer, solid waste, drainage, and recreation and open space will be maintained.

The City has adopted policies within this Comprehensive Plan, which established level of service standards for public facilities; the concurrency management system in turn provides a mechanism for which the City can ensure the maintenance of the standards concurrent with the impacts of development.

In order to adopt a concurrency management system in the City of Dunnellon, three things are required. First, the City must adopt the concurrency management system as an amendment to the comprehensive plan. Section 1 contains the proposed amendment to the Capital Improvements Element to adopt the concurrency management system. Second, the City must amend the level of service standard for stormwater management. The standard contained in the comprehensive plan is no longer consistent with the requirements of the Southwest Florida Water Management District. Section 2 contains the proposed amendments necessary to adopt the current standard. Finally, the City must implement the concurrency management system with administrative procedures. Section 3 contains the administrative procedures for implementation.

Section 1. Amendment of the Capital Improvements Element Concurrency Management System

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

- 1.1 Developments or redevelopments requiring the use of potable water, sanitary sewer, solid waste, or drainage facilities shall receive development orders subject to:
- The public facilities being in place at the time of issuance of the certificate of occupancy; or
 - The provision of the facilities is 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 at the time of certificate of occupancy issuance.

1.2 Developments or redevelopments requiring the use of park and recreation facilities shall receive development orders subject to:

- The facilities and services are in place or under construction at the time of development order issuance; or
- Dedication of land and facilities or fees in lieu are committed by the time of certificate of occupancy issuance; and
- The development order is issued conditioned on the necessary facilities and services scheduled to be in place or under construction not more than one year after certificate of occupancy as provided in the Five-Year Schedule of Capital Improvements; or
- The necessary facilities are subject to a binding agreement which requires them to be in place or under construction not more than one year after certificate of occupancy issuance; or
- When the development order is issued, the facilities and services are guaranteed in an enforceable development agreement stipulating that they will be in place or under construction not more than one year after certificate of occupancy issuance.

1.3 Developments or redevelopments requiring the use of roads shall receive development orders subject to:

- The public facilities being in place or under construction at the time of issuance of the certificate of occupancy; or
- The development order is issued conditioned on the necessary facilities and services will be in place or under construction not more than three years after certificate of occupancy issuance as provided in the Schedule of Capital Improvements; or
- The landowner has made a binding commitment to the City to pay the fair share of the cost of providing transportation facilities necessary to serve the proposed development.

Section 2. Amendments to Update the Stormwater Management Level of Service Standard

The City of Dunnellon's existing Infrastructure Element contains a level of service standard for stormwater management facilities. The Southwest Florida Water Management District (SWFWMD) has revised its stormwater management facility water quantity and water quality standards. Therefore, Dunnellon's stormwater management level of service standard is proposed for revision by amending Policy 1.2.1 of the Infrastructure Element as follows:

Infrastructure Element

Policy 1.2.1:

The following levels of service standards are hereby adopted:

Potable Water Facilities: 125 gallons per capita per day

Sanitary Sewer Facilities: 62 gallons per day per capita

Solid Waste Facilities: 5.3 pounds/capita/day

Drainage Facilities: The City shall enforce a 25-year frequency, 24-hour duration, design storm level of service for open basins and a 100-year 24 hour duration level of service for closed basins as the basis for stormwater management system design for proposed new development and redevelopment projects, and for determining availability of facility capacity. Stormwater collection systems (including designs for minimum impacts to the natural water flow), transport systems, and allowable peak density rates shall meet requirements and specifications as defined in the City of Dunnellon Land Development Code. Developers will also be required to analyze the ultimate effects of stormwater disposal for all storm events, up to and including the 100-year, 24-hour duration, storm event. In addition, developers will comply where applicable with the SWFWMD flood control criteria for stormwater quantity and quality [Chapters 40D-4, 40D-40, and 40C-400, F.A.C.].

The demand for stormwater facility capacity by new development shall be determined based on the difference between the pre-development and post-development stormwater runoff characteristics (including rates and volumes) of the development site using the design storm level of service standard stated above and facility design procedures consistent with accepted engineering practice.

The City shall ameliorate the future discharge of inadequately treated stormwater runoff into waters and wetlands of the state by requiring that the first one-inch of runoff be retained on-site, or in the case of runoff entering any body of water designated an Outstanding Florida Water (OFW), the first one and a half inches shall conform to the standards used by SWFWMD and DEP.

Capital Improvements Element

The Capital Improvements Element contains a policy that reiterates the stormwater level of service policy language in the Infrastructure Element. This policy is proposed for deletion and replacement with a reference to the Infrastructure Element policy.

Policy 3.1 g: The City shall implement the stormwater level of service standards adopted in the Infrastructure Element, Policy 1.2.1.

Section 3. Administrative Procedures to Implement the Concurrency Management System

3.1 Purpose and Overview

The City shall require a concurrency review be made with applications for development approvals and a Certificate of Concurrency issued prior to development. If the application is deemed concurrent, a Certificate of Concurrency will be issued by the City. If the development requires any other development permit, a copy of the Certificate of Concurrency 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 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.

3.2 Applicability

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 in place shall be made by the City 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's jurisdiction. All public facility impacts shall be determined based on the level of service of the facility throughout the facility geographical service area.
2. **Other Types of Development Orders.** Other types of development orders include, but are not limited to, approval of subdivisions, rezoning, special permits, and site 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 other types of development orders. Therefore, subject to the City determining that the necessary facilities and services are in place and are maintaining the adopted level of service, the following concurrency management requirements shall apply for the issuance of 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 Five-year Schedule of Improvements found within the City's Capital Improvements Element.

3.3 Concurrency Determination Procedures

A concurrency test shall be made of the following public facilities and services for which level of service standards have been established in this Comprehensive Plan, which are (1) transportation, (2) sanitary sewer, (3) solid waste, (4) drainage, (5) potable water, and (6) recreation and open space.

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 existing facilities and the total capacity of any new facilities which 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 procedures shall apply:
 - a. If an applicant desires to determine whether there is sufficient capacity to accommodate their proposed project, the City shall make an informal nonbinding 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 City 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 future land use map amendments to the Comprehensive Plan and certain 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 as set forth in the most recent Data and Analysis Report in support of the City's Comprehensive Plan. 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 in the most recent Data and Analysis Report supporting the City's Comprehensive Plan; or
 - 2) Prepare a more detailed Highway Capacity Analysis based upon a methodology acceptable to the City.
 - b. If the applicant chooses to do a more detailed analysis the (1) applicant shall submit the completed alternative analysis to the City for review, and (2) City shall review the alternative analysis for accuracy and appropriate application of the methodology.
 - c. If the alternative analysis, after review and acceptance by the City, indicates an acceptable level of service, the alternative analysis shall be used in place of the most recent Data and Analysis to support the City's Comprehensive Plan.
 - d. Any proposed development generating more than 250 trips a day 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 and open space the following determination procedures shall apply:
 - a. The City shall provide level of service information as set forth in the most recent Data and Analysis Report in support of the City's Comprehensive Plan.
 - 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 be 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 the acceptable levels of service was not available at the date of application or inquiry.

3.4 Priorities

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

3.5 Conditions

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

1. Amendments to the Comprehensive Plan can be made twice each year and as otherwise permitted as small scale developments. In addition, changes can be made to the Capital Improvements Element by ordinance if the changes are limited to the technical matters listed in Chapter 163, Part II, *Florida Statutes*.
2. No development order or development permit shall be issued which would require the City Council to delay or suspend construction of any of the capital

improvements on the Five-year Schedule of Improvements of the Capital Improvements Element.

3. If by issuance of a development order or development permit a substitution of a comparable project on the Five-year Schedule of Improvements is proposed, the applicant may request the City to consider an amendment to the Five-year Schedule of Improvements in one of the twice annual amendment reviews.
4. 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).

3.6 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 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 months from the date of issuance.