

ORDINANCE NO. 376

AN ORDINANCE OF THE CITY OF ORANGE CITY, FLORIDA, TRANSMITTING AND ADOPTING AN ADMINISTRATIVE AMENDMENT TO THE CITY OF ORANGE CITY COMPREHENSIVE PLAN FOR THE PURPOSE OF AMENDING THE CAPITAL IMPROVEMENTS ELEMENT TO UPDATE AND REVISE THE TEXT AND INCLUDING THE FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM; PROVIDING FOR CONFLICT AND SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, requires local governments to annually update the Comprehensive Plan Capital Improvements Element including the Five-Year Capital Improvement Program; and

WHEREAS, the City of Orange City, Florida has prepared amendments to the Comprehensive Plan's Capital Improvement Element including the Five-Year Capital Improvement Program as required by Chapter 163, Florida Statutes; and

WHEREAS, the Planning Commission of the City of Orange City has reviewed the proposed amendments and provided recommendations to the City Council of the City of Orange City at a duly noticed public hearing in the preparation and enactment of this Comprehensive Plan Amendment Ordinance; and

WHEREAS, the City Council of the City of Orange City desires to adopt an amendment to the Capital Improvement Element of the City of Orange City Comprehensive Plan and to guide and control the future development of the City and to preserve, promote and protect the public's health, safety and welfare; and

WHEREAS, the City Council of the City of Orange City held a duly noticed public hearing on the proposed amendment set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments; and

WHEREAS, the City Council hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Orange City, Florida.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA:

SECTION 1. That the City Council of the City of Orange City, Florida hereby adopts an amendment to the City of Orange City Comprehensive Plan, which said amendment, consists of the Capital Improvement Element that is identified in Exhibit "A", and by reference incorporated herein with full force and effect, which is hereby amended pursuant to Chapter 163, Florida Statutes.

SECTION 2. Repealer: That all ordinances or parts of ordinances and all resolutions in conflict herewith be and the same are hereby repealed, as well as any portion in conflict herewith.

SECTION 3. Severability: If any section, part of a section, paragraph, clause, phrase or word of this ordinance is declared invalid, the remaining provisions of this ordinance shall not be affected.

SECTION 4. Effective Date: This Ordinance shall take effect immediately upon its adoption by the City Council of the City of Orange City, Florida.

ROLL CALL VOTE AS FOLLOWS (Ordinance No. 376):

First Reading this 10th day of February, 2009.

Jim Mahoney	<u>yes</u>	Donald C. Sherrill	<u>yes</u>
Tom Laputka	<u>yes</u>	Tom Abraham	<u>yes</u>
Donald Sandford	<u>Absent</u>	Jeff H. Allebach, Vice Mayor	<u>yes</u>
Harley Strickland, Mayor	<u>yes</u>		

ROLL CALL VOTE AS FOLLOWS (Ordinance No. 376):

Second Reading this 24th day of February, 2009.

Jim Mahoney	<u>yes</u>	Donald C. Sherrill	<u>yes</u>
Tom Laputka	<u>yes</u>	Tom Abraham	<u>yes</u>
Donald Sandford	<u>Absent</u>	Jeff H. Allebach, Vice Mayor	<u>yes</u>
Harley Strickland, Mayor	<u>yes</u>		

PASSED and ADOPTED this 24th day of February, 2009.

ATTEST:

Deborah J. Renner
Deborah J. Renner, CMC, City Clerk

AUTHENTICATED:

Harley Strickland
Harley Strickland, Mayor

Approved as to form and legal sufficiency:

William E. Reischmann, Jr.
William E. Reischmann, Jr., City Attorney

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Section 9

Capital Improvements Element

Underlined added
~~Struck-through~~ deleted

INTRODUCTION

The City of Orange City seeks to provide existing and future residents and businesses with urban services and public facilities sufficient to meet their needs and expectations. The City also seeks to improve and expand these urban services and public facilities in a fiscally responsible manner, while fostering an efficient pattern and manageable pace of growth.

GOALS, OBJECTIVES AND POLICIES

Goal 1: The City shall plan for and provide needed community facilities and services in a manner which maximizes the use of existing facilities, minimizes the fiscal and tax burden on existing residents, and accommodates growth and development while maintaining such facilities and services at their desired level of service (LOS) standards.

Objective 1.1: Land use decisions within the City will be based on the provision of service and facilities at adopted LOS, existing and projected fiscal capacity, and ~~the a financially feasible five-year schedule of capital improvements and capacity additions listed herein, and as amended annually.~~ Financially feasible means that sufficient revenues are currently available or will be available from committed funding sources for the first three years, or will be available from committed or planned funding sources for years four and five of the City's Five-Year Capital Improvements Program (CIP).

Policy 1.1.1: The City's adopted development review procedures and the land development regulations ensure that development proposals comply with the City's concurrency management requirements with attention to the City's adopted ~~level of service~~ LOS standards, existing LOS, and where appropriate, the time frame for implementation of additional facility improvements.

Policy 1.1.2: The City shall allow for phasing of development-related infrastructure improvements concurrently with project impacts on public facilities.

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Policy 1.1.3: The LOS standards for the following facilities shall be:

Transportation:

State Arterials	Peak Hour LOS
US 17-92 (Principal)	C
SR 472 (Minor)	C

County Arterials

Enterprise Road	E
Graves Avenue	E
Saxon Boulevard	E
Rhode Island Avenue (except City section listed below)	E

Transportation (cont.):

Kentucky Avenue/Veterans Memorial Parkway	Peak Hour LOS
	E

County Collectors

Blue Springs Avenue	E
Kentucky Avenue	E
French Avenue	E

City Arterials

Rhode Island Avenue from Veterans Memorial Boulevard Parkway to U. S. 17/92.	E
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City Collectors

Leavitt Avenue	E
Harley Strickland Blvd.	E
Wisconsin Avenue	E
West Blue Springs	E

Sanitary, Sewer: 284 gallons per day per equivalent residential connection.

.08 gallons per day per acre for industrial/commercial/institutional uses.

Potable Water: 300 gallons per day per equivalent residential connection.

1,500 gallons per day per acre for commercial/industrial/institutional uses and 500 gallons per minute fire flow.

Solid Waste: 6 lb. per capita per day.

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Stormwater: All land use and development approval decisions which impact water resources in Orange City shall conform to the Volusia County comprehensive surface and groundwater basin management plan when said plan is completed and adopted by Volusia County and the City Council. Its recommendations will be used for all land use and development approval decisions which impact water resources. Until that time, the City shall comply with the following performance standards of Article VIII, Storm Water Management, Volusia County LDC, Ordinance No. 88-3 as amended in November, 2004 provided said standards are more stringent than the City's standards:

- A. The City shall require that developments of less than 1 acre with less than 5,000 square feet of impervious area, or an impervious area is less than 25 percent of the total lot area ~~must~~ shall meet the performance and design standards of Article VIII, Storm Water Management, Volusia County LDC, Ordinance No. 88-3 as amended in November, 2004.
- B. The City shall require development of any lot area that consists of 5,000 or more square feet of impervious area or, the impervious area is 25 percent or more of the total lot area; or, the lot area of the proposed development is 1 acre or larger regardless of the impervious areas shall meet additional performance standards of Article VIII, Storm Water Management Section 804(3) (a) and (b), Volusia County LDC, Ordinance No.88-3 as amended in November, 2004.

Recreation: Community Park – Four acres per 1,000 population.

Neighborhood Park – Two acres per 1,000 population.

The City shall utilize the existing LOS for recreation facilities, contained in Table 6-4 of the Support Document, as guidelines in developing future park sites.

Schools: LOS standards are included in the School Element.

Policy 1.1.4: Pursuant to the review to be determined in Policy 1.1.1, if it is determined that a proposed development will result in a reduction in the service or facility below its LOS standard, a development order will be denied unless it can be demonstrated that the capacity of the impacted facility or service will be increased to accommodate the demands of the proposed development, concurrent with its impacts.

~~Objective 1.2:~~ Policy 1.1.5: Capital improvements that cost a minimum of \$25,000 \$50,000, have a physical life of at least five years and are the funding responsibility of Orange City publicly-funded and/or privately-funded

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shall be included in ~~Table 9-1 the Five-Year Capital Improvements Program~~ the CIP.

- Policy 1.1.6: When privately-funded capital improvements are included in the CIP to satisfy LOS standards or meet concurrency, the City shall execute a written agreement with the private entity that specifies the private entity's fair share cost and/or contribution, the name of the private entity and the execution and expiration dates of the agreement.
- Policy 1.1.7: The City hereby adopts by reference Volusia County's Five-Year Road Program thoroughfare roadway improvements within Orange City into the City's CIP.
- Policy 1.1.8: The City hereby adopts by reference the five-year schedule of transportation improvements related to Orange City as annually adopted by the Volusia County MPO and Florida Department of Transportation District 5 into the City's CIP.
- Policy 1.1.9: The City hereby adopts by reference the five-year Volusia County School District facilities work plan as annually adopted by the District into the City's CIP.
- Policy 1.1.10: The City hereby adopts by reference the Saint Johns River Water Management Districts water supply projects related to Orange City into the City's CIP.
- ~~Policy 1.2.1:~~ ~~The City shall continue to work on projects and resolve issues related to and update the master drainage plan in coordination manner with Volusia County.~~
- ~~Policy 1.2.2~~ 1.11: The City shall establish local capital project review procedures which, at a minimum, objectively prioritize projects on the basis of the following criteria:
- A. The facility is required to elimination e of public health or safety hazards;
 - B. The facility is required to elimination remedy of existing LOS capacity deficiencies y;
 - C. Local budget impact related to increases in operating costs;
 - D. Locational needs based on projected-growth future land use designation.
 - E. The facility is necessary to accommodatione of new development and new facility demands;
 - F. Financial feasibility; and

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- G. Consistency and ~~impact on~~ compatibility with plans of state and county agencies and including the Florida Department of Transportation and the Saint Johns River ~~Water~~ Management ~~District~~ that provide public facilities within the City; ~~and~~
- H. ~~The adherence to a unified plan for the improvement of quality of life.~~

Policy 1.2.3 ~~1.12~~: The same review procedures and criteria in Policy 1.1.11 developed above shall apply to the evaluation of need for replacement and renewal of worn out or obsolete facilities.

Objective 1.2: Reserved

Objective 1.3: Future growth and development shall bear its proportionate share of the cost to provide services and facilities needed to maintain adopted LOS standards and accommodate future growth.

Policy 1.3.1: The City will continue to investigate financing mechanisms such as impact fees and other forms of development assessments that require future growth and development to pay its proportionate share of the costs of providing facilities and services.

Policy 1.3.2: The City shall not increase ad valorem millage rates and other fiscal burdens on existing residents without first examining available options for placing the cost and burden of providing new facilities and services on the growth and development requiring such facilities and services.

Policy 1.3.3: If the City, at its discretion, intends for capital improvement projects to be funded in total or in part by its proportionate fair-share program, said projects shall be added to the CIP.

Objective 1.4: The City shall continue to manage its fiscal resources to ensure the provision of needed capital improvements for future development and shall not issue future development orders when such development requires capital improvements for which sufficient funding does not exist.

Policy 1.4.1: The City shall continue to anticipate and plan for fiscal requirements necessary to provide services and facilities at their desired LOS standards.

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- Policy 1.4.2: An annual review of the funding priorities and improvements outlined herein ~~will~~ shall be integrated with the City's ~~Capital Improvements Program~~ CIP.
- Policy 1.4.3: The City will continue to follow the criteria for issuing or incurring any additional debt as stated in the City's ~~e~~Charter, including Section 44, Municipal Borrowing.
- Objective 1.5:** The City's adopted criteria and procedures for concurrency management shall ensure that facilities and services are available concurrent with the impacts of development.
- Policy 1.5.1: The following facilities shall be subject to the LDC's, Ordinance No. 157, concurrency management provisions and those that are stipulated herein:
- A. Roads;
 - B. Potable Water;
 - C. Sanitary Sewer;
 - D. Solid Waste;
 - E. Stormwater; and
 - F. Recreation.
 - G. Schools
- The LOS for each of these facility categories A-G are listed in Policy 1.1.3. of this Section. School LOS standards are included in the School Element.
- Policy 1.5.2: The concurrency management provisions of the LDC, Ordinance No. 157, stipulated herein will be applied to proposed development and the City shall issue Development Orders only when there is sufficient capacity from all facilities to serve the project at the adopted LOS standards. This 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 any capacity demands committed and approved prior to, and subsequent to, the adoption of the Comprehensive Plan, then subtracting that total from the design capacity of the facility; the remaining is the capacity available to serve proposed development projects.
- Policy 1.5.3: Each proposed development or application for a development order or permit shall clearly identify the quantity (number of square feet, units, etc.), density (units per acre, etc.) and intensity (type of use-commercial,

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industrial, multifamily, residential, etc.) of land uses in the proposed development.

Policy 1.5.4: The City shall require that all development meet the requirements of concurrency as outlined in Rule 9J-5 of the Florida Administrative Code, except for those developments that are ~~exempt~~ vested as described in Policy 1.5.5. The following standards meet the requirements for concurrency as outlined in Rule 9J-5 of the Florida Administrative Code:

Minimum Requirements. The City shall require that all developments meet the requirements of concurrency to ensure that public facilities and services needed to support development are available concurrent with the impacts of such development, and ~~will~~ shall address the following items:

- A. For potable water, sewer, solid waste, and drainage, at a minimum, provisions in this Comprehensive Plan shall ensure that the following standards will satisfy the concurrency requirement:
 - 1. The necessary facilities and services are in place at the time a development permit is issued; or
 - 2. A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or
 - 3. The necessary facilities are under construction at the time a permit is issued; or
 - 4. The necessary facilities and services are guaranteed in an enforceable development agreement that includes the provisions of Section 9J-5.0055(2) (a)1 - (2) (a)3, F.A.C. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. The agreement must guarantee that the necessary facilities and services will be in place when the impacts of the development occur.
- B. For parks and recreation, the City may satisfy the concurrency requirements by complying with the standards in Sections 9J-5.0055(2)(a)1 - (2)(a)4, F.A.C., or by ensuring that the following standards will be met:
 - 1. At the time a development permit is issued, the necessary facilities and services are the subject of a binding executed contract which provides for the commencement of the actual construction of the required facilities or the provision of services within

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- one year of the issuance of the development permit;
or
2. The necessary facilities and services are guaranteed in an enforceable development agreement which required the commencement of the actual construction of the facilities or the provision of services within one year of the issuance of the applicable development permit. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes.
- C. For roads designated in the adopted plan, the City may satisfy the concurrency requirement by complying with the standards in Sections 9J-5.0055(2)(a)1 - (2)(a)4 and Sections 9J-5.0055(2)(b)a and (2)(b)2, F.A.C and the provisions of F.S. 163.3180 (11). In addition, in areas in which the City has committed to provide the necessary public facilities and services in accordance with its five-year schedule of capital improvements, the City may satisfy the concurrency requirement for roads by the adoption and implementation of concurrency requirements based upon an adequate capital improvements program and schedule and adequate implementing regulations which, at a minimum, include the following provisions:
1. A Capital Improvements Element and a five-year schedule of capital improvements which, in addition to meeting all of the other statutory and rule requirements, must be financially feasible. The Capital Improvements Element and five-year 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 and all five years of the County's adopted five-year road program.
 2. A five-year schedule of capital improvements which must include both necessary facilities to maintain the adopted level of service standards to serve the new development proposed to be permitted and the necessary facilities required to eliminate those portions of existing deficiencies which are a priority to be eliminated during the five year period under the local government plan's schedule of capital improvements, pursuant to Section 9J-5.016(4) (a) 1, F.A.C.

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3. A realistic, financially feasible funding system based on currently available revenue sources which must be adequate to fund the public facilities required to serve the development authorized by the development order and development permit, and which public facilities are included in the five-year schedule of capital improvements.
 4. A five-year schedule of capital improvements which must include the estimated date of commencement of actual construction and the estimated date of project completion.
 5. A five-year schedule of capital improvements which must demonstrate that the actual construction of the road and the provision of services are scheduled to commence in or before the third year of the five-year schedule of capital improvements.
 6. A provision that a plan amendment would be required to eliminate, defer or delay construction of any road which is needed to maintain the adopted level of service standard and which is listed in the five-year schedule of capital improvements.
 7. A requirement that, in conjunction with the Capital Improvements Element, the City ensures that development orders and permits are issued in a manner that will assure that the accessory public facilities and services will be available to accommodate the impact of that development.
 8. A provision that a monitoring system will be adopted which enables the City to determine whether it is adhering to the adopted level of service standards and its five-year schedule of capital improvements and that the City has a demonstrated capability of monitoring the availability of public facilities and services.
 9. A clear designation within the City Comprehensive Plan of those areas within which facilities and services will be provided by the City with public funds in accordance with the five-year schedule of capital improvements.
- D. In determining the availability of public facilities or services, a developer may propose, and the City may approve, developments in stages or phases so that public facilities and services needed for each phase will be available in accordance with the standards required by Sections 9J-5.0055(2)(a), (2)(b) and (2)(c), F.A.C.
- E. For the requirements of Sections 9J-5.0055(2)(a), (2)(b) and (2)(c), F.A.C., the City must develop guidelines for interpreting and applying level of service standards to

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applications for development orders and permits and determining when the test for concurrency must be met. The latest point in the application process for the determination of concurrency is prior to the approval of an application for a development order or permit which contains a specific plan for development, including the densities and intensities of the development.

- Policy 1.5.5: The City's LDC, Ordinance No. 157, ~~exempts~~ vested the following developments from concurrency testing. Therefore said developments shall not be tested for facility capacity and concurrency:
- A. Developments which have received a City building permit prior to the adoption of the Comprehensive Plan and which still remains in full force and effect;
 - B. Developments which have received final residential subdivision plat approval prior to the adoption of the Comprehensive Plan;
 - C. Developments which have received site plan approval prior to adoption of the Comprehensive Plan;
 - D. Planned Unit Developments with an approved Master Development Plan; and
 - E. All vacant single-family, duplex and single-family attached dwelling lots in subdivisions that were platted and recorded prior to adoption of the City's LDC.
- Policy 1.5.6: Properties ~~exempted~~ vested by Policy 1.5.5, shall have facility capacity reserved for such properties during the duration of the planning period unless previous agreements provide for an earlier expiration date.
- Policy 1.5.7: Modifications, amendments or additions to the approved developments that would result in an increase in density or intensity shall be tested for facility capacity as required by the LDC, Ordinance No. 157.
- Policy 1.5.8 : The City may establish an administrative remedy similar to said remedy as outlined in the Volusia County Comprehensive Plan's Capital Improvements Element.
- Policy 1.5.9: Improvements, renovations and repair to existing structures shall only effect facility capacity and concurrency to the extent such improvements, renovations, and repairs increase the number of dwelling units, floor area for nonresidential uses or other measures of intensity. In such cases where improvements, renovations, repair and reuse to existing structures will result in a probable increase in either density or intensity of the property(s) or development, then a determination of such an

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increase and its effect on facility capacity shall be made prior to any approval for a building permit. If existing facility capacity is available and no degradation of adopted service levels for these facilities identified in Policy 1.5.1 will result from such an improvement, a final development order, a building permit may be issued. If such improvements, renovations and repairs will not result in any increase in density or intensity, then the issue of sufficient facility capacity and concurrency will have no bearing on the issuance of a final development order, a building permit.

- Policy 1.5.10: The City shall review all development and/or redevelopment activities in a manner consistent with adopted LOS standards as part of the land development review process.
- Policy 1.5.11: The review process to be determined in Policy 1.5.7 10 will require a detailed traffic impact evaluation to be submitted with any significant development. For purposes of determining the requirement for an traffic impact evaluation, a significant development will be defined as any residential development with more than 10 dwelling units or any nonresidential development with more than 5,000 gross square feet of building area or any development which generates more than 500 trips per day based on the latest rates as defined by the Institute of Traffic Engineers.
- Policy 1.5.12: The City shall submit, with its annual CIP update, a De Minimis Records Report as required by Section 163.3180(6) F.S. for all developments that do not meet the significant development criteria of Policy 1.5.11.
- Policy 1.5.~~12~~ 13: The traffic impact evaluation shall be prepared according to the City's specifications and requirements.
- Policy 1.5.~~13~~ 14: The cost of preparing the traffic impact evaluation will be borne solely by the developer. The City may also increase the fee for building permits to cover the administrative costs to review each traffic impact evaluation.
- Policy 1.5.~~14~~ 15: Orange City shall continue to support the establishment of an areawide traffic concurrency management system. Orange City shall participate in this areawide traffic concurrency management system when it is established.

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Policy 1.5.15 ~~16~~: No land use approval for new development, redevelopment, or annexation in the City shall cause facilities or services to fall below adopted local LOS standards, as contained in the Capital Improvements Element of this Comprehensive Plan. Public facilities and services necessary to serve the proposed development, redevelopment, or annexation must be available, at the adopted local LOS, concurrent with the impacts of development, consistent with the LDC, Ordinance No. 157.

Policy 1.5.16 ~~17~~: The City shall, prior to annexation, evaluate proposed annexations to determine potential fiscal, LOS and infrastructure impacts to ensure that LOS standards can be maintained and services provided in a timely and fiscally responsible manner.

CAPITAL IMPROVEMENTS PROGRAM

A detailed schedule of capital improvements is presented in the following Table 9-1 the Capital Improvement Program. ~~These projects were discussed in each individual element of the support document and at the beginning of the Capital Improvements Element. A map showing the generalized location of each capital improvement is presented in the following map of this section.~~ Once the Comprehensive Plan is adopted, the schedule of capital improvements in this Table 9-1 will serve as a primary means, of implementing the principles, policies and fiscal requirements set forth herein. In addition to the concurrency management system outlined under Objective 1.5, the schedule of improvements will further ensure that needed services and facilities are provided in a timely manner and are available concurrent with the impacts of future growth and development. In this way, the resources will be identified and earmarked for the capital improvements necessary to maintain the LOS standards established in the Comprehensive Plan.

Another aspect of implementation involves the responsibilities for ensuring that the improvements are scheduled and made, so that LOS standards are maintained. These responsibilities also relate to the policies outlined in the preceding section. In general, this responsibility lies with the City Manager and, ultimately, the City Council. However, coordination with the operational departments of both City and County jurisdictions, and the Development Services Department, is crucial to a successful implementation of the Capital Improvements Element and Comprehensive Plan.

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Table 9-1
Five-Year Capital Improvement Program

<u>Project Category</u>	<u>Project Type</u>	<u>FY 08/09</u>	<u>FY 09/10</u>	<u>FT 10/11</u>	<u>FY 11/12</u>	<u>FY 12/13</u>	<u>Total</u>	<u>Funding Source</u>
<u>Equipment</u>	<u>New and Replacement Vehicles</u>	<u>120,500</u>	<u>125,000</u>	<u>175,000</u>	<u>125,000</u>	<u>175,000</u>	<u>720,500</u>	<u>General Fund</u>
<u>Road & Drainage</u>	<u>Resurfacing and Drainage Improvements</u>	<u>150,000</u>	<u>150,000</u>	<u>150,000</u>	<u>150,000</u>	<u>150,000</u>	<u>750,000</u>	<u>General Fund</u>
<u>Sidewalks</u>	<u>New Construction</u>		<u>40,000</u>	<u>40,000</u>	<u>40,000</u>	<u>40,000</u>	<u>160,000</u>	<u>General Fund</u>
<u>Water & Sewer</u>	<u>Alternative Water Supply Planning and Design</u>	<u>200,000</u>					<u>200,000</u>	<u>Impact Fees</u>
	<u>Additional Storage Tank Construction</u>	<u>360,000</u>					<u>360,000</u>	<u>Impact Fees</u>
	<u>Carpenter Avenue Force Main/Storm water Reuse Line</u>	<u>1,700,000</u>					<u>1,700,000</u>	<u>Impact Fees</u> <u>Enterprise Fund</u> <u>CDBG</u>
<u>Parks</u>	<u>Rhode Island East Force Main</u>	<u>125,000</u>					<u>125,000</u>	<u>Impact Fees</u>
	<u>Carpenter Avenue Lift Station</u>					<u>75,000</u>	<u>75,000</u>	<u>Impact Fees</u>
<u>Total</u>		<u>2,655,500</u>	<u>315,000</u>	<u>365,000</u>	<u>1,390,000</u>	<u>640,000</u>	<u>5,365,500</u>	

*rec'd @ mtg .
2/10/09*

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increase and its effect on facility capacity shall be made prior to any approval for a building permit. If existing facility capacity is available and no degradation of adopted service levels for these facilities identified in Policy 1.5.1 will result from such an improvement, a final development order, a building permit may be issued. If such improvements, renovations and repairs will not result in any increase in density or intensity, then the issue of sufficient facility capacity and concurrency will have no bearing on the issuance of a final development order, a building permit.

Policy 1.5.10: The City shall review all development and/or redevelopment activities in a manner consistent with adopted LOS standards as part of the land development review process.

Policy 1.5.11: The review process to be determined in Policy 1.5.7 10 will require a detailed traffic impact evaluation to be submitted with any significant for any development that exceeds a de minimis impact. For purposes of determining the requirement for an traffic impact evaluation, a significant development will be defined as any residential development with more than 10 dwelling units or any nonresidential development with more than 5,000 gross square feet of building area or any development which generates more than 500 trips per day based on the latest rates as defined by the Institute of Traffic Engineers. A de minimis impact is defined by Section 163.3180(6) F.S. as an impact that would not affect more than 1 percent of the maximum volume at the adopted level of service of the affected transportation facility as determined by the local government. No impact will be de minimis if the sum of existing roadway volumes and the projected volumes from approved projects on a transportation facility would exceed 110 percent of the maximum volume at the adopted level of service of the affected transportation facility, provided however, that an impact of a single family home on an existing lot will constitute a de minimis impact on all roadways regardless of the level of the deficiency of the roadway.

Policy 1.5.12: The City shall submit, with its annual CIP update, a De Minimis Records Report as required by Section 163.3180(6) F.S. for all de minimis developments, that do not meet the significant development criteria of Policy 1.5.11.

Policy 1.5.13: The traffic impact evaluation shall be prepared according to the City's specifications and requirements.