

**CHAPTER 15**  
**CAPITAL IMPROVEMENTS ELEMENT**

## CHAPTER 15

### CAPITAL IMPROVEMENTS ELEMENT

#### A. OVERVIEW

The Capital Improvements Element is essentially the facility and financial part of the Comprehensive Plan. This is a mandated element by Chapter 163, Florida Statutes and Rule 9J-5.016. It prescribes what new facilities will be needed to correct existing deficiencies, accommodate new growth plus plan for repair and renovation needs of existing facilities. It also outlines the financing needed to pay for the various capital facilities.

The previous version of this Element repeated long lists of Levels of Services for its classification of Class A, B and C facilities. The LOS list was so long and complex that the Capital Improvements Element often became inconsistent when the LOS was amended or adjusted in any of the concurrency facilities, especially transportation. The new LOS standards in the Capital Improvements Element reference all Class A concurrency facilities by the appropriate chapter of the Volusia County Comprehensive Plan. It avoids unnecessary duplication of policies and will be self correcting if any level of service standards in the appropriate chapter are adjusted for these facilities.

This amendment cycle will also start the process of reviewing the Level of Service standards for non-concurrency Class B and C facilities as governed by Policy 15.3.3.5. Many of the service levels for Class B and C do not appear meaningful or relevant even for planning and budgetary purposes. The County needs to decide the following questions for Class B and C facilities.

1. Do we need to continue monitoring Class B and C facilities for planning and budgetary purposes?
2. If we continue to monitor Class B and C facilities, are the present LOS standards for these facilities meaningful and useful to the departments involved?
3. If the present LOS standards are not adequate, How should these facilities be measured?

Many policies that were permissive and conditional were eliminated. There is no need for the Comprehensive Plan to have a plethora of policies that do not offer any policy direction or where Volusia County does not exercise any jurisdictional control or influence. Editing these policies out of the Comprehensive Plan will streamline the document, make it more understandable and make it easier for Volusia County to concentrate on key issues involving concurrency and capital facilities.

Future revisions of the CIE will likely involve Parks and Recreation facility standards. Presently, Parks are developed far in excess of the minimal facility standards. It is doubtful that a park developed at the minimal facility standard would be worth funding.

Senate Bill 360's most significant change to the County's Capital Improvement Program is that the County will be required to list programs over which they have no financial control. The County will be required to put the FDOT's 5 year Program and the Metropolitan Planning Organization program in its Capital Improvement Program. When Public School concurrency becomes part of the Comprehensive Plan in 2008, the School Board's CIP shall be included in the County Capital Improvement program even though the County has no financial control over school facilities.

## LINKAGES TO THE FUTURE LAND USE ELEMENT AND LAND DEVELOPMENT

### B. GOALS, OBJECTIVES AND POLICIES

#### GOAL:

- 15.1 Public facilities shall be provided to promote orderly compact urban growth, which is compatible with existing and designated land uses, and with the natural environment.

#### OBJECTIVE:

- 15.1.1 Volusia County shall concentrate public facilities and services to areas that are delineated on the Future Land Use Map with land use categories defined as urban in the Land Use Element.

#### POLICIES:

- 15.1.1.1 Public facilities and services that must meet or exceed an urban level of service standards shall only be provided to areas with urban land use categories unless specifically excepted elsewhere in this Plan and must be available for new development in said areas designated on the Future Land Use Map.

Note: Urban type facilities and services refer to public facilities and services normally associated with urban areas. These shall include, but not limited to: schools, (If and when made a concurrency facility by the County Council) roadways, parks, water, sewer, solid waste collection, stormwater management.

- 15.1.1.2 Where appropriate, service standards for urban facilities shall be identified by specific facility and/or geographic area.

- 15.1.1.3 The County shall prioritize the availability of required level of service capacity for concurrency facilities to those areas designated urban on the Future Land Use Map. Future growth and development shall be attracted to these designated areas by the availability of services. No development order or permit shall be issued to a development that would degrade service levels for the concurrency facilities below levels established in this Plan, unless specifically provided for in the Capital Improvements Element which may enumerate special circumstances for a limited duration.

- 15.1.1.4 Public facilities and services intended to serve proposed development that are inconsistent with the adopted Future Land Use Element shall not be permitted (unless the Future Land Use Element has been amended in accordance with Florida Statutes and the Florida Administrative Code). A minimum threshold of one dwelling unit per acre and the facility impact of its nonresidential equivalent in terms

of either trips generated or water consumption, wastewater, solid waste generation shall be used as the definition of an urban service area for this policy and element.

- 15.1.1.5 Central water is not required for non-urban areas. Lines should only be extended if the absence of such facilities would result in a threat to the public health or safety, or a designated rural area is inside an approved water service area with an agreement that describes the method and timing of when these services would be provided, or the Comprehensive Plan is amended to change rural areas to urban areas.
- 15.1.1.6 Central sewer is not required for non-urban areas, except as required by the Florida Administrative Code, Chapter 10D-6. Lines should only be extended if the absence of such facilities would result in a threat to the public health or safety or a designated rural area is inside an approved sewer service area with an agreement that describes the method and timing of when these services would be provided, or the Comprehensive Plan is amended to change rural areas to urban areas.
- 15.1.1.7 Regarding the provision of centralized sanitary sewerage facilities/services: the duties and responsibilities which flow from an interlocal agreement previously entered into between the County and a municipality shall prevail over subsequent amendments to the Comprehensive Plan until and unless such interlocal agreement is renegotiated as deemed appropriate by the County and a municipality.
- 15.1.1.8 Public facilities shall be planned and constructed in a manner that encourages compact urban growth based on proximity to existing central water and sewer systems, accessibility to the major road network (arterials, collectors) at the designated service levels, existing land use patterns and the carrying capacity of the natural environment. The extension of water and sewer lines outside of urban service areas shall be prohibited unless there is a threat to health and safety or other exceptions under the guidelines delineated in the Future Land Use Element.
- 15.1.1.9 All affected utility providers having established interlocal agreements in cooperation with Volusia County will develop conceptual wastewater facility plans for areas at the urban periphery of utility provider jurisdictions, consistent with the County's Future Land Use Element. As long as such services can be provided by extension of existing central systems, Volusia County shall not propose to construct any interim facilities without completing an analysis documenting that such construction is more cost-effective than extension of the existing central system.
- 15.1.1.10 Identify and program public facility requirements needed to support activity centers and any other primary basic employment centers that may result from the Economic Development Diversification Plan.

OBJECTIVE:

- 15.1.2 Public expenditures shall be prohibited that will encourage new development in the Coastal High Hazard Area, unless the expenditure is consistent with policies

specifically identified in the Coastal Management Element or cross-referenced to another appropriate element and included in the Capital Improvements Element. The prohibition does not include: expenditures associated with redevelopment or development of properties in accordance with previously approved subdivisions or site plans; public access and recreation facilities or resource restoration projects/facilities.

POLICIES:

- 15.1.2.1 Prior to development of public facilities in the Coastal High Hazard Area, it shall be determined that there are no other feasible sites in that area.
- 15.1.2.2 If feasible and where state funds are available, County infrastructure within the Coastal High Hazard Area shall be relocated outside of said area when repairing and replacing the infrastructure. If relocation is not deemed feasible by the County, any repair or renovation requiring state funding shall be done to minimize potential storm or flooding damage.
- 15.1.2.3 The County will adopt and implement a mitigation plan to reduce damages in areas of repetitive loss due to flooding and comply with FEMA requirements.
- 15.1.2.4 Hazard identification studies and vulnerability assessment studies of the unincorporated portions of the Hurricane Vulnerability Zone and Coastal High Hazard Area shall be undertaken as necessary. After these studies are completed, Capital Improvements programming and land development regulations shall be adopted or revised, to establish a continuing program of hurricane mitigation.

OBJECTIVE:

- 15.1.3 Public facilities shall be limited in conservation and environmentally sensitive areas.

POLICIES:

- 15.1.3.1 All development of public facilities in the Hurricane Vulnerability Zone shall be consistent with federal flood hazard requirements.
- 15.1.3.2 Public facilities shall be limited within the 100 year flood plain or in flood prone areas. Any public facilities that are built will be consistent with the County's Land Development regulations and shall be flood-proofed to minimize damage from floods, storms and hurricanes.

OBJECTIVE:

- 15.1.4 Inventories and reports surveying the public facility needs of all areas with concentrations of low and moderate income households within unincorporated Volusia County shall be maintained and updated as required.

POLICIES:

- 15.1.4.1 These reports shall consist of data describing inadequacies or deficiencies in existing public facilities serving existing residents and projects necessary to correct deficiencies.
- 15.1.4.2 Projects needed to correct deficiencies shall be incorporated into the annual update of the five year program for scheduled capital improvements and into the preparation of the Community Development Block Grant Application.
- 15.1.4.3 At least one such study shall be prepared for each fiscal year starting in Fiscal Year 1992-93.

OBJECTIVE:

- 15.1.5 The County will coordinate land use decisions and fiscal resources with a schedule of capital improvements, which maintains adopted level of service standards and meets the existing and future facility needs.

POLICIES:

- 15.1.5.1 Each proposed development shall be reviewed at the stage in the development review process where precise densities and/or intensities of uses are first established for their impact on facility capacity(s) and compliance with level of service standards established in the plan for Class A and B Facilities as well as selected Class C Facilities where appropriate, plus public school facilities.
- 15.1.5.2 Development orders subsequent to October 1, 1990, as outlined in the adopted Concurrency Management Provisions, Article XIV, revised Land Development Regulations and any other pertinent implementing ordinances shall include provisions in these development orders that would specify and relate specific densities and intensities to be developed with the specific capacities and capital projects needed to serve that development for (at a minimum) the Class A (concurrency) Facilities. Specific timetables and dates shall be established for these specific densities and intensities to be allowed to receive final development orders, including building permits to be conditioned upon the completion and/or construction of, or contracts for specific capital projects as well their capacities for the Class A Facilities and any other such facilities as prescribed by the development order.
- 15.1.5.3 The annual or biannual update of the Capital Improvements Five Year Program Document must include projects and their scheduling that have been part of a development agreement. Also, this annual or biannual document must include: material covering service levels of either each facility or facility category; expenditures; projects serving urban land uses as designated on the County's Future Land Use Map and within municipalities; projects maximizing the use of existing public facilities; and revised operating costs associated with either individual capital projects or a system of projects.

GOAL:

- 15.2 Volusia County shall provide and maintain the necessary capital improvements to eliminate existing deficiencies, support new development orders, and repair, renovate or replace its worn out capital stock.

OBJECTIVE:

- 15.2.1 The County shall establish a rational system for evaluating Capital Improvement projects (existing and projected future revenues shall be assumed in allocating capital expenditures and setting priorities).

POLICIES:

- 15.2.1.1 A capital improvement shall be defined for the purposes of this element, including the five year program of scheduled improvements as a permanent addition to the County's assets if the addition is equal or greater than \$25,000 and has a physical life equal or exceeding five years.

- 15.2.1.2 Individual Capital Improvement projects shall be evaluated and ranked in priority based on the following order of criteria with (a) being the highest priority:

- a. whether an individual project is needed to protect the community from an immediate threat to its public health, safety and welfare; such projects shall be of an emergency nature.
- b. direct elimination or reduction of existing facility capacity deficiencies.
- c. Future facility capacity deficiencies, including those needed to support development order(s) originating from a Development of Regional Impact and to support those uses defined as urban in the County's Future Land Use Element and urban uses within municipalities. (growth related projects)
- d. capital improvements to support the attraction, expansion, and retention of business and industry.
- e. provide mitigation or relief to an existing facility that has an existing capacity deficiency that cannot be expanded in the short term by increasing its own capacity; such relief can be provided by expanding existing capacity to a similar facility located in the same service area and to support those uses defined as urban on the County's Future Land Use Map and urban uses within municipalities.
- f. repair, renovate, replace existing worn out or deteriorated facilities.
- g. operating impacts

- h. to fulfill the requirements of an interlocal agreement(s) with municipalities, public school districts or adjacent counties.
- i. to support the objectives and plans of regional, state and federal agencies.
- j. to foster cooperation with the private sector through joint ventures such as development agreements.
- k. to support vested property actively developed during the preceding five year period.
- l. to support redevelopment and infill development in blighted areas.
- m. to support new development orders in designated urban service areas not previously addressed in Items a-f.
- n. non-emergency safety projects to protect the general health, safety and welfare of the public.
- o. service and support facilities that improve operational efficiency and that may indirectly increase facility capacity.
- p. to accommodate all other unexpected new growth not covered in Items A-I and not specifically identified in the Future Land Use Element and Map (such as thoroughfare amendments to the Future Land Use Map).
- q. Service enhancements - that provide a level of service that exceeds the service levels adopted in the plan and provides for capacity requirements beyond the next five years in the capital improvement programming cycle. However, if the operating departments can justify such service enhancements by providing economies of scale or by having such service enhancements that will actually reduce capital and/or operating costs over a twenty year period, then projects classified as service enhancements shall have the same priority level as priority (c) (growth related projects).

15.2.1.3 Potable water supply facility improvements in the first five years of the Water Supply Facilities Work Plan shall be incorporated into the County's five-year capital improvements program. The County shall annually review and update, as deemed necessary, the Water Supply Facilities Work Plan, incorporating any changes to facility needs into the annually adopted Capital Improvements Program and update to the Capital Improvements Element.

**OBJECTIVE:**

15.2.2 The County shall, with the exception of State Roads, eliminate all capacity deficiencies within service levels identified in this plan within the County thoroughfare system by the end of the planning period to the extent revenue is available. This objective shall be coordinated with the Transportation Element.

POLICIES:

- 15.2.2.1 Projects that eliminate or correct existing capacity deficiencies and safety projects shall be given highest priority in road improvement projects in the "Five Year Schedule of Programmed Improvements".
- 15.2.2.2 The County shall program county road projects that eliminate existing capacity deficiencies either directly or indirectly through parallel facilities within the first three years of the five year capital program to the maximum extent practical. Funding limitations or logistical reasons shall be the principal deviations from this general policy.
- 15.2.2.3 Projects that at the traffic operations level eliminate existing or potential (future) capacity deficiencies such as turn lanes and signalization projects shall be given the highest priority after road projects that at the planning level eliminate existing or potential (future) capacity deficiencies such as adding new lane miles (new construction).
- 15.2.2.4 Paving existing dirt thoroughfare roads shall be construed as expanding facility capacity by improving travel speeds. Such projects shall be ranked equally with other county road projects that eliminate existing or potential (future) capacity deficiencies. Paving local roads shall not have this distinction.
- 15.2.2.6 The County shall spend no less than a minimum fifty percent of the total expenditures in the five year capital program for projects supporting urban uses as designated on the County's Future Land Use Element and urban uses within municipalities.
- 15.2.2.7 The County shall coordinate and cooperate with the Florida Department of Transportation, City of Deltona and the Volusia County MPO to identify and prioritize funding sources that may be allocated to the most urban section of SR415. The County's land uses along SR 415 are mostly low intensity uses that will likely not generate much proportionate fair share revenue. The County will assist the FDOT in improvements to SR415 by providing right-of-way and/or joint use of stormwater retention where deemed applicable and appropriate by the County.

OBJECTIVE:

- 15.2.3 Existing deficiencies for public safety facilities (fire/rescue, Sheriff's facilities and emergency medical service facilities) and library building space shall be eliminated.

POLICIES:

- 15.2.3.1 The Five Year Schedule of Improvements shall be programmed so that any existing deficiencies in the facility areas identified in Objective 15.3.1 shall be eliminated.

- 15.2.3.2 Future library sites shall have adequate parking for the public with at least a minimum of one parking space for every 200 gross square feet of library space. Such a minimum standard shall be incorporated into the County's Land Development Regulations following the Comprehensive Plan's adoption.
- 15.2.3.3 Future libraries and library additions may be programmed and constructed so that libraries or additions to existing libraries shall contain a minimum of 10,000 square feet, excluding libraries designed to serve rural areas. Such a policy shall improve the cost-effectiveness of the County system.
- 15.2.3.4 Library building collections and operations may be planned, programmed and constructed to serve the long term needs of either planning regions or sub-areas within regions using the level of service of .39 square feet per capita, rather than being built in smaller increments. For those areas requesting a higher service level than the minimum service levels required in this Plan, such areas shall provide the additional revenue necessary to achieve this higher service level in terms of capital facilities and annual operations and maintenance.
- 15.2.3.5 Library buildings within incorporated areas may be constructed using city/private funds for construction. The County shall operate and staff future city-owned library buildings through interlocal agreements, only if such additional facilities are warranted based on future population growth or the need to provide facilities based on a driving time criteria. Overlapping library service areas may be avoided.

OBJECTIVE:

- 15.2.4 The County shall help to support these long term cultural facility needs through revenue sources as deemed appropriate, dependent upon availability of revenue and the general condition of Volusia County's finances.

POLICIES:

- 15.2.4.1 The County shall continue to support the multipurpose Cultural Arts Center to serve the DeLand Museum of Art, Inc., Theatre Center, Inc., and the DeLand Little Symphony which is dependent upon availability of revenue and the general condition of Volusia County's finances.
- 15.2.4.2 The County shall help to support the function of the Museum of Arts and Sciences as the primary science museum and planetarium for the County and shall support its long term facility needs through general revenue, if available, dependent upon availability of revenue and the general condition of Volusia County's finances.
- 15.2.4.3 The County shall help to support the Atlantic Center for the Arts as the major cultural facility for Southeast Volusia County and shall support its long term facility needs through general revenue, if available, dependent upon availability of revenue and the general condition of Volusia County's finances.

- 15.2.4.4 Cultural facility projects depending on primarily private funding, plus County contributions may have to be rescheduled in the Five Year Capital Program or be removed from the Five Year Capital Program, if either actual private or other governmental revenues are not available during the year(s) when such projects were originally scheduled.
- 15.2.4.5 The County shall base its Five Year Capital Program for parks on the desire to develop a quality district park system. The allocation of financial resources in the Five Year Capital Program shall be heavily weighted toward district park facility development.
- 15.2.4.6 The County shall use for its capital improvement programming process the desirable acreage threshold ranges for local and active district parks as contained in the Recreation and Open Space Element support document (5 acres - small local park, 20 acres large local park, 50 acres-active district park) rather than the requirements indicated in the service level analysis contained in the support documents for the Recreation and Open Space and Capital Improvements Elements.
- 15.2.4.7 The County shall use in its inventory for parkland (acres) and recreation facilities those parkland and recreation facilities of municipalities and the Volusia County School District where such land and facilities are included in a signed written interlocal agreement with the affected parties for a period of at least three years. Such agreements shall include, but not be limited to: access to facilities and programs for unincorporated County and city residents, and identification of maintenance, programming and financial responsibilities. Where access to facilities and programs are limited to residents for their use during certain times of the year; only a percentage of that land and facilities shall be counted toward the County's inventory of such land and facilities. The inclusion of these parklands and facilities into the County's inventory shall be used in the monitoring and maintenance of service levels.
- 15.2.4.8 The County shall include in its inventory and level of service calculations, parks and recreation facilities that are subject to written agreements between Volusia County and private non-profit recreation and related organizations including, but not limited to, the YMCA/YWCA, when such agreements specify specific parks and/or facilities to be acquired, developed and/or maintained and have a duration of at least three years.
- 15.2.4.9 By the end of the planning period (~~2010~~) (2025), the County may no longer be in the business of acquiring new land and developing new facilities, operating and maintaining future local parks and their recreational programs in the unincorporated County.
- 15.2.4.10 The County's role in future local park acquisition development and operations may be limited to its role in formulating interlocal agreements with the Volusia County School District and municipalities as specified in Policy 15.2.4.7 and by developing an annual funding allocation to the cities for their local (neighborhood, community)

park needs, including land, recreation facilities, annual operations and maintenance needs.

15.2.4.11 Any level of service related changes required to the Local Parks Impact Fee Ordinance provisions may be made to that Ordinance after the completion of the County's Evaluation and Appraisal Report (EAR).

15.2.4.12 The County shall utilize Port Authority revenue along with other revenue sources to develop at least one regional boat ramp that provides direct access to the Intracoastal Waterway in the vicinity of Ponce De Leon Inlet, the primary coastal boating destination identified by the 2002 Volusia County Boating Activity Study.

15.2.4.13 The County shall coordinate with municipalities seeking joint participation funding from the Port Authority to follow the criteria for funding projects developed by the Port Authority Advisory Board.

15.2.4.14 The County, through programs such as Volusia Forever and ECHO may cooperate with other agencies promoting acquisition and management of park, recreation, and conservation lands to fulfill the requirements of the Comprehensive Plan.

OBJECTIVE:

15.2.5 The County shall develop and implement programs that will delay the need to construct a third County Correctional facility.

POLICIES:

15.2.5.1 The County shall design and implement strategies and programs to reduce the projected County inmate population. Such strategies and programs shall include drug treatment centers and alternatives to incarceration.

OBJECTIVE:

15.2.6 The County shall develop and implement programs that will reduce the demand for new capital facilities and thus delay the need to construct and operate such facilities.

POLICIES:

15.2.6.1 The County shall implement programs to meet Objective 15.2.6. These programs shall include, but not be limited to, the following:

- a. increased operational support for all forms of mass transit;
- b. van/car pooling programs;
- c. staggered work hours;

- d. trash recycling;
- e. fire prevention programs;
- f. utilization of reuse instead of potable water;
- g. water conservation programs;
- h. crime prevention programs such as "Neighborhood Watch" and "Citizens on Patrol";
- i. preventive medical and wellness programs; and
- j. community recreation activities for youth.

15.2.6.2 Cost savings shall be maintained through the sharing of laboratory facilities between the Environmental Management Services Group and the County Health Services Group and laboratory personnel as well, to the extent possible. This policy is intended to reduce the demand for laboratory space by promoting joint use.

15.2.6.3 The County shall strive to maximize the use of space in the passenger terminal through rescheduling and cooperation with the airlines serving the airport.

15.2.6.4. Co-locate all Federal Agencies, where appropriate at the Agricultural Center in order to fully maximize the potential of that facility.

**OBJECTIVE:**

15.2.7 Capital Improvement Projects identified as repair, renovation, and replacement in this Capital Improvement Element, shall be included in the Five Year Schedule of Programmed Improvements.

**POLICIES:**

15.2.7.1 The County shall develop and maintain a database that identifies the capital facilities that will need major repair, renovation or replacement for a five year time period.

15.2.7.2 Capital Improvement projects that address repair, renovation, and/or replacement needs shall be programmed in each of the Five Year Schedule of Programmed Improvements during the planning period.

15.2.7.3 The County starting in Fiscal Year 1992-93 shall incorporate into its annual budget document the dollar amount needed for capital repair, renovation and replacement for that fiscal year.

- 15.2.7.4 Volusia County shall develop a procedure of routine and preventive maintenance for its capital assets in order to reduce the need for major repair and renovation, and its attendant higher costs in the future.

OBJECTIVE:

- 15.2.8 The County shall maximize the use of existing public facilities that support urban uses as designated by the County's Future Land Use Map and urban uses within municipalities by spending not less than twenty percent of the total expenditures in its five year capital program on such projects.

POLICIES:

- 15.2.8.1 The County shall identify projects that help maximize the use of existing public facilities by identifying such projects as part of the five year program of capital improvements.
- 15.2.8.2 Proposed changes to the Future Land Use Element shall be evaluated in part based on their potential impact on existing and future facility capacity requirements and to the Five Year Schedule of Programmed Capital Improvements.
- 15.2.8.3 Revenue estimates and forecasts as they affect the Five Year Schedule of Programmed Capital Improvements shall be reviewed and updated annually.
- 15.2.8.4 The cost of new facilities, including land costs, shall be revised and updated annually based on the most appropriate cost indices and methods.
- 15.2.8.5 Operating cost impacts arising from the needed Capital Improvements shall be reviewed and updated annually based on changes in personnel, salary, fringe benefits, materials, and other operating criteria.
- 15.2.8.6 Capital facilities constructed, improved or renovated by the private sector through County-developer and County-private party agreements that will be eventually part of the County's Capital Facility inventory or a concurrency facility needed to maintain service level standards that the County has at least some degree of financial, operational or regulatory control over (provided that minimum service levels are met and that area conforms to the County's Future Land Use Element) shall be included and identified in the Five Year Schedule of Improvements.
- 15.2.8.7 The County will actively pursue opportunities at the State/Federal level for veteran's facilities to be located in Volusia County by assisting with funds for land and infrastructure improvements. Specific project(s) shall be incorporated into any future five year program of scheduled Capital Improvements as required.

- 15.2.8.8 Support capital projects in terms of data processing, vehicle maintenance facilities, central reproduction facilities and equipment may be included in the five year schedule of programmed improvements periodically. Priority of the projects will be determined in part to the degree they support groups involved in the concurrency review process.
- 15.2.8.9 A plan amendment shall be required to eliminate, defer, or delay construction of any facility that is needed to maintain the established level of service standards for all classes of public facilities, including concurrency facilities, and which are listed in the previously adopted Five Year Schedule of (Programmed) Improvements. No plan amendment shall be required for repair, renovation, replacement or service and support projects or any other project that has no direct impact on the maintenance of service level standards. These changes shall be done by ordinance.
- 15.2.8.10 Stormwater or watershed concept engineering projects prepared under the Five Year Capital Program shall address not only existing deficiencies, within the respective watersheds, but stormwater management needs required to support future growth and water quality needs in the respective watersheds. Such concept engineering projects shall address retro-fitting needs related to water quality as well as establishing quantifiable level of service standards for water quality related to new development.
- 15.2.8.11 Programming of stormwater/water quality projects in the five year capital program is dependent on the rates set and revenues raised in the Stormwater Utility Fee Ordinance.
- 15.2.8.12 The County shall program into its future five year program, road capacity projects to reduce the number of County backlogged roads (if applicable).
- 15.2.8.13 The Airport's Capital Improvements Program is subject to modifications due to changes in Federal and State funding and actions as well as approval and actions of individual airlines.

GOAL:

- 15.3 Volusia County shall adopt and maintain levels of service for a full range of public facilities in order to protect the health, safety and welfare of its citizens and enhance the quality of life in the County.

OBJECTIVE:

- 15.3.1 The County shall establish standards for levels of service for Class A, B and C of public facilities and shall apply the standards based on the policies specified under this project. [The following categories comprise the three classes of facilities.] The following order of facility categories shall be considered as the order of importance and priority among the various facility categories. This is a general priority list. It is mandatory to spend restricted revenues for the facilities which they are restricted

to. Therefore, expenditures may be made on lower priority categories if higher priority categories have not been completed.

Class A Facilities (Concurrency):

1. TRANSPORTATION - ROADS
2. POTABLE WATER
3. WASTEWATER TREATMENT/SANITARY SEWER SYSTEMS
4. SOLID WASTE SYSTEM
5. STORMWATER/WATER QUALITY
6. PARKS-LAND-PARKS-RECREATION FACILITIES
7. PUBLIC TRANSPORTATION

Class B Facilities (Non-Concurrency/Public Safety Related):

1. FIRE/RESCUE FACILITIES
2. EMERGENCY MANAGEMENT FACILITIES
3. CORRECTIONS
4. SHERIFF'S (capital) FACILITIES
5. CRIMINAL JUSTICE (COURT FACILITIES)
6. CRITICAL COMMUNICATIONS

Class C Facilities (Non-Concurrency/Non-Public Safety Related):

1. AGRICULTURE
2. AIRPORT
3. BEACH SERVICES
4. ENVIRONMENTAL MANAGEMENT
5. DATA PROCESSING FACILITIES
6. LIBRARY SERVICES
7. GENERAL GOVERNMENT FACILITIES

8. OCEAN CENTER
9. PORT AUTHORITY
10. CULTURAL FACILITIES

POLICIES:

- 15.3.1.1 The standards for levels of service of each type of public facility in Class A (concurrency facility) shall apply to development orders issued by the County on or after October 1, 1990. This date marks the beginning of the fiscal year 1990-91 for Volusia County and is the date specified by Rule 9J-5 for the completion of implementing Land Development Regulations and coincides with the start of the County's Five Year Schedule of Improvements as required by 9J-5. Such levels of service shall apply to the capital and annual budget and Land Development Regulation on and after October 1, 1990.
- 15.3.1.2 The standards for levels of service of each type of public facility in Class B shall apply to the County's annual budget and capital budget on and after October 1, 1990 and the Five Year Schedule of Improvements. These standards shall not apply to the issuance of development orders by the County, unless so directed by the County Council, subject to a plan amendment. The implementation of such a plan amendment shall be effective the fiscal year immediately following the adoption of such plan amendment.
- 15.3.1.3 The standards for levels of service for each type of public facility in Class C shall not apply to the issuance of development orders by the County after 1990 but shall be used for facility planning purposes as related to the scheduling of individual capital projects in the Five Year Schedule of Improvements.
- 15.3.1.4 The following service standards shall apply to Class A facilities:
- The County shall adopt the Level of Service (LOS) standards by reference for all Class A facilities: The LOS standards for Roads and Public Transportation as listed in Chapter 2 of the Transportation Element of the Volusia County Comprehensive Plan. The LOS standards for Potable Water as listed in Chapter 6 of the Volusia County Comprehensive Plan. The Level of Service Standards for Sanitary Sewer as listed in Chapter 7 of the Volusia County Comprehensive Plan. Level of Service standards for Solid Waste as listed in Chapter 8 of the Volusia County Comprehensive Plan. The Level of Service standards for Stormwater Management (Drainage) as listed in Chapter 9 of the Volusia County Comprehensive Plan and the Level of Service standards as listed for Parks, Recreation and Open Space land and facilities as listed in Chapter 13 of the Volusia County Comprehensive Plan.

OBJECTIVE:

15.3.2 The standards for levels of service for each type of public facility in Class B (public safety-related and potential concurrency facilities).

POLICIES:

15.3.2.1 The County shall adopt the following minimum service level standards for the unincorporated County, and the Cities of Pierson, Lake Helen and Oak Hill for fire/rescue facilities:

- a. A minimum threshold level for constructing rural fire stations using 100 fire/rescue calls per station per year in areas where the distance between fire stations is more than two miles. An average response time of less than eight minutes, shall be part of this service level.
- b. Rural fire stations shall respond to over 100 fire/rescue calls per year per station but less than 500 fire/rescue calls per year. An average response time of less than eight minutes, would be part of this service level.
- c. Suburban fire stations shall respond to more than 500 fire/rescue calls per station per year with an average response time associated with it of five minutes to areas within a two-mile radius of these suburban fire stations and within seven minutes for response areas serviced by suburban stations.
- d. Urban fire stations shall respond to more than 1,000 fire/rescue calls per station per year with an average response time associated with it of five minutes to areas within a two-mile radius of these urban fire stations and within seven minutes for response areas serviced by urban stations.
- e. The rural station shall contain a commercial pumper/engine with a 1,000 gallon per minute pump with a 1,000 gallon tank. Rural stations can be operated primarily by volunteer fire fighters. Suburban stations shall contain a custom pumper (as opposed to a commercial pumper) with a 1,250 gallon per minute pump and a 1,000 gallon tank. Suburban stations require more professional fire fighters as opposed to volunteer fire fighters. An "urban fire station" shall require another engine, additional capital equipment and additional personnel. Urban stations require 24 hour staffing on site, suburban stations may require 24 hour staffing on site, and rural stations may require 24 hour staffing on site.

15.3.2.2 Additionally, Volusia County shall maintain a minimum Insurance Service office rating of six (6) to areas that are within five miles of a fire station and 1,000 feet of a water supply system and nine (9) to areas that are within five miles of a station, but further than 1,000 feet from an approved water supply.

15.3.2.3 The County shall adopt the following minimum service level standards for public safety (Sheriff's) facilities for the unincorporated County:

- a. The County shall adopt a minimum service standard of 61 gross square feet of Sheriff sub-station buildings per 1,000 persons (year round and seasonal population).
- b. The County shall adopt a minimum average response time of five minutes for all Category I emergency calls within designated urban service areas.
- c. The County may adopt higher service level standards for Sheriff's sub-stations, response times for emergency calls for special sub-areas within the unincorporated County than those listed above. The creation of additional public safety (Sheriff's) facility standards shall be carried out through a plan amendment.
- d. Distribution of Sheriff's sub-station space shall be based on both population distribution and calls for service information, even if service levels are still based on population as the primary needs indicator for facility requirements.

15.3.2.4 The County shall adopt the following standards for Emergency Medical Service Facilities for the Emergency Medical Foundation.

- a. The County shall adopt a minimum service level standard of 53.4 square feet of ambulance station per 1,000 persons (year round population) for 2010 and 50.1 square feet per 1,000 persons for 1995.
- b. The County shall adopt a minimum service level standard of 1 ambulance unit per 26,025 persons (year round population) for 1995 and 1 unit for 22,528 for 2010.
- c. The County shall adopt minimum service levels for ambulance facilities based on average response areas to geographic service areas.

15.3.2.5 The County shall adopt the minimum service level for correction facilities of one jail bed per inmate.

15.3.2.6 The County shall adopt the minimum service level for courthouses and related judicial facilities of .17 gross square feet per capita (based on year round and seasonal population) for the southwest plan region.

OBJECTIVE:

15.3.3 The County shall adopt, for planning and budgeting purposes only, minimum service level standards for Class C facilities non-concurrency.

POLICIES:

15.3.3.1 The County shall use the following level of service standards for Ponce de Leon Port Authority for planning and budgetary purposes only:

- passive riverfront parks - .0005 acres per capita (year

round and seasonal)

- fishing piers - 69.47 lineal feet per 10,000 persons  
(year round and seasonal)

- boat ramps - 1 boat lane per 7,500 persons (year round  
and seasonal)

15.3.3.2 The County shall use the following level of service standards for library facilities for planning and budgetary purposes only:

- library buildings - .39 square feet of library building  
space per capita (year round population)

- library collections - items (books, audio, video,  
periodical subscriptions) 1.82 collections items per  
capita (year round population)

- The County shall strive to acquire future library sites  
containing at least four times the floor area as required for the library building(s).

15.3.3.3 The County shall use the level of service standards for regional airport facilities and the Airport Master Plan for planning and budgetary purposes only:

15.3.3.4 The County shall adopt level of service standards for the following miscellaneous types of County facilities for planning and budgetary purposes only:

- environmental laboratories - .16 square feet per number of tests per year.

- mosquito adulticiding trucks - .000058 trucks per capita  
(year round and seasonal population)

- mosquito larviciding trucks - .00042 trucks per capita  
(year round and seasonal population)

- turbine helicopters for mosquito inspections and spraying  
- .0020 helicopter spraying per capita (year round and seasonal population)

- public health clinic/environmental building - .30 square feet  
per capita (year round and seasonal population)

- head start center 25 square feet per child

- agricultural center building - .3776 square feet per population served

- agricultural centers - (fairgrounds) - land area -  
184,000 annual attendance per twenty (20) acres of fairgrounds

- general County administration buildings - .20 square feet per capita (year round population only)
- general County warehouse (storage, maintenance and service/support facilities .22 square feet per capita (year round population only)

15.3.3.5 The County will work with the various County service centers and taxing districts on developing a consensus for meaningful Level of Service (LOS) standards for all Class B and C facilities (non-concurrency capital facilities). If no meaningful LOS standard for planning and budgetary decisions for each Class B and C facility can be developed, the LOS category for that noncurrency facility may be eliminated.

OBJECTIVE:

15.3.4 The County shall modify revise or add service level standards based on changing circumstances and needs.

POLICIES:

15.3.4.1 The County may create level of service standards for unique geographic areas or based on a phased level of service, changing periodically from time period to time period.

15.3.4.2 If at the request of a quadrant (impact fee zone) or any sub-area of a quadrant including, but not limited to, a municipal services district shall request a higher level of service standard for any facility category for its quadrant or sub-area that has been established in this plan, then it shall be the financial responsibility of that quadrant or sub-area of a quadrant to achieve the difference between their desired higher service level standard and the lower County-wide or unincorporated County-wide service level standard previously adopted in this Comprehensive Plan. This financial responsibility shall include both capital and the annual recurring operations and maintenance responsibilities.

15.3.4.3 The County shall use the plan amendment procedure to make changes in level of service standards for Class A, B and C facility types.

15.3.4.4 The County may at the request of the public hospitals in the County adopt level of service standards for hospital and related facilities.

15.3.4.5 The County shall monitor public facility planning trends throughout the state and nation and consider the necessary changes to the Capital Improvements Element based on the most recent trends in state and local government.

GOAL:

15.4 The County shall determine which public facilities are within the County's financial resources and shall fund such public facilities in a fair, equitable, timely and efficient manner.

OBJECTIVE:

- 15.4.1 Unless other sources of funding become available, user charges shall be the primary revenue sources for financing the construction, operations and maintenance of all County owned water, wastewater facilities. User fees shall cover part of the costs of operating and maintenance of solid waste/waste management and stormwater facilities. User fees and charges shall be applied to other public facilities to the maximum extent possible.

POLICIES:

- 15.4.1.1 Public facilities such as potable water, wastewater treatment/sanitary sewage facilities shall be financed and accounted for in County Enterprise Funds so that the costs of providing goods or services to the general public on a continuing basis shall be financed or recovered primarily through user charges. Solid waste, waste management and stormwater/water quality may be totally or partially be financed by user charges and may be either enterprise or special funds.
- 15.4.1.2 County water and sewer connection fee revenues shall be used primarily to cover the incremental costs to the system of the specific connection.
- 15.4.1.3 Non-enterprise (water/sewer) fund revenue sources other than CIAC (Contributions In Aid Of Construction, the water and sewer impact fees), connection fees and user charges may be used if necessary to finance water and sewer distribution and collection main lines required for the retention, expansion or new development for manufacturers, distributors and selected services industries. These costs may be recovered through capital recovery charges from subsequent utility customers who connect to such main lines.
- 15.4.1.4 The County shall continue and expand the use of user charges and fees to cover at least a 20 percent share of the operational and maintenance costs of the district park and recreation facilities it owns and manages. Preferences shall be given in the pricing of such charges and fees to Volusia County residents, to the extent legally permissible.
- 15.4.1.5 Rates for services provided by revenue generating public facilities shall be reevaluated at least once every two years and should be established at levels to produce revenues for satisfactory levels of operations and maintenance.
- 15.4.1.6 The recommendations of the feasibility study for the establishment of a capacity reservation fee shall be maintained and will function as a prepayment of impact fees at the time of preliminary plat approval or final site plan approval (whichever is applicable).
- 15.4.1.7 The County shall extend all gas taxes under its control to the year 2020, so that revenue shall be available for needed roadway capacity improvements as well as road maintenance.
- 15.4.1.8 The County shall use other types of non-discretionary user oriented taxes or fees for expansion of roadway capacity and maintenance to the maximum extent possible

including, but not limited to, toll roads, utility taxes, special assessments and various State revenue sharing money.

- 15.4.1.9 The County shall adopt user fees for the review of applications for development orders related to concurrency management to cover the costs of such reviews and operation of the Concurrency Management system.

OBJECTIVE:

- 15.4.2 Future development shall bear their fair share (a pro rata share excluding credit provisions) percent of road facility costs including R.O.W. as a result of their development in order to achieve and maintain the adopted level of service standards and other measurable objective standards. Any exemptions of land use categories from impact fees will be a policy determination made by the County Council that will balance the need for economic development versus the needs of the County Road program.

POLICIES

- 15.4.2.1 The Fire/Rescue and Parks (land and recreation facilities) impact fee ordinances shall be maintained and updated.
- 15.4.2.2 Impact fees shall be used to fund capital facility needs resulting from new development and shall not be used to fund existing deficiencies.
- 15.4.2.3 Impact fees shall be used to finance capital projects in the area of the development's impact. Special geographic fee zones shall be created when practical, so that funds derived from impact fees can be spent in their areas of impact. Impact fees allocated to zones shall be based on court guidelines and Florida case law concerning this subject.
- 15.4.2.4 The geographic area of such special geographic fee zones shall be large enough so that sufficient impact fee funds can be generated to fund the necessary improvements to support new development.
- 15.4.2.5 Mechanisms for credits and refunds shall be provided in each impact fee ordinance. Impact fee ordinances shall be revised so that credits shall be granted when other additional revenue sources become available, excluding one time grants from other governmental entities to support capital facilities.
- 15.4.2.6 The County shall study and verify that the impact fees are sufficient to cover the pro rata share of improvement costs necessitated by new development. The County shall ensure that the necessary technical and professional staff are available to maintain the data bases necessary to carry out this policy.
- 15.4.2.7 The development and maintenance of a park and recreation impact fee shall be based on the costs of land acquisition and facilities for district and local parks needed to be concurrent with future growth following the original effective date of this plan. This impact fee shall apply to the unincorporated areas of Volusia County only.

- 15.4.2.8 The County, in cooperation with the private sector, shall monitor the effect of impact fees on the cost of housing for low and moderate income households and amendments to this Element and Impact Fee Ordinances may be necessary so that the goals and objectives of the Housing Element may be balanced with the goals and objectives of the Capital Improvements Element.
- 15.4.2.10 Exactions during future development review amendments for residential subdivisions may be considered for library capital needs as part of the updating of the County's Land Development Regulations. Such exactions shall be based on service level standards of .39 square feet per capita for library buildings and 1.82 collections/items per capita covering books, periodicals, audio and video material.
- 15.4.2.11 The County shall consider using service levels adopted in this plan for Class B Facilities: Fire/Rescue Facilities, Sheriff's Capital Facilities, Corrections, Courts and Emergency Medical Services Facilities as the basis for establishing developer exactions to help fund capital projects in the Five Year Capital Program for the Class B Facilities. Such exactions if adopted, shall be used during the development review process as part of future changes to the County's Land Development Regulations and if adopted, shall be used until impact fees can be developed and adopted for each respective facility type.
- 15.4.2.12 The County shall study the feasibility/legality of modifying the method of payment of existing and potential new impact fees in order to encourage specific industrial and other non-residential development that would increase the County's economic base, increase per capita and household incomes and accomplish any of the other objectives/policies set forth in Overall Economic Development Diversification Plan.

OBJECTIVE:

- 15.4.3 The County shall rely primarily on the broadest revenue bases as possible for the funding of Capital facilities, contingent upon being given greater flexibility and options by the Florida Legislature.

POLICIES:

- 15.4.3.1 The County shall attempt to rely on revenue sources that are responsive to growth for financing public facilities.
- 15.4.3.2 This County shall work with other counties, municipalities in this State and through various professional associations to achieve "fiscal home rule" for local governments, in order to secure the resources to finance the activities and programs mandated down to local governments from the Federal, State and regional governments.
- 15.4.3.3 The County shall use increases in the millage rate in the ad valorem tax (property tax) only to fund the additional operations and maintenance costs related to the future

additional capital facilities, with the exception of providing the necessary capital improvements to support the retention, expansion, or location of a business or industry which will employ long-term and non-temporary workers in high value-added industries. Under such critical and emergency conditions to promote the general welfare by retaining and/or adding long-term high paying jobs, the County Council may increase the millage rate in the ad valorem tax (property tax).

OBJECTIVE:

15.4.4 Debt shall be managed in a prudent and efficient manner.

POLICIES:

15.4.4.1 Public facilities financed by County Enterprise Funds (potable water, wastewater/sanitary sewage, solid waste/waste management, airport, emergency medical service) shall have their debt repaid by user fees and charges for enterprise services for current revenues (reserves, surpluses or current revenues).

15.4.4.2 Public facilities financed by non-enterprise funds or sources of revenue for the Class A and B facilities shall be financed by current revenues ("pay as you go financing") unless debt financing is absolutely necessary to maintain service levels during the subsequent five year capital program or to secure financing from a voter approved Special Taxing District, or through a tax increment financing or special assessment district approaches.

15.4.4.3 Debt financing supported by utility taxes, sales taxes, intergovernmental revenues and any other appropriate, prudent, and legal revenue sources may be used to finance the necessary capital improvements required to support the retention, expansion, or location of a business or industry which will employ long-term and non-temporary workers in high value-added industries. This option for additional debt financing shall be used conservatively and only when necessary to promote the general welfare as determined by the County Council.

15.4.4.4 Public facilities for non-enterprise funds including, but not limited to: roads, parks and recreation may be financed by non-referendum debt (revenue bonds, capital leases, etc.) if such financing will enable the County to provide capacity sufficient to meet or exceed standards for level of service concurrent with new development within the five year schedule of Capital Improvements or achieve targeted service standards for non-concurrency facilities over the twenty year planning period.

15.4.4.5 The term of any debt issue shall not exceed the expected life expectancy of the capital improvements it is financing.

15.4.4.6 Capital rolling stock (vehicles and equipment) except those that are essential to protect health, safety and welfare of the general public (public safety, fire/rescue, emergency medical) shall not be financed by long term debt issues but from current revenues, grants, and short term financing.

- 15.4.4.7 Facilities such as emergency medical service facilities and solid waste systems facilities are likely to be financed by a combination of revenue bonds supported by user fees and charges, impact fees and if operating deficits develop in such enterprise funds through transfer of financial resources from other fund accounts.
- 15.4.4.8 The County shall consider issuing revenue bonds for stormwater/water quality projects using the proposed stormwater utility to retire the bonds. This shall be the preferred alternative of financing such projects, with the alternative method being using the general fund initially for such projects which would then be reimbursed by the stormwater utility.
- 15.4.4.9 The County may prepare a second Endangered, Recreational and Aquifer Recharge Land Bond package for voter approval.
- 15.4.4.10 Appropriate development orders issued by the County which require public facilities that will be financed by debt shall be conditioned on the issuance of the debt, or the substitution of a comparable amount of non-debt revenue.

OBJECTIVE:

- 15.4.5 The County shall not provide a public facility, nor shall it accept the provision of a public facility by others, if the County is unable to pay for the subsequent annual operating and maintenance costs of these additional facilities.

POLICIES:

- 15.4.5.1 There shall be sufficient funds allocated to cover the annual costs of maintaining the County's thoroughfare system.
- 15.4.5.2 The County shall require developers post a bond to protect the County in case of abandonment of private roads, water and sewer systems. Such a bond shall cover the expenses of acquiring such facilities in the event of abandonment.
- 15.4.5.3 Operating costs shall be one of the criteria in determining the financial feasibility of each individual capital improvement project. If it can be demonstrated that a project can reduce operational costs over a period of time, then this shall be a factor in determining whether such a project is eligible for funding. However, such annual savings must exceed the capital costs of the project and its annual operating and maintenance costs before the end of the physical life of such facility if this is to be the sole criteria for including it in the five year capital program.
- 15.4.5.4 The County shall incorporate the five year capital program into the annual budget process and document(s). Special attention shall be devoted to the first year of the capital program to be referred to as "the capital budget." The operating costs of the additional capital facilities to be added to the County's capital inventory shall be incorporated into the annual budget process and document. The adopted five year schedule of Capital Improvements documents shall be provided subsequent to the annual budget document.

- 15.4.5.5 Public facilities shall be constructed, expanded, renovated or rehabilitated based on the economies of scale in order that satisfactory operational efficiency can be achieved.
- 15.4.5.6 Incremental expansions that do not contribute to economies of scale or promote operational efficiency shall be avoided unless absolutely necessary to achieve level of service standards or maintain public health, safety or welfare.
- 15.4.5.7 Existing special districts shall be controlled by the County with regard to their impact on the Comprehensive Plan and the County's overall financial condition. Additional special taxing districts shall be discouraged unless they are the only way to fund capital improvements in order to maintain service levels, reduce duplicative services or overlapping service areas; or further the aims of interlocal service agreements.
- 15.4.5.8 Private contributions, gifts, grants and joint public-private partnerships shall be encouraged in order that public facility service levels can be achieved.
- 15.4.5.9 Public facilities such as libraries, parks and recreation facilities, cultural/arts facilities, general government administration buildings and structured parking facilities shall be encouraged to locate in mixed use buildings so that either revenue generated by commercial and other uses can support the public facility and/or at a minimum, generate traffic to increase the number of public facility users.
- 15.4.5.10 The use of Special Assessment Districts, road, fire utilities, or other alternatives provided for by local or State law shall be studied as to their application. The use of Special Assessment Districts may be especially useful for large scale projects such as activity centers and planned communities.
- 15.4.5.11 The County through its annual CIP process shall include those capital renovations and improvements necessary to bring all County facilities in compliance with the US Public Law 101-336, the "American With Disabilities Act of 1990" with all deliberate speed as finances and logistics may permit.
- 15.4.5.12 The County through its annual CIP process shall include those expenditures related to specific capital projects that require environmental mitigation to be undertaken by the County as a condition of approval from federal, State, regional and local agencies.
- 15.4.5.13 The County shall study the feasibility of the establishment and operation of alternative health care delivery centers by the County Health Services Group, public hospitals or contracted services with private clinics or physicians. Such centers should be focused on primary health care services and situated so as to provide easy access for indigent and others requiring legitimate health care. This study shall also include examining the applicability of employing proven cost-effective management techniques such as utilization review, uniform eligibility criteria, computer database management systems, private arrangements, etc.

GOAL:

15.5 Volusia County shall maintain clear and understandable policies that will define concurrency and a management system that will assist the public in ascertaining whether specific land development projects meet the concurrency criteria.

OBJECTIVE:

15.5.1 The County shall adopt specific definitions and criteria as to what will satisfy the concurrency requirement. By incorporating such definitions and criteria as part of this Capital Improvement Element such criteria has become effective October 1, 1990. Additional definitions and criteria shall be established in a Concurrency Management Ordinance which was adopted prior to October 1, 1990.

POLICIES:

15.5.1.1 The following facilities shall be the facilities subject to the concurrency determination:

- \* parks and recreation (land and recreation facilities)
- \* transportation (roads or thoroughfare system)
- \* stormwater
- \* potable water (facilities and supply)
- \* wastewater treatment/sanitary sewer
- \* solid waste
- \* public transportation

These facilities shall be designated as Class A facilities.

15.5.1.2 The County Council may at its discretion, subject to public hearings and plan amendments during the planning period add the following facility types (Class "B" facilities) subject to the concurrency determination.

- \* fire stations and fire/rescue capital equipment
- \* emergency medical service stations, ambulances and related capital equipment
- \* sheriff sub stations
- \* correction facilities
- \* court facilities

- 15.5.1.3 The required facilities shall be in place and operating or estimated to be operating at an adopted Level of Service established in this Comprehensive Plan at the time a building permit is issued, or a building permit is issued subject to the condition that the required facilities shall be in place prior to issuing of that final development order.
- 15.5.1.4 The required Parks and Recreation facilities shall be deemed concurrent if they are under construction or under contract for acquisition at the time a building permit is issued.
- 15.5.1.5 The required facilities shall be deemed concurrent if they are the subject of a binding contract executed for the construction or acquisition of the required facilities at the time a building permit is issued.
- 15.5.1.6 New developments may meet the test for capacity and concurrency if they can be supported by the construction of specific facilities and the expansion of facility capacity by specific projects contained in the first year of the Capital Improvements five year schedule of programmed improvements (Capital Budget), following the issuance of a final development order. This policy shall pertain to the following facility categories: roads, parks, and recreation and mass transit. Specific conditions for the timing of private development and completion of the above facility categories shall be part of an enforceable development agreement and shall be part of the County's development review process when land uses and their densities/intensities are first proposed. Specific timing and phasing of these facilities in relationship to the issuance of building permits and other final development orders consistent with the revised Land Development Regulations, Article XIV of the Land Development Code.
- 15.5.1.7 Improvements, renovations and repair to existing structures shall only affect facility capacity and concurrency to the extent such improvements, renovations, and repairs increase the number of dwelling units, floor area for non-residential 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 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 service levels for the Class A (concurrency) facilities will result from such an improvement, a final development order, such as but not limited to 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, such as a building permit. Site improvements to an existing structure such as increasing the number of parking spaces may be considered an increase in intensity and may be subject to a facility capacity test and concurrency review.

OBJECTIVE:

- 15.5.2 The County shall adopt criteria as to the timing for the availability of capital improvements by facility type.

## POLICIES:

- 15.5.2.1 Potable water service, including both facilities and supplies, shall be provided to a proposed development prior to the issuance of a building permit for the proposed development consistent with the level of service standards established in the Potable Water Element. Potable water service directly serving a development shall include a publicly or privately owned water distribution network for urban service areas and wells serving individual parcels of land for rural areas.

Centralized public or private wastewater collection (sanitary sewage collection) shall be available to the proposed development prior to the issuance of a building permit within designated urban service areas. Where connection to central wastewater collection system is not required, individual wastewater disposal, treatment and discharge systems shall be available prior to the issuance of a building permit or certificates of occupancy regarding septic tanks.

Development orders may be approved covering Planned Unit Developments (PUDs) with an approved Overall Development Plan (ODP), platted subdivisions with preliminary plat approval projects with ODP approval as defined by the Land Development Regulations and site plans where water and wastewater facility capacity has already been reserved and paid for with the full amount of such a capacity fee for a period not to exceed the time period specified in the individual signed utility agreements or consistent with provisions in the revised Land Development Regulations, Article XIV of the Land Development Code. Plant capacity must be available prior to issuing a building permit for such projects.

Capacity in the solid waste system must be available prior to the issuance of a building permit.

- 15.5.2.2 The following facilities shall be available to coincide with approval of building permits for developments that are to be built during a single phase: roads, recreation and open space facilities, drainage/water quality facilities and mass transit, urban bus system. It shall be the intent of this policy to ensure that the above-mentioned facilities and services needed to support such development are available concurrent with impacts created by such developments. The impacts to the facilities specified in this policy occur over time as such developments receive their certificate of occupancy and as residents and businesses start impacting such facilities. Specific timing and phasing conditions related to the above concurrency facilities shall be consistent with the provisions of the revised Land Development Regulations, Article XIV of the Land Development Code.

- 15.5.2.3 For projects involving multiple phases and where either residential dwelling units, nonresidential uses shall be in a position of being constructed and/or occupied over a multi-year period: developer-County agreements shall be the prescribed method of ensuring facilities are concurrent with the impacts of such development. In these cases, programmed improvements from the Five Year Schedule of Improvements shall be included as part of the concurrency determination as long as their availability coincides with the impact of such a multi-year, multi-phased development.

15.5.2.4 A schedule of public facilities and their availability shall be established for each proposed private development. Land clearing, site preparation and construction for each private development shall be programmed with facilities scheduled to ensure that the concurrency requirements are met. Where public or private facility availability is delayed, the County may impose delay requirements on any permits it has issued so that public facility availability may be approximately concurrent with the impact of new development. The County may only exercise this policy provision where the delayed public or private facility availability may imperil the public health, welfare and safety.

OBJECTIVE:

15.5.4 The County shall maintain provisions how and when capacity/concurrency determination will take place in the development review process.

POLICIES:

15.5.4.1 The capacity of Class A public facility(s) shall be determined for applications for new development orders according to either subsection (a) or (b) as follows:

Option A

- (1) The determination that such capacity is available shall apply only to specific uses, densities and intensities based on information provided by the applicant and included in the development order, and
  - (2) The determination that such capacity is available shall be valid for development that is completed within a period
    - [1] not to exceed two years, or
    - [2] Any period of time acceptable to the County and the applicant, provided that the period of time is explicitly set forth in a binding development agreement as authorized by Florida Statutes or time periods specified in the Land Development Regulations, Article XIV of the Land Development Code and any ordinance implementing the Capacity Conservation Fee, and the applicant provides one or more of the following assurances, acceptable to the County in form and amount, to guarantee the applicant's pro rata share of the County's financial obligation for public facilities which are constructed by the County for the benefit of the subject property:
      - [a] cash escrow,
      - [b] irrevocable letter of credit,
      - [c] prepayment of impact fees, (prepayment of capacity or reservation fees),
- or

[d] formation of a Community Development District pursuant to Chapter 190, Florida Statutes.

- (3) Whenever an applicant's pro rata share of a public facility is less than the full cost of the facility, the County shall do one of the following:
  - [1] contract with the applicant for the full cost of the facility, including terms regarding reimbursement of the applicant for costs in excess of the applicant's pro rata share, or
  - [2] obtain assurances similar to those in subsection (2) [2] from other sources, or
  - [3] amend this Comprehensive Plan to modify the adopted standard for the level of service so as to reduce the required facility to equal the applicant's needs.
  - [4] denial of a development order where conditions [1], [2] or [3] cannot be met.
- (4) Pursuant to subsection (1) and (2), no further determination of capacity for the subject property as required by this Element shall be required prior to the expiration of the determination of capacity for a preliminary development order, except that any change in the density, intensity or land use that requires additional public facilities or capacity is subject to review and approval or denial by the County, and the subject property shall be vested to the extent provided for the concurrency review as prescribed in Article XIV of the Land Development Code.

#### Option B

15.5.4.2 An applicant for development may elect to request approval of a preliminary development order, without a determination of capacity of Class A public facility(s) provided that any such order is issued subject to requirements in the applicable land development regulation or to specific conditions contained in the preliminary or intermediate development order that:

- (a) Final development orders for the subject property are subject to a determination of capacity of Class A public facilities.
- (b) No rights to obtain final development orders nor any other rights to develop the subject property have been granted or implied by the County's approval of the preliminary development order without determining the capacity of public facilities.

15.5.4.3 Specific applications for rezoning(s) and if an applicant for such a development order(s) requests to apply for a certificate of capacity may be subject to capacity/concurrency review where such rezonings may conflict with policies of this element or other adopted elements of this plan or if the applicant requests such a review.

- 15.5.4.4 Detailed capacity/concurrency review and determination shall be made by the County's Development Review Committee including but not limited to the following development orders:
- a. Preliminary plats, Final plats
  - b. Overall Development Plans as defined by the Land Development Regulations
  - c. Final Site plans
  - d. Developments of Regional Impact
  - e. All other development orders prescribed in Article XIV of the Land Development Code.
- 15.5.4.5 If concurrency and facility capacity is not available or cannot be made available through Policy 15.5.4.1(2)(a) for applications of the above development permits or any other development permits subject to review by the County's Development Review Committee, these findings shall be reasons for denial of such development orders.
- 15.5.4.6 For all other applicable development to be delineated by the Article XIV of the Land Development Code, a capacity/concurrency check shall be made prior to the issuance of a building permit. No building permit will be issued to an applicant where concurrency is not met through the policies of this element.

OBJECTIVE:

- 15.5.5 Volusia County shall allocate the necessary resources to manage the policies related to concurrency and achieve Goal 15.5 of this Capital Improvements Element.

POLICIES:

- 15.5.5.1 The County shall maintain a record of the impact(s) on facility capacity by property owners who have paid a capacity reservation fee(s).
- 15.5.5.2 The County shall evaluate its organizational structure to determine the best method to monitor and manage facility capacity, service levels and concurrency.
- 15.5.5.3 The County shall maintain and update when necessary Article XIV of the Land Development Code (Concurrency Management) prior to October 1, 1990. This ordinance may include but is not limited to:
1. LOS standards established in the Volusia County Comprehensive Plan for Class A facilities will be measured for development review.
  2. definition of a final local development order.
  3. private providers of a concurrency facility(s)/services.
  4. applicants for development order subject to concurrency.
  5. properties to be vested under the definition of a final local development order.

6. specific provisions related to reserving facility capacity.
7. which County agencies perform the concurrency evaluation.
8. process of appeals.

15.5.5.4 The County will coordinate with the applicable water supply provider to ensure that adequate water supplies and facilities are available and in place consistent with the method and timing established in this Element.

**GOAL:**

15.6 Provide for a financially feasible public school facilities program.

**OBJECTIVE:**

15.6.1 Level of Service Standards. The County of Volusia shall ensure that the capacity of schools is sufficient to support residential subdivisions and site plans at the adopted level of service standard. This level of service standard shall be consistent with the level of service standard adopted in the interlocal agreement entered into by the School Board and the local governments within Volusia County.

**POLICIES:**

15.6.1.1 The level of service standard adopted by County of Volusia shall be applied consistently by all local governments within Volusia County and by the School Board district-wide to all schools of the same type.

15.6.1.2 The uniform, district-wide level of service standard is as follows:

1. Elementary Schools: 115% of permanent FISH capacity for the concurrency service area
2. K-8 Schools: 115% of permanent FISH capacity for the concurrency service area.
3. Middle Schools: 115% of permanent FISH capacity for the concurrency service area
4. High Schools: 120% of permanent FISH capacity for the concurrency service area
5. Special Purpose Schools: 100% of permanent FISH capacity

15.6.1.3 The following schools shall achieve the adopted level of service no later than the identified date.

SCHOOL	LOS	DATE
Orange City Elementary	117%	July 1, 2012
Horizon Elementary	158%	July 1, 2012
Freedom Elementary	126%	July 1, 2012

Osceola Elementary	117%	July 1, 2012
Ortona Elementary	150%	July 1, 2012
Ormond Beach Elementary	116%	July 1, 2012
Southwestern Middle	120%	July 1, 2013
New Smyrna Beach Middle	122%	July 1, 2014

Source: Volusia County Interlocal Agreement

**OBJECTIVE:**

- 15.6.2 School Capital Facilities Planning. The County of Volusia shall cooperate with the School Board to ensure existing deficiencies and future needs are addressed consistent with adopted level of service standards for public schools.

**POLICIES:**

- 15.6.2.1 By December 1 of each year, the County of Volusia shall adopt as part of its Capital Improvement Element the Volusia County School District five year work program approved in September of each year as part of the School District budget including planned facilities and funding sources to ensure a financially feasible capital improvements program and to ensure the level of service standards will be achieved by the end of the five-year period.
- 15.6.2.2 The County of Volusia shall coordinate with the School Board and adopt development conditions to ensure that future development pays a proportionate share of the costs of capital facility capacity needed to accommodate new development and to assist in maintaining the adopted level of service standards via impact fees and other legally available and appropriate methods.