

**1.5 A BRIEF ASSESSMENT OF SUCCESSES AND SHORTCOMINGS RELATED TO EACH ELEMENT [163.3191(2)(H)]**

**CHAPTER FIFTEEN - CAPITAL IMPROVEMENT ELEMENT**

**INTRODUCTION**

The Capital Improvements Element has 5 Goals:

- 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.
- 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.
- 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.
- 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.
- 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.

The EAR-based amendments will result in no changes to these Goals.

**OBJECTIVE ANALYSIS**

**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.

Objective Achievement Analysis

The Objective will remain as currently worded.

Policy Relevance

There are 10 Policies under this Objective. There are no changes necessary.

### **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.

#### Objective Achievement Analysis

The Objective will remain as currently worded.

#### Policy Relevance

There are 4 Policies under this Objective. Policies 15.1.2.3 and 15.1.2.4 need to be updated to reflect analysis prepared in the aftermath of the three hurricanes in 2004.

### **Objective 15.1.3**

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

#### Objective Achievement Analysis

The Objective will remain as currently worded.

#### Policy Relevance

There are 2 Policies under this Objective. There are no changes necessary.

### **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.

#### Objective Achievement Analysis

The Objective will remain as currently worded.

#### Policy Relevance

There are 3 Policies under this Objective. There are no changes necessary.

### **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.

Objective Achievement Analysis

The Objective will remain as currently worded.

Policy Relevance

There are 3 Policies under this Objective. There are no changes necessary.

**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).

Objective Achievement Analysis

The Objective will remain as currently worded.

Unlike many jurisdictions across Florida, the Volusia County Capital Improvements Program (CIP) has been a financially feasible plan since its Comprehensive Plan was adopted in May 1990. The Volusia County Capital Improvements Program has a three-tier Level of Service program. Class A concurrency facilities include Drainage (Stormwater), Parks and Recreation, Potable Water, Sanitary Sewer, Solid Waste and Transportation (Roads and Mass Transit). By February 1, 2008, Schools will be added to the list of the concurrency facilities, which will be required by state law.

Class B facilities are public safety facilities. While public safety facilities are not concurrency facilities, they are considered vital services, which provide for the basic health, safety and welfare of Volusia County residents. These facilities include Corrections, Criminal Justice, (Sheriff Department and court facilities), Critical Communications (911 and emergency radio communications), Emergency Management (natural disasters such as hurricanes, wildfires, floods, tornados, etc.) and Fire Services. They have a higher priority as far as budgeting even though they are not tied to the issuance of a building permit. Capital Improvements Element (CIE) Policy 15.5.1.2 gives the County Council the authority to establish Class B facilities such as fire stations and fire house capital equipment, emergency medical stations and ambulances, Sheriff sub-stations, correction facilities and court facilities as concurrency facilities. There are no plans to make these Class B services concurrency facilities even though the option is available.

Class C facilities include all other facilities provided by Volusia County Government that are not Class A or Class B. This includes services such as the Airport, Mosquito Control, Ocean Center and Port Authority, which operate off enterprise funds or special district taxes separate from the general fund in Volusia County. Class C facilities include Beach Facilities, Data Processing Facilities, General Government and Library Services. The Level of Service standards for Class C facilities are advisory for budgetary purposes only. While there is no requirement for these Level of Service standards for Class C to be met, they can aid policy makers with budget priorities.

The last section of the CIP is an unfunded section. These items are projects that the County identifies as a priority for the future, but cannot include them in the CIP since there is not an identified funding source. For example, expansion of the branch jail is a 35 million dollar project that the County views as a priority within the next two years. The expansion of the branch jail will move from the unfunded category to a funded project under Corrections in Class B facilities. The unfunded section keeps the CIP section financially feasible by allowing the County to show projects planned for the future without listing them in the CIP as a Class A, B, or C facilities until a revenue source for the CIP project is identified.

#### Policy Relevance

There are 2 Policies under this Objective. There are no changes necessary.

#### **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.

#### Objective Achievement Analysis

The Objective will remain as currently worded. Volusia County has done an excellent job of funding its Road Program through its Capital Improvement Program. Presently the County has only two roads (Saxon and Taylor Road) where the segments are failing with no improvements shown in the County's Capital Improvement Program over the next 3 years. Saxon Boulevard has 4 segments that need improvement, while Taylor Road has one segment without any scheduled improvements. The segments are:

- Saxon Boulevard-Threadgill to Veterans Memorial Parkway
- Saxon Boulevard-Veterans Memorial Parkway to Interstate 4
- Saxon Boulevard-I-4 to Finland Drive
- Saxon Boulevard-Finland Drive to Normandy Boulevard
- Taylor Road-Summertrees to Williamson Boulevard

Volusia County's best option for Saxon Boulevard may be a parallel facility (Rhode Island extension) to relieve the overcrowded segments of Saxon. The construction of a Port Orange parallel facility, Homier Road, should provide relief for the segment of Taylor Road. The Transportation Element includes a failing segment of SR A1A, which is the segment immediately north of SR 40 in Ormond Beach. This facility has been identified as being a constrained facility.

#### Policy Relevance

There are 6 Policies under this Objective. There are no changes necessary.

### **Objective 15.2.3**

Existing deficiencies for public safety facilities (fire/rescue, sheriff's facilities and emergency medical facilities) and library space shall be eliminated by September 30, 1995.

#### Objective Achievement Analysis

The Objective will be updated to remove the 1995 reference and maintain existing public safety facilities without deficiencies. Most of the changes will be to the Policies under this section.

#### Policy Relevance

There are 10 Policies under this Objective. The Library Director has recommended that the Capital Improvements Element eliminate these 6 Policies: 15.3.2.2, 15.3.2.3, 15.2.3.5, 15.2.3.8, 15.2.3.9 and 15.2.3.10. These Policies are not necessary or meaningful Policies.

### **Objective 15.2.4**

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

#### Objective Achievement Analysis

The Objective will be reworded to reflect the current situation on parks. Cultural facilities funding has always been dependent on the general condition of Volusia County economy and finances for funding as noted by the first 4 Policies under this Objective. Policy 15.2.4.4 allows cultural facilities to be removed from the CIP if private sector funds or public revenue is not available.

#### Policy Relevance

There are 14 Policies under this Objective. The Objective contains 2 Policies that may be modified consistent with any recommended changes to the LOS standard for parks. The County is currently meeting the adopted level of service standard as set forth in Policy 13.1.5.1 in the Recreation and Open Space Element. However, there is a desire to revisit the park classifications to see if one standard "County Park" classification would better serve the community. Policy 15.2.4.6 on the minimum acreage requirement for local and district parks, and Policy 15.2.4.11 on local park impact fees, would have to be modified if a one standard County Park classification system is adopted. This will be done in 2007 in conjunction with the proposed impact fee study being done by the Building and Zoning Activity.

### **Objective 15.2.5**

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

Objective Achievement Analysis

The Objective will be reworded to state to minimize the number of new County correctional facilities consistent with state law. The County is currently planning a third correctional facility. Changes in state law mandate building this facility.

Policy Relevance

There is 1 Policy under this Objective. There are no changes necessary.

**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.

Objective Achievement Analysis

The Objective will stay as presently worded

Policy Relevance

There are 10 Policies under this Objective. There are no changes necessary.

**Objective 15.2.7**

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

Objective Achievement Analysis

This Objective will stay as presently worded.

Policy Relevance

There are 4 Policies under this Objective. There are no changes necessary.

**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 land uses within municipalities by spending not less than twenty percent of the total expenditures in its 5 year capital program on such projects.

Objective Achievement Analysis

This Objective will stay as presently worded. Volusia County meets this percentage easily through its Road Program, which constitutes the biggest expenditure in its Capital Improvement Program. The Mass Transit expenditures are designed to support urban

land uses (with the exception of service to Pierson). Overall the 20 percent threshold is a fairly low one that the County meets basically with almost all of the County services that it provides. Potable Water and Sanitary Sewer are urban services. The Sheriff's Department is a County-wide service provided to all residents rural and urban. Even Mosquito Control is a service that protects the urban population even though much of the mosquito control spraying and ditching activities occur in rural areas.

#### Policy Relevance

There are 13 Policies under this Objective. There are no changes necessary.

#### **Objective 15.3.1 Level of Service Standards**

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 specific facilities. 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

### Objective Achievement Analysis

This Objective will stay as presently worded. The Volusia County Capital Improvements Program has a three-tier Level of Service (LOS) program. Class A concurrency facilities include Drainage (Stormwater), Parks and Recreation, Potable Water, Sanitary Sewer, Solid Waste and Transportation (Roads and Mass Transit). Concurrency has the highest priority in the Volusia Capital Improvements Program since these services are mandatory facilities under state law and must be in place before a permit can be issued.

Class B facilities are public safety facilities. They have a high priority as far as Capital Improvement budgeting even though they are not tied to the issue of a building permit. While public safety facilities are not mandatory concurrency facilities, they are considered vital services provided for the basic health, safety and welfare of Volusia County residents. These facilities include Corrections, Criminal Justice, (Sheriff Department and court facilities), Critical Communications (911 and emergency radio communications) Emergency Management (natural disasters such as hurricanes, wildfires, floods, tornados, etc.) and Fire Services. Class B facilities do not have to be included in the Capital Improvements Element.

Capital Improvements Element (CIE) Policy 15.5.1.2 gives the County Council the authority to establish Class B facilities such as fire stations and fire house capital equipment, emergency medical stations and ambulances, Sheriff sub-stations, correction facilities and court facilities as concurrency facilities. There are no plans to make these Class B services concurrency facilities even though the option is available.

Class C facilities are discretionary facilities that Volusia County includes in its Capital Improvement Element. The County has the option with Class C services in the CIP to lower the LOS to meet the existing LOS if it is unable to meet the standards set in the CIP. There are no consequences for not meeting the LOS since the guidelines are advisory only. The County could delete Class B and Class C facilities from its Comprehensive Plan since there is no requirement to include these service facilities in the Capital Improvements Element.

### Policy Relevance

There are 4 Policies under this Objective. There are no changes necessary.

### **Objective 15.3.2**

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).

### Objective Achievement Analysis

This Objective needs to be reworded to eliminate the fragmented sentence.

### Policy Relevance

There are 6 Policies under this Objective. The Level of Service Policies for Class B may change from per capita standards to performance standards - such as response time.

### **Objective 15.3.3**

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

#### Objective Achievement Analysis

This Objective will stay as presently worded.

#### Policy Relevance

There are 5 Policies under this Objective. The Level of Service Policies may be reworded from a per capita standard to performance base standard.

### **Objective 15.3.4**

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

#### Objective Achievement Analysis

This Objective will stay as presently worded.

#### Policy Relevance

There are 5 Policies under this Objective. There are no changes necessary.

### **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.

#### Objective Achievement Analysis

This Objective will stay as presently worded.

#### Policy Relevance

There are 9 Policies under this Objective. There are no changes necessary.

### **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.

#### Objective Achievement Analysis

This Objective will stay as presently worded. Senate Bill 360 did not substantially change the Capital Improvement Program in Volusia County. Volusia County has maintained a financially feasible CIP program. The pay as you go provisions of Senate Bill 360 will not represent a change from Volusia County's present concurrency management system.

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 may be included in the County Capital Improvement program even though the County has no financial control over school facilities. Level of Services for school facilities will be in the Volusia County Comprehensive Plan even though the County does not maintain the Level of Service.

#### Policy Relevance

There are 12 Policies under this Objective. There are no changes necessary.

#### **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.

#### Objective Achievement Analysis

This Objective will stay as presently worded.

#### Policy Relevance

There are 3 Policies under this Objective. There are no changes necessary.

#### **Objective 15.4.4**

Debt shall be managed in a prudent and efficient manner

#### Objective Achievement Analysis

This Objective will stay as presently worded.

Policy Relevance

There are 10 Policies under this Objective. There are no changes necessary.

**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.

Objective Achievement Analysis

This Objective will stay as presently worded.

Policy Relevance

There are 10 Policies under this Objective. There are no changes necessary.

**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.

Objective Achievement Analysis

This Objective will stay as presently worded.

Policy Relevance

There are 10 Policies under this Objective. There are no changes necessary.

**Objective 15.5.2**

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

Objective Achievement Analysis

This Objective will stay as presently worded.

Policy Relevance

There are 10 Policies under this Objective. There are no changes necessary.

**Objective 15.5.4**

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

Objective Achievement Analysis

This Objective will stay as presently worded but will be renumbered as 15.5.3

Policy Relevance

There are 4 Policies under this Objective in Option A and six Policies in Option B. Policies will be renumbered to match the Objective.

**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.

Objective Achievement Analysis

This Objective will stay as presently worded but will be renumbered as 15.5.4

Policy Relevance

There are 3 Policies under this Objective. Policies will be renumbered to match the Objective.