Regular Workshop – December 11, 2013
Agenda Item 11

Agenda Item: Proposed Ordinance 2014-06, Annual Update to Capital Improvements Element (CIE) of Town of Longboat Key Comprehensive Plan

Presenter: Town Staff

Summary: With adoption of the 2011 Community Planning Act, the Florida Legislature revised the procedural requirements for updating the CIE on an annual basis. Proposed Ordinance 2014-06 provides for an update to the five-year schedule of capital improvements.

Staff will present the revised Longboat Key Five Year Schedule of Capital Improvements necessary to maintain adopted level of service (LOS) 2013-2018 and provide an overview of Ordinance 2014-06 with the supporting Exhibits

Attachments: 11-19-13 Memo, Planning, Zoning and Building Interim Director to Manager;
Draft Ordinance 2014-06;
Exhibit A, Draft Legislative Version
Exhibit B, Draft Clean version

Recommended Action: Pending discussion, provide direction to Manager.

M E M O R A N D U M

DATE: November 19, 2013

TO: Dave Bullock, Town Manager

FROM: Alaina Ray, Interim Director
Planning, Zoning and Building Department

RE : Ordinance 2014-06: Town of Longboat Key Annual Update to the Capital Improvements Element

---

With the adoption of the 2011 Community Planning Act, the Florida Legislature revised the procedural requirements for updating the five-year schedule of capital improvements. The Town still must review the Capital Improvement Element (CIE) on an annual basis, but any modifications to the schedule or data, such as deleting the past year and adding a new fifth year to the five-year plan, are no longer considered amendments to the Comprehensive Plan.

The update of the CIE must be adopted by ordinance but is not transmitted to the State for review and comment. This change applies only to the five-year schedule of capital improvements, and not to text amendments, unless the text is restating the schedule or data. Other text revisions to the CIE, except for minor changes and scrivener's errors, are still considered amendments to the Comprehensive Plan, required to be transmitted and subject to state review and comment.

Proposed Ordinance 2014-06 provides an update to the five-year schedule. All revisions are in legislative format (strike-through/underline) and highlighted in yellow.

Staff is presenting Ordinance 2014-06 to the Town Commission at their December 11, 2013, Regular Workshop Meeting for consideration and direction prior to forwarding for consideration at the Planning and Zoning (P&Z) Board meeting.

Pending P&Z Board review, they will forward their recommendation to the Town Commission at a future meeting for formal action.

ORDINANCE 2014-06

AN ORDINANCE OF THE TOWN OF LONGBOAT KEY, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF LONGBOAT KEY COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Community Planning Act, Sections 163.3161 through 163.32466, Florida Statutes, ("Act") authorizes and requires the Town of Longboat Key to adopt and amend a Comprehensive Plan in accordance with the Act; and

WHEREAS, Section 163.3177(3), Florida Statutes, requires that the Capital Improvements Element of the Comprehensive Plan be reviewed on an annual basis, and provides that updates to the five-year capital improvement schedule are not deemed to be amendments to the local comprehensive plan; and

WHEREAS, pursuant to the Act, Chapter 33 of the Town Code designates the Town of Longboat Key Planning and Zoning Board as the local planning agency, responsible for the preparation of the Comprehensive Plan and amendments and updates thereto; and

WHEREAS, the Town provided due public notice of the Planning and Zoning Board public hearing, which was conducted in a manner affording public participation to the fullest extent possible; and

WHEREAS, the Town Planning and Zoning Board held a public hearing on January 21, 2014, to review the annual update to the Five-Year Schedule of Capital Improvements, and provided recommendations to the Town Commission as the local governing body; and

WHEREAS, the Town Commission of the Town of Longboat Key, after due public notice, held public hearings on _____, 2014, and _____, 2014, to consider adoption of the Comprehensive Plan update as recommended by the Planning and Zoning Board.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF LONGBOAT KEY, FLORIDA, THAT:

SECTION 1. The Recitals above are ratified and confirmed as true and correct.

SECTION 2. The 2013 annual update to the Five-Year Schedule of Capital Improvements, attached hereto as Exhibits "A" and "B", are hereby approved for adoption by the Town of Longboat Key Town Commission.

SECTION 3. If any section, subsection, sentence, clause or provision of this Ordinance is held invalid, the remainder of the Ordinance shall not be affected.

SECTION 4. This Ordinance shall become effective upon adoption in accordance with Florida law and the Charter of the Town of Longboat Key.

Passed on the first reading and public hearing this _____ day of _____, 2014.

Adopted on the second reading and public hearing this _____ day of _____, 2014.

_____
James L. Brown, Mayor

ATTEST:

_____
Trish Granger, Town Clerk

Exhibits:

"A": 2013 Updates to the Capital Improvements Element; Legislative Version
"B": 2013 Updates to the Capital Improvements Element; Clean Version

EXHIBIT “A”

AMENDED CAPITAL IMPROVEMENTS ELEMENT

Legislative Version

CAPITAL IMPROVEMENTS ELEMENT

GOAL 1
The Town will take actions to provide the public facilities and open space essential to maintaining a level of service (LOS) consistent with the adopted Comprehensive Plan.

OBJECTIVE 1.1
Table 1, the Five Year Schedule of Capital Improvements, identifies capital projects that will be provided, at a standard that eliminates deficiencies, accommodates existing and future needs consistent with the Comprehensive Plan, and replaces obsolete or worn-out facilities.

Policy 1.1.1
The Five Year Schedule of Capital Improvements shall include all projects identified in the other elements of this plan and determined to be essential to maintenance of the adopted LOS.

Policy 1.1.2
The Town will identify projects and make provisions to fund the Five Year Schedule of Improvements in the Capital Improvements Element (CIE), which is based on the Capital Improvement Program (CIP). The priorities will be projects identified in the CIE as correcting existing deficiencies and maintaining adopted LOS.

Policy 1.1.3
Future amendments and modifications to the Five Year Schedule of Capital Improvements will be made by the Town. Proposed capital improvement projects will be evaluated and ranked in order of priority according to the following categories:

1) the project is needed to protect the public health and safety;

2) the project is needed to maintain or meet the adopted LOS as identified in individual elements;

3) the project increases the efficiency of existing facilities, mitigates future improvement cost, provides service to developed areas lacking full service, or promotes in-fill development or revitalization; or

4) the project represents a logical extension of facilities and services.

TABLE 1
LONGBOAT KEY FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENTS NECESSARY TO MAINTAIN ADOPTED LEVEL OF SERVICE (LOS) ~~2012-2017~~2013-2018

PROJECT DESCRIPTION		~~2012-13~~	2013-14	2014-15	2015-16	2016-17	2017-18	Funding Source
	Potable Water							
1	Longboat Pass Subaqueous Line Replacement	~~$2,000,000~~	~~$0~~ $75,000					Utility ~~Rates~~ Revenues
2	Water Distribution Rehabilitation				$0	$500,000	$0	Utility ~~Rates~~ Revenues
3	Pressure Reducing Station		$300,000					Utility Revenues or Bank Loan
POTABLE WATER TOTAL		**~~$2,000,000~~**	**~~$0~~ $375,000**	**$0**	**$0**	**$500,000**	$0	

[Note: Priorities 1 through 3 in the Potable Water schedule further Goal 1, Objective 1.3 and Policy 1.3.1 of the Capital Improvement Element of the Comprehensive Plan; and further directly Goal 1, Goal 2, Objective 2.3, Policy 2.3.2, Policy 2.3.4, Objective 2.4, Policy 2.4.2, Objective 2.5, and Policy 2.5.2. of the Potable Water Sub-element of the Infrastructure Element of the Comprehensive Plan.]

TABLE 1 (Continued)

LONGBOAT KEY FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENTS NECESSARY TO MAINTAIN ADOPTED LEVEL OF SERVICE (LOS) ~~2012-2017~~2013-2018

	PROJECT DESCRIPTION	~~2012-13~~	2013-14	2014-15	2015-16	2016-17	2017-2018	Funding Source
Wastewater								
1	Slipline Gravity Sewers and Services, I&I Studies	~~$600,000~~	$600,000	$600,000	$600,000	$600,000	$600,000	Bank Loan
2	Rehabilitate Intermediate ~~Lift~~ Pumping Stations	~~$350,000~~	$350,000	$400,000	$400,000	$400,000	$400,000	Bank Loan or Utility Revenues
3	Rehabilitate Lift Station E	~~$600,000~~	$150,000					Bank Loan or Utility Revenues
4	Rehabilitate Minor ~~Lift~~ & Smaller Pumping Stations	~~$0~~	~~$150,000~~ $175,000	~~$150,000~~ $175,000	~~$150,000~~ $175,000	~~$150,000~~ $175,000	$175,000	Bank Loan or Utility Revenues
5	~~Lift~~Pumping Stations ~~Pumps~~, Control Panel Upgrades	~~$45,000~~	~~$45,000~~ $100,000	$45,000	$45,000	$45,000	$45,000	Utility ~~Rates~~ Revenues
~~6~~	~~Wastewater Collection System Evaluation~~	~~$300,000~~						~~Bank Loan~~
~~7~~6	Wastewater Collection, Subaqueous Force Main	~~$1,000,000~~	$1,000,000	$14,000,000	$0			Bank Loan or Utility Revenues
7	SCADA Upgrades			$100,000				Utility Revenues
	WASTEWATER TOTAL	**~~$2,895,000~~**	**~~$2,145,000~~ $2,375,000**	**~~$15,195,000~~ $15,320,000**	**~~$1,195,000~~ $1,220,000**	**~~$1,195,000~~ $1,220,000**	**$1,220,000**	
	TOTAL TOWN OF LONGBOAT KEY COMPREHENSIVE PLAN CAPITAL PROJECTS	**~~$4,895,000~~**	**~~$2,145,000~~ $2,750,000**	**~~$15,195,000~~ $15,320,000**	**~~$1,195,000~~ $1,220,000**	**~~$1,695,000~~ $1,720,000**	**$1,220,000**	

Note: There are no schools on Longboat Key and none are planned.

[Note: Priorities 1 through 7 in the Wastewater schedule further Goal 1, Objective 1.3 and Policy 1.3.1 of the Capital Improvement Element of the Comprehensive Plan; and further directly Goal 1, Objective 1.1, Policy 1.1.1 and Policy 1.1.2, Objective 1.3, Policy 1.3.3, Objective 1.4, and Policy 1.4.2 of the Wastewater Sub-element of the Infrastructure Element of the Comprehensive Plan.]

OBJECTIVE 1.2

Public expenditures that subsidize development in coastal high hazard areas will be limited to those improvements that are necessary and are included in the Conservation and Coastal Management Element.

Policy 1.2.1

The Town will expend funds in coastal high hazard areas for the necessary protection, replacement or renewal of existing public infrastructure, including the Comprehensive Beach Management Plan, as amended.

OBJECTIVE 1.3

The Town will plan for its capital needs to ensure that the adopted LOS standards for public facilities and services are achieved and maintained, and encourage the conservation of water and wastewater use.

Policy 1.3.1

The Town adopts and maintains the following LOS standards in reviewing impacts of development, and encourages the conservation of water and wastewater use:

Wastewater	109 gallons per capita per day (gpcd)
Potable Water	120 gallons per capita per day (gpcd)
Solid Waste	Landfill disposal rate of 4.5 pounds per day per capita compaction rate of 1200 pounds per cubic yard. The adopted LOS excludes recyclable material and yard waste.
Stormwater	Stormwater systems based on 25 year/24 hour frequency storms and the water quality standards of Chapters 40D-4, 40 and 400, FAC of the Southwest Florida Water Management District.
Transportation	Gulf of Mexico Drive (GMD)/SR 789: LOS E All intersections within the Town: Volume to Capacity Ratio of 1.08
Recreation/Open Space	12 acres per 1,000 peak season functional population.
Public Transit	Maintain transit service to the Town, at or better than levels in effect in January 2007. Public transit LOS will not be used for concurrency determinations.

Policy 1.3.2

Proposed comprehensive plan amendments, and requests for development orders will be evaluated according to the following guidelines as to whether the proposed action would:

1) Be detrimental to public health, safety, and welfare, as described in the goals, objectives, and policies of this comprehensive plan;
2) Exacerbate any existing public facility capacity deficits, as described in the goals, objectives, and policies of this comprehensive plan;

3) Generate public facility demands that may be accommodated by capacity increases planned in the Five-Year Schedule of Capital Improvements;
4) Conform with future land uses as shown on the Future Land Use Map of the Future Land Use Element;
5) Ensure that developer-provided public facilities, contributions, or other mitigation measures are consistent with the adopted LOS standards and with the Town's multimodal transportation mobility plan; and,
6) Affect state or regional agencies' facilities plans.

Policy 1.3.3
The Town will utilize the planning process to identify long-range capital needs for Years 6-10.

Policy 1.3.4
The Town's Finance Department's professionally accepted methodologies will be employed in determining the financial feasibility of the LOS adopted in the Comprehensive Plan by projecting revenues and expenses over a five-year planning horizon.

OBJECTIVE 1.4
Except for transportation facilities, future development will bear a proportionate cost of facility improvements necessitated by the development in order to maintain adopted LOS standards.

Policy 1.4.1
The Town will charge land acquisition fees, as a condition for building permits, with the proceeds to be used for the acquisition of or improvements to parks and open space.

Policy 1.4.2
The Town will charge water and sewer connection fees, which reflect a proportionate share of facility costs.

Policy 1.4.3
The Town is at or near potable water capacity. A development project that requires additional potable water capacity will be required to pay the commensurate Facility Investment Fee for capacity improvements then in effect under the terms of the applicable water agreement between the Town and Manatee County or its successor.

Policy 1.4.4
A development project that requires additional wastewater capacity over and above the Town's current reserve capacity will be required to pay the commensurate Facility Investment Fee for capacity improvements then in effect under the terms of the wastewater agreement between the Town and Manatee County or its successor.

Policy 1.4.5
The Town will participate in Manatee County's and Sarasota County's Road Impact Fee programs, as they may be amended from time to time, and consider funding transit service improvements, bicycle facilities, pedestrian and other multi-modal enhancements in the Town.

OBJECTIVE 1.5
The Town will manage its fiscal and financial resources to fund the implementation of the Five Year Schedule of Capital Improvements and to ensure the provision of needed capital improvements to accommodate future development, and to maintain adequate facilities for existing populations.

Policy 1.5.1
The Capital Improvements Plan (CIP) shall indicate funding sources.

Policy 1.5.2
The Town will consider including land acquisition projects in the CIP, as funds are available.

Policy 1.5.3
A minimum of $300,000 per year from the Infrastructure Sales Tax and proceeds from the Tourism Development Taxes will be allocated to the Comprehensive Beach Management Plan, as amended.

Policy 1.5.4
The CIP and the annual capital budget will be adopted by the Town Commission.

Policy 1.5.5
In providing capital improvements, the Town will limit the maximum ratio of outstanding general obligation debt to no greater than two percent of the property tax base. However, in extraordinary circumstances requiring action to preserve the public health, safety, or welfare, the Town may exceed that limit. Voter approval is required to incur new capital debt, except in an emergency.

Policy 1.5.6
The Town will not depend on connection fees, land acquisition fees, and any other fees related to development, to service long-term debt.

Policy 1.5.7
The Town will certify that all public facilities needed to serve the development upon which the development order is based, will meet or exceed the requirements enumerated in Chapter 163.3180, FS, as stated below:

1) Concurrency determination for Wastewater, Solid Waste, and Stormwater: certification of occupancy or functional equivalent.
2) Concurrency determination for Potable Water: certification of occupancy or functional equivalent, after the appropriate water supplier or its functional equivalent has been consulted to determine if adequate water supplies will be available.

3) Concurrency determination for Recreation and Open Space: Parks and recreation facilities will be in place or under actual construction no later than one year after the issuance of certificate of occupancy or its functional equivalent. Acreage required for parks and recreation facilities will be dedicated or be acquired prior to issuance of the certificate of occupancy or its functional equivalent, or funds in the amount of the developer's fair share will be committed no later than the building permit approval or its functional equivalent.

Policy 1.5.8

With specific respect to transportation facilities and services, the Town will implement the recommendations of the multimodal transportation mobility plan. Except where improvements are necessary for the safety and welfare of the general public, priority 2 projects in Transportation Element Policy 1.2.2 are further categorized based on the following criteria in order to support the Town's transportation planning efforts:

Category 1: Projects which reduce person trips or vehicle miles traveled
Category 2: Projects which shift automobile trips to other modes of transportation
Category 3: Projects which shift trips from single-occupancy vehicles (SOVs) to high-occupancy vehicles (HOV) Auto/Van
Category 4: Projects which incorporate needed improvements to roadway operations
Category 5: Projects which add capacity to existing facilities

Transportation capital improvements projects will be adopted into the Town's Five-Year Schedule of Capital Improvements consistent with the timing of and need for such projects as identified in the multimodal transportation mobility plan. The Town will limit or discourage the construction of or contribution towards transportation projects that will promote or encourage increased densities within the Town's Coastal High Hazard Area or land use or development activities which may adversely affect the Town's ability to evacuate in the event of a hurricane or storm event, consistent with Objectives 2.1 and 3.1 of the Conservation and Coastal Management Element.

OBJECTIVE 1.6

The Town will review the Capital Improvements Element on an annual basis as required by the Florida Statutes.

Policy 1.6.1

Within 60-days of the effective date of the Town's most recently adopted budget, an amendment to the Capital Improvements Element (CIE), meeting the criteria of Chapter 163.3177, FS, will be presented for Town Commission action, and if appropriate, subsequent transmittal to the state land planning agency.

Policy 1.6.2

The Town will include projects in the capital improvements schedule that are necessary to maintain and achieve the adopted levels of service for the five year planning period.

GOAL 2

It shall be the Goal of the Town of Longboat Key to ensure that the public school needs of the Town are met.

OBJECTIVE 2.1: Public School Facilities

The Town shall ensure that future public school facility needs are addressed in a manner consistent with the adopted level of service standards for public schools for Manatee and Sarasota Counties.

Policy 2.1.1

The Town and School Board of Manatee County agree to implement the level of service standards for public schools district-wide to all schools of the same type as follows:

Elementary – 110% Permanent FISH Capacity and capacity for Eligible Relocatables based on the School Service Area;

Middle – 105% Permanent FISH Capacity and capacity for Eligible Relocatables based on the School Service Area; and,

High – 100% Permanent FISH Capacity and capacity for Eligible Relocatables district-wide.

Policy 2.1.2

The Town and School Board of Sarasota County agree to implement the level of service standards for public schools district-wide to all schools of the same type as follows:

Elementary – 115% of Permanent Program Capacity by School Service Area

Middle – 100% Permanent Program Capacity by School Service Area

High – 105% Permanent Program Capacity by School Service Area

Policy 2.1.3

The Town shall ensure that future development pays its share of the costs of capital facility capacity needed to accommodate new development and to assist in maintaining the applicable adopted level of service standards, via impact fees and other legally available and appropriate methods.

Policy 2.1.4

Manatee and Sarasota County School Boards, in coordination with the Town, shall annually update their Five Year Capital Facilities Plans to ensure that level of service standards will continue to be achieved and maintained by the end of the planning period. The Town adopts by reference the annually updated Sarasota School District Five Year Capital Facilities Plan, as amended. The Town adopts by reference the School District of Manatee County's annual Work Plan and annual School Capacity Program, as amended, by the School Board.

Policy 2.1.5

Manatee and Sarasota County School Boards will ensure that the Level of Service standards for public schools are achieved and maintained by the end of their five-year schedules of capital improvements.

Policy 2.1.6

Each year the Town of Longboat Key will review the CIE and amend, as necessary, by: 1) adding a new fifth year; 2) updating the public schools capital facilities program; 3) coordinating the program with the five year district facilities work plan, the plans of other local governments; and, 4) as necessary, updating the concurrency service area map. The annual plan amendments shall ensure that the level of service standards will continue to be achieved and maintained.

EXHIBIT “B”

AMENDED CAPITAL IMPROVEMENTS ELEMENT

Clean Version

CAPITAL IMPROVEMENTS ELEMENT

GOAL 1
The Town will take actions to provide the public facilities and open space essential to maintaining a level of service (LOS) consistent with the adopted Comprehensive Plan.

OBJECTIVE 1.1
Table 1, the Five Year Schedule of Capital Improvements, identifies capital projects that will be provided, at a standard that eliminates deficiencies, accommodates existing and future needs consistent with the Comprehensive Plan, and replaces obsolete or worn-out facilities.

Policy 1.1.1
The Five Year Schedule of Capital Improvements shall include all projects identified in the other elements of this plan and determined to be essential to maintenance of the adopted LOS.

Policy 1.1.2
The Town will identify projects and make provisions to fund the Five Year Schedule of Improvements in the Capital Improvements Element (CIE), which is based on the Capital Improvement Program (CIP). The priorities will be projects identified in the CIE as correcting existing deficiencies and maintaining adopted LOS.

Policy 1.1.3
Future amendments and modifications to the Five Year Schedule of Capital Improvements will be made by the Town. Proposed capital improvement projects will be evaluated and ranked in order of priority according to the following categories:

1) the project is needed to protect the public health and safety;

2) the project is needed to maintain or meet the adopted LOS as identified in individual elements;

3) the project increases the efficiency of existing facilities, mitigates future improvement cost, provides service to developed areas lacking full service, or promotes in-fill development or revitalization; or

4) the project represents a logical extension of facilities and services.

TABLE 1
LONGBOAT KEY FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENTS NECESSARY TO MAINTAIN ADOPTED LEVEL OF SERVICE (LOS) 2013-2018

PROJECT DESCRIPTION		2013-14	2014-15	2015-16	2016-17	2017-18	Funding Source
	Potable Water						
1	Longboat Pass Subaqueous Line Replacement	$75,000					Utility Revenues
1	Water Distribution Rehabilitation			$0	$500,000	$0	Utility Revenues
2	Pressure Reducing Station	$300,000					Utility Revenues or Bank Loan
POTABLE WATER TOTAL		**$375,000**	**$0**	**$0**	**$500,000**	**$0**	

TABLE 1 (Continued)
LONGBOAT KEY FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENTS NECESSARY TO MAINTAIN ADOPTED LEVEL OF SERVICE (LOS) 2013-2018

	PROJECT DESCRIPTION	2013-14	2014-15	2015-16	2016-17	2017-18	Funding Source
Wastewater							
1	Slipline Gravity Sewers and Services, I&I Studies	$600,000	$600,000	$600,000	$600,000	$600,000	Bank Loan
2	Rehabilitate Intermediate Pumping Stations	$350,000	$400,000	$400,000	$400,000	$400,000	Bank Loan or Utility Revenues
3	Rehabilitate Lift Station E	$150,000					Bank Loan or Utility Revenues
4	Rehabilitate Minor & Smaller Pumping Stations	$175,000	$175,000	$175,000	$175,000	$175,000	Bank Loan or Utility Revenues
5	Pumping Stations, Control Panel Upgrades	$100,000	$45,000	$45,000	$45,000	$45,000	Utility Revenues
6	Wastewater Collection, Subaqueous Force Main	$1,000,000	$14,000,000	$0			Bank Loan or Utility Revenues
7	SCADA Upgrades		$100,000				Utility Revenues
	WASTEWATER TOTAL	**$2,375,000**	**$15,320,000**	**$1,220,000**	**$1,220,000**	**$1,220,000**	
	TOTAL TOWN OF LONGBOAT KEY COMPREHENSIVE PLAN CAPITAL PROJECTS	**$2,750,000**	**$15,320,000**	**$1,220,000**	**$1,720,000**	**$1,220,000**	

Note: There are no schools on Longboat Key and none are planned.

OBJECTIVE 1.2

Public expenditures that subsidize development in coastal high hazard areas will be limited to those improvements that are necessary and are included in the Conservation and Coastal Management Element.

Policy 1.2.1

The Town will expend funds in coastal high hazard areas for the necessary protection, replacement or renewal of existing public infrastructure, including the Comprehensive Beach Management Plan, as amended.

OBJECTIVE 1.3

The Town will plan for its capital needs to ensure that the adopted LOS standards for public facilities and services are achieved and maintained, and encourage the conservation of water and wastewater use.

Policy 1.3.1

The Town adopts and maintains the following LOS standards in reviewing impacts of development, and encourages the conservation of water and wastewater use:

Wastewater	109 gallons per capita per day (gpcd)
Potable Water	120 gallons per capita per day (gpcd)
Solid Waste	Landfill disposal rate of 4.5 pounds per day per capita compaction rate of 1200 pounds per cubic yard. The adopted LOS excludes recyclable material and yard waste.
Stormwater	Stormwater systems based on 25 year/24 hour frequency storms and the water quality standards of Chapters 40D-4, 40 and 400, FAC of the Southwest Florida Water Management District.
Transportation	Gulf of Mexico Drive (GMD)/SR 789: LOS E All intersections within the Town: Volume to Capacity Ratio of 1.08
Recreation/Open Space	12 acres per 1,000 peak season functional population.
Public Transit	Maintain transit service to the Town, at or better than levels in effect in January 2007. Public transit LOS will not be used for concurrency determinations.

Policy 1.3.2

Proposed comprehensive plan amendments, and requests for development orders will be evaluated according to the following guidelines as to whether the proposed action would:

1) Be detrimental to public health, safety, and welfare, as described in the goals, objectives, and policies of this comprehensive plan;
2) Exacerbate any existing public facility capacity deficits, as described in the goals, objectives, and policies of this comprehensive plan;

3) Generate public facility demands that may be accommodated by capacity increases planned in the Five-Year Schedule of Capital Improvements;
4) Conform with future land uses as shown on the Future Land Use Map of the Future Land Use Element;
5) Ensure that developer-provided public facilities, contributions, or other mitigation measures are consistent with the adopted LOS standards and with the Town's multimodal transportation mobility plan; and,
6) Affect state or regional agencies' facilities plans.

Policy 1.3.3
The Town will utilize the planning process to identify long-range capital needs for Years 6-10.

Policy 1.3.4
The Town's Finance Department's professionally accepted methodologies will be employed in determining the financial feasibility of the LOS adopted in the Comprehensive Plan by projecting revenues and expenses over a five-year planning horizon.

OBJECTIVE 1.4
Except for transportation facilities, future development will bear a proportionate cost of facility improvements necessitated by the development in order to maintain adopted LOS standards.

Policy 1.4.1
The Town will charge land acquisition fees, as a condition for building permits, with the proceeds to be used for the acquisition of or improvements to parks and open space.

Policy 1.4.2
The Town will charge water and sewer connection fees, which reflect a proportionate share of facility costs.

Policy 1.4.3
The Town is at or near potable water capacity. A development project that requires additional potable water capacity will be required to pay the commensurate Facility Investment Fee for capacity improvements then in effect under the terms of the applicable water agreement between the Town and Manatee County or its successor.

Policy 1.4.4
A development project that requires additional wastewater capacity over and above the Town's current reserve capacity will be required to pay the commensurate Facility Investment Fee for capacity improvements then in effect under the terms of the wastewater agreement between the Town and Manatee County or its successor.

Policy 1.4.5
The Town will participate in Manatee County's and Sarasota County's Road Impact Fee programs, as they may be amended from time to time, and consider funding transit service improvements, bicycle facilities, pedestrian and other multi-modal enhancements in the Town.

OBJECTIVE 1.5
The Town will manage its fiscal and financial resources to fund the implementation of the Five Year Schedule of Capital Improvements and to ensure the provision of needed capital improvements to accommodate future development, and to maintain adequate facilities for existing populations.

Policy 1.5.1
The Capital Improvements Plan (CIP) shall indicate funding sources.

Policy 1.5.2
The Town will consider including land acquisition projects in the CIP, as funds are available.

Policy 1.5.3
A minimum of $300,000 per year from the Infrastructure Sales Tax and proceeds from the Tourism Development Taxes will be allocated to the Comprehensive Beach Management Plan, as amended.

Policy 1.5.4
The CIP and the annual capital budget will be adopted by the Town Commission.

Policy 1.5.5
In providing capital improvements, the Town will limit the maximum ratio of outstanding general obligation debt to no greater than two percent of the property tax base. However, in extraordinary circumstances requiring action to preserve the public health, safety, or welfare, the Town may exceed that limit. Voter approval is required to incur new capital debt, except in an emergency.

Policy 1.5.6
The Town will not depend on connection fees, land acquisition fees, and any other fees related to development, to service long-term debt.

Policy 1.5.7
The Town will certify that all public facilities needed to serve the development upon which the development order is based, will meet or exceed the requirements enumerated in Chapter 163.3180, FS, as stated below:

1) Concurrency determination for Wastewater, Solid Waste, and Stormwater: certification of occupancy or functional equivalent.
2) Concurrency determination for Potable Water: certification of occupancy or functional equivalent, after the appropriate water supplier or its functional equivalent has been consulted to determine if adequate water supplies will be available.

3) Concurrency determination for Recreation and Open Space: Parks and recreation facilities will be in place or under actual construction no later than one year after the issuance of certificate of occupancy or its functional equivalent. Acreage required for parks and recreation facilities will be dedicated or be acquired prior to issuance of the certificate of occupancy or its functional equivalent, or funds in the amount of the developer's fair share will be committed no later than the building permit approval or its functional equivalent.

Policy 1.5.8

With specific respect to transportation facilities and services, the Town will implement the recommendations of the multimodal transportation mobility plan. Except where improvements are necessary for the safety and welfare of the general public, priority 2 projects in Transportation Element Policy 1.2.2 are further categorized based on the following criteria in order to support the Town's transportation planning efforts:

Category 1: Projects which reduce person trips or vehicle miles traveled
Category 2: Projects which shift automobile trips to other modes of transportation
Category 3: Projects which shift trips from single-occupancy vehicles (SOVs) to high-occupancy vehicles (HOV) Auto/Van
Category 4: Projects which incorporate needed improvements to roadway operations
Category 5: Projects which add capacity to existing facilities

Transportation capital improvements projects will be adopted into the Town's Five-Year Schedule of Capital Improvements consistent with the timing of and need for such projects as identified in the multimodal transportation mobility plan. The Town will limit or discourage the construction of or contribution towards transportation projects that will promote or encourage increased densities within the Town's Coastal High Hazard Area or land use or development activities which may adversely affect the Town's ability to evacuate in the event of a hurricane or storm event, consistent with Objectives 2.1 and 3.1 of the Conservation and Coastal Management Element.

OBJECTIVE 1.6

The Town will review the Capital Improvements Element on an annual basis as required by the Florida Statutes.

Policy 1.6.1

Within 60-days of the effective date of the Town's most recently adopted budget, an amendment to the Capital Improvements Element (CIE), meeting the criteria of Chapter 163.3177, FS, will be presented for Town Commission action, and if appropriate, subsequent transmittal to the state land planning agency.

Policy 1.6.2

The Town will include projects in the capital improvements schedule that are necessary to maintain and achieve the adopted levels of service for the five year planning period.

GOAL 2

It shall be the Goal of the Town of Longboat Key to ensure that the public school needs of the Town are met.

OBJECTIVE 2.1: Public School Facilities

The Town shall ensure that future public school facility needs are addressed in a manner consistent with the adopted level of service standards for public schools for Manatee and Sarasota Counties.

Policy 2.1.1

The Town and School Board of Manatee County agree to implement the level of service standards for public schools district-wide to all schools of the same type as follows:

Elementary – 110% Permanent FISH Capacity and capacity for Eligible Relocatables based on the School Service Area;

Middle – 105% Permanent FISH Capacity and capacity for Eligible Relocatables based on the School Service Area; and,

High – 100% Permanent FISH Capacity and capacity for Eligible Relocatables district-wide.

Policy 2.1.2

The Town and School Board of Sarasota County agree to implement the level of service standards for public schools district-wide to all schools of the same type as follows:

Elementary – 115% of Permanent Program Capacity by School Service Area

Middle – 100% Permanent Program Capacity by School Service Area

High – 105% Permanent Program Capacity by School Service Area

Policy 2.1.3

The Town shall ensure that future development pays its share of the costs of capital facility capacity needed to accommodate new development and to assist in maintaining the applicable adopted level of service standards, via impact fees and other legally available and appropriate methods.

Policy 2.1.4

Manatee and Sarasota County School Boards, in coordination with the Town, shall annually update their Five Year Capital Facilities Plans to ensure that level of service standards will continue to be achieved and maintained by the end of the planning period. The Town adopts by reference the annually updated Sarasota School District Five Year Capital Facilities Plan, as amended. The Town adopts by reference the School District of Manatee County's annual Work Plan and annual School Capacity Program, as amended, by the School Board.

Policy 2.1.5

Manatee and Sarasota County School Boards will ensure that the Level of Service standards for public schools are achieved and maintained by the end of their five-year schedules of capital improvements.

Policy 2.1.6

Each year the Town of Longboat Key will review the CIE and amend, as necessary, by: 1) adding a new fifth year; 2) updating the public schools capital facilities program; 3) coordinating the program with the five year district facilities work plan, the plans of other local governments; and, 4) as necessary, updating the concurrency service area map. The annual plan amendments shall ensure that the level of service standards will continue to be achieved and maintained.

End of Agenda Item