



H. CAPITAL IMPROVEMENTS ELEMENT

Note: The Capital Improvements Element has been reviewed as part of the this EAR-based amendment process and no changes to the goals, objectives and policies or the Schedule of Capital Improvements are needed or included with this EAR-based amendment.

H. Capital Improvements Element Goals, Objectives and Policies

Terms used within this element shall be as set forth within Section 163.3164, Florida Statutes and Rule 9J-5.003 of the Florida Administrative Code or as defined by applicable City of Atlantic Beach ordinances.

Goal H.1

The City shall provide public facilities, which are sufficient to enable the City to: 1) accommodate the needs of present and future populations in a timely and cost-effective manner; 2) maximize the use of existing facilities; and 3) maintain or enhance the City's services, physical environment and fiscal integrity.

Objective H.1.1

Capital Improvements Planning

Capital projects needed to support development shall be evaluated annually, and when financially feasible, shall become part of the five (5) year Schedule of Capital Improvements of the Capital Improvement Program (CIP) as set forth within Table H-6 and consistent with the annual adopted budget for the City. Such updates to the CIP shall be included in the City's adopted Comprehensive Plan as part of the annual review and amendment to this Capital Improvements Element.

Policy H.1.1.1 Capital improvements, which are determined to be necessary to implement the Goals, Objectives and Policies of this Comprehensive Plan shall be given priority by the City. All capital improvements having a cost of \$20,000 or more shall be included in the City's annual capital improvements budget along with an identified funding source.

Policy H.1.1.2 The City Manager, or designee, shall have the responsibility of preparing for consideration by the City Commission a capital improvements budget and Capital Improvements Element update (when required) after evaluating the population growth within the City, the condition of City facilities, and the provisions of this Comprehensive Plan.

Policy H.1.1.3 The City shall be guided by the following criteria in identifying and prioritizing capital improvements both in the provision of new facilities and replacement or renewal of existing facilities:

- (a)** improvements needed for the protection of public health and safety;
- (b)** improvements that increase the utilization of existing City facilities, multiple use of facilities or improved efficiency of facility operation;

- (c) improvements that address existing Level of Service deficiencies;
- (d) improvements necessary to meet the requirements of future development;
- (e) improvements that enhance and improve the City's built environment and aesthetic character, economic stability, or environmental quality.

Policy H.1.1.4 The City supports coordination of capital improvement planning by all levels of government as a means of providing services in an orderly, economical, and efficient manner.

Policy H.1.1.5 This Capital Improvements Element shall be reviewed annually and updated as necessary to reflect revisions to the Capital Improvements Program in accordance with the annual adopted budget, including any proportionate fair-share contributions.

Policy H.1.1.6 The City shall ensure the financial feasibility of all capital improvements included within the adopted Capital Improvements Element.

Objective H.1.2

Concurrency and Level of Service Standards

The City shall coordinate land use decisions and the issuance of development permits with the implementation of the Capital Improvement Program so as to ensure that the Level of Service (LOS) standards, as set forth within this Plan element, are fully met in accordance with Florida Statutes, and other applicable rules and regulations. A Concurrency Management System (CMS) shall be maintained that is consistent with and supports the Capital Improvements Program, and which is financially feasible to provide necessary facilities to maintain adopted Level of Service standards and to serve new development during the five-year Capital Improvement Program planning period. The Concurrency Management System shall ensure that public facilities and services are available concurrent with the impacts of new development.

Policy H.1.2.1 The City through its Concurrency Management System shall ensure that Level of Service (LOS) Standards for sanitary sewer, solid waste, drainage, potable water, parks and recreation, schools, and transportation facilities, including mass transit where applicable, are maintained.

Policy H.1.2.2 Development permits, including permits issued for single-family and two-family residential development upon existing Lots of Record, and those issued solely for alteration, remodeling, reconstruction, or restoration of residential units provided that such permits do not authorize an increase in the number of dwelling units; and for non-residential uses, those permits that do not authorize an increase in the square feet of the development shall be deemed no impact projects and shall not require a Concurrency Certificate. It shall be the Applicant's responsibility to

demonstrate and certify this provision in accordance with concurrency review procedures.

Policy H.1.2.3 Applications for development permits for projects, which are deemed to have no impact upon public facilities and services, as defined by preceding Policy H.1.2.2, or to have a *de minimus* impact as defined by State law, or which have acquired statutory or common law vested rights, shall not require a Concurrency Certificate. It shall be the Applicant's responsibility to demonstrate and certify this provision in accordance with concurrency review procedures.

Policy H.1.2.5 Development permits issued by the City, other than those as addressed by Policies H.1.2.2 and H.1.2.3, shall be accompanied by an approved Concurrency Certificate for that specific project, certifying that the proposed project has passed mandated concurrency tests. Capacity for all local development permits holding approved Concurrency Certificates shall be reserved in the effected public facilities for the life of the approved development permit but shall be released upon expiration of such development permit.

Policy H.1.2.6 The City shall implement a concurrency tracking and monitoring system, which shall:

- (a) Analyze the impacts of a proposed development in relation to the available capacity and Level of Service requirements contained within this Capital Improvements Element; and
- (b) Create an annual report that summarizes the available capacity of public facilities and forecasts the future available capacity based upon best available data.

Note: Terms and abbreviations used within following policies H.1.2.7 through H.1.2.12 shall have the same meaning as defined within the Public Schools Facilities Element of this Plan.

Policy H.1.2.7 The City shall ensure that future needs are addressed consistent with the adopted level of service standards for public schools to ensure that the capacity of schools is sufficient to support residential development order approvals at the adopted level of service (LOS) standards.

Policy H.1.2.8 The LOS standards shall be applied consistently by the City and by DCPS district-wide to all schools of the same type.

Policy H.1.2.9 The uniform LOS standards for all public schools including magnets and all instructional facility types, shall be 105% of the permanent Florida Inventory of School House (FISH) capacity, plus portables, based on the utilization rate as established by the State Requirements for Educational Facilities (SREF).

- (a) The designated middle schools within CSA 5 shall be identified as backlogged facilities and an interim level of standard within CSA 5

shall be 115% until January 1, 2018, after which the uniform LOS standard shall apply.

- (b) The implementation of long term concurrency management shall be monitored to evaluate the effectiveness of the implemented improvements and strategies toward improving the level of service standards for middle schools in CSA 5 over the 10-year period.
- (c) The City shall adopt the DCPS Long Range Capital Improvements Plan as the 10-year long-term schedule of improvements for the purpose of correcting existing deficiencies and setting priorities for addressing backlogged facilities within CSA 5. The long-term schedule includes capital improvements and revenues sufficient to meet the anticipated demands for backlogged facilities within the 10-year period. The long-term schedule improves interim level of service standards for backlogged facilities and ensures uniform LOS, as established in the preceding policies are achieved by 2018. The long-term schedule will be updated by December 1st of each year, in conjunction with the annual update to the DCPS Five-Year Capital Facilities Plan and the City's Capital Improvements Element.
- (d) The City's strategy in coordination with DCPS for correcting existing deficiencies and addressing future needs includes:
 - a. implementation of a financially feasible Five-Year Capital Facilities Plan to ensure level of service standards are achieved and maintained;
 - b. implementation of interim level of service standards within designated concurrency service areas with identified backlogged facilities in conjunction with a long-term (10-year) schedule of improvements to correct deficiencies and improve level of service standards to the district-wide standards;
 - c. identification of adequate sites for funded and planned schools; and
 - d. the expansion of revenues for school construction.

Policy H.1.2.10 The City hereby adopts by reference as part of this Element the 2008-2009 Five Year District Facilities Work Program, and the Long Range Capital Improvements Plan as the 10-year long-term schedule of improvements program as adopted by the Duval County School District, which sets forth a financially feasible public school capital facilities program that demonstrates the adopted level-of-service standards will be achieved and maintained and maintained by the end of the 5-year and the 10-year planning periods.

Policy H.1.2.11 By December of each year, the City, shall adopt the updated DCPS Five Year District Facilities Work Program and the Long Range Capital Improvements Plan as the 10-year long-term schedule of improvements program to the extent that it relates to school capacity to ensure maintenance of a financially feasible capital improvements program and to ensure level of service standards will

continue to be achieved and maintained pursuant to Policy H.1.2.10 of this Element.

Policy H.1.2.12 If there is a consensus to amend the LOS, it shall be accomplished by the execution of an amendment to this Interlocal Agreement by all Cities and DCPS and the adoption of amendments to each local government’s Comprehensive Plan, following an advisory review by the ILA Team and the Joint Planning Committee. The amended LOS shall not be effective until all plan amendments are effective and the amended Interlocal Agreement is fully executed. No level of service shall be amended without showing that the LOS is financially feasible.

Policy H.1.2.13 In addition to the LOS for school concurrency established by the Duval County School Board, the following Level of Service standards are adopted as the basis for the City's issuance of development permits.

Table H-1

**Park, Recreation and Open Space Level of Service (LOS) Standards
City of Atlantic Beach, 2005-2015**

<u>TYPE OF FACILITY</u>	<u>LEVEL OF SERVICE STANDARD</u>
Playground (with equipment)	1 playground per 2,500 population
Baseball or Softball Field	1 field per 2,500 population
Soccer or Football Field	1 field per 5,000 population
Basketball Court	1 court per 2,500 population
Volleyball Court	1 court per 5,000 population
Tennis Court	1 court per 2,500 population
Jogging/Exercise Trail	1 trail per 10,000 population
Community Center	1 center per 10,000 population
Beach Accesses	1 access per 2,500 population
Passive Park/Scenic Open Space	5 acres per 1,000 population
Golf Course* (public or private)	1 18-hole course per 25,000 population
Regional Park/Open Space*	5 acres per 1,000 population

*Regional facilities are defined as those, which may not be located within the City of Atlantic Beach, but are in such close proximity so as to directly serve the daily recreational needs of the residents of the City of Atlantic Beach, such as Kathryn Abby Hanna Park and area golf courses.

Policy H.1.2.14 The City shall not issue a development permit unless provision to maintain or exceed the above standards for Park, Recreation and Open Space Levels of Service is met or committed as set forth in following Policy H.1.2.9.

Policy H.1.2.15 A development permit may be issued, if determined to be appropriate by the City, subject to the condition that, at the time of issuance of a Certificate of Occupancy or its functional equivalent, the acreage for the necessary park, recreation or open space facilities are dedicated or acquired by the local government, or funds in the amount of the developer’s fair share are committed in accordance with the following and:

- (a) The park, recreation or open space facilities are in place or under actual construction not more than one year after issuance of a Certificate of Occupancy or its functional equivalent as provided in the adopted local government 5-year Schedule of Capital Improvements; or
- (b) At the time the development permit is issued, the necessary park, recreation or open space facilities are mandated through a binding executed agreement which requires the necessary facilities to be in place or under actual construction not more than one year after issuance of a Certificate of Occupancy or its functional equivalent; or
- (c) At the time the development permit is issued, the necessary park, recreation or open space facilities are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development permit issued pursuant to Chapter 380, F.S., to be in place or under actual construction not more than one year after issuance of a Certificate of Occupancy or its functional equivalent. [Section 163.3180(2)(b), F.S.]

Table H-2

**Sanitary Sewer Level of Service (LOS) Standards
City of Atlantic Beach, 2005-2015**

<u>Type of Service</u>	<u>LOS Standard</u>
Average sewage	105 gpcd for COAB system 105 gpcd for COAB system (outside City limits)
Peak flow design capacity	234 gpcd for COAB system 164 gpcd for COAB system (outside City limits)

Policy H.1.2.16 At the time of issuance of a development permit, there shall be in place an enforceable development agreement that ensures, prior to the issuance of a Certificate of Occupancy or its functional equivalent, the necessary facilities and services for sanitary sewer will be available.

Table H-3

**Solid Waste and Potable Water Level of Service Standards
City of Atlantic Beach, 2005-2015**

<u>Type of Service</u>	<u>LOS Standard</u>
Solid Waste	7.3 pounds pcpd
Potable Water	105gpcd for entire COAB system

Policy H.1.2.17 At the time of issuance of a development permit, there shall be in place an enforceable development agreement that ensures, prior to issuance of a Certificate of Occupancy or its functional equivalent, the necessary facilities and services for solid waste and potable water will be available.

Table H-4

**Drainage Level of Service (LOS) Standards
City of Atlantic Beach, 2005-2015**

Surface Water Quality: Applicable local and State regulations shall pertain to maintaining water quality, natural hydroperiods and flows. Ambient water quality standards shall be maintained. Minimum criteria for surface water quality shall meet the standards of F.A.C. 62-302.

Wetland Stormwater Discharge: Permits for Wetland stormwater discharge shall meet F.A.C. 40C- 42.0265.

Stormwater Discharge Facilities: Permits for construction of new stormwater discharge facilities shall meet F.A.C. 40C-42.022.

Closed conduits: 5-year frequency, 24-hour duration; IDF curve Zone 5, FDOT Drainage Manual, 2003.

Open channels: 10-year frequency, 24 hour duration; IDF curve Zone 5, for Roadside, Median, and Interceptor ditches or swales and 25-year storm for Outfall ditches, FDOT Drainage Manual, 2003.

Level of Service: Shall meet FDEP Stormwater Drainage Rule 40C-42.025 and 40C-42.026 regarding retention of stormwater runoff.

Policy H.1.2.18 At the time of issuance of a development permit, there shall be in place an enforceable development agreement that ensures, prior to issuance of a Certificate of Occupancy or its functional equivalent, that the necessary facilities and services for drainage and stormwater treatment, the protection of natural hydrologic functions, particularly tidal marsh systems will be in place.

Table H-5

**Transportation Level of Service Standards
City of Atlantic Beach, 2005-2015**

<u>Roadway Classification</u>	<u>LOS Standard</u>
Freeways	LOS "D"
Principal Arterial	LOS "D"
Minor Arterial	LOS "E"
Collector Streets	LOS "E"
Local Streets	LOS "E"
<u>Constrained Facilities (if applicable)</u>	
Freeways	Maintain existing LOS and travel speed
Principal Arterial	Maintain existing LOS and travel speed
Minor Arterial	Maintain existing LOS and travel speed
Collector Streets	Maintain existing LOS and travel speed
Local Streets	Maintain existing LOS and travel speed
<u>Backlogged Facilities (if applicable)</u>	
Freeways	Maintain and improve existing LOS and travel speed
Principal Arterial	Maintain and improve existing LOS and travel speed
Minor Arterial	Maintain and improve existing LOS and travel speed
Collector Street	Maintain and improve existing LOS and travel speed
Local Streets	Maintain and improve existing LOS and travel speed

Policy H.1.2.19 A development permit may be issued if determined to be appropriate by the City, subject to the condition that the necessary transportation facilities are scheduled to be in place or under actual construction not more than three (3) years after issuance of a Certificate of Occupancy or its functional equivalent as provided in the adopted local government five-year Schedule of Capital Improvements. The Schedule of Capital Improvements may recognize and include transportation projects included in the first three years of the applicable, adopted Florida Department of Transportation five-year work program.

Policy H.1.2.20 An estimated date of commencement of actual construction and the estimated date of project completion for transportation improvements necessary to satisfy concurrency shall be included in the Capital Improvements Program for the City.

Policy H.1.2.21 A Comprehensive Plan amendment is required to eliminate, defer, or delay construction of transportation improvements which are needed to maintain the adopted Transportation Level of Service standard, and which are listed in the five (5) year Schedule of Capital Improvements [Section 163.3177.3.(b)1, F.S.] , unless:

- (a) At the time a development permit is issued, the necessary transportation facilities are contained within a binding executed agreement that mandates the necessary transportation facilities will

be in place or under actual construction within three (3) years after the issuance of a Certificate of Occupancy or its functional equivalent; or

- (b) At the time a development permit is issued, the necessary transportation facilities are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development permit issued pursuant to Chapter 380, F.S., to be in place or under actual construction within three (3) years after issuance of a certificate of occupancy or its functional equivalent. [Section 163.3180(2)(c), F.S.]

Policy H.1.2.22 The City shall incorporate into its Land Development Regulations a Proportionate Fair-Share Program for transportation concurrency.

Policy H.1.2.23 The City shall maintain records on *de minimis* impacts for transportation concurrency to ensure that traffic volume remains under the 110% criteria pursuant to requirements of the Department of Community Affairs, and this documentation shall be provided to DCA annually.

Policy H.1.2.24 The City shall establish and implement a process for assessing, receiving, and applying a fair-share of the cost of providing transportation facilities necessary to serve a proposed new development. Transportation facilities or improvements necessary to maintain adopted LOS standards shall be included in a financially feasible five (5) year Schedule of Capital Improvements that shall be adopted pursuant to Rule 9J-5.016, F.A.C. Any fair-share assessment shall have a reasonable relationship to the transportation impact that is projected to be generated by the proposed new development.

Objective H.1.3

Public Expenditures within the Coastal High Hazard Area

The City shall not make public expenditures that subsidize land development within the Coastal High Hazard Area other than improvements as required to implement the Objectives and Policies identified within the Coastal Management Element and the Infrastructure Element.

Policy H.1.3.1 The City shall coordinate with the appropriate agencies to ensure improvements as appropriate and necessary to protect and re-nourish dunes and beach areas, and to maintain or replace public facilities and provide improved recreational opportunities.

Objective H.1.4

Funding for Capital Improvements

The City shall manage its fiscal resources and establish through revisions to its Land Development Regulations, as required by section 163.3202, F.S. equitable facility cost allocation and concurrency requirements in a manner that ensures the City's capability to meet future capital improvement needs, which are associated with continued development and redevelopment of the City.

Policy H.1.4.1 The City's annual adopted budget, which identifies General Fund and other revenue sources and all fund expenditures, and all governmental debt obligations, (as set forth within the Debt Service Fund) is hereby identified as supporting data and analysis for this Capital Improvements Element. The annual budget shall continue to contain a Capital Improvement Program with a Schedule of Capital Improvements, adequate to, at a minimum, maintain the adopted Levels of Service as set forth within this Plan element.

Policy H.1.4.2 The City's annual budgeting process shall reflect immediate as well as long-term implications of capital project expenditures in terms of trends and projections in the City's fiscal condition, expressed public attitudes, Comprehensive Plan provisions, and consistency with the plans of regional service agencies, the St. Johns River Water Management District, and other entities with whom coordination of facility planning is appropriate. Criteria for evaluating capital project expenditures shall include:

- (a) the urgency of need based upon health, safety and welfare considerations of the general public;
- (b) the orderly scheduling to maximize funding availability; and
- (c) opportunities for coordinating expenditures so as to improve efficiency and effectiveness of public services.

Policy H.1.4.3 The annual budget process shall include a review of two years of actual history, an estimate for the current year, the proposed year, then the final approved budget for the following fiscal year. The adopted capital expenditures budget shall be segregated both by program area and by revenue fund type and shall identify existing and projected revenue sources and funding mechanisms.

Policy H.1.4.4 The annual adopted budget shall continue to include a yearly Schedule of Capital Outlay and also a Long Term Financial Plan, which shall be evaluated, reviewed and adjusted during the budgeting process, as may be necessary, to correct existing deficiencies, or to address emergency needs.

Policy H.1.4.5 The City shall review the Capital Improvements Element not less than once annually, and funding for capital improvements shall be given priority as set forth with Table H-6, Schedule of Capital Improvements, 2008-09 through 2013-14, or as priorities may be established during the annual budget review process.

Table H-6
Schedule of Capital Improvements, 2008-09 through 2013-14

<u>Project Description</u>	<u>2008-09</u>	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>Total</u>	<u>Funding Source</u>
1. Transportation Infrastructure								
a. Resurfacing	\$275,000	\$275,000	\$275,000	\$300,000	\$270,000	\$300,000	\$1,350,000	Gas Tax Fund
b. Sidewalks	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$300,000	Gas Tax Fund
c. Bike and multi-use paths	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$150,000	\$900,000	Half-cent Sales Tax
d. Stewart Street extension paving			\$25,000				\$25,000	General Fund
2. Stormwater Utility								
a. Equipment and vehicle replacement			\$245,000				\$245,000	Enterprise Fund
c. Main Street (Stewart St. Levy Road)						\$760,000	\$760,000	Enterprise Fund
d. Begonia Street (W. 6th to W. 9th Street)						\$240,000	\$240,000	Enterprise Fund
e. Royal Palms Infrastructure improvements	\$400,000	\$2,810,000					\$3,210,000	Enterprise Fund
3. Water Utility (per Schedule of Capital Outlay – approved 10-Year CIP and Water/Sewer Master Plan)								
a. Replace 4" AC main with 6" AC main on Sea Oats Drive	\$250,000						\$250,000	Enterprise Fund
b. Replace 2" and 4" AC mains on Park Terrace East			\$350,000				\$350,000	Enterprise Fund
c. Replace 2" and 4" AC mains on Park Terrace West					\$250,000		\$250,000	Enterprise Fund
d. Truck replacements	\$20,000						\$20,000	Enterprise Fund

Table H-6 (continued)
Schedule of Capital Improvements, 2008-09 through 2013-2014

<u>Project Description</u>	<u>2008-09</u>	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>Total</u>	<u>Funding Source</u>
4. Sewer Utility (per Schedule of Capital Outlay – approved 10-Year CIP and Water/Sewer Master Plan)								
a. Rehab per 2006 Sewer Master Plan update	\$350,000	\$300,000	\$830,000	\$760,000	\$760,000	\$760,000	\$3,460,000	Water/Sewer Enterprise Fund
b. Upgrade Lift Station E		\$500,000					\$500,000	Loan
c. Upgrade Mimosa Cove Lift Station		\$200,000					\$200,000	Loan
d. Genset Replacements at Lift Stations			\$40,000		\$40,000	\$40,000	\$120,000	Water/Sewer Enterprise Fund
e. Genset Replacements at WWTP #1			\$80,000				\$80,000	Water/Sewer Enterprise Fund
f. Replace backhoe				\$50,000			\$50,000	Water/Sewer Enterprise Fund
g. Truck, vehicle replacements (sludge trucks, front-end loaders, etc.)			\$94,000				\$94,000	Water/Sewer Enterprise Fund
h. TMDL modifications* to WWTP #1	\$1,100,000	\$8,200,000					\$9,300,000	Loan
i. Drain & curb construction at WWTP #1		\$30,000					\$30,000	Water/Sewer Enterprise Fund
j. Upgrade Master Lift Stations and abandon WWTP #2			\$1,000,000				\$1,000,000	Water/Sewer Enterprise Fund

*TMDL compliance costs based on engineering estimates.