



AMENDMENT AREA:

2010-01-I WOULD APPLY TO ALL OF UNINCORPORATED SARASOTA COUNTY

BOARD OF COUNTY COMMISSION PUBLIC HEARING

**PROPOSED COMPREHENSIVE
PLAN AMENDMENT**

2010-01-I

OCTOBER 14, 2009



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AMENDMENT DESCRIPTION

Comprehensive Plan Amendment 2010-01-I is a County initiated amendment to the Comprehensive Plan's Capital Improvements Chapter (CIE) to reflect the adoption of three new impact fee ordinances by the Sarasota County Commission on April 25, 2007 and to revise a policy relating to the Sarasota County School District's Five Year Capital Facilities Plan. The proposed amendment adds support text and policies, updates policies, deletes an outdated policy and renumberers subsequent policies as necessary.

STAFF RECOMMENDATION

Staff recommends approval of Comprehensive Plan Amendment 2010-01-I.

PLANNING COMMISSION RESULTS

At their July 23, 2009 meeting, the Sarasota County Planning Commission, acting as the County's Local Planning Agency (LPA), voted 5-1 to recommend APPROVAL of Comprehensive Plan Amendment 2010-01-I to the Sarasota County Board of County Commissioners. There were no speakers from the public. Planning Commissioners discussed concerns with the wording "Continue the implementation" in CIP Policies 1.3.1 through 1.3.11. However, no changes were recommended.

COMPREHENSIVE PLAN AMENDMENT STAFF REPORT

Background

On April 25, 2007, the Board of County Commission adopted three new impact fees:

- Law Enforcement Impact Fee, Ordinance 2007-038,
- Justice Impact Fee, Ordinance 2007-039 and,
- General Government Impact Fee, Ordinance 2007-040.

On January 1 of the following year, the County Administrator provided the Board of County Commission the Annual Impact Fee Report (AIFR), as required in each Impact Fee Ordinance. The Report included the recommendation to update the Comprehensive Plan's Capital Improvement Chapter to reflect the newly adopted three impact fees. The Report had been reviewed by the Public Facilities Financing Advisory Board and the Board of County Commission accepted the Report.

Staff is requesting the amendments to the Capital Improvements Chapter support text and policies consistent with the adoption of three new impact fees on April 25, 2007 by the Sarasota County Commission, and to eliminate the necessity to annually update a School Policy, due to a fixed date reference.

Capital Improvements Objective 1.3 states that the County must "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 adopted level of service standards, via impact fees and other legally available and appropriate methods in development conditions...." The proposed amendments, which implement Objective 1.3 as stated above, are needed to reflect the past adoption of three new impact fee ordinances by adding support text and policies, updating policies, deleting an outdated policy and renumbering subsequent policies as necessary.

The amendment to Capital Improvements Policy 1.5.3 would delete "September 11, 2007", the date in which the Sarasota County School District adopted their previous Five Year Capital Facilities Plan. The policy need not reference the date in which the Sarasota County School Board annually adopts their Five Year Capital Facilities Plan. Eliminating the reference date eliminates the need to annually amend Capital Improvements Policy 1.5.3.

Proposed amendment language

Note: The proposed changes to the support text and and Capital Improvement policies are shown in ~~strikethrough~~ and underline format.

Road, Park and Library Impact Fees: Road, Park, and Library Impact Fees, as authorized by County Ordinance No. 89-97, as amended, No. 89-99, as amended, and No. 91-68 as amended, respectively, also represent a significant source of revenue for capital projects. Impact fees are an important mechanism for ensuring that new development is charged for the infrastructure needed to serve that new development. In FY05 road impact fees will be used to construct \$12,673,070 of transportation capital projects. Park impact fees will provide \$1,394,014 for park and recreation capital projects. Library impact fees will provide \$551,615 for projects. Interlocal agreements with the Cities of Sarasota, Venice, and North Port, and Town of Longboat Key Road Impact Fee Districts ensure that impact fees are levied consistently throughout the County. In 2007, the County adopted three (3) new impact fees for Law Enforcement, Justice and General Government facilities. That same year, the County updated its: Road, Park, Library, Fire/Rescue and EMS impact fees. The County also imposes capacity charges for potable water and wastewater facilities.

CAPITAL IMPROVEMENTS PLAN

CIP Objective 1.3.

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 adopted level of service standards, via impact fees and other legally available and appropriate methods in development conditions.

CIP Policy 1.3.1.

Continue the implementation of the Road Impact Fee System (Chapter 70, Article III. Road Impact Fee of the Sarasota County Code), to ensure that new development pays a proportionate share of the costs of road capital facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.2.

Continue the implementation of the Park Impact Fee System (Chapter 70, Article V. Park Impact Fee of the Sarasota County Code), to ensure that new development pays a proportionate share of the costs of park capital facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.3.

Continue the implementation of the Water and Wastewater Capacity Fee Systems (Chapter 70, Article VI. Water Capacity Fee and Article VII. Wastewater Capacity Fee of the Sarasota County Code) to ensure that new development pays a proportionate share of the costs of the water and wastewater capital facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.4.

Continue the implementation of the Emergency Medical Service Impact Fee System (Chapter 110, Article XII. Emergency Medical Services District) to ensure that new development pays a proportionate share of the costs of the emergency medical service

capital facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.5.

Continue the implementation of the Fire and Rescue Impact Fee System (Chapter 110, Article VIII. Fire and Rescue District) to ensure that new development pays a proportionate share of the costs of new facilities for fire protection services needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.6.

Continue the implementation of the Library Impact Fee System (Chapter 70, Article II. Library System Impact Fee of the Sarasota County Code) to ensure that new development pays a proportionate share of the costs of library facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.7.

Continue the implementation of the Educational System Impact Fee System (Chapter 70, Article VIII. Educational System Impact Fee of the Sarasota County Code), to ensure that new development pays a proportionate share of the costs of new educational system projects needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.8.

Continue the implementation of the Law Enforcement Impact Fee System (Chapter 70, Article IX. Law Enforcement System Impact Fee of the Sarasota County Code) to ensure that new development pays a proportionate share of the costs of law enforcement facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.9.

Continue the implementation of the Justice Impact Fee System (Chapter 70, Article X. Justice Impact Fee of the Sarasota County Code) to ensure that new development pays a proportionate share of the costs of justice facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.10.

Continue the implementation of the General Government Impact Fee System (Chapter 70, Article XI. General Government Impact Fee of the Sarasota County Code) to ensure that new development pays a proportionate share of the costs of general government facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.8 11.

Continue to investigate the feasibility of implementing impact fees, or similar mechanisms, for additional public facility types to ensure that new development pays a proportionate share of the costs of the capital facilities capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.9.

~~Examine the potential implementation of a public safety, judicial and an administrative service impact fee system within twelve months of the effective date of this policy.~~

CIP Policy 1.3.10 12.

Continue to encourage the participation of the County's municipal governments in the Countywide road, and park, library, justice and general government impact fee systems as well as any new impact fees which may be adopted in the future.

CIP Objective 1.4.

The County shall manage its fiscal resources in order to ensure that capital improvements needed because of previously issued development orders and future development orders are provided in accordance with the Five Year Schedule of Capital Improvements (Table 10-3).

CIP Policy 1.4.1.

The County shall adopt a Capital Budget and a five year Capital Improvements Program at the same time that it adopts its Annual Operating Budget. The Capital Budget shall include those projects necessary to maintain the adopted level of service standards set forth in Policy 1.2.1.

CIP Policy 1.4.2.

As part of the budget process identified in Policy 1.4.1., the Capital Budget/Capital Improvements Program shall include a schedule for allocating revenues received from the infrastructure surtax. The schedule shall be developed for a five year time frame or through the end of the program, at a minimum, and shall be updated on an annual basis. The schedule shall include:

- specific projects which will relieve existing infrastructure deficiencies, consistent with those infrastructure types contained in Ordinance No. 89-40; and
- the allocation of a minimum of fifty percent of the proceeds received from the surtax to funding necessary road and bridge improvements, unless modified by a unanimous vote of the Board of County Commissioners.

CIP Policy 1.5.3

Sarasota County hereby incorporates by reference the Sarasota School District Five Year Capital Facilities Plan, ~~dated September 11, 2007~~, that includes school capacity sufficient to meet anticipated student demands projected by the County and municipalities based upon identified improvements over the short-term and long-term planning periods, in consultation with the School Board's projections of student enrollment, based on the adopted level of service standards for public schools.

The School Board, in coordination with Sarasota County, shall annually update its Five Year Capital Facilities Plan, to ensure maintenance of a financially feasible capital improvements program and to ensure level of service standards will continue to be achieved and maintained during the planning period.

COMPREHENSIVE PLAN CONSISTENCY REVIEW

The proposed amendments to the Capital Improvements Chapter are internally consistent with the Comprehensive Plan and further the Capital Improvements Plan's:

Goal 1 (Pg. 10-31) by securing additional funding sources to provide adequate public facilities,

Objective 1.3 (Pg. 10-35) by ensuring that new development pays a proportionate share of capital facility costs for three new facility types,

Policy 1.3.9 (Pg. 10-36) by implementing and replacing this policy with three new Plan Policies having greater detail and,

Policy 1.3.10 (Pg. 10-37) by furthering this policy and providing two new impact fees, each supported by the four municipalities.

APPENDIX A
CORRESPONDENCE IN SUPPORT/OPPOSITION

NONE

APPENDIX B
PLANNING COMISSION RESOLUTION

RESOLUTION OF THE SARASOTA COUNTY PLANNING COMMISSION

RECOMMENDATION FOR THE APPROVAL OF COMPREHENSIVE PLAN AMENDMENT 2010-01-I PROVIDING FOR THE AMENDMENT OF THE SARASOTA COUNTY COMPREHENSIVE PLAN AS ADOPTED BY SARASOTA COUNTY ORDINANCE NO. 89-18 AS AMENDED; AMENDING PRIMARY COMPONENTS OF THE CAPITAL IMPROVEMENTS CHAPTER BY AMENDING POLICIES AND ADDING POLICIES RELATED TO IMPACT FEES AND SCHOOL CONCURRENCY; AND AMENDING OTHER SUCH PORTIONS OF THE PLAN AND OTHER SUPPORTIVE MATERIAL, AS DEEMED NECESSARY, IN ORDER TO MAINTAIN INTERNAL CONSISTENCY

WHEREAS, pursuant to Article VIII, Section I(g) of the Constitution of the State of Florida, the Sarasota County Home Rule Charter, and the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161, et seq., Florida Statutes (the Act), Sarasota County is authorized and required to adopt a comprehensive plan; and

WHEREAS, Sarasota County Ordinance No. 76-51, as amended, designated the Sarasota County Planning Commission as the Local Planning Agency for the unincorporated area of Sarasota County, Florida, for the preparation and recommendation of a comprehensive plan and amendments thereto by the Sarasota County Planning Commission and the adoption of a comprehensive plan and amendments thereto by the Board of County Commissioners in accordance with the provisions of the Act; and

WHEREAS, *The Sarasota County Comprehensive Plan* was adopted by the Board of County Commissioners by Sarasota County Ordinance No. 89-18; and

WHEREAS, the Act, Sections 163.3184 and 163.3187, Florida Statutes, provide specific procedures to amend adopted comprehensive plans; and

WHEREAS, the Sarasota County Planning Commission has held a Public Hearing with due public notice to receive public comments on the proposed amendment to the Comprehensive Plan, including additional revisions to the Comprehensive Plan to maintain internal consistency; and

WHEREAS, the Sarasota County Planning Commission has reviewed the proposed amendment to the Comprehensive Plan and has considered the public testimony received at said Public Hearing.

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of Sarasota County, Florida, in public meeting assembled:

1. The Planning Commission hereby transmits to the Board of County Commissioners proposed Comprehensive Plan Amendment 2010-01-I as set forth in Exhibit "A" as attached hereto, with the recommendation to approve said amendment.

PASSED AND DULY ADOPTED BY THE SARASOTA COUNTY PLANNING COMMISSION, this _____ day of _____, 2009

SARASOTA COUNTY PLANNING COMMISSION

By: _____
Jody Hudgins, Chair

EXHIBIT A

Note: The proposed changes to the support text and Capital Improvement policies are shown in ~~strike through~~ and underline format.

Page 10-15

Road, Park and Library Impact Fees: Road, Park, and Library Impact Fees, as authorized by County Ordinance No. 89-97, as amended, No. 89-99, as amended, and No. 91-68 as amended, respectively, also represent a significant source of revenue for capital projects. Impact fees are an important mechanism for ensuring that new development is charged for the infrastructure needed to serve that new development. In FY05 road impact fees will be used to construct \$12,673,070 of transportation capital projects. Park impact fees will provide \$1,394,014 for park and recreation capital projects. Library impact fees will provide \$551,615 for projects. Interlocal agreements with the Cities of Sarasota, Venice, and North Port, and Town of Longboat Key Road Impact Fee Districts ensure that impact fees are levied consistently throughout the County. In 2007, the County adopted three (3) new impact fees for Law Enforcement, Justice and General Government facilities. That same year, the County updated its: Road, Park, Library, Fire/Rescue and EMS impact fees. The County also imposes capacity charges for potable water and wastewater facilities.

CAPITAL IMPROVEMENTS PLAN

CIP Objective 1.3.

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 adopted level of service standards, via impact fees and other legally available and appropriate methods in development conditions.

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proportionate share of the costs of the water and wastewater capital facility capacity needed to address the demand for such facilities generated by new development.

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As part of the budget process identified in Policy 1.4.1., the Capital Budget/Capital Improvements Program shall include a schedule for allocating revenues received from the infrastructure surtax. The schedule shall be developed for a five year time frame or through the end of the program, at a minimum, and shall be updated on an annual basis. The schedule shall include:

- specific projects which will relieve existing infrastructure deficiencies, consistent with those infrastructure types contained in Ordinance No. 89-40; and
- the allocation of a minimum of fifty percent of the proceeds received from the surtax to funding necessary road and bridge improvements, unless modified by a unanimous vote of the Board of County Commissioners.

CIP Policy 1.5.3

Sarasota County hereby incorporates by reference the Sarasota School District Five Year Capital Facilities Plan, ~~dated September 11, 2007,~~ that includes school capacity sufficient to meet anticipated student demands projected by the County and municipalities based upon identified improvements over the short-term and long-term planning periods, in consultation with the School Board's projections of student enrollment, based on the adopted level of service standards for public schools.

The School Board, in coordination with Sarasota County, shall annually update its Five Year Capital Facilities Plan, to ensure maintenance of a financially feasible capital improvements program and to ensure level of service standards will continue to be achieved and maintained during the planning period.

APPENDIX C
PLANNING COMMISSION MINUTES

**MINUTES
SARASOTA COUNTY PLANNING COMMISSION**

**ROBERT L. ANDERSON ADMINISTRATION CENTER
4000 SOUTH TAMiami TRAIL
COMMISSION CHAMBER
VENICE, FLORIDA**

6:30 p.m.

Jody Hudgins, Chairman
Theodore Allen
John J. Fellin
Roland Piccone
Marianne Reilly
Christine Robinson
Ken Marsh, School Board Representative

Also present were:

Alan Roddy, Assistant County Attorney
Spring Dickson, Deputy Clerk

PLEDGE OF ALLEGIANCE

Chairman Hudgins

Chairman Hudgins noted the absence of Mr. King and Vice Chairman Gruters.

(6:31:36)

1. COMPREHENSIVE PLAN AMENDMENTS

Public hearing to consider Comprehensive Plan Amendment No. 2010-01-H, a County-initiated Amendment to the Future Land Use Chapter to expand the boundaries of the Englewood Town Center on the Future Land Use Map consistent with the recommendations of the Englewood Community Redevelopment Agency (CRA) Advisory Board.

Planning and Development Services Planning Manager Crystal Allred presented an overview of the process and dates for Planning Commission consideration of Comprehensive Plan Amendment Cycle 2010-01.

Planning and Development Services Senior Planner Tim Lampkin presented Staff's report on the request to expand the boundaries of the Englewood Town Center on the Future Land Use Map.

Discussions were held with Mr. Lampkin on the following topics/issues:

- time frame/publicly-initiated Rezone Petition to be brought forward to convert parcels in the requested expanded boundaries of the Englewood Town Center to Residential Commercial Transition Overlay District (RCTOD)
- the determination of the boundaries for the Englewood Town Center/Neighborhood Workshop notification
- benefit of including parks in the RCTOD.

Chairman Hudgins closed the public hearing, without objection.

1. COMPREHENSIVE PLAN AMENDMENTS - (Continued)

Mr. Fellin moved to authorize the Chairman's signature on the Resolution transmitting proposed Comprehensive Plan Amendment No. 2010-01-H to the Board of County Commissioners with a recommendation for approval and to defer transmittal until action has been taken on all amendments in Comprehensive Plan Amendment Cycle 2010-01. The motion was seconded by Ms. Robinson. Following individual comments, the motion carried by a 6-0 vote.

Note: Oath/Signature Cards Filed for Record.

(6:49:24)

2. COMPREHENSIVE PLAN AMENDMENTS

Public hearing to consider Comprehensive Plan Amendment No. 2010-01-A, a County-initiated amendment to the Watershed Management, the Capital Improvements and the Intergovernmental Coordination Chapters of the Comprehensive Plan to amend policies and add a policy regarding water supply planning, and supporting data and analysis.

Planning and Development Services Planner Chris Cole presented Staff's report on the request to amend policies and add a policy regarding the ten-year Water Supply Facilities Work Plan with supporting data and analysis consistent with the Southwest Florida Water Management District's (SWFWMD) Regional Water Supply Plan and State Statutes and submitted a document entitled "Sarasota County Comprehensive Plan Water Facilities Supplement dated June 1009."

Discussions were held with Mr. Cole and Environmental Services Planning and Regulatory Technical Manager Jody Kirkman on the following topics/issues:

- clarification of the word "sustainable" pertaining to water supply
- option of desalinization of the water supply
- definition of per capita by gallons
- requested a copy of the County's Annual Report submitted to SWFWMD, without objection
- time frame for a County/Englewood Water District (EWD) interconnect of potable water
- clarification of the strikethrough language on the fourth line of the second paragraph on page 15 of Staff's Report regarding well depths
- requested a correction of a scrivener's error in the last sentence of paragraph four on page 7 of Staff's Report to revise the year 2025 to the year 2026, without objection
- clarification of the words "readiness to serve letters" in the sentence following Table 4-2 on page 18 of Staff's Report
- requested to add the word "of" after the word "part" in the sentence following Table 4-2 on page 18 of Staff's Report, without objection
- basis for the lowered population projections in Table 4-1 on page 16 of Staff's Report
- clarification of the EWD's wellfields permit expiration date.

Chairman Hudgins closed the public hearing, without objection.

Ms. Reilly moved to authorize the Chairman's signature on the Resolution transmitting proposed Comprehensive Plan Amendment No. 2010-01-A, as amended, to the Board of County Commissioners with a recommendation for approval and to defer transmittal until action has been taken on all amendments in Comprehensive Plan Amendment Cycle 2010-01. The motion was seconded by Mr. Fellin. Following individual comments, the motion carried by a 6-0 vote.

Note: Oath/Signature Cards Filed for Record.

(7:13:25)

3. COMPREHENSIVE PLAN AMENDMENTS

Public hearing to consider Comprehensive Plan Amendment No. 2010-01-I, a County-initiated Amendment to the Capital Improvements and the Intergovernmental Coordination Chapters of the Comprehensive Plan to amend impact fees related to policies, school concurrency, and supporting data and analysis.

Planning and Development Services Senior Planner Gene Engman presented Staff's report on the request to amend the Capital Improvements Chapter to reflect the three Impact Fee Ordinances adopted by the Board of County Commissioners on April 25, 2007, and noted a scrivener's error on the Agenda deleting the Intergovernmental Coordination Chapter from Comprehensive Plan Amendment No. 2010-01-I.

Discussions were held with Mr. Engman, Planning and Development Services Planning Manager Crystal Allred, and Assistant County Attorney Alan Roddy on the following topics/issues:

- Justice Facilities impact fees/jail/courthouse
- Capital Improvement Program (CIP) Policy 1.3.1 through 1.3.11/clarification of the extent of the language "Continue the implementation" and the possibility of less stringent language.

Chairman Hudgins closed the public hearing, without objection.

Ms. Reilly moved to authorize the Chairman's signature on the Resolution transmitting proposed Comprehensive Plan Amendment No. 2010-01-I to the Board of County Commissioners with a recommendation for approval and to defer transmittal until action has been taken on all amendments in Comprehensive Plan Amendment Cycle 2010-01. The motion was seconded by Mr. Piccone. Following individual comments, the motion carried by a 5-1 vote, with Ms. Robinson voting "No."

Note: Oath/Signature Cards Filed for Record.

(7:30:20)

4. MINUTES

Ms. Reilly moved to approve the Minutes of the meeting dated June 18, 2009. The motion, seconded by Mr. Fellin, carried by a 6-0 vote.

(7:30:55)

5. COMMISSION REPORTS

Assistant County Attorney Alan Roddy noted the withdrawal of Rezone Petition No. 07-06/Special Exception Petition No. 1646 regarding the proposed Spanish Point Pub Development and Critical Area Plan (CAP) Amendment to amend the Osprey Village Center Revitalization Plan to incorporate a Waterfront Revitalization Plan by the Applicant, and advised that the Applicant will be proceeding with a Charette. Assistant County Attorney Roddy noted no conflict with Planning Commission Members attending the Charette for the purpose of observation.

6. BUDGET REPORT - No items were presented.**7. MEETING SCHEDULE**

Chairman Hudgins noted the following meeting schedule:

August 6, 2009 - 6:30 p.m.
County Administration Center
Commission Chamber
1660 Ringling Boulevard
Sarasota, Florida

August 20, 2009 - 6:30 p.m.
Robert L. Anderson Administration Center
Commission Chamber
4000 South Tamiami Trail
Venice, Florida

7. MEETING SCHEDULE - (Continued)

September 3, 2009 - 6:30 p.m.
County Administration Center
Commission Chamber
1660 Ringling Boulevard
Sarasota, Florida

September 17, 2009 - 6:30 p.m.
County Administration Center
Commission Chamber
1660 Ringling Boulevard
Sarasota, Florida

MEETING ADJOURNED: 7:32 p.m.

MINUTES APPROVED: _____

Chairman

APPENDIX D
RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY**

RESOLUTION NO. 2009-____

TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT 2010-01-I TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA), THAT WOULD, IF ADOPTED, AMEND THE SARASOTA COUNTY COMPREHENSIVE PLAN AS ADOPTED BY SARASOTA COUNTY ORDINANCE NO. 89-18, AS AMENDED; AMENDING PRIMARY COMPONENTS OF THE CAPITAL IMPROVEMENTS CHAPTER BY AMENDING POLICIES AND ADDING POLICIES RELATED TO IMPACT FEES AND SCHOOL CONCURRENCY; AND AMENDING OTHER SUCH PORTIONS OF THE PLAN AND OTHER SUPPORTIVE MATERIAL, AS DEEMED NECESSARY, IN ORDER TO MAINTAIN INTERNAL CONSISTENCY

WHEREAS, pursuant to Article VIII, Section I(g) of the Constitution of the State of Florida, the Sarasota County Home Rule Charter, and the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes, as amended, Sarasota County is authorized and required to adopt a comprehensive plan; and

WHEREAS, The Sarasota County Comprehensive Plan was adopted by the Board of County Commissioners by Sarasota County Ordinance No. 89-18, as amended; and

WHEREAS, Sections 163.3184 and 163.3187, Florida Statutes, and Sections 94-81 through 94-91 of the Sarasota County Code, provide specific procedures to amend adopted comprehensive plans; and

WHEREAS, the Sarasota County Planning Commission, acting as the Local Planning Agency for Sarasota County, held a duly advertised public hearing on July 23, 2009 and recommended approval of proposed Comprehensive Plan Amendment 2010-01-I; and

WHEREAS, the Board of County Commissioners of Sarasota County held a duly advertised transmittal stage public hearing on October 14, 2009 pursuant to Sections 163.3184 (3) and (15), Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, in public meeting assembled:

1. Comprehensive Plan Amendment 2010-01-I a copy of which is attached hereto as Exhibit "A," is hereby approved for transmittal to the Florida Department of Community Affairs, pursuant to Section 94-86 of the Sarasota County Code, as

amended.

2. The Chairman of the Board of County Commissioners and the Sarasota County Planning and Development Services Business Center are authorized and directed to take all necessary action to transmit said documents to the Florida Department of Community Affairs.

PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA, this _____ day of _____, 2009.

BOARD OF COUNTY COMMISSIONERS
OF SARASOTA COUNTY, FLORIDA

By: _____
Jon Thaxton
Chair

ATTEST:

KAREN E. RUSHING, Clerk of the
Circuit Court and Ex-Officio Clerk
of the Board of County Commissioners
of Sarasota County, Florida

By: _____
Deputy Clerk

Exhibit "A"

Note: The proposed changes to the support text and Capital Improvement policies are shown in ~~strikethrough~~ and underline format.

Page 10-15

Road, Park and Library Impact Fees: Road, Park, and Library Impact Fees, as authorized by County Ordinance No. 89-97, as amended, No. 89-99, as amended, and No. 91-68 as amended, respectively, also represent a significant source of revenue for capital projects. Impact fees are an important mechanism for ensuring that new development is charged for the infrastructure needed to serve that new development. In FY05 road impact fees will be used to construct \$12,673,070 of transportation capital projects. Park impact fees will provide \$1,394,014 for park and recreation capital projects. Library impact fees will provide \$551,615 for projects. Interlocal agreements with the Cities of Sarasota, Venice, and North Port, and Town of Longboat Key Road Impact Fee Districts ensure that impact fees are levied consistently throughout the County. In 2007, the County adopted three (3) new impact fees for Law Enforcement, Justice and General Government facilities. That same year, the County updated its: Road, Park, Library, Fire/Rescue and EMS impact fees. The County also imposes capacity charges for potable water and wastewater facilities.

CAPITAL IMPROVEMENTS PLAN

CIP Objective 1.3.

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 adopted level of service standards, via impact fees and other legally available and appropriate methods in development conditions.

CIP Policy 1.3.1.

Continue the implementation of the Road Impact Fee System (Chapter 70, Article III. Road Impact Fee of the Sarasota County Code), to ensure that new development pays a proportionate share of the costs of road capital facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.2.

Continue the implementation of the Park Impact Fee System (Chapter 70, Article V. Park Impact Fee of the Sarasota County Code), to ensure that new development pays a proportionate share of the costs of park capital facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.3.

Continue the implementation of the Water and Wastewater Capacity Fee Systems (Chapter 70, Article VI. Water Capacity Fee and Article VII. Wastewater Capacity

Fee of the Sarasota County Code) to ensure that new development pays a proportionate share of the costs of the water and wastewater capital facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.4.

Continue the implementation of the Emergency Medical Service Impact Fee System (Chapter 110, Article XII. Emergency Medical Services District)) to ensure that new development pays a proportionate share of the costs of the emergency medical service capital facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.5.

Continue the implementation of the Fire and Rescue Impact Fee System (Chapter 110, Article VIII. Fire and Rescue District) to ensure that new development pays a proportionate share of the costs of new facilities for fire protection services needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.6.

Continue the implementation of the Library Impact Fee System (Chapter 70, Article II. Library System Impact Fee of the Sarasota County Code) to ensure that new development pays a proportionate share of the costs of library facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.7.

Continue the implementation of the Educational System Impact Fee System (Chapter 70, Article VIII. Educational System Impact Fee of the Sarasota County Code), to ensure that new development pays a proportionate share of the costs of new educational system projects needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.8.

Continue the implementation of the Law Enforcement Impact Fee System (Chapter 70, Article IX. Law Enforcement System Impact Fee of the Sarasota County Code) to ensure that new development pays a proportionate share of the costs of law enforcement facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.9.

Continue the implementation of the Justice Impact Fee System (Chapter 70, Article X. Justice Impact Fee of the Sarasota County Code) to ensure that new development pays a proportionate share of the costs of justice facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.10.

Continue the implementation of the General Government Impact Fee System (Chapter 70, Article XI. General Government Impact Fee of the Sarasota County Code) to ensure that new development pays a proportionate share of the costs of

general government facility capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.8 11.

Continue to investigate the feasibility of implementing impact fees, or similar mechanisms, for additional public facility types to ensure that new development pays a proportionate share of the costs of the capital facilities capacity needed to address the demand for such facilities generated by new development.

CIP Policy 1.3.9.

~~Examine the potential implementation of a public safety, judicial and an administrative service impact fee system within twelve months of the effective date of this policy.~~

CIP Policy 1.3.10 12.

Continue to encourage the participation of the County's municipal governments in the Countywide road, ~~and park,~~ library, justice and general government impact fee systems as well as any new impact fees which may be adopted in the future.

CIP Objective 1.4.

The County shall manage its fiscal resources in order to ensure that capital improvements needed because of previously issued development orders and future development orders are provided in accordance with the Five Year Schedule of Capital Improvements (Table 10-3).

CIP Policy 1.4.1.

The County shall adopt a Capital Budget and a five year Capital Improvements Program at the same time that it adopts its Annual Operating Budget. The Capital Budget shall include those projects necessary to maintain the adopted level of service standards set forth in Policy 1.2.1.

CIP Policy 1.4.2.

As part of the budget process identified in Policy 1.4.1., the Capital Budget/Capital Improvements Program shall include a schedule for allocating revenues received from the infrastructure surtax. The schedule shall be developed for a five year time frame or through the end of the program, at a minimum, and shall be updated on an annual basis. The schedule shall include:

- specific projects which will relieve existing infrastructure deficiencies, consistent with those infrastructure types contained in Ordinance No. 89-40; and
- the allocation of a minimum of fifty percent of the proceeds received from the surtax to funding necessary road and bridge improvements, unless modified by a unanimous vote of the Board of County Commissioners.

CIP Policy 1.5.3

Sarasota County hereby incorporates by reference the Sarasota School District Five Year Capital Facilities Plan, ~~dated September 11, 2007,~~ that includes school capacity sufficient to meet anticipated student demands projected by the County and municipalities based upon identified improvements over the short-term and long-term planning periods, in consultation with the School Board's projections of student enrollment, based on the adopted level of service standards for public schools.

The School Board, in coordination with Sarasota County, shall annually update its Five Year Capital Facilities Plan, to ensure maintenance of a financially feasible capital improvements program and to ensure level of service standards will continue to be achieved and maintained during the planning period.