

Capital Improvements Element Comments and Items for Discussion

Agency Comments

DCA (verbal comments to Kelly 5/20/11)

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- Policy 8.06.02 cannot say “current” Five Year Facilities Work Plan, must use title, author & date of most recently adopted plan.

Nassau County School Board, Sharyl Wood (5/2/11)

- Same as 2nd DCA comment above.

Public Comments

Len Kreger (5/13/11):

- I think the Priorities in section 8.01.02 should be revised to ensure that infrastructure and deficient maintenance issues along with improvements needed to meet or maintain levels of service are a Priority A. Some of these would be in fact required for public health and safety. It would be good to somehow establish criteria for public health and safety. As an example: Stormwater improvements are a health and public safety issue. But, somehow they have been moved below a lot of other desired projects.
- Capital improvements needed to complete an ongoing project should be considered for Priority B, unless public health and safety are involved.
- Policy: 8.01.04: It would be nice to have the annual review include the Planning Advisory Board.
- Policy: 8.04.06: A change to a 20 year plan seems to me too much. A ten year rolling plan, the update which will of course be included in the Annual review is more than sufficient. This is especially true for budgeting.
- Policy 8.05.01: Dates for completion of specific LOS studies should be included.
- Policy 8.07.06: Recommend wording to be changed to include "Major Renovations"

Dave Lott (5/25/11):

- Policy 8.01.02: In Priority A - #4 the criteria "to complete an ongoing project" is included. There needs to be a better definition of what an "ongoing project is", especially if the 20 year time period for the Capital Improvement Plan is retained.
- Policy 8.01.02.: Priority B - Items 3 & 4 should be lowered to Priority C.
- Policy 8.01.02.: Priority C items currently listed should be raised to Priority B as items that provide economic benefit through cost reduction, improved efficiency or additional revenue generation should be paramount.
- Policy 8.02.01.: Are transportation impact fees not currently assessed? If not, why not and in what timeframe will this be done? If they have been adopted, this policy should be deleted and transportation impact fees added to the list of items in 8.02.02.

- Policy 8.02.02. See comment above with regards to possible inclusion of transportation impact fees.
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- Policy 8.04.06.: Where did this come from? Expansion to a 20 year CIP seems to serve only as a cover for citizen complaints that an issue isn't being addressed with the response that it is in our CIP. It is extraordinarily difficult to project financials outside of 5 years and 20 years is a crapshoot. If there is a need for longer range planning, a 10 year would be extremely difficult but more feasible
- Policy 8.04.10.: By what date and what happens if those levels are not met?
- Policy 8.05.01.: Same comment as in the Multi-Modal Transportation Element 2.05.02 - the City should NOT adopt a lower level of service than it currently has. Such a degradation serves no purpose other to delay addressing critical vehicular transportation improvements.
- Policy 8.05.01.: The increased ratio of 10 acres per 1,000 population still seems to be way low. What is the current ratio excluding the Greenway? What is the ratio including the Greenway?
- Policy 8.05.02.: What is the timeframe for the completion of the Master Recreation Plan? I thought there was one already in place.
- Policy 8.05.03.: I would like to see the Boating category divided into two sub-components: motorized and non-motorized. Non-motorized watercraft (sail only, kayaks, canoes) provide for a less impact on the environment since they don't use fuel, oil and other additives that get into the water system.
- Policy 8.05.08.: Same comment as above regarding separation of motorized and non-motorized watercraft or at least identifying the two categories. Similar to the way bicycles and pedestrians were separated out from roads.
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- Policy 8.07.05.: If the 20 year horizon is maintained, this would appear to be an onerous task as changes in timing are likely to occur frequently. I would suggest a plan amendment only if the element is removed or delayed more than a designated timeframe (i.e. 3 years).

Kelly Gibson

From: David Lott [David.Lott@speerandassociates.com]
Sent: Tuesday, May 31, 2011 9:46 AM
To: 'David Beal'; Paul Condit ; mark.bennett@wellsfargo.com; 'Eric Bartelt'; 'Len Kreger'; Richard Bradford; Michael Harrison
Cc: Marshall, D. McCrary; Kelly Gibson; Jennifer Gooding; Adrienne Dessy
Subject: EAR Amendment Comments
Follow Up Flag: Follow up
Flag Status: Red

I am out of town this week and unable to attend tonight's PAB special meeting. I have sent Staff some comments already which have been included in the documentation provided. While I am still finalizing all my comments from the EAR amendment documents and the review meetings held last week, I wanted to pass along my viewpoint on some of the major issues contained in the proposed draft with suggested revised language.

Goal 1 – Future Land Use Element

Sections 1.07.03 (3) – Low Density Residential and 1.07.04 (e) – Medium Density Residential - Staff has suggested striking out language that specifically identifies non-residential uses including resort rentals. Staff's explanation was two-fold: to make the sections consistent with the others that do not contain such specificity by placing a general prohibition ("incompatible non-residential uses); and, to address previous discussions by the City Commission to examine the possibility of expanding resort rentals. I believe that such a language substitution will substantially weaken the Code and could lead to an expansion of resort rentals throughout the City given the recent legislation passed at the State level. This City has seen numerous times what happens when language that is vague or subject to individual interpretation is used (i.e. building 'height'). I would suggest either restoring the language that is in the current LDC for these items or modifying as such:

Section 1.07.03 (3)

*3. Prevent encroachment by commercial uses, including hotels, motels, bed and breakfast units, resort rentals, or other forms of transient accommodations; **and other incompatible non-residential uses.***

Section 1.07.04 (e)

*e. The medium density residential designation is intended to prevent **encroachment by commercial uses, including hotels, motels, bed and breakfast units, resort rentals, or other forms of transient accommodations; and other incompatible non-residential uses.***

Section 1.07.06 - I also have a concern about what appears to be an effort to greatly expand the amount of mixed-use areas in the City. I believe that such a designation is appropriate for certain areas such as central business district and other general commercial areas as a step-down to residential areas. While I agree with the "definition" of MU in this section, there are numerous references made throughout the document that I interpreted to be that as current residential areas are redeveloped there would be an emphasis to change them to MU. My general concern is heightened by the frequent use of such terms as "dense", "compact", "urban". Despite David Yulee's vision, FB is not Manhattan and I don't think a majority of its

current residents want to see a major urbanization effort,

Goal 2 – Multi-Modal Use Element

Section 2.05.02 – Staff has proposed a degradation in level of service on City roads from a “C” to a “D”. This same language change is reflected in **Goal 8 – Capital Improvement 8.05.01**. We should not accept a lower level of service on our streets. If I understood Staff’s reason for this change, it was to “allow” funds collected under a transportation impact fee to be spent on alternative transportation methods. The City Attorney and City Manager have both written to me and said that the City already has the ability to spend any “transportation impact fees” collected on any type of transportation surface whether it be sidewalks, bike lanes, roadways, etc. I see no reason for the citizens to be subjected to a lower level of service.

Goal 4 – Public Facilities Element

Section 4.01.01 – I want to know what the current response times are for the Police and Fire and how these compare to the times stated in the Draft. Staff thought that the actual service times currently experienced were meeting or better than the stated time. I am not sure of that information. It is also important to understand if the standard is “average” response time or 100% of every response will be under that timeframe.

Section 4.05.07 - Mandatory requirement for porous driveways / walkways on private property seems heavy handed, especially in re-development areas. Discounting of impact fees or some other incentive would seem to be a more City friendly way to handle this objective.

Goal 8 – Capital Improvements Element

8.01.02 – I think some of the priority elements need to be adjusted. Please see my detailed comments

8.04.06 / 8.07.05 – I have some real concerns with the adoption of a 20 year CIP based on what is stated as the elements required in such a plan. While I see that large infrastructure projects have a horizon longer than the current 5 years; financial and needs assessments 5 years out are tricky enough and virtually impossible 20 years out due to changes in technology and costs. Additionally, under 8.07.05 it states that if there is any change to a CIP in terms of timing or removal/addition to the overall Plan, an amendment is required. This seems highly onerous especially know the number of changes that are likely to occur. If there is a need to extend the timeframe from the current 5 years, I would say it should be no longer than 10 years.

8.05.01 – While raising the ratio is good, I think our current ratio is substantially higher than 10:1 (someone remarked it could be 40:1 or higher). The ratio needs to be set, at a minimum, within 10% of the current ratio.

Goal 11 – Historic District Preservation Element

11.01.07 bullet #7 The City shall continue delegating authority to the Historic District Council for decisions affecting the historic, cultural and archaeological resources of the City. The historic preservation ordinance shall continue to grant powers to the Historic District Council which may include, but are not limited to:

- Hearing variances for properties within historic districts, **neighborhood conservation districts**, or the Community Redevelopment Area; and

Not exactly sure of what a “neighborhood conservation district” is, but according to the current City land use map, there currently are no conservation areas located within the current boundaries of the City’s historic district. I don’t believe it is proper for the HDC’s powers to be expanded for any land areas outside of the boundaries of the historic district. Any

variances outside of the historic district should be heard by the Board of Adjustments.

Thanks for your consideration of these comments.
Dave

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Adrienne Dessy

From: l.kreger@comcast.net
Sent: Friday, May 13, 2011 8:56 AM
To: Kelly Gibson
Cc: Marshall, D. McCrary; Adrienne Dessy; Jennifer Gooding
Subject: Capital Improvement Element

Kelly:

Some comments and recommendations concerning the CIP.

Overall I believe the element is very well written and comprehensive.

I think the Priorities in section 8.01.02 should be revised to ensure that infrastructure and deficient maintenance issues along with improvements needed to meet or maintain levels of service are a Priority A. Some of these would be in fact required for public health and safety. It would be good to somehow establish criteria for public health and safety. .

As an example: Stormwater improvements are a health and public safety issue. But, somehow they have been moved below a lot of other desired projects.

Capital improvements needed to complete an ongoing project should be considered for Priority B, unless public health and safety are involved.

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I am not sure how some of the objectives and policies fit into the new elimination and changes of codes. I am sure you are looking at this issue.

Len

Capital Improvements Element

Summery Slide

- **Mandatory element per state statute.**
- **Still includes ranking criteria for proposed projects; guidelines for evaluating new development impacts; fiscal resource management; LOS standards; and school concurrency.**
- **New topics include going from a 5 year to a 20 year schedule; updated ranking criteria for proposed projects; Planning Department review for consistency; LOS standards for other City services; LOS tracking system; and sustainability.**

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Discussion

Policy 8.05.01 has been cleaned up per ongoing discussions.

In order to comply with the DCA comments that require a five year CIP, policies: 8.03.02, 8.04.06, 8.05.11, 8.06.02, 8.07.01, 8.07.02, 8.07.04 and objective 8.07 have been amended. In addition a new policy 8.04.07 has been added.

Policy 8.07.06 is changed to include "Major Renovations"

Suggested further Board discussion to include:

- 1) What should be the CIP timeframe outside the required five years?
- 2) Should the priorities in 8.01.02 be re-ordered per public input?
- 3) The LOS for roads in policy 8.05.01 should be consistent with the Multi-modal Transportation Element. Suggest that this be a topic of discussion in the review of the Multi-modal Element.