

Meeting Date: 6/14/2011



Agenda Item # SA 6-A

# CITY COUNCIL AGENDA ITEM

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- Type of Item:
- |                                     |                          |                          |                     |
|-------------------------------------|--------------------------|--------------------------|---------------------|
| <input type="checkbox"/>            | Public Hearing           | <input type="checkbox"/> | Resolution          |
| <input checked="" type="checkbox"/> | Ordinance First Reading  | <input type="checkbox"/> | Discussion & Action |
| <input type="checkbox"/>            | Ordinance Second Reading | <input type="checkbox"/> | Council Approval    |

**Subject: Adoption of Amendment to the Orange City Comprehensive Plan  
Capital Improvements Element and Capital Improvement Program – Ord. No. 456**

**BACKGROUND:**

This amendment consists of revisions to the City’s Comprehensive Plan that comply with Florida Laws related to the City’s Capital Improvements Element (CIE) and the Five-Year Capital Improvement Program (CIP) . In 2005, the Florida Legislation enacted Senate Bill 360 which prohibits local governments (including Orange City) from amending its Comprehensive Plan unless the City Council adopts an updated CIE and CIP annually and submits the update to the Department of Community Affairs (DCA).

The CIE is adopted and updated annually to reflect the timing and funding of capital projects to meet or maintain adopted level of service (LOS) standards for concurrency related facilities (potable water, sanitary sewer, solid waste, drainage, parks and recreation, schools, and transportation facilities). If the LOS Standards are not met, concurrency management requires the City to deny applications for development orders and permits until the deficiency is addressed. In order to assure that facilities will be in place to maintain the LOS standards in a timely manner and prevent a concurrency moratorium, the CIP must address deficiencies and be financially feasible.

For purposes of the City’s Comprehensive Plan, the CIP is a five-year schedule of capital projects for the annual budget year plus four years primarily in excess of \$50,000 to be undertaken by the City, including non-LOS items such as equipment purchases and government facilities and buildings.

Unlike other Comprehensive Plan amendments that require two public hearings by the City Council, the CIE annual update amendment is adopted with only one public hearing. Under this expedited process, the City does not transmit the annual update as a proposed amendment and DCA does not issue an Objections, Recommendation and Comments Report (ORC Report). Instead, the City simply adopts the CIE annual update amendment at a duly noticed public hearing, sends the adopted amendment to DCA, and DCA publishes a Notice of Intent after conducting a compliance review. The Planning Commission reviewed this amendment on May 4, 2011, and recommended that Council adopt said amendment.

**RECOMMENDATIONS:**

City staff recommends that City Council approve and adopt Ordinance No. 456, thereby amending the Capital Improvements Element and Capital Improvements Program portion of the City’s Comprehensive Plan.