



## City of North Port

### ORDINANCE NO. 2017-43

(Annual update to the Capital Improvement Element of the Comprehensive Plan  
FY 2017/2018 through FY 2021/2022.)

**AN ORDINANCE OF THE CITY OF NORTH PORT FLORIDA, PROVIDING FOR ADOPTION OF A REVISION TO THE CAPITAL IMPROVEMENT ELEMENT OF THE CITY OF NORTH PORT COMPREHENSIVE PLAN, ORDINANCE NO. 89-3, AS AMENDED, TO ADD IN A FIFTH YEAR WITH PROJECTS TO ADDRESS LEVELS OF SERVICE; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Pursuant to Article VIII, Section 2(b) of the Constitution of the State of Florida, the North Port City Charter, and the Community Planning Act, Section 163.3161, *et. seq.*, Florida Statutes (the "Act"), the City of North Port is authorized and required to adopt a Comprehensive Plan; and

**WHEREAS**, the City of North Port Commission has adopted the North Port Comprehensive Plan, Ordinance No. 89-3, as amended; and

**WHEREAS**, the City of North Port Commission has adopted Evaluation and Appraisal Report-based Amendments to the North Port Comprehensive Plan, by Ordinance No. 2016-34; and

**WHEREAS**, the City of North Port has conducted an annual review of the Capital Improvements Element of the Comprehensive Plan as required by section 163.3177(3)(b), Florida Statutes to reflect the 2017/18 through 2021/22 five-year capital improvement plan for level of service projects that will ensure adequate capacity based upon the demands of future growth; and

**WHEREAS**, pursuant to Section 163.3177(3)(b), Florida Statutes, modifications to update the Five-Year Schedule of Capital Improvements (CIP) may be accomplished by ordinance and may not be deemed to be amendments to the local comprehensive plan; and

**WHEREAS**, the Sarasota County School District provides annual updates and adopts a Capital Improvement Schedule which is included and adopted by reference in the Capital Improvements element of the North Port Comprehensive Plan; and

**WHEREAS**, on December 21, 2017 and January 18, 2018, the Planning and Zoning Advisory Board held a public hearing on the update to the Capital Improvement Element to add in a fifth year of projects to address levels of service pursuant to Section 163.3177, Florida Statutes; and

**WHEREAS**, on February 13, 2018, the City Commission held a public hearing with due public notice having been provided on this update to Capital Improvements Element, and held an adoption public hearing on February 27, 2018.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA, AS FOLLOWS:**

**SECTION 1. FINDINGS**

1.01 The recitals outlined above are incorporated by reference as findings of fact as if expressly set forth herein.

**SECTION 2. ADOPTION**

2.01 The North Port City Commission hereby approves and adopts the revised and updated Capital Improvement Element of the City of North Port Comprehensive Plan, Ordinance No. 2017-43, adding in a fifth year with projects to address Levels of Service, as contained in "Exhibit A," Capital Improvement Element Goals, Objectives, and Policies, attached hereto and incorporated herein.

**SECTION 3. SEVERABILITY**

3.01 If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

**SECTION 4. CONFLICTS**

4.01 In the event of any conflict between the provisions of this Ordinance and any Ordinance or portions thereof, the provisions of this Ordinance shall prevail to the extent of such conflict.

**SECTION 5. EFFECTIVE DATE**

5.01 This Ordinance shall take effect immediately upon adoption by the City Commission of the City of North Port, Florida.

**READ BY TITLE ONLY** at first reading by the City Commission of the City of North Port, Florida in public session this \_\_\_\_ day of \_\_\_\_\_, 2018.

**PASSED AND DULY ADOPTED** on the second and final reading in public session by the City Commission of City of North Port, Florida this \_\_\_\_ day of \_\_\_\_\_, 2018.

**CITY OF NORTH PORT, FLORIDA**

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**VANESSA CARUSONE**  
**MAYOR**

**ATTEST:**

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**PATSY C. ADKINS, MMC**  
**CITY CLERK**

**APPROVED AS TO FORM AND CORRECTNESS:**

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**AMBER L. SLAYTON**  
**CITY ATTORNEY**

## CAPITAL IMPROVEMENTS ELEMENT

The Five-Year Schedule of Capital Improvements is revised annually and adopted by the City Commission, by ordinance. The document addresses the facility types required by the Level of Service provisions of Florida Statutes. The Capital Improvement Projects list is also updated annually to reflect a rolling five-year schedule of capital improvements by incorporating the previous year as part of the prior funding and by replacing the last fiscal year with a future fifth year. As new projects are added to the CIP project list during the annual update, adjustments may be made in the funding or timing of projects already in the project list, thereby permitting continual adjustment to changing conditions and needs.

The most recently adopted Capital Improvement Project list of the CIP is shown in the following Table 10-1, and will be renewed annually. Policy 1.1 (criteria for CIP projects) and Policy 1.2 (regulatory Level of Service (LOS) standards) used by the City to evaluate projects during the annual update.

**TABLE 10-1**  
**FIVE-YEAR SCHEDULE CAPITAL IMPROVEMENT COMPONENTS**

<u>Projects</u>	<u>Prior Funding</u>	<u>FY16-17 FY 17-18</u>	<u>FY17-18 FY 18-19</u>	<u>FY18-19 FY 19-20</u>	<u>FY19-20 FY 20-21</u>	<u>FY20-21 FY 21-22</u>	<u>5-Year Total</u>
<u>Parks and Recreation</u>	<u>7,459,289</u> <u>11,674,289</u>	<u>3,195,000</u> <u>13,611,380</u>	<u>350,000</u> <u>917,510</u>	<u>350,000</u> <u>915,000</u>	<u>503,130</u> <u>375,000</u>	<u>1,455,790</u> <u>390,000</u>	<u>5,853,920</u> <u>16,208,890</u>
<u>Public Works (Roads/Drainage)</u>	<u>47,153,500</u> <u>56,407,360</u>	<u>2,928,500</u> <u>17,645,800</u>	<u>17,021,200</u> <u>32,620,800</u>	<u>11,727,950</u>	<u>57,500</u> <u>11,647,350</u>	<u>600,000</u> <u>12,955,920</u>	<u>67,760,700</u> <u>86,597,820</u>
<u>Public Works (Solid Waste)</u>		<u>1,312,000</u>	<u>2,329,873</u> <u>2,319,820</u>	<u>1,146,589</u>	<u>3,209,932</u> <u>2,966,300</u>	<u>2,864,684</u> <u>565,580</u>	<u>9,551,078</u> <u>7,163,700</u>
<u>Utilities (Potable Water)</u>	<u>3,255,944</u> <u>3,078,832</u>	<u>580,000</u> <u>3,540,310</u>	<u>1,350,000</u> <u>8,127,000</u>	<u>1,250,000</u> <u>7,420,000</u>	<u>4,088,000</u> <u>1,436,000</u>	<u>4,487,000</u> <u>820,000</u>	<u>11,755,000</u> <u>21,343,310</u>
<u>Utilities (Wastewater)</u>	<u>2,858,541</u> <u>6,571,028</u>	<u>707,140</u> <u>4,032,120</u>	<u>50,000</u>	<u>2,075,000</u> <u>375,000</u>	<u>35,750,000</u> <u>50,000</u>	<u>50,000</u> <u>2,050,000</u>	<u>38,452,140</u> <u>6,557,120</u>
<u>Total Project Cost (1)</u>	<u>60,727,274</u> <u>77,731,509</u>	<u>7,410,640</u> <u>40,141,610</u>	<u>21,101,073</u> <u>44,035,130</u>	<u>4,821,589</u> <u>20,437,950</u>	<u>43,608,562</u> <u>16,474,650</u>	<u>4,970,474</u> <u>16,781,750</u>	<u>133,372,838</u> <u>137,870,840</u>
Note: (1) <u>This table is a table of appropriation. Actual expenditures for each project may not coincide with the appropriation. Please refer to individual project sheet for the anticipated expenditure schedules for capital projects.</u> (2) <u>All capital projects are consistent with and support adopted Level of Service with their facility types.</u>							

The complete adopted Capital Improvement Plan (CIP ~~FY 2017-FY2021~~ FY2018-FY2022) can be reviewed online by going to the following link: <http://www.cityofnorthport.com/>.

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## CAPITAL IMPROVEMENTS ELEMENT GOALS, OBJECTIVES & POLICIES

### **Objective 5: Public School Facilities**

The City shall ensure that future needs are addressed consistent with the adopted level of service standards for public schools.

**Policy 5.1:** Consistent with subsection 4.2 of the Amended Interlocal Agreement for Public School Facility Planning, as it may be amended, the LOS standards shall be applied consistently by all the local governments within Sarasota County and by the School Board district-wide to all schools of the same type. However, within designated concurrency service areas for identified backlogged facilities, interim standards shall apply. The level of service standards within these designated areas, over the period covered by the 10-year schedule of improvements, will be improved to the district-wide standard. The level-of service standards are initially set as follows:

<b><u>DISTRICT-WIDE</u></b>	
<b><u>TYPE OF SCHOOL</u></b>	<b><u>ADOPTED LEVEL OF SERVICE</u></b>
Special Purpose	100% of total program capacity (including relocatables) <i>or 90% of Florida Inventory of School Houses (FISH) utilization.</i>
<b><u>BY STUDENT ATTENDANCE ZONE</u></b>	
<b><u>TYPE OF SCHOOL</u></b>	<b><u>ADOPTED LEVEL OF SERVICE</u></b>
Elementary Schools	<del>Initial: 115% of permanent program capacity</del>
	<del>By 2012: elementary schools, with the exception of backlogged facilities, will achieve a level of service standard of 105% of permanent program capacity</del>
	<del>By 2017: all</del> All elementary schools will achieve a level of service standard of 105% of permanent program capacity <i>or 85% of FISH.</i>
<u>Middle Schools</u>	<del>Initial: 100% of permanent program capacity</del>
	<del>By 2012: middle schools, with the exception of backlogged facilities, will achieve a level of service standard of 100% of permanent program capacity</del>

Exhibit A to Ordinance 2017-43

	<del>By 2017: all</del> All middle schools, including backlogged facilities, will achieve a level of service standard of 100% of permanent program capacity <u>or 90% of FISH.</u>
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<u>High Schools</u>	<del>Initial: 105% of permanent program capacity</del> <del>By 2012: high</del> High schools, with the exception of backlogged facilities, will achieve a level of service standard of 100% of permanent program capacity <u>or 95% of FISH.</u>
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**Policy 5.2:** The City 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 adopted level of service standards, via impact fees and other legally available and appropriate methods in development conditions.

**Policy 5.3:** The City hereby incorporates by reference the Sarasota School District Five Year Capital Facilities Plan, dated ~~June 7, 2016~~ July 19, 2017, that includes school capacity sufficient to meet anticipated student demands projected by the City, Sarasota County, and other Sarasota County 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 the City, 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.

**Policy 5.4:** The City will update its Capital Improvements Schedule on an annual basis to incorporate by reference the upcoming Sarasota School District Five Year Capital Facilities Plan. The City and the Sarasota County School Board will coordinate during updates or amendments to the City's Comprehensive Plan and updates or amendments for long-range plans for School Board facilities.

**Policy 5.5:** Sarasota County adopts Tables PSFE 19B and 21 of the Data and Analysis for Public School Facilities as the 10-year long term schedule of improvements for the purpose of correcting existing deficiencies and setting priorities for addressing backlogged facilities within the designated concurrency service areas. 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 levels of service for backlogged facilities and ensures the district-wide standards, as established in Policy 5.1

are achieved by 2017. The long-term schedule will be updated, by December 1st of each year, in conjunction with the annual update to the Five-Year Capital Facilities Plan.

**Policy 5.6:** The City's strategy, in coordination with the School Board, for correcting existing deficiencies and addressing future needs includes:

1. implementation of a financially feasible Five Year Capital Facilities Plan to ensure level of service standards are achieved and maintained;
2. 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 to the district-wide standards;
3. identification of adequate sites for funded and planned schools; and
4. the expansion of revenues for school construction from updated impact fees.