

LAND DEVELOPMENT CODE

CHAPTER 7

CONCURRENCY

Section 7.1: Purpose

The purpose of the Concurrency Management System is to establish the procedures and/or process that Madison County will utilize to assure that development orders and permits, when issued, will not result in a reduction of the adopted level of service standards at the time that the impact of development occurs. Public facilities and services which must be available concurrent with the impacts of development are roads, sanitary sewer, solid waste, drainage, potable water and recreation.

The system will consist of four primary components: an inventory of existing public facilities for which concurrency is to be determined; an inventory of the applicable LOS standards for each public facility; a concurrency assessment of each application for a final development order or permit; and a schedule of deficiencies. Under this system, no development orders or permits may be issued which will cause a public facility to operate below its adopted level of service standard. However, development orders may be conditioned such that needed public facility improvements will be in place no later than the issuance of a certificate of occupancy or its functional equivalent.

In order to ensure that all public facilities included within this system are available no later than the issuance of a certificate of occupancy or its functional equivalent, concurrency will be determined during the final site plan or final subdivision plan approval process. All development orders and permits will specify any needed improvements and a schedule for their implementation. Thus, while some required improvements may not have to be completed until a certificate of occupancy is applied for, the requirements for the certificate of occupancy will have already been specified as a condition of approval of the original development order. If a development fails to meet a condition of approval once it has commenced, no additional development orders, permits, or certificates of occupancy may be issued.

Section 7.2: Vested Projects

Nothing in this Chapter shall be construed or applied to constitute a temporary or permanent taking of private property without the just compensation or abrogation of vested rights.

Any applicant for a development permit who alleges that this Chapter, as applied, constitutes or would constitute a temporary or permanent taking of private property or an abrogation of vested rights must affirmatively demonstrate the legal requisites of the claim by meeting all three of the following conditions:

1. A development permit has been issued on or prior to the effective date of adoption of the Land Development Regulations;
2. Development has commenced; and
3. Development is continuing in good faith.

Section 7.3: Applicability

Prior to the approval of a preliminary site plan which sets specific densities and intensities of development, all applications shall be reviewed for concurrency consistent with the provisions and requirements of this system. Development orders or permits may be issued only upon finding by the County that the public facilities addressed under the Concurrency Management System shall be available no later than the issuance of a certificate of occupancy or its functional equivalent.

All applicants for development orders or permits shall be required to provide all information deemed necessary by the County so that the impacts of the proposed development may be accurately assessed. Application forms shall be developed which state the requirements for development orders or permits that reflect the informational needs for the determination of concurrency.

The County Administrator or designee shall be responsible for maintaining an inventory of existing public facilities and capacities or deficiencies; determining concurrency of proposed development which does not require approval by the County Commission; providing advisory concurrency assessments and recommending conditions of approval to the County Commission for those applications for development orders or permits which require County Commission approval; and reporting the status of all public facilities covered under this system to the County Commission and recommending a schedule of improvements for those public facilities found to have existing deficiencies.

A designated time limit of one year from the date of issuance shall be set and approved by the County Commission regarding the issuance of development orders and/or permits in relation to meeting the concurrency requirements. If construction has not begun within the one year time limit, the developer/applicant shall be required to re-submit development plans for meeting the concurrency requirements.

Any elimination, deferment or delay in the construction of a public facility or service by the County which is required to maintain the adopted level of service standard and contained in the Five Year Schedule of Capital Improvements, shall require a Plan amendment.

7.3-1 Concurrency Assessment

The County Administrator or designee shall be responsible for determining concurrency for all applications of development orders or permits for final site plans and/or final subdivision plans. When reviewing applications for such development orders or permits, the County Administrator or designee shall perform a Concurrency Assessment to ensure that public facilities are available no later than the issuance of a certificate of occupancy or its functional equivalent. Such determination may include conditions of approval which are deemed necessary for concurrency to be ensured.

The County Administrator or designee shall provide recommendations to the County Commission concerning those development order applications/permits which require County Commission approval. The comments and recommendations provided by the County Administrator shall include, but are not limited to:

1. the ability of existing facilities to accommodate the proposed development at the adopted level of service standards;

2. any existing facility deficiencies that will need to be corrected prior to the completion of the proposed development;
3. the facility improvements or additions that will be needed to accommodate the impacts of the proposed development at the adopted level of service standard;
4. the date such facility improvements or additions will need to be completed to be concurrent with the impacts on such facility created by the proposed development; and
5. a recommendation of approval or denial with any applicable conditions for the timing and location of needed improvements.

Prior to the issuance of a development order/permit for a proposed new development, the County Commission and/or the County Administrator shall:

1. make a finding on the impacts created by the proposed development; the developer must submit an impact statement on the required LOS standards as they are affected by the proposed development.
2. make a finding as to whether the public facilities covered under the Concurrency Management System will be available no later than the issuance of a certificate of occupancy or its functional equivalent at the adopted level;
3. make a finding of those facility improvements or additions that are required to ensure the finding of concurrency; and
4. make a finding of the entity responsible for the design and installation of all required facility improvements or additions.

The adopted level of service standards shall be the minimum acceptable standards with which all proposed new development shall comply. The Concurrency Management System shall not preclude the County Commission from imposing other conditions of approval, including improvements and additions to the facilities covered under this system beyond the minimums necessary to achieve concurrency.

7.3-2 Exceptions

This Chapter shall apply to any final development order issued by Madison County, with the following exceptions:

- A. any addition to a single family dwelling;
- B. any addition, expansion, or improvement to any other structure or use where such addition, expansion, or improvement can be shown to have no net increase in the demand for infrastructure;
- C. any replacement of a structure or use by a similar structure or use where such replacement can be shown to have no net increase in the demand for infrastructure;
- D. any change of use which reduces demand for all infrastructure facilities, even if the infrastructure serving the former use or activity was over capacity;

- E. any vested project.

Section 7.4: Procedures

7.4-1 Infrastructure Capacity Evaluation

The County Administrator or County Commission or designee shall in June of each year evaluate the latest available information on the capacity of all infrastructure serving the County and shall identify those areas served by infrastructure which does not meet the level of service standards established by the adopted comprehensive plan. The County Administrator shall transmit a preliminary report to the County Commission detailing the areas so identified. The preliminary report shall be based on an evaluation of the total capacity of each relevant facility component and the total actual demand placed on that facility. Total capacity of the facility shall include existing capacity as well as additional capacity from planned infrastructure improvement projects. Total demand shall include actual current use as well as the potential use of projects which have not been developed but which are considered as vested projects.

Section 7.5: Development Restrictions

7.5-1 Infrastructure Deficiency

A final development order may be issued subject to the condition that there will be no occupancy of any structure or area served by the deficient infrastructure until such time as the deficiency is mitigated. Any such condition shall be incorporated in a development agreement subject to the provisions of Chapter 5. The development agreement shall identify the specific facilities which are deficient and the specific actions which must be taken before the development may be occupied.

7.5-2 Vested Projects

If the project is vested, a final development order may be issued only for the uses and intensities established under the provisions of the previously issued permits and then only while the project retains its status as a vested project.

Section 7.6: Proportionate-Share Transportation Program

7.6-1 Purpose and Intent

The purpose of this section is to establish a method whereby the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors, to be known as the Proportionate-Share Transportation Program, consistent with Section 163.3180, Florida Statutes.

7.6-2 Applicability

The Proportionate-Share Transportation Program shall apply to all developments in the County that have been notified of a lack of capacity to satisfy transportation concurrency on a transportation facility in the County Concurrency Management System, including transportation facilities maintained by Florida Department of Transportation or another jurisdiction that are relied upon for concurrency determinations, pursuant to the concurrency requirements of this

Article of the Land Development Code. The Proportionate-Share Transportation Program does not apply to Proportionate-Share developments exempted from concurrency as provided in the Comprehensive Plan and this Article of the Land Development Code, and/or Section 163.3180, Florida Statutes, regarding exceptions and de minimis impacts.

7.6-3 General Requirements

1. An applicant may choose to satisfy the transportation concurrency requirements of the County by making a Proportionate-Share contribution, pursuant to the following requirements:
 - a. The proposed development is consistent with the Comprehensive Plan and applicable land development regulations, and
 - b. The Five-Year Schedule of Capital Improvements in the Capital Improvements Element of the Comprehensive Plan or the long-term schedule of capital improvements for an adopted long-term Concurrency Management System includes a transportation improvement(s) that, upon completion, will satisfy the requirements of the Concurrency Management System. The provisions of paragraph (2) of this General Requirements subsection herein may apply if a project or projects needed to satisfy concurrency are not presently contained within the Capital Improvements Element of the Comprehensive Plan or an adopted long-term schedule of capital improvements for an adopted long-term Concurrency Management System.
2. The County may choose to allow an applicant to satisfy transportation concurrency through the Proportionate-Share Transportation Program by contributing to or constructing an improvement that, upon completion, will satisfy the requirements of the Concurrency Management System, but is not contained in the Five-Year Schedule of Capital Improvements in the Capital Improvements Element or a long-term schedule of capital improvements for an adopted long-term Concurrency Management System, where the following apply:
 - a. The applicant enters into a binding agreement to pay for or construct its proportionate share of the required improvement necessary to serve the proposed development.
 - b. The improvement or improvements funded by the Proportionate-Share component must be adopted into the Five-Year Schedule of Capital Improvements in the Capital Improvements Element of the Comprehensive Plan or the long-term schedule of capital improvements for an adopted long-term schedule of capital improvements for an adopted long-term Concurrency Management System at the next regularly scheduled annual Capital Improvements Element of the Comprehensive Plan update.
3. Any improvement project proposed to meet the applicant's fair-share obligation must meet design standards of the County for locally maintained roadways and those of the Florida Department of Transportation for the state highway system.

7.6-4 Intergovernmental Coordination

Pursuant to policies in the Intergovernmental Coordination Element of the Comprehensive Plan and applicable policies in the North Central Florida Strategic Regional Policy Plan, the County

shall coordinate with affected jurisdictions, including Florida Department of Transportation, regarding mitigation to impacted facilities not under the jurisdiction of the County. An interlocal agreement may be established with other affected jurisdictions for this purpose.

7.6-5 Application Process

1. Upon notification of a lack of capacity to satisfy transportation concurrency, the applicant shall also be notified in writing of the opportunity to satisfy transportation concurrency through the Proportionate-Share Transportation Program pursuant to the requirements of this section.
2. Prior to submitting an application for a Proportionate-Share agreement, a pre-application meeting shall be held to discuss eligibility, application submittal requirements, potential mitigation options, and related issues. If the impacted facility is on the Strategic Intermodal System, then the Florida Department of Transportation will be notified and invited to participate in the pre-application meeting.
3. Eligible applicants shall submit an application to the County that includes an application fee, as established by a fee resolution, as amended, by the County, and the following:
 - a. Name, address and telephone number of owner(s), developer and agent;
 - b. Property location, including parcel identification numbers;
 - c. Legal description and survey of property;
 - d. Project description, including type, intensity and amount of development;
 - e. Phasing schedule, if applicable; and
 - f. Description of requested proportionate-share mitigation method(s).
4. The County shall review the application and certify that the application is sufficient and complete within thirty (30) calendar days. If an application is determined to be insufficient, incomplete or inconsistent with the general requirements of the Proportionate-Share Transportation Program as described in this section, then the applicant will be notified in writing of the reasons for such deficiencies within thirty (30) calendar days of submittal of the application. If such deficiencies are not remedied by the applicant within thirty (30) calendar days of receipt of the written notification, then the application will be deemed abandoned. The Board of County Commissioners may, in its discretion, grant an extension of time not to exceed sixty (60) calendar days to cure such deficiencies, provided that the applicant has shown good cause for the extension and has taken reasonable steps to effect a cure.
5. Pursuant to Section 163.3180, Florida Statutes, proposed Proportionate-Share mitigation for development impacts to facilities on the Strategic Intermodal System requires the consultation and coordination with the Florida Department of Transportation. The applicant shall submit evidence of an agreement between the applicant and the Florida Department of Transportation for inclusion in the Proportionate-Share transportation agreement.
6. When an application is deemed sufficient, complete and eligible, the applicant shall be advised in writing and a proposed Proportionate-Share obligation and binding agreement will be prepared by the County and delivered to the

appropriate parties for review, including a copy to the Florida Department of Transportation for any proposed Proportionate-Share mitigation on a Strategic Intermodal System facility, no later than sixty (60) calendar days from the date at which the applicant received the notification of a sufficient application and no fewer than fifteen (15) calendar days prior to the Board of County Commissioners meeting when the agreement will be considered.

7. The County shall notify the applicant regarding the date of the Board of County Commissioners meeting when the agreement will be considered for final approval. No Proportionate-Share agreement will be effective until approved by the Board of County Commissioners.

7.6-6 Determining Proportionate-Share Obligation

1. Proportionate-Share mitigation for concurrency impacts may include, without limitation, separately or collectively, private funds, contributions of land, and construction and contribution of facilities.
2. A development shall not be required to pay more than its Proportionate-Share. The applicant will be assessed a proportionate share of the cost of providing the transportation facilities necessary to serve the proposed development. An applicant shall not be responsible for the additional cost of reducing or eliminating deficiencies.
3. The methodology used to calculate an applicant's proportionate-share obligation shall be as provided for in Section 163.3180, Florida Statutes, as follows:

The proportionate-share contribution shall be calculated based upon the number of trips from the proposed development expected to reach roadways during the peak hour from the stage or phase being approved, divided by the change in the peak hour maximum service volume of roadways resulting from construction of an improvement necessary to maintain or achieve the adopted level of service, multiplied by the construction cost, at the time of development payment, of the improvement necessary to maintain or achieve the adopted level of service.

The traffic analysis shall identify those roads or facilities that have a transportation deficiency. Transportation deficiency is defined as a facility or facilities on which the adopted level-of-service standard is exceeded by the existing, committed, and vested trips, plus additional projected background trips from any source other than the development project under review, and trips that are forecast by established traffic standards, including traffic modeling, consistent with the University of Florida's Bureau of Economic and Business Research medium population projections. Additional projected background trips are to be coincident with the particular stage or phase of development under review.

The proportionate-share formula shall be applied only to those facilities that are determined to be significantly impacted by the project traffic under review. If any road is determined to be transportation deficient without the project traffic under review, the costs of correcting that deficiency shall be removed from the project's proportionate-share calculation and the necessary transportation improvements to correct that deficiency shall be considered to be in place for

purposes of the proportionate-share calculation. The improvement necessary to correct the transportation deficiency is the funding responsibility of the entity that has maintenance responsibility for the facility. The development's proportionate share shall be calculated only for the needed transportation improvements that are greater than the identified deficiency.

When proportionate-share has been satisfied for a particular stage or phase of development, all transportation impacts from that stage or phase for which mitigation was required and provided shall be deemed fully mitigated in any transportation analysis for a subsequent stage or phase of development. Trips from a previous stage or phase that did not result in impacts for which mitigation was required or provided may be cumulatively analyzed with trips from a subsequent stage or phase to determine whether an impact requires mitigation for the subsequent stage or phase.

In projecting the number of trips to be generated by the development under review, any trips assigned to a toll-financed facility shall be eliminated from the analysis.

The applicant shall receive a credit on a dollar-for-dollar basis for impact fees, mobility fees, and other transportation concurrency mitigation requirements paid or payable in the future for the project. The credit shall be reduced up to 20 percent by the percentage share that the project's traffic represents of the added capacity of the selected improvement, or by the amount specified by local ordinance, whichever yields the greater credit.

4. For the purposes of determining Proportionate-Share obligations, the County shall determine improvement costs based upon the actual cost of the improvement as obtained from the Capital Improvements Element of the Comprehensive Plan, or the Florida Department of Transportation Work Program. Where such information is not available, improvement cost shall be determined using one of the following methods.
 - a. An analysis by the County of costs by cross section type that incorporates data from recent projects and is updated annually and approved by the Board of County Commissioners. In order to accommodate increases in construction material costs, project costs shall be adjusted by the following inflation factor:

$$\text{Cost}_n = \text{Cost}_0 \times (1 + \text{Cost_growth}_{3\text{yr}})^n$$

Where:

- Cost_n = The cost of the improvements in year n;
- Cost₀ = The cost of the improvement in the current year;
- Cost_{growth}_{3yr} = The growth rate of costs over the last three years;
- n = The number of years until the improvement is constructed.

The three-year growth rate is determined by the following formula:

$$\text{Cost_growth}_{3\text{yr}} = [\text{Cost_growth}_{-1} + \text{Cost_growth}_{-2} + \text{Cost_growth}_{-3}]/3$$

Where:

Cost_growth _{3yr} =	The growth rate of costs over the last three years;
Cost_growth _{.1} =	The growth rate of costs in the previous year;
Cost_growth _{.2} =	The growth rate of costs two years prior;
Cost_growth _{.3} =	The growth rate of costs three years prior.

- b. The most recent Florida Department of Transportation *Transportation Costs* report, as adjusted based upon the type of cross-section (urban or rural); locally available data from recent projects on acquisition, drainage and utility costs; and significant changes in the cost of materials due to unforeseeable events. Cost estimates for state road improvements not included in the adopted Florida Department of Transportation Work Program shall be determined using this method in coordination with the Florida Department of Transportation.
5. If the County has accepted an improvement project proposed by the applicant, then the value of the improvement shall be determined using one (1) of the methods provided in this section.
6. If the County has accepted right-of-way dedication for the Proportionate-Share payment, credit for the dedication of the non-site related right-of-way shall be valued on the date of the dedication at one hundred twenty percent (120%) of the most recent assessed value by the County Property Appraiser or, at the option of the applicant, by fair market value established by an independent appraisal approved by the County and at no expense to the County. The applicant shall supply a drawing and legal description of the land and a certificate of title or title search of the land to the County at no expense to the County. If the estimated value of the right-of-way dedication proposed by the applicant is less than the County estimated total Proportionate-Share obligation for that development, then the applicant must also pay the difference. Prior to purchase or acquisition of any real estate or acceptance of donations of real estate intended to be used for the Proportionate-Share, public or private partners should contact the Florida Department of Transportation for essential information about compliance with federal law and regulations.

7.6-7 Proportionate-Share Agreements

1. Upon execution of a Proportionate-Share Agreement the applicant shall receive County concurrency approval. Should the applicant fail to apply for a development permit within twelve (12) months of the execution of the Proportionate-Share Agreement, then the Proportionate-Share Agreement shall be considered null and void, and the applicant shall be required to reapply.
2. Dedication of necessary right-of-way for facility improvements pursuant to a Proportionate-Share agreement must be completed prior to issuance of the final development order or recording of the final plat.

3. Any requested change to a development project subsequent to a development order may be subject to additional Proportionate-Share contributions to the extent the change would generate additional traffic that would require mitigation.
4. Applicants may submit a letter to withdraw from the Proportionate-Share Agreement at any time prior to the execution of the Proportionate-Share Agreement. The application fee and any associated advertising costs to the County are non-refundable.

7.6-8 Appropriation of Fair-Share Revenues

1. Proportionate-Share revenues shall be placed in the appropriate project account for funding of scheduled improvements in the Capital Improvements Element of the Comprehensive Plan, or as otherwise established in the terms of the Proportionate-Share Agreement. At the discretion of the Board of County Commissioners, Proportionate-Share revenues may be used for operational improvements prior to construction of the capacity project from which the Proportionate-Share revenues were derived. Proportionate-Share revenues may also be used as the fifty percent (50%) local match for funding under the Florida Department of Transportation's Transportation Regional Incentive Program.
2. In the event a scheduled facility improvement is removed from the Capital Improvements Element of the Comprehensive Plan, then the revenues collected for its construction may be applied toward the construction of another improvement within that same corridor or sector that would mitigate the impacts of development pursuant to the requirements of this section.

Where an impacted regional facility has been designated as a regionally significant transportation facility in an adopted regional transportation plan as provided in Section 339.155, Florida Statutes, and then the County may coordinate with other impacted jurisdictions and agencies to apply Proportionate-Share contributions and public contributions to seek funding for improving the impacted regional facility under the Florida Department of Transportation's Transportation Regional Incentive Program. Such coordination shall be ratified by the Board of County Commissioners through an interlocal agreement that establishes a procedure for earmarking of the developer contributions for this purpose.

ATTACHMENT 1

PUBLIC FACILITIES CAPACITIES AND LEVEL OF SERVICE INVENTORY FOR CONCURRENCY MANAGEMENT

The following inventories in conjunction with the Infrastructure Deficiencies Map shall be maintained by the County Administrator to be used for the concurrency assessment of new development.

TRAFFIC CIRCULATION

1. Design capacity of different roadway types.
2. The existing level of service measured by the average annual number of trips per day on a roadway as provided by the Florida Department of Transportation.
3. The adopted level of service standards for all roadways classified under the Florida Department of Transportation's roadway functional classification system.
4. The existing capacities or deficiencies of the roadway network.
5. The capacities reserved for approved but unbuilt development.
6. The improvements to be made to the roadway network in the current fiscal year by any approved developments pursuant to previous development orders or permits and the impact of such improvements on the existing capacities or deficiencies.
7. The improvements to be made to the roadway network in the current fiscal year by Madison County, the Florida Department of Transportation, or other public agency and the impact of such improvements on the existing capacities or deficiencies.

SANITARY SEWER

1. The design capacity of the wastewater treatment facilities.
2. The existing level of service standard for average daily flows per equivalent residential unit.
3. The adopted level of service standard for average daily flows per equivalent residential unit.
4. The existing capacities or deficiencies of the system.
5. The capacities reserved for approved but unbuilt development.
6. The improvements to be made to the facility in the current fiscal year by any approved developments pursuant to previous development orders and the impact of such improvements to the existing capacities or deficiencies.
7. The improvements to be made to the facilities in the current fiscal year by Madison County or other appropriate sanitary sewer providers and the impacts of such improvements on the existing capacities or deficiencies.

POTABLE WATER

1. The design capacity of potable water treatment facilities.
2. The existing level of service measured by the average number of gallons per day per unit based on the average flows experienced and the total number of equivalent residential units within the service area.
3. The existing potable water storage capabilities of the water system.
4. The existing minimum water pressure.
5. The adopted level of service standards for the potable water facility components.
6. The existing capacities or deficiencies of the system.
7. The capacities reserved for approved but unbuilt development.
8. The improvements to be made to the facility in the current fiscal year by any approved developments pursuant to previous development orders or permits and the impact of such improvements on the existing capacities or deficiencies.
9. The improvements to be made to the facility in the current fiscal year by Madison County or other appropriate potable water providers and the impact of such improvements on the existing capacities or deficiencies.

SOLID WASTE

1. The percentage of the total amount of solid waste disposal capacity allocated to Madison County in the Aucilla Regional Solid Waste Facility for solid waste collection and disposal.
2. The existing level of service measured by the solid waste per pound per capita per weekly collection.
3. The capacities reserved for approved but unbuilt development.

STORMWATER DRAINAGE

1. The existing level of service measured by storm event as determined by Madison County and its consulting engineers.
2. The adopted level of service standard for storm drainage.

RECREATION AND OPEN SPACE

1. The existing acreage of parkland.
2. The existing level of service measured by the number of acres of parkland available per 1,000 residents of Madison County based on an inventory of parklands in the County and the population of the County.
3. The existing capacities or deficiencies of the recreation facility system.

4. The capacities reserved for approved but unbuilt development.
5. The improvements to be made to the recreation facilities in the current fiscal year by any approved developments pursuant to previous development orders and the impact of such improvements on the existing capacities or deficiencies.
6. The improvements to be made to the recreation facilities in the current fiscal year by Madison County and the impact of such improvements on the existing capacities or deficiencies.

ATTACHMENT 2

GENERAL RULES FOR CONCURRENCY ASSESSMENT

EXISTING DEFICIENCIES

No development shall be approved which will impact a facility which is currently deficient unless the facility is required to be improved in the current fiscal year pursuant to a previous development order or permit. Any needed improvements shall be completed prior to the projected impacts of the proposed development as required by Attachment 3.

APPROVED IMPACTS

The impacts of new development shall be assessed against the existing conditions as described in Attachment 1, the projected impacts from approved but unbuilt development. These three items together shall be considered the existing conditions for all public facilities for the impact assessment of all proposed development.

PHASING

Development that is proposed to be phased may also phase the improvement of facilities provided in the concurrency requirements for each facility as described in Attachment 3 are met.

TIME SPECIFIC APPROVAL

All development approvals shall have a one year time period to commence development. If construction does not commence within the one year time period, the development approval shall expire and the applicant must repeat the development review process. If the development is to be phased, the timing of each phase shall be specified in the development order or permit. If necessary, the development order or permit may prescribe a time schedule for the initiation of the various components of the development process such as land clearing, filling, foundation pouring, etc.

Any required improvements shall also require a time period for construction and completion. Should development or facilities improvements fail to begin or be completed in accordance with the development order or permit, all outstanding approvals of the development shall expire. Amendments to time schedules shall be permitted but must be approved by the body granting the original approval.

ADDITIONAL INFORMATION

The County Administrator may require additional information from applicants in order for an accurate assessment to be conducted. Such additional informational requests shall be reasonable and be provided in writing to the applicant.

It should be noted that Madison County cannot conduct special studies such as traffic counts on roads not regularly monitored. Review and approval of proposed development may be postponed for a reasonable time period in order for the applicant to gather additional information. Proposed development may be denied approval for failure of the applicant to provide adequate information on the projected impacts created by the development.

ATTACHMENT 3

FACILITY SPECIFIC RULES FOR CONCURRENCY ASSESSMENT

SOLID WASTE

Madison County shall include solid waste generation standards based on land use types in the Land Development Regulations. Commercial and industrial developments which are potential hazardous waste generators shall provide a description and estimate of tonnage of solid waste to be generated for which the development will be responsible for coordinating with Madison County, or, if appropriate, other hazardous waste disposal facility(s) for disposal of such waste, such as the Aucilla Regional Solid Waste Facility. Written approval from the appropriate hazardous waste disposal facility that the proposed development's hazardous waste generation can be accommodated at the appropriate hazardous waste disposal site must be obtained by the developer and provided to Madison County.

Prior to the issuance of a Certificate of Occupancy, all facility improvements necessary to accommodate the impacts of that portion of the development receiving a Certificate of Occupancy shall be in place.

STORMWATER DRAINAGE

All commercial developments shall prepare a drainage plan based on the stormwater management regulations which shall incorporate the level of service design storm.

RECREATION

Madison County shall not assess commercial and industrial developments as having an impact on recreational facilities. However, the County reserves the right to require the provision of recreational facilities as a part of cluster developments, or high density residential subdivisions.

ATTACHMENT 4

PUBLIC FACILITIES LEVEL OF SERVICE INVENTORY

TRAFFIC CIRCULATION

1. Roadways – Level of Service (LOS) "C" for all principal arterial roadways and LOS "D" on all other roadways for peak hour conditions within the unincorporated area of the County.

SANITARY SEWER

- a. Private on-site disposal systems (septic tanks) – Meet or exceed all requirements set by the Florida Department of Health, Chapter 64E-6, F.A.C.
- b. Central Facilities – 110 gallons per capita per day (GPCD).

POTABLE WATER

- a. Potable Water System – 100 gallons per capita per day (gpcd).
- b. Private Individual Water Wells – Consistent with the Suwannee River Water Management District Standards

SOLID WASTE

5 pounds per capita per day (ppcd).

STORMWATER DRAINAGE

Water Quantity –

For all projects not exempted from Chapter 40B-4 and 40B-400, Florida Administrative Code within the County, stormwater management systems must be installed such that the peak rate of post-development runoff will not exceed the peak-rate of pre-development runoff for storm events up through and including either.

1. A design storm with a 10-year, 24-hour rainfall depth with Natural Resources Conservation Service Type II distribution falling on average antecedent moisture condition for projects serving exclusively agricultural, forest, conservation, or recreational uses; or
2. A design storm with 100-year critical duration rainfall depth for projects serving any land use other than agricultural, silvicultural, conservation, or recreational uses.

Water Quality –

1. Water Quality treatment shall be provided for the runoff from the first inch of rainfall.

2. Facilities which directly discharge into an Outstanding Florida Water shall include an additional level of treatment equal to the runoff of the first 1.5 inches of rainfall from the design storm consistent with Chapter 40B-4 and 40B-400, Florida Administrative Code, in order to meet the receiving water quality standards of Chapter 62-302, Florida Administrative Code. Stormwater discharge facilities shall be designed so as to provide mitigation for changes to water quality such that these changes do not cause harm to individuals or water resources and to assure the suitability of water for the designated use of its classification as established in Chapter 62-302, Florida Administrative Code.
3. Facilities which directly discharge to an active sink must treat the runoff from the first two inches of rainfall.
4. Swales must be designed to treat, through percolation or evapotranspiration, a volume of stormwater equal to 80 percent of the runoff resulting from a design storm with a three-year, one-hour rainfall depth and Natural Resources Conservation Service Type II distribution falling on average antecedent moisture conditions.

RECREATION AND OPEN SPACE

Parks and Open Space 2 acres per 1,000 population

For purpose of this level of service standard, open space shall be defined as areas of the development site not covered with buildings and including at least intermittent landscaping.