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2
3 **CHAPTER 5**
4 **PUBLIC FACILITIES ELEMENT**
5 **GOALS, OBJECTIVES, AND POLICIES**
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8 V-1. GOAL STATEMENT: ASSURE THE PROVISION OF PUBLIC FACILITIES AND SERVICES THAT
9 PROMOTE MANAGED GROWTH, PROTECT PUBLIC HEALTH AND SAFETY, AND MAINTAIN
10 ENVIRONMENTAL QUALITY.
11

12
13 **OBJECTIVE V-1. Implement a Capital Improvement Schedule for Public Facilities.** The City shall
14 adopt a Five-Year Schedule of Capital Improvements within the Comprehensive Plan, Capital
15 Improvements Element, to time improvement needs with available funding and location of
16 development. This Improvement Schedule shall be consistent with the public facility
17 improvement needs identified within the Comprehensive Plan.
18

19 **Policy V.1.1. Capital Improvements Schedule.** The City shall annually (by the month of
20 September) evaluate the implementation of capital improvements proposed within the Capital
21 Improvement Program and rank improvements according to priority of need.
22

23 **Policy V.1.2. Criteria for Evaluating the Implementation of Capital Improvements.** Proposed
24 Capital Improvement Projects shall be evaluated and ranked according to the following priority
25 level guidelines:
26

- 27 1. **Indicated Need:** Implementation is needed to protect public health, safety, and
28 environmentally sensitive natural resources or comply with State or Federal
29 requirements.
30 2. **To Provide Facilities and services;** preserve or maximize the use of existing facilities or
31 improve efficiency of existing facilities.
32 3. **Additional Facility Needs:** Implementation is needed to eliminate facility or capacity
33 deficiencies for service provided to existing developed areas; extend facilities and
34 expand capacities in a manner consistent with the Future Land Use Element goals,
35 objectives, and policies and the Future Land Use Map.
36 4. **Adequate Funding:** Adequate funding for a project shall be available prior to its
37 commencement, and project cost shall not cause accrued debt obligation to exceed
38 beyond the limits of the City's debt capacity.
39

40 **Policy V.1.3. Priority of Capital Improvements.** In the event deficiencies should develop in the
41 provision of public facilities, the City shall grant existing deficiencies priority among capital
42 improvements scheduled within the Capital Improvement Program. The City shall issue no

43 development permits for new development that will result in an increase in demand on
44 deficient facilities. No plan amendment shall be required for repair, renovation, replacement
45 or service and support projects that have no direct impact on the maintenance of adopted
46 minimum level of service standards. Such changes shall be amended by ordinance. Capital
47 Improvements shall be ranked in the Five Year Schedule of Capital Improvements according to
48 the following order of priority:

- 49
- 50 1. Current Capital Improvement Deficiencies
 - 51 2. Replacement of Worn-out or Obsolete Facilities
 - 52 3. New Capital Improvements required to meet demands generated by Anticipated future
53 growth and development (as identified within the Future Land Use Element).
- 54

55 **Policy V.1.4. Review of Capital Improvements.** The Local Planning Agency will review the city's
56 Capital Improvement Program annually and will provide the City Commission with the agency's
57 recommendations as to requirements to satisfy anticipated facility capacity needs.

58

59 **Policy V.1.5. Impact Fees.** Applicable impact fee schedules will be reviewed annually by the
60 Local Planning Agency to ensure that a fair share of the cost of providing additional facility
61 capacity to meet needs created by that new growth is in fact being paid by the development,
62 and will recommend to the City Commission any changes that are deemed appropriate.

63

64

65 **Policy V.1.6.** The following level of service standards are hereby adopted:

67 Facility	Level of Service Standard
68 Septic Tank	Minimum design capacity of 750 gallons
69	
70 Solid Waste	8.6 pounds per day per capita
71	
72 Drainage	
73	

74 New and existing development. Storm-water facilities shall be designed to accommodate the
75 25-year, 24-hour design storm to meet the water quality and quantity standards that follow:

76

77 a. Water Quantity

78

79 Peak post-development runoff shall not exceed peak pre-development runoff rates. The first
80 one inch of runoff shall be retained on-site.

81

82 b. Water Quality

83

84 Treatment of stormwater runoff shall be required for all development, redevelopment and,
85 when expansion occurs, existing developed areas. The stormwater treatment system or
86 systems can be project specific, serve sub-areas within the City or be a system to serve the
87 entire City. Regardless of the area served, the storm water treatment systems must provide a
88 level of treatment which meets the requirements of Chapter 40C-42, in particular section 40C-
89 42.025, Florida Administrative Code (F.A.C) to ensure that the receiving water quality standards
90 of Chapter 17-302, section 17-302.500, F.A.C. are met and to ensure that the receiving water
91 bodies and their water quality are not degraded below the minimum conditions necessary to
92 maintain their classifications as established in Chapter 17-302, F.A.C. It is intended that all
93 standards in these citations are to apply to all development and redevelopment and that any
94 exemptions or exceptions in these citations, including project size thresholds, are not
95 applicable.

96
97 Infill residential development within improved residential areas or subdivisions existing prior to
98 the adoption of this comprehensive plan, must ensure that its post-development stormwater
99 runoff will not contribute pollutants which will cause the runoff from the entire improved area
100 or subdivision to degrade receiving water bodies and their water quality as stated above.

101
102 Development and redevelopment projects which are not exempt from the St. John's River
103 Water Management District permitting requirements must also meet the requirements of
104 Chapter 40C-4 and 40C-40, F.A.C.

105
106 Note: The Florida Administrative Code citations refer to these regulations as they exist at the
107 time of adoption of this comprehensive plan.

108
109 Potable Water 98 gallons per day per capita

110
111 Solid waste collection and transport will continue to be provided by franchised hauler and
112 disposed of at the Volusia County landfill or its replacement.

113
114
115
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122 **POTABLE WATER**

123
124 **OBJECTIVE V-2. Protect Groundwater.** Protect the quality of groundwater and provide a clean
125 and dependable water supply to insure public health, safety and welfare. Provide water service

126 having adequate production, treatment and distribution of potable water in a cost effective
127 manner balancing the needs of growth, environmental and public health.

128
129 **Policy V. 21. Adequate Water Supply.** The City of Lake Helen will plan for an adequate supply of
130 potable water to meet all normal usage requirements, peak hourly demand, and minimum
131 pressure to provide adequate service for potable water and to meet fire flow pressure
132 requirements.

133
134 **Policy V.2.2. Development Review.** The development review process shall insure that
135 development orders or permits are predicated on demonstrated compliance with the potable
136 water level of service standards, minimum line pressure standards, and available storage
137 capacity. Provisions shall also stipulate mandatory compliance with all relevant federal, state,
138 and local permit requirements.

139
140 **Policy V.2.3. Extension of Water Facilities.** Extensions of municipal water lines will be to infill
141 or contiguous, unserved areas as a top priority.

142
143 **Policy V.2.4. Water Supply Plan.** The City's water supply plan shall be used to coordinate and
144 prioritize the expansion and upgrade of facilities needed to withdraw, treat, store, transmit and
145 distribute potable water to meet current and future needs. The City shall also prioritize the
146 identification and utilization of alternate and renewable sources of water to meet the projected
147 increases in demand. The City's Water Supply Facilities Work Plan is incorporated into the
148 Comprehensive Plan as Appendix 1 of the Public Facilities Element.

149
150 **Policy V.2.5. Maximize Existing Facilities.** The City will maximize the use of existing potable
151 water facilities through the implementation of management techniques that can enhance a
152 source of supply, sustain water resources and related natural systems, and/or optimize water
153 supply yield. These techniques may include, but are not limited to, aquifer storage and
154 recovery, reclaimed water, system interconnects, and water conservation.

155
156
157 **Policy V.2.6. Identify and Correct Existing Deficiencies.** The City shall issue no development
158 orders or development permits without first consulting with the water supplier(s) to determine
159 whether adequate water supplies to serve the proposed development will be available no later
160 than the anticipated date of issuance by the City of a certificate of occupancy or its functional
161 equivalent. The City will also ensure that adequate water supplies and facilities are available
162 and in place prior to issuing a certificate of occupancy or its functional equivalent.

163
164 **Policy V.2.7. Limit Development.** The City shall impose constraints which limits
165 development in those land areas within the city containing soil characteristics which offer
166 severe or moderate hazard to the natural resources of the area where the proposed
167 development is to use septic tanks and drainfields as a means of effluent dispersal.

168
169 Policy V.2.8. **Hazardous Materials.** Industries and other businesses which use hazardous
170 materials or generate hazardous waste shall be sited, designed, operated and monitored to
171 ensure that releases of hazardous materials or waste do not violate state water quality
172 standards (Chapter 17-3, F.A.C.) for groundwater or surface waters. Furthermore, such
173 industries and businesses shall not be located in floodprone areas, areas with severe or
174 moderate limitations to the use of septic tanks, in areas of high aquifer recharge or within 200
175 feet of an existing or planned and approved potable waterwell.

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177
178 OBJECTIVE V.3. **Water Conservation.** The City shall continue to implement water conservation
179 measures.

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181
182
183 Policy V.3.1. **Water Saving Fixtures.** The City's Land Development Regulations include
184 guidelines to utilize water saving plumbing fixtures in new construction and renovations.

185
186 Policy V.3.2. **Florida Friendly Landscaping.** The City's Land Development Regulations include
187 provisions for Florida Friendly Landscaping.

188
189 Policy V.3.3. **Water Conservation Measures.** The City of Lake Helen hereby adopts the
190 following Base Water Conservation and Use measures:

191
192 A. All residential and non-residential irrigation must comply with the water conservation
193 measures as outlined in the City's Consumptive Use Permit. These standards include limitations
194 on the amount of water, time of day, and number of days in which irrigation may occur.

195
196 B. Non-commercial or private automobile washing shall utilize an automatic shutoff/self-
197 canceling spray nozzle. Automobile washing shall be on pervious surfaces whenever feasible or
198 at a commercial water recycling automobile wash facility.

199
200 C. The washing of sidewalks, walkways, driveways, parking lots, tennis courts and all other
201 impervious areas shall utilize an automatic shutoff/self-canceling spray nozzle or low volume
202 pressure cleaning. Excessive use of water for washing of impervious surface areas is
203 discouraged. Runoff from impervious surface washing shall be directed as much as possible
204 towards pervious areas.

205
206 D. Filling and refilling of swimming pools, except as necessary during the construction
207 process, and except as necessary to raise the level of water one-inch above the pool's
208 skimmer, is prohibited.

209

210 E. All groundwater utilized in water-to-air heating and air conditioning systems must be
211 directed to landscape irrigation systems, groundwater injection or exfiltration systems. New
212 water to air heating and air conditioning systems shall be prohibited.

213
214 F. Native vegetation or other species with drought-resistant properties shall be used for
215 landscaping following Florida Friendly landscaping guidelines as published by St. Johns River
216 Water Management District.

217
218 G. Water conservation information will be included in water bills prior to the peak
219 seasonal demand.

220
221 H. The City will continue to implement a leak detection program in order to find and curtail
222 wasteful losses of potable water from the City's public water supply delivery network.

223
224 **Policy V.3.4. Excessive Use of Water.** The excessive, wasteful and unnecessary water use shall
225 be prohibited. Excessive, wasteful and unnecessary water use includes but is not limited to:

226
227 A. Allowing water to be dispersed without and practical purpose to the water use,
228 regardless of the type of water use; and

229
230 B. Allowing water to be dispersed in a grossly inefficient manner, regardless of the type of
231 water use; and

232
233 C. Allowing water to be dispersed to accomplish a purpose for which water use is not
234 necessary or which can be readily accomplished through alternative methods of significantly
235 less water use.

236
237 **Policy V.3.5. Exemptions.** Exemptions to the constraints imposed by Policy V.3.3 and Policy
238 V.3.4 may be granted in the following instances:

239
240 A. New landscaping consisting of shrubbery, trees, lawns, grass, groundcovers, plants,
241 vines, gardens and other such flora which have been planted less than thirty (30) days are
242 exempt from the Base Water Conservation and Use landscape irrigation provisions. However,
243 after thirty (30) days all provisions apply;

244
245 B. Water-to-air heating and air conditioning systems and reuse or reclaimed water reuse
246 irrigation systems conforming to the provisions of this plan shall be exempt from the Base
247 Water Conservation and Use landscape irrigation provisions indicated in Policy V.8.2. above.

248
249 C. Agricultural uses are exempt from the provisions of this plan provide such uses are in a
250 prudent manner as measured by standards for the industry for like uses within the area.

251

252 D. Watering of clay or clay type recreational courts is exempt from the Base water
253 Conservation and Use provisions in Policy V.3.3.

254
255 E. The City of Lake Helen shall consider requests from the provisions of this plan for water-
256 to-air heating and air conditioning systems and reuse or reclaimed water systems and if
257 approved an Exemption Sticker of uniform design and color shall be issued. The Exemption
258 Sticker shall be displayed in a conspicuous location easily viewed by enforcement personnel.

259
260 Policy V.3.6. **Water Shortage.** In the event the St Johns River Water Management District
261 declares a water shortage and implements its Water Shortage Plan, 40C-21, F.A.C., the Water
262 Shortage Plan and all elements of said plan shall take precedence over the provisions of this
263 plan, provided that the Water Shortage Plan provides for a more restrictive level of water
264 conservation than this plan. At such time as the declared St Johns River Water Management
265 District water shortage expires, then all provisions of this plan shall become effective and
266 enforceable.

267
268 Policy V.3.7. **Water Shortage Policies.** The policies set forth above are considered to be equal to
269 or more restrictive than those policies set forth by the East Central Florida Regional Planning
270 Council. If that agency should set forth policies that are more restrictive than those
271 enumerated above then this plan shall be amended to reflect the changes initiated by the East
272 Central Florida Regional Planning Council.

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281 **SANITARY SEWER**

282
283 OBJECTIVE V-4. The City of Lake Helen shall continue to develop, enact and implement
284 regulations which ensure that existing and planned utilities be used in the most efficient and
285 effective manner feasible so as to minimize the expenditure of public funds for such facilities
286 and to prevent urban sprawl.

287
288 Policy V.4.1. **Infill Development.** The City of Lake Helen hereby adopts a policy of "directing"
289 development toward those areas that have the required infrastructure or for which the
290 required infrastructure is to be provided in accordance with the Concurrency Management
291 System contained in the Capital Improvements Element of this plan.

293 Policy V.4.2. **Interim Wastewater Facilities.** Interim wastewater treatment facilities will be
294 designed and constructed to permit subsequent connection to a central system, when such a
295 system becomes available.

296
297

298 Policy V.4 3. **Construction of Interim Facilities.** Interim facilities shall be constructed and
299 operated in accordance with the following criteria:

300

301 A. The location and siting of such facilities shall be limited to areas where improperly
302 treated effluent shall not adversely affect the quality of regional water resources by lateral
303 surface/subsurface flow or by downward percolation.

304

305 B. Existing "package-type" or interim wastewater treatment plants currently meeting
306 treatment and effluent quality standards may continue to be operated provided that the facility
307 is being properly operated and maintained and wastewater treatment and effluent standards
308 are continually being met.

309

310 C. Measures shall be undertaken to ensure the provision of financial resources by plant
311 operators to adequately cover the costs of rehabilitating, operating, and maintaining the facility
312 and for connecting to central facilities.

313

314 Policy V.4.5. **Onsite Treatment and Disposal Systems.** The City adopts by reference the
315 requirements of Chapter 64E-6, F.A.C., Standards for Onsite Treatment and Disposal Systems.
316 All systems constructed within the City will comply with the most current edition of the Rule.

317

318 Policy V.4.6. **Septic Tanks.** The development review process incorporated in the City's Land
319 Development Regulations requires applicants for development orders or permits to
320 demonstrate compliance with applicable State permit requirements for on-site septic tanks, as
321 administered by the Florida Department of Health through the Volusia County Health
322 Department.

323

324 DRAINAGE

325

326 OBJECTIVE V-.5 . Assure Adequate Drainage System Capacity to Protect Public Health, Safety,
327 And Property Against Flooding and to Prevent Deterioration of Ground and Surface Water
328 Quality.

329

330

331 **V.5.1. Preserve Natural Drainage Features.** The City's Land Development Regulations contain
332 provisions for requiring erosion and sediment control for construction occurring in soils with
333 high erosion potential and adjacent to surface waters and natural drainage ways. Such

334 provisions will require that the conveyance capacity of drainage ways of post-development will
335 not be reduced from their pre-development capacity.

336

337 **V.5.2. Identify and Correct Existing Deficiencies.** The City shall amend the Capital
338 Improvements Element when it becomes necessary to include drainage improvements which
339 are necessary to correct identified deficiencies.

340

341 **V.5.3. Stormwater Management Program.** The City protects natural drainage ways by
342 managing development with the following requirements:

343

344

345 1. Buffer Zones. To protect natural drainage from the encroachment of development, the
346 City has incorporated within the Land Development Regulations buffer zones adjacent
347 to natural drainage features.

348

349 2. Lakefront Littoral Zone. To protect lakefronts from the encroachment of development,
350 the City has established within the Land Development Regulations littoral protection
351 zones. Development within the littoral zone shall be restricted to conditions set forth
352 within the Land Development Regulations, and shall be limited to recreation,
353 conservation, or other open space land uses.

354

355 3. Open Space Requirements. Open space requirements in new development shall be
356 based on the densities and intensities of land uses as specified in the Future Land Use
357 Element.

358

359 4. Promote on-site retention and natural percolation of surface water to groundwater
360 aquifers. All new development shall be designed to provide stormwater management at
361 adopted levels of service as specified in Policy V1.6.

362

363

364 **V.5.4. Coordinate Watershed Management with Federal, State, and Local Agencies.** The City
365 shall assure coordination of watershed management plans and policies with Volusia County, St.
366 Johns River Water Management District, East Central Florida Regional Planning Council, Florida
367 Department of Environmental Protection, Florida Agricultural Extension Service, and the U.S.
368 Corp. of Engineers, and other appropriate agencies.

369

370 **GROUNDWATER AQUIFER RECHARGE**

371

372 **OBJECTIVE V6. Promote High Recharge Of Stormwater To Groundwater Aquifers.** The City
373 shall promote recharge to the groundwater aquifer through conservation of permeable surface
374 areas and management of surface runoff. Such measures shall be provided through open space
375 requirements, special requirements on development in high recharge areas, and compliance

376 with adopted levels of service for stormwater management as specified in the Future Land Use
377 Element and St. Johns River Water Management District criteria.

378
379 **Policy V.6.1. Preserving Permeable Surface Area.** The Future Land Use Element and the
380 Future Land Use Map shall establish land use types and densities that are compatible to the
381 preservation of permeable ground surface areas within high aquifer recharge areas designated
382 by the St. Johns River Water Management District. The City has open space requirements for
383 all development types through provisions set forth within the Land Development Regulations.
384 The City will promote high recharge of stormwater to groundwater aquifers through the
385 standards developed by the St. Johns River Water Management District regarding the most
386 effective recharge areas criteria.

387
388 **Policy V.6.2. On-Site Stormwater Retention and Natural Percolation of Surface Water to**
389 **Groundwater Aquifers.** On-site retention structures for new development shall be designed to
390 comply with the criteria developed by the St. Johns River Water Management District regarding
391 stormwater structures and percolation rates within most effective recharge areas.

392
393 **Policy V.6.3. Compatible Land Use for Preservation of Ground Water Quality.** To protect
394 potential contamination of ground water supplies, the Land Development Regulations specifies
395 the types of industrial activities allowed within its jurisdictional area. The City defines
396 performance criteria pertaining to the storage and placement of chemicals and other
397 environmentally hazardous materials. The City prohibits land uses that may have the potential
398 to adversely affect the quality of the groundwater. In addition, the City defines performance
399 standards for land use activities with septic tank utilization. Standards include minimization
400 through land use densities and monitoring in cooperation with the appropriate federal, state,
401 and local authorities.

402
403 **Policy V.6.4. Septic Tank Regulations.** The City's Land Development Regulations stipulate and
404 define performance standards for land use activities with septic tank utilization.

405
406 **SOLID WASTE**

407
408 **OBJECTIVE V7. Assure Availability Of Capacity.** Assure that adequate solid waste collection and
409 disposal capacities are available to support demands generated by existing and new
410 development concurrent with the issuance of a development permit or at the time service will
411 be demanded.

412
413 **Policy V.7.1. Collection of Solid Waste.** The City shall continue to provide collection service to
414 residential and commercial land used located within the City limits through franchise
415 agreements with private solid waste management companies. At any time the company does
416 not have the capacity to provide service to new development, additional service shall be
417 obtained through franchise agreements with other private waste management businesses.

419 Policy V.7.2. **Disposal of Solid Waste.** The City shall continue to use Volusia County landfills
420 through year 2035 for final disposal of solid waste.

421
422 Policy V.7.3. **Coordinate with Volusia County.** The City shall coordinate with Volusia County
423 on an annual basis to:

- 424
- 425 1. reduce solid waste disposal levels through recycling programs administered by Volusia
426 County;
 - 427
 - 428 2. offer assistance to the County in the management of hazardous waste according to
429 State Regulations (403.7265, F.S.); and
 - 430
 - 431 3. comply with the Florida Solid Waste Management Act of 1988.
 - 432

433 Policy V.7.4. **Concurrency Management System: Solid Waste.** The City shall continue to
434 monitor performance of solid waste collection services, available capacities, and compliance
435 with levels of service through its Concurrency Management System.

436
437
438 Policy V.7.5. **Coordinate with Volusia County Hazardous Waste Management.** The City shall
439 continue to coordinate with Volusia County to assist in establishing a county-wide hazardous
440 waste management program to reduce potential threat to public health and safety, and to
441 environmental quality.

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