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# MEMORANDUM

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Date: December 3, 2001

To: The Honorable Chair and Members  
Pima County Board of Supervisors

From: C.H. Huckelberry  
County Administrator 

Re: **Level of Service Study**

## I. Background

The draft Comprehensive Plan Update recommends that the following policies be developed to implement the Plan: (1) Establish Urban Service Area and Urban Expansion Area districts which collectively cover areas within the urban area; (2) Determine minimum Level-of-Service Standards, specific to each Urban Service Area Urban Expansion Area, for selected public infrastructure and facilities; (3) Establish a formal Concurrency Management System; and (4) Establish a scale of development assessment fees to finance necessary public infrastructure and facilities. Under a concurrency management system, a formal permit review procedure would be established to allow the County to coordinate a determination of the individual and cumulative impacts each proposed development request will have on each of the minimum level-of-service standards identified for the urban service/expansion area where the development request is located. In the event that the County determines the construction of a project will result in a decrease in public services below the identified level-of-service minimums, the issuance of permits for the project would be contingent upon the developer making appropriate arrangements for the provision of those public facilities necessary to maintain the area's identified service levels. Facilities subject to concurrency could include: sanitary sewer treatment and disposal capacity; solid waste disposal; parks and recreation, regional and community parks; roads; schools; libraries; correction facilities; fire services; and other public buildings.

On October 29, 2001 the *Concurrency and Urban Development* study described programs in other jurisdictions that require adequate public facilities to be available at the time development impacts occur. This study on *Levels of Service* facilitates the determination of level of service standards by (1) determining the current level of service for County and non-county facilities, and (2) comparing these service level standards to those of other jurisdictions and other benchmarking data. Implementation issues are also addressed by this study, answering questions such as: (1) which development applications will be subject to or exempt from concurrency requirements; (2) what mitigation options are available if development fails the concurrency test; and (3) for what length of time are the concurrency approvals valid?

## **II. Scope and Method**

The County facilities included in this study are waste water treatment and disposal facilities, solid waste disposal facilities, parks and recreational facilities, law enforcement and correctional facilities, flood control, libraries, and roads. The non-county facilities included in this study are potable water facilities, schools, and fire services. To describe the current levels of service for County facilities, information was collected from the County's adopted budget, County policies and ordinances, annual reports, and County staff members. If the facility does not currently utilize a unit of measure that would enable current level of service to be described, the services were expressed in units of measure utilized by other counties. Census 2000 population counts were used for measurements expressed in "per 1,000 units." Information for current levels of service for non-county facilities was collected from the records of Pima County's Development Services Department, the current rezoning application packet and site analysis requirements, and from comment letters forwarded by non-county facilities. Current levels of service for both County and non-County facilities are compared to other counties and national standards. County and national standards cited in the *Concurrency and Urban Development* study, as well as additional level of service standards found after that study are compared to Pima County's standards. The current levels of service given in this report do not constitute the proposed level of service to be used for concurrency management. Proposed levels of service will still need to be formulated. These may differ for areas to which the County plans to direct growth.

## **III. County Facilities: Current Level of Service Standards by Facility Type**

### **1. Libraries**

**A. Background** -- The Tucson-Pima Public Library system serves the residents of Tucson and Pima County. In order to assess the current level of service provided by Tucson-Pima Public Library system, library administration provided information describing current level of service and annual benchmark comparisons to comparable library systems across the country. The Statistical Report 2001 is an annual report prepared by the Public Library Association, a division of the American Library Association. Fifty-eight libraries serving populations between 500,000 and 999,999 are included in the report. Tucson-Pima Public Library system has been comparing it's statistics to 15 of these libraries for several years. Tucson-Pima Public Library also reports staffing levels and needs as expressed in per capita ratios and compares it to national staffing levels for comparable sized library systems. This national data comes from the Statistical Report 2000, in which 55 libraries participated. The current levels of service shown here for Tucson-Pima Public Library system vary slightly from those reported because of the use of the 2000 Census population. Total County population is used because the library system serves all Pima County residents. The library system is not currently included in Pima County's rezoning development review process, or the subdivision review process.

### B. Current Level of Service

- Holdings per capita: 1.4
- Staffing levels: 290.75 full time employees, or  
1:2,902, staff to population ratio

C. Compared to Other Library Systems -- Tucson-Pima Public Library has about half the current holdings per capita as compared to other library systems across the country, and the staff serve almost 1,000 more people per staff member than the national average.

- The Statistical Report 2001 – The average holdings per capita for the 15 libraries for the 1999/2000 fiscal year was 2.6, compared to Tucson-Pima Public Library's 1.4 holding per capita. The national average is a reported 3.0 holdings per capita.
- The Statistical Report 2000 – The national average for the ratio of number of full time employees to service population for fiscal year 2000, was 1:2,032. In a simplified comparison, Tucson-Pima's Library system has about one staff member for every 3,000 people, while the national average is about one staff member to every 2,000 people. Tucson-Pima Public Library is currently 43 percent below the national average in staffing for comparable sized library systems. Tucson-Pima Public Library's staffing levels have declined 16 percent since 1970, while 12 new permanent libraries have been added, and 11 have been expanded.
- Sarasota County, Florida – 1.5 items per capita, five professional staff plus one for each additional 10,500 persons over 25,000 of functional population, up to maximum of 600,000 of functional population.
- Lee County, Florida – The current levels of service for library holdings is 1.6 items per capita (permanent residents). The desired level of service is 2.8 holdings per capita (permanent residents).

## 2. Transportation

A. Background -- Currently, there are not established level of service thresholds used when reviewing rezonings and subdivision plats for development impacts on transportation conditions. However, for rezonings staff do use 5 basic criteria, and transportation policy found in the 1992 Comprehensive Land Use Plan states a level of service threshold.

B. Current Level of Service -- The Highway Capacity Manual published by the Transportation Research Board in Washington D.C. defines level of service in this way: "Level of service is a quality measure describing operational conditions within a traffic stream, generally in terms of such service measures as travel time, freedom to maneuver, traffic interruptions, and comfort and convenience. Six levels are defined for each type of facility that has analysis procedures available. Letters designate each level, from A to F, with level A representing the best operating conditions and level F the worst. Each level of service represents a range of operating conditions and the driver's perception of those conditions. Safety is not included in the measures that establish service levels."

The 1992 Comprehensive Land Use Plan establishes that if a rezoning or specific plan generates traffic demands in excess of level of service D for affected roadways, the project shall not be approved unless concurrent improvements are funded and scheduled. The level of service standard is recognized by staff though the policy is not implemented as written. In general, County staff uses the following criteria for evaluating development impacts on adjoining roads when reviewing a rezoning:

1. Vehicles to capacity ratio - Will the volume of traffic generated exceed the roads capacity?
2. Average daily trips generated - Will the proposed use be a moderate to high traffic generator - 500 average daily trips or more?
3. Are there planned improvements for the road adjoining the rezoning?
4. Is funding approved for the road improvements?
5. Will planned improvements occur within 5 years?

C. Compared to Other Transportation Level of Service Standards -- Pima County's current written level of service standard for transportation is similar to other jurisdictions in that traffic volumes, the capacity of roads, and future improvements are part of the development review. However other counties in Florida, Washington, and Maryland, as well as the Arizona Town of Queen Creek, have established thresholds based on the Level of Service A through F, and when thresholds are not met, projects are denied due to a lack of adequate public services.

- Pima Association of Governments - Pima Association of Governments Regional Transportation Plan uses four levels of congestion to describe various roadways. These are based on volume to capacity ratios, average speeds, and intersections delay per vehicle. The same plan also uses average travel speeds and seconds of delay, rather than volume to capacity measures, to measure congestion on major regional roadways during the PM peak travel period. These are then used to formulate Levels of Service A through F. According to the Plan, PAG encourages jurisdictions to complete traffic impact evaluations for rezoning projects that will generate 100 or more peak-hour trips.

- Town of Queen Creek, Arizona – The following level of service standards apply to the area, including collector/collector and collector/arterial intersections extending from the proposed residential development to and including the intersection with the nearest major arterial, within which a proposed residential development generates traffic of more than 10 trips per day.

	Zoning District Category			
	<u>Category 1</u>	<u>Category 2</u>	<u>Category 3</u>	<u>Town Center</u>
Major/minor Arterials:	B	C	D	n/a
Major Collectors:	B	C	D	n/a
Local Streets:	B	C	C	n/a

There is no level of service requirement for the town center area. Transportation level of service is based upon the volume-to-capacity ratios as established by the Transportation Research Board, Highway Capacity Manual.

- Island County, Washington – Island County has the following standards for levels of service for county roads:

1. County Roads (rural transit routes/rural arterials):	LOS C
2. County Roads (urban transit routes/urban arterials):	LOS D
3. County Transit routes/arterial intersections:	
Intersections in rural areas:	LOS C
Intersections in urban growth areas:	LOS D
4. Exceptions: The LOS standard for identified roads:	LOS E
- Carroll County, Maryland – Projected level of service for road segments and intersections adjacent to the proposed project is D or higher according to the County Roads Design Manual, as amended or superseded.
- Frederick County, Maryland – To determine road adequacy, these levels of service are used according to the Highway Capacity Manual and Critical Lane Method. Developments that generate less than 100 total peak hour vehicle trips are exempt from the concurrency requirement.

1. Agricultural/Rural or Conservation roads and intersections:	LOS C
2. Other than Agricultural/Rural or Conservation:	LOS D
3. Signalized intersections:	LOS D
- Lee County, Florida – Lee County uses Florida's Department of Transportation Level of Service standards for roads and highways (Level of Service A through F). The following Level of Service standards are the minimum acceptable peak hour, peak season, peak direction roadway level of service: (1) Arterial – Level of Service E; (2) Collectors – Level of Service E; and (3) Freeways – Level of Service D.

**3. Parks and Recreation**

**A. Background** -- Two service categories are used here in assessing the current level of service: metropolitan parks, and recreational facilities. A common unit of measure for parks is the number of acres per 1,000 population. The service population for the County's metropolitan parks is only the unincorporated County population. Parks and Recreation is included in Pima County's development review process of rezonings and subdivision plats. A supplemental review is also required for rezonings with 50 or more dwelling units at a density of one of more residences per acre. The purpose of the supplemental review is to assess the need for a private recreation area, due to a lack of recreational facilities to serve the proposed development.

**B. Current Levels of Service**

- **Metropolitan Parks (Regional, District, and Neighborhood Parks)** – The total acreage for the 34 parks is 4,711. However this number includes undeveloped and leased acreage. The developed acreage for metro parks is 469, or 1.5 acres of metro parks per 1,000 unincorporated population.
- **Recreational Facilities** – The County's budget provides these figures: 17 community centers, 9 pools, 79 athletic fields.

**C. Compared to Other Park Systems**

- **Town of Queen Creek, Arizona** – The parks, open space, and trails levels of service apply to regional parks within the boundaries of the Town of Queen Creek. For other park types, they apply to those within the proposed development or in miles from the exterior boundaries of the development: playgrounds/neighborhood parks 0.5 miles; playfields 1.5 miles; community parks 2.0 miles, district parks 3.0 miles.

<b>Type</b>	<b>Acres/1,000 Population</b>	<b>Ideal size of site in acres</b>	<b>Minimum Acreage</b>	<b>Radius of Area Served in miles</b>
Playground	1.5	4	2	0.5
Neighborhood Park	2.0	10	5	0.5
Playfield	1.5	15	10	1.5
Community Park	3.5	100	40	2.0
District Park	2.0	200	100	3.00

- City of Tucson – The City of Tucson’s Parks and Recreation Strategic Plan includes the following standards and level of service. Metro, community, and neighborhoods parks: a total of 10 acres per 1,000 population. Regional and natural preserve parks: 1 acre per 1,000.
- Kitsap County, Washington – Local parks: 1.83 acres per 1,000 population. Regional parks and open space: 13.48 acres per 1,000 population.
- Lee County, Florida – Community parks: 0.8 acres (1.75 acres desired) per 1,000 population. Regional Parks: 7 acres (8 acres desired) per 1,000 population.

#### **4. Solid Waste Disposal**

A. Background -- The following is an overview of Pima County’s solid waste management services from a 1999 Financial Assurances report, a 2001 Revenue and Fund Status report, and staff comments. Pima County’s solid waste facilities include three municipal landfills, one construction debris landfill, and two transfer stations. The current level of service measures below apply only to the three municipal landfills: Tangerine, Sahuarita, and Ajo landfills. The City of Tucson has it’s own landfill and provides residents with garbage collection services. Residents in the unincorporated areas of the County contract with garbage companies and these companies deposit the waste in a public or private landfill. Since 1995, Waste Management Inc., one of two private garbage collection companies in eastern Pima County, discontinued its use of the County landfills, and chose to haul waste from Pima County to their own landfill in Maricopa County. As a result, the volume of waste that went to the Tangerine and Sahuarita landfills decreased by one half. Recently, Saguaro Environmental, the other private garbage collection company, significantly increased the volume that they bring to the Tangerine and Sahuarita landfills due to volume block discounts. Since 1991, the number of residents served and the volume of solid waste per capita has also increased significantly. Combined with limited revenues, the level of service had to be decreased at the two transfer stations by restricting the amount and type of waste accepted. The solid waste department is not included in Pima County’s development review process for rezonings.

B. Current Level of Service -- The combined service population for Tangerine, Sahuarita, and Ajo is 184,405. This is the number of residents who could chose to use these landfills. However, because the private garbage collection companies can dispose of the garbage they collect at any private or public landfill, this does not reflect the number of residents who’s garbage is actually deposited at the three County landfills. A January 2001 report entitled *Pima County Solid Waste Services and Programs: Revenue and Fund Status Report*, states that residents using the County’s solid waste facilities accommodates about 6 pounds per person per day. The total capacity of County landfills used in fiscal year 2001, was 407,151 cubic yards.

C. Other Counties Level of Service

- National Average – 4.7 lbs per person per day (1997)
- Arizona Average – 5.9 lbs per person per day (Arizona Department of Environmental Quality)
- Lee County, Florida – The minimum acceptable level of service is disposal facility capacity for 7 pounds of waste (or equivalent volume) per day per capita.
- Kitsap County, Washington – The solid waste level of service standard is 6.49 pounds per person per day. Currently, the actual solid waste generation rate is 5.92 pounds per person per day.

**5. Flood Control: Current and Proposed Level of Service**

A. Background -- Flood Control is included in Pima County's development review for subdivision plats and rezonings, but level of service standards have not been established for aspects of flood control such as storm drain and roadway drainage capacities or for controlling development where downstream flow conveyance system is lacking or the natural wash is ill-defined. There are issues that can not be addressed by a simple level of service standard too, such as protection in the alluvial fan sheet flood zones and broad floodways.

B. Current Level of Service -- Standards are found in the Floodplain and Erosion Hazard Management Ordinance, including: (1) There is a 100-year standard for flood control design along natural washes and rivers; (2) Erosion setback standards require bank protection to be in place before the construction of buildings near major washes; and (3) Storm water detention requirements for new development that require developers to maintain the 10-year and 100-year storm runoff from their site at pre-development conditions.

C. Compared to Other Flood Control Levels of Service -- Pima County's flood control standards are similar to those of Queen Creek's and Lee County, Florida's in that design standards are based on preventing flooding from a particular storm event and development is required to minimize storm runoff.

- Town of Queen Creek, Arizona – The proposed development must be served by a complete drainage system, including detention and retention facilities as necessary, which are sufficient to mitigate the impacts of the 100-year, 2-hour rainfall as defined in the Drainage Manual. Increases in runoff from the Design Event resulting from the proposed development must be detained within the development and released at a rate no greater than existed prior to the development. Post development runoff must not exceed pre-development runoff unless a maximum discharge rate has been adopted for

the applicable drainage basin and the discharge does not exceed that rate. If a maximum discharge rate has not been adopted for the applicable drainage basin, post development discharge may not exceed pre-development discharge. Storm sewers must be designed for a 10-year frequency storm and Design Event.

- Lee County, Florida – The minimum acceptable level of service for storm water: (1) The existing surface water management infrastructure system in the unincorporated area of the county shall be sufficient to prevent the flooding of designated evacuation routes from the 25-year, 3-day storm event for more than 24 hours; (2) Other watersheds have standards requiring that public infrastructure remain adequate such that floor slabs for all new development which is constructed a minimum of one foot above the 100-year, 3-day storm event flood plain level be safe from flooding from a 100-year, 3-day storm event; and (3) Surface water management systems in new developments shall be designed to standards, to detain or retain excess storm water to match the pre-development discharge rate for the 25-year, 3-day storm event. New development should be designed to avoid increased flooding of surrounding areas.

## **6. Wastewater Treatment and Disposal Capacity**

A. Background -- In Pima County the only funding method that has kept pace with development impacts is essentially a concurrency approach where wastewater infrastructure is required to be in place in time to support development related impacts. For comparison purposes and to arrive at a unit measure for wastewater service, current level of service is described in gallons per capita per day, and gallons per single family residential per day. Wastewater is included in Pima County's development review.

B. Current Level of Service -- The following levels of service are found in Pima County's Budget under Wastewater Management - Treatment Operations.

- 78 gallons per person, per day (Planned for FY 2002: 24 billion gallons per year)
- 71 gallons per person, per day (Program Goal: Treat over 60 million gallons a day in compliance with state and federal standards)

A design criteria of 90 gallons per day per person multiplied by 2.7 people per household, provides a single-family residential level of service measure of 243 gallons per day. But because of the significant number of commercial, industrial and multi-family customers, this design criteria should not be used as a level of service measure for system-wide performance measures. The Environmental Protection Agency requires that wastewater management facilities increase capacity when service levels reach 85 percent of capacity.

C. Compared to Other Wastewater Levels of Service -- Pima County's requirement that wastewater infrastructure be in place in time to support development related impacts, is similar to Montgomery County, Maryland's requirement that sewer service be available, under construction, or designated within the first two years of a current approved water plan. Pima County's Wastewater Management facilities use of a design criteria of 90 gallons per day per single-family residential connection is similar to the levels of service measurements used by Kitsap County, Washington and Lee County, Florida. Lee County, Florida converts commercial and industrial use to an "equivalent residential connection" measure for level of service requirements.

- Town of Queen Creek – The level of service standard for residential uses is 75 gallons per person per day, and for non-residential uses is 1,750 gallons per acre per day. The wastewater facilities and infrastructure must (1) be currently in place; or (2) be a condition of a Development Order and must be in place at or before the issuance of a final plat or building permit; or (3) be under construction at the time the development impacts occur; or (4) be guaranteed by an enforceable development agreement that ensures that the facilities will be in place at the time the proposed development will occur.
- Kitsap County, Washington – Sanitary Sewer Level of Service is 250 gallons per day per connection
- Lee County, Florida – The minimum acceptable Level of Service standards for sanitary sewer connections to Lee County Utilities requires available basic facility capacity to treat and dispose of a volume of wastewater equal to 200 gallons per day, per Equivalent Residential connection for the peak month. Except, that the level of service is 150 gallons per day for mobile homes, and 120 gallons per day for travel trailers.

## **7. Law Enforcement & Justice: Current and Proposed Level of Service**

A. Background -- Two service categories are used here in assessing the current level of service for Justice and Law Enforcement: Correctional facilities and Uniformed Sheriff operations. The service populations used for per 1,000 population calculations depend on if the service is County-wide, or just for the unincorporated County. County correctional facilities serve a county-wide population and therefore Pima County's total population of 843,746 (Census 2000) is used. Uniformed Sheriff operations serve primarily unincorporated Pima County, so the unincorporated population of 305,059 is used. Juvenile correctional facilities are not included here. Law enforcement and justice facilities are not included in Pima County's development review of rezonings and subdivision plats.

## B. Current Level of Service

### 1. Correctional Facilities

- The average daily inmate population: 1,440 (Budget: Sheriff - Corrections security operations) or 1.7 per 1,000 total County population.
- The number of beds / maximum capacity: 1,896 or 2.2 per 1,000 total County population. This data is also broken out by facility: Main Jail – 927, Main Jail Annex – 565, Minimum Security – 404. (Sheriff's Planning and Research Department)

2. Sheriff Calls/ Officers -- The Sheriff's Planning and Research staff defines priority one calls as (1) a serious injury has occurred or is imminent; and/or (2) a serious offense is in progress; and /or (3) immediate response by a field unit will crucially affect the outcome of the incident.

- Average pre-dispatch time for priority one calls: 48 seconds (Budget)
- Response time for priority one calls: 6.10 minutes (Budget: Sheriff - Uniform Operations)
- 468 sworn officers or 1.34 per 1,000 population (Sheriff's Planning and Research)

C. Compared to Other Correctional and Law Enforcement Levels of Service -- Pima County has one less officer per 1,000 people than the national average. The County has similar pre-dispatch and total response times to the City of Columbus. Correctional Facility capacity or beds per 1,000 population is 50 percent higher than the level of service for Kitsap County's correctional facilities.

Correctional Facilities -- Kitsap County, Washington – 1.45 beds per 1,000 population

Sheriff call response times -- City of Columbus – Priority 1 runs: Average pre-dispatch time is 1.3 minutes / Average total response time, including pre-dispatch time, is 6.3 minutes. (Priority 1 includes life threatening situations such as armed robberies in progress, suicide attempt, officer in trouble, aggravated assault in progress, riot, and sex crime in progress.)

National Average Officers per 1,000 – 2.5 officers per 1,000 (Pima County Sheriff's Office)

## IV. Non-County Facilities: Current Level of Service Standards by Facility Type

Currently, Pima County requires letters of water service provision and availability, and school capacity for rezonings and site analysis. Counties with concurrency requirements for non-county facilities often accomplish the goals of concurrency through intergovernmental agreements and letters of approval from the non-county facilities.

## **1. Tucson Water Department and Other Water Companies**

**A. Background and Current Service System:** For rezonings and site analyses, Pima County currently requires a statement of water service provision and availability. If the proposed development is not going to be served by a water company with a 100-year water supply, a letter must be provided from a qualified hydrologist or the Arizona Department of Water Resources indicating an estimation of the probability that an assured 100-year supply is available. This statement is from a Metropolitan Domestic Water District letter regarding a proposed comprehensive plan amendment and reflects current practice: "The Metropolitan Domestic Water Improvement District (MDWID) has no objection to the above referenced proposed Comprehensive Plan Amendment. This parcel lies within the MDWID service area and therefore will be provided water service upon demand."

### **B. Compared to Other Water Department's Levels of Service**

- **Town of Queen Creek, Arizona** – The level of service standards for the two water companies that serve Queen Creek, as well as any future water companies, are 127 gallons per capita per day for residential uses, and 75 gallons per capita per day for non-residential uses. Concurrency requirements do not apply to agricultural uses. The water facilities and infrastructure must (1) be currently in place; or (2) be a condition of a Development Order and must be in place at or before the issuance of a final plat or building permit; or (3) be under construction at the time the development impacts occur; or (4) be guaranteed by an enforceable development agreement that ensures that the facilities will be in place at the time the proposed development will occur.
- **Lee County, Florida** – The minimum acceptable level of service standards for potable water facilities is an available supply and treatment capacity of 250 gallons per day per residential connection for the peak month, 187.5 gallons per day per mobile home connection, and 150 gallons per day for travel trailers.

## **2. Schools**

**A. Background and Current Service System** -- For site analyses for residential developments, Pima County currently requests a school capacity and response letter from the applicable school district. The letter is to address:

- (1) The present and official projected enrollments of the elementary, middle, and high schools which are expected to serve the proposed residential development;
- (2) The anticipated increase in enrollment at each school resulting from the proposed residential development;

(3) Tabulation of the under (over) capacity, by number and percentage, of each school's enrollment as a result of the proposed residential development's anticipated school enrollment;

(4) Tabulation of the projected enrollment and under (over) capacity, by number and percentage, of each school based on residentially zoned land located within the school's service area; and

(5) School facilities improvements affecting the above service area enrollment calculations, as identified by the school district within its adopted capital improvements program.

An estimate of the number and percentage of students that are expected to be educated outside of the public school system is also required.

B. Compared to Other School's Levels of Service

- Town of Queen Creek, Arizona – The level of service standards are expressed in square footage of classroom space per student.

Nursery School	40
Elementary School	70
Junior High School	90
Senior High School	110

- Maryland – Twelve counties have level of service standards for schools. Many of these base their level of service standards on school capacity vs. enrolled students. The Interagency Committee on School Construction (IAC) determines State Rated Capacities for all public schools in the Maryland. This capacity is calculated by multiplying the number of classrooms by the state approved capacity per type of class. State Rated Capacity calculation: (1) Number of Kindergarten Classrooms X 22; (2) Grades 1-5/6 Classrooms X 25; and (3) Grades 6-12 Teaching Stations X 20 X 90%. The Counties then identify their own adequate school standards. For instance Washington County's School level of service standard is 105% of the State Rated Capacity.

- Town of Cary, North Carolina – Level of service is based on the percentage that schools are permitted to be above permanent seating capacity. Adopted standards for 1999, 2000, and 2001 are:

Elementary Schools	148%
Middle Schools	132%
High Schools	141%

Adopted standards for 2002: No School shall exceed 130 percent of permanent seating.

### **3. Fire Districts**

**A. Background and Service System** -- While letters of response from fire districts are not required for rezonings and site analysis, information on a proposed rezoning is sent to applicable fire districts. Some fire districts respond with comments, while other do not respond. This statement from the Northwest Fire/Rescue District regarding a proposed rezoning reflects the type of comment forwarded to the County: "Concerning the rezoning referenced above the northwest Fire/Rescue District has no issue with the request. If approved we look forward to review of the new development, water, building, sprinkler and alarm plans as applicable."

**B. Compared to Other Fire Department's Levels of Service** -- Six Maryland Counties have level of service standards for fire protection. These include response times, equipment, and water distribution and sprinkler systems.

- **Carroll County, Maryland** – For fire and emergency services: Projected total number of late plus no responses to proposed site is less than 15%, and the total number of no responses is less than 4%.
- **Prince Georges County, Maryland** – Level of service requirements relate to response times and fire station equipment capacity.
- **Kitsap County, Washington** – Level of service is measured number of fire units per 1,000 of the district's population. Fire units include fire engines, water tenders, and medic units. For example, District #1 level of service is 0.428 fire units per 1,000 population.

### **V. Implementation of Concurrency Requirements**

Implementation issues for concurrency management programs include: (1) which development applications will be subject to or exempt from concurrency requirements; (2) what mitigation options are available if development fails the concurrency test; and (3) for what length of time are the concurrency approvals valid? A brief response to these questions is offered based on the programs in place in other jurisdictions.

#### **1. Concurrency -- Applicability and Exemptions**

- **Town of Queen Creek, Arizona** – The Adequate Public Facilities Ordinance applies to rezonings that increase the intensity or density of the parcel, subdivisions and large commercial and industrial developments. Any development, project, structure, fence, sign, or activity which does not result in a new equivalent dwelling unit is exempt from the adequate public facilities requirement.

- City of Fort Myers Beach, Florida – Program applies to any building permit, subdivision approval, certification or variance or any other action that permits the development of land.

Exemptions – Residential building permits that do not result in additional dwellings; commercial building permits that do not result in increases floor area; marine permits that do not attract additional vehicular traffic; and permits for signs, vegetation, and repairs that will not attract additional vehicular traffic.

- Clark County, Washington – Adequate facilities are required for applications for subdivisions, short subdivisions, site plan approvals, and conditional use permits.
- Carroll County, Maryland – The ordinance does not apply to off conveyances, commercial and industrial projects, minor residential subdivisions in the agricultural district, government uses of property, and amendments to plats and site plans that do not increase residential density over that already approved. Elder housing is exempt from the school requirements. Projects on local rural roads are exempt from the road requirements.
- Washington County, Maryland – The Adequate Public Facilities Ordinance applies to new development, which is defined as new subdivisions and site plans for new construction, and construction activities requiring a building permit and/or zoning permit, except for construction for agricultural purposes.

Exemptions – Subdivisions which can be approved through a simplified plats procedure are exempt from the ordinance requirements. For the school concurrency requirements, the following development is exempt: non-residential development, development that restricts occupancy to elderly persons, detached and semi-detached residences in designated growth areas.

## **2. Mitigation Options**

- City of Fort Myers, Florida – Development permits can be issued even if concurrency is not met, provided that a certificate of occupancy is not granted until concurrency is met. For roads, development permits can be issued if concurrency is not met, provided that (1) improvements are scheduled in the fully funded capital improvements plan, or (2) improvements will be made through a development agreement, both of which must be completed no more than three years after the certificate of occupancy is issued. A variance from the concurrency requirements can be approved if it is found that the application of the ordinance would cause an unconstitutional taking due to the application of the ordinance resulting in no reasonable economic use of the property.

- Carroll County, Maryland – Projects are assigned a place in line and are offered a phasing agreement by the County based on the available threshold capacity projected in the six-year capital improvement planning cycle.
- Washington County, Maryland – A governmental body may reach an agreement with a developer concerning the construction of the improvements needed to ensure public facilities are adequate. A governing body may also contribute to the costs necessary to ensure that facilities are adequate.

### **3. Length of Time Approvals are Valid**

- Town of Queen Creek, Arizona – The determination of adequacy expires when the Development Order to which it is attached expires, lapses or is waived or revoked, or if the applicant has not complied with conditions attached to its issuance.
- City of Fort Myers, Florida – The concurrency certificate is valid for the time of the development order.

## **VI. Conclusion**

Pima County's level of service standards tend to be low compared to other jurisdictions and compared to benchmarking information. This is not a surprising result, given the County's expenditures per capita are far below those of County governments in other parts of the United States that are experiencing growth pressures. A concurrency management system will bring service levels in line with population demands.

c: Chairman and Members, Pima County Planning and Zoning Commission