

Capital Improvements Element

Training Workshop

Sponsored by the
Florida Department of Community
Affairs and



Agenda

1. **What is the CIE?**
2. Florida Statutes
3. CIE Update Process
4. Next Steps
5. Best Practices Manual

What is the CIE?

- Capital Improvements Element (CIE) is part of the Comprehensive Plan
- The CIE identifies capital projects needed to maintain adopted Level of Service (LOS) standards
- The CIE includes policies and projects to reduce existing LOS deficiencies

What is the CIE?

- CIE Identifies a schedule for construction of necessary improvements and expansions to accommodate new growth.
- It includes estimates of the cost of public improvements
- It demonstrates the ability to finance and construct those improvements

What is the CIE?

- The CIE coordinates infrastructure with the land use plans of a community
- It outlines financial policies to guide the funding and construction of public improvements
- It requires an adequate Concurrency Management System (LOS Standards)



What is the difference between the Annual Budget, Capital Improvements Program and CIE?

- Annual Budget
 - Includes 1st Year Capital Projects but also annual O&M costs (salaries, insurance, maintenance etc)
- Capital Improvements Program (CIP)
 - Contains all capital projects that address Level of Service standards or goals of the Comprehensive Plan (road widening, water plant, lift station etc.)
 - Also non-LOS capital projects (government buildings, police vehicles etc.)
 - CIE projects essentially a subset of CIP

Relationship between CIE, CIP, and Annual Budget

- While preparing CIP and Annual Budget, a local government must review CIE to ensure that capital facility projects funded are consistent with the goals of the Comprehensive Plan.
- Local government should finalize and adopt CIE (including CIE 5-Year Schedule of Improvements) after adoption of the Annual Budget and CIP (typically Sept 30) to allow for late budget changes.

Agenda

1. What is the CIE?
2. **Florida Statutes**
3. CIE Update Process
4. Next Steps
5. Best Practices Manual

Background

- In 1985, the Growth Management Act required each County and municipality to adopt Local Government Comprehensive Plans to guide future growth and development.
- In 2005, Senate Bill 360 (SB 360) amended requirements of growth management laws.
- In 2007, Statutes were amended by House Bill 7203 (HB 7203)

Statutory Requirements

- There is an expedited CIE adoption process with a single public adoption hearing; no transmittal hearing required. (Sec. 163.3177(3)(b)2., F.S.)
- A CIE amendment is required to change the scheduled date of construction of a project (Sec. 163.3177(3)(b)1., F.S.)

Statutory Requirements

- New definition of financial feasibility (Sec. 163.3164(32), F.S.)
 - “Sufficient revenues are currently available or will be available from **committed** funding sources for the first three (3) years, or will be available from committed or **planned** funding sources for years 4 and 5, of a 5-year capital improvement schedule for financing capital improvements.”

Statutory Requirements

- Financial Feasibility:
 - Committed funding sources (Years 1-3):
 - Existing revenue sources: Ad valorem taxes, approved bonds, state and federal funds, tax revenue, impact fees, and enforceable developer agreements.
 - Planned funding sources (Years 4-5):
 - Grants not secured, proposed bonds, or other potential sources that require a referendum or are not presently secured.

Statutory Requirements

- Financial Feasibility applies to the 5-Year planning period of the CIE
- If a local government has adopted a long term transportation or school Concurrency Management System, financial feasibility must be demonstrated for a 10-year or 15-year period
- The local government must demonstrate that the level-of-service standards will be achieved and maintained by the end of the 5-year planning period, even if in a particular year such improvements are not concurrent

Statutory Requirements

- The CIE must include externally funded projects if they are relied upon to satisfy LOS standards, including:
 - Water Management District (WMD) regional water supply projects (Sec. 163.3177(6)(c), F.S.);
 - Proportionate fair share projects for transportation (Sec. 163.3180(16)(b)1., F.S.);
 - Metropolitan Planning Organization (MPO) Transportation Improvement Plan (TIP) (Sec. 163.3177(3)(a)6., F.S.);
 - Local school district projects (Sec. 163.3180(13)(d)1., F.S.)

Statutory Requirements

- Effective December 1, 2008, failure to adopt annual update to the CIE results in a prohibition on the local government adopting future land use amendments. (Sec. 163.3177(3)(b)1., F.S.)

Agenda

1. What is the CIE?
2. Florida Statutes
3. **CIE Update Process**
4. Next Steps
5. Best Practices Manual

CIE Update Steps

1. Create CIE Update Schedule and Program
2. Distribute Capital Project Request Forms
3. Review Project Request Forms
4. Review Existing CIE
5. Prioritize Projects
6. Update CIE 5-Year Schedule of Capital Improvements

CIE Update Steps (cont.)

7. Adopt FDOT and MPO Transportation Capital Improvements by reference
8. Adopt local School District 5-Year District Facilities Work Plan by reference
9. Adopt WMD Water Supply Projects
10. Summary of De Minimis Impact Records
11. Make Adjustments to CIE
12. Adopt CIE at a Single Public Hearing
13. Submitted to DCA Adopted CIE

Step 1: Create CIE Update Schedule and Program

- "The relevant question is not simply what shall we do tomorrow, but rather *what shall we do today to get ready for tomorrow.*"

Peter F. Drucker,
Leading in a Time of Change

- Approximately 10 month process

Recommended Best Practice

Suggested Timeline

Task	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Capital Project request forms distributed with instructions												
Departments submit CIP project request forms to Planning and Budgeting												
Coordination workshop for Planning, Budgeting, Public Works, etc.												
External coordination with agencies (FDOT, MPO, school district, WMD, etc).												
Planning and Budgeting Staff review existing CIE to prioritize projects for new CIP and budget												
Prioritize projects in 5-Year Schedule of Capital Improvements												
Review and Update Existing CIE												
Adopt FDOT and MPO Transportation Capital Improvements by reference												
Budget Hearing for Local Planning Agency												
First Reading of proposed Budget at Local Government public hearing												
Adjustments to Budget by Staff												
Adopt local School District 5-Year District Facilities Work Plan by reference												
Final Budget is adopted at Local Government public hearing												
Adjustments made to CIE to account for Budget/CIP modifications												
Updated CIE is adopted at a single public hearing												
Adopted CIE is submitted to DCA no later than December 1												

Create CIE Update Program

- Create and distribute written instructions
 - “Bullet point” outline
 - Internal memorandum
 - Full text manual (**Best Practice!**)
- Describe the duties of each staff position or department with a role in the CIE process;
- Provide a timeline and description for each step of the CIE update process

Recommended Best Practice

City of Jacksonville, Florida





Capital Improvements Program

March 9, 2006

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Introduction

The Capital Improvements Program is a multi-year forecast of major capital buildings, infrastructures, and equipment needs. The City of Jacksonville has adopted in Chapter 6 Part 1 Section 106.106 Fiscal Responsibility a "Five Year Capital Improvements Plan that is designed to be financially feasible and provides the funding source and amount of funding for the anticipated post-construction operation costs of each project. The Five Year Capital Improvements Plan shall be filed and approved each fiscal year concurrently with the annual budget.

Course Objectives:

1. Understand the importance of the Capital Improvements Program.
2. Understand the process for approval of a Capital Improvements Program request and each department's role in the process.
3. Understand how to complete the Capital Improvements Program Project Information Sheet and Prioritization Matrix forms.

CIE Update Program

- Describe the approval process, including the roles and duties of public boards;
- A description of the types of projects that must be included in the CIE;
- A description of the project priority scoring or ranking criteria; and
- Sample capital project request forms and instructions on how to correctly enter the data needed for processing.

Recommended Best Practice

Step 2: Project Request Forms

- **Prepare and distribute Capital Project Request Forms to departments in February of each year.**
 - Send Request forms to:
 - Planning
 - Economic Development
 - Community Development
 - Public Works
 - Budget & Finance
 - Parks and Recreation
 - Engineering
 - Utilities Department
 - Others

Recommended Best Practice

SAMPLE CAPITAL PROJECT REQUEST FORM						
PROJECT NAME						
PROJECT ACCOUNT NUMBER						
DATE PREPARED						
CONTACT PERSON						
REQUESTING DEPARTMENT						
COMPREHENSIVE PLAN REFERENCE						
PROJECT DESCRIPTION:						
EXPLAIN HOW THIS PROJECT ADDRESSES AN EXISTING OR FUTURE LEVEL OF SERVICE DEFICIENCY OR IMPLEMENTS GOALS OF THE COMPREHENSIVE PLAN:						
LOS-Facility? (Y/N)						
ESTIMATED PROJECT COST						
	FY 06/07	FY 07/08	FY 08/09	FY 09/10	FY 10/11	YEARS 6-10
	AMOUNT	AMOUNT	AMOUNT	AMOUNT	AMOUNT	
LAND ACQUISITION						
PROFESSIONAL SERVICES						
a) PRE-DESIGN						
b) DESIGN						
c) ENGINEERING						
d) OTHER						
TOTAL PROF. SERVICES						
CONSTRUCTION						
CONSTRUCTION MGMT.						
OTHER						
MAINTENANCE						
TOTAL						
	-	-	-	-	-	-
COMMENTS:						

Project Request Forms

- Describe how the project achieves or maintains LOS, or how it will implement the Comprehensive Plan.
 - This will help the local government determine if a project must be included in the CIE 5-Year Schedule
- Include a detailed cost analysis, including estimated costs for design, construction, land acquisition, and annual operating and maintenance costs.

Recommended Best Practice

Step 3: Review Project Request Forms

- Considerations for reviewing new project requests:
 - Does the new project achieve and maintain adopted LOS standards for concurrency-related public facilities?
 - Roads;
 - Drainage;
 - Potable water;
 - Sanitary service;
 - Parks and recreation;
 - Solid waste;
 - Public schools (beginning in 2008); and
 - Public transit (if applicable)

Recommended Best Practice

Review Project Request Forms

- Considerations for reviewing new project requests:
 - Does the new project achieve and maintain adopted LOS standards for optional Comprehensive Plan Elements?
 - Example: emergency response time for fire/rescue vehicles, consistent with a Public Safety Element

Recommended Best Practice

Review Project Request Forms

- Considerations for reviewing new project requests:
 - Does the new project generally implement the Goals, Objectives, and Policies of the Comprehensive Plan?
 - Example: maintenance services for historic buildings or laying brick streets, consistent with an Urban Design Element



Recommended Best Practice

Review Project Request Forms

- Considerations for reviewing new project requests:
 - Is the new project required to support the achievement of the LOS for concurrency related services?
 - Example: multi-modal transportation improvements within a Transportation Concurrency Exception Area.



Recommended Best Practice

Review Project Request Forms

- Schedule an internal CIE update coordination workshop in the Spring of each year.
- Include Staff from:
 - Planning
 - Economic Development
 - Community Development
 - Public Works
 - Budget & Finance
 - Parks and Recreation
 - Engineering
 - Utilities Department
 - Others
- Discuss LOS and concurrency-related concerns to ensure that new projects are planned to address these issues
- Review Public Works and other capital projects to determine if these projects will address LOS deficiencies.

Recommended Best Practice

Step 4: Review Existing CIE

- Do the Goals, Objectives, and Policies still meet the needs of the community?
- Is the CIE consistent with the Comprehensive Plan?
- Do Level of Service standards need to be modified?
- Have capital projects recently been completed? If so, remove from 5-Year Schedule

Requirement: Sec. 163.3177(3)(b)1., F.S.

Step 5: Prioritize Projects

- The CIE must address the “relative priority of need among facility types”

Requirement: (Chapter 9J-5.016(2)(b), F.A.C.)

- Prioritize through a ranking system:
 - Public health or safety concerns;
 - Current LOS deficiencies;
 - Projects used to meet concurrency or support approved development;
 - Location;
 - Available funding;
 - Public support; and
 - Consistency with goals of the Comprehensive Plan.

Projects that receive the highest composite scores should be prioritized early in the 5-Year Schedule of Capital Improvements when possible.

Recommended Best Practice



Example: Clay County Prioritization Criteria

- Facility is required to eliminate health or safety hazard (1,000 points).
- Facility is required to remedy existing capacity deficiency (300 points).
- Impact of resulting increases in operating costs on Clay County General Operating Budget (300 points).
- Priority location of project based on the future land use designation.
 - High Priority Locations (300 points)
- Rural Fringe or Commercial that is adjacent to Rural Fringe.
 - Lower Priority Locations (75 points)
- Facility is necessary to accommodate new development and redevelopment service demands (200 points).
- Facility is consistent and compatible with the plans of state agencies, including the Florida Department of Transportation, and the St. Johns River Water Management District (100 points).

Strategies for Unfunded Projects

- Adopt long-term Comprehensive Plan strategies to address unfunded needs;
- Adopt a long-term (10 or 15-year) Transportation and/or School Concurrency Management System (CMS);
- Enter into proportionate fair-share mitigation agreement;
- Approve other projects that create additional capacity; and
- Regulate the pace at which development is approved in the future.

Recommended Best Practice

Step 6: Update CIE 5-Year Schedule of Improvements

- Include both publicly-funded and privately-funded projects

Requirement: (Sec. 163.3177(3)(a)5., F.S.)

- Schedule must be financially feasible
 - The 5-Year Schedule is a balance sheet
 - Revenues must be equal to or greater than expenditures
 - Ensure that revenue is sufficient to fund the total cost of projects in the 5-year schedule

Requirement: Sec. 163.3164(32), F.S.

Balance Sheet (Ex. 1)

Capital Improvements Element Balance Sheet							
Community Name:							
Fiscal Year:							
Infrastructure Category:	2007/2008	2008/2009	2009/2010	2010/2011		2011/2012	
<i>(e.g. roads, drainage, potable water, etc.): ROADS</i>	Committed Funds	Committed Funds	Committed Funds	Committed Funds	Planned Funds	Committed Funds	Planned Funds
REVENUE							
General/Special/Debt Funds	\$100.00	\$100.00	\$100.00	\$50.00		\$50.00	
New Debt Borrowings/Bonds	\$200.00	\$200.00	\$200.00	\$0.00		\$0.00	
Impact Fees and Developer \$	\$100.00	\$100.00	\$100.00	\$0.00		\$0.00	
All Other Revenue	\$100.00	\$100.00	\$100.00	\$0.00		\$0.00	
Grants	\$0.00	\$0.00	\$0.00	\$0.00	\$300.00	\$0.00	\$300.00
New Revenue Requiring Voter Approval	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00	\$0.00	\$150.00
Planned + Committed (Years 4 & 5 Only)				\$500.00		\$500.00	
Revenues Total	\$500.00	\$500.00	\$500.00	\$500.00		\$500.00	
EXPENDITURES							
Project Name: Main Street widening	\$400.00	\$400.00	\$150.00	\$0.00		\$0.00	
Project Name: Subdivision traffic calming	\$100.00	\$100.00	\$100.00	\$50.00		\$50.00	
Project Name: Bridge replacement	\$0.00	\$0.00	\$250.00	\$450.00		\$450.00	
Expenditures Total	\$500.00	\$500.00	\$500.00	\$500.00		\$500.00	
ANNUAL BALANCE	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	
5 YEAR PLANNING PERIOD BALANCE \$0.00							

Financially Feasible: Revenues are greater than or equal to expenditures for the Five Year Planning Period

Balance Sheet (Ex. 2)

Capital Improvements Element Balance Sheet							
Community Name:							
Fiscal Year:							
Infrastructure Category:	2007/2008	2008/2009	2009/2010	2010/2011		2011/2012	
<i>(e.g. roads, drainage, potable water, etc.): ROADS</i>	Committed Funds	Committed Funds	Committed Funds	Committed Funds	Planned Funds	Committed Funds	Planned Funds
REVENUE							
General/Special/Debt Funds	\$250.00	\$100.00	\$100.00	\$50.00		\$200.00	
New Debt Borrowings/Bonds	\$200.00	\$200.00	\$200.00	\$0.00		\$0.00	
Impact Fees and Developer \$	\$100.00	\$100.00	\$100.00	\$100.00		\$50.00	
All Other Revenue	\$100.00	\$100.00	\$100.00	\$0.00		\$0.00	
Grants	\$0.00	\$0.00	\$0.00	\$0.00	\$300.00	\$0.00	\$300.00
New Revenue Requiring Voter Approval	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00	\$0.00	\$150.00
Planned + Committed (Years 4 & 5 Only)				\$600.00		\$700.00	
Revenues Total	\$650.00	\$500.00	\$500.00	\$600.00		\$700.00	
EXPENDITURES							
Project Name: Main Street widening	\$400.00	\$600.00	\$150.00	\$0.00		\$0.00	
Project Name: Subdivision traffic calming	\$100.00	\$100.00	\$100.00	\$50.00		\$50.00	
Project Name: Bridge replacement	\$0.00	\$0.00	\$400.00	\$600.00		\$400.00	
Expenditures Total	\$500.00	\$700.00	\$650.00	\$650.00		\$450.00	
ANNUAL BALANCE	\$150.00	-\$200.00	-\$150.00	-\$50.00		\$250.00	
5 YEAR PLANNING PERIOD BALANCE \$0.00							

Financially Feasible: Revenues are greater than or equal to expenditures for the Five Year Planning Period

Balance Sheet (Ex. 3)

Capital Improvements Element Balance Sheet							
Community Name:							
Fiscal Year:							
Infrastructure Category:	2007/2008	2008/2009	2009/2010	2010/2011		2011/2012	
<i>(e.g. roads, drainage, potable water, etc.): ROADS</i>	Committed Funds	Committed Funds	Committed Funds	Committed Funds	Planned Funds	Committed Funds	Planned Funds
REVENUE							
General/Special/Debt Funds	\$100.00	\$100.00	\$100.00	\$50.00		\$50.00	
New Debt Borrowings/Bonds	\$100.00	\$100.00	\$100.00	\$0.00		\$0.00	
Impact Fees and Developer \$	\$100.00	\$100.00	\$100.00	\$0.00		\$0.00	
All Other Revenue	\$100.00	\$100.00	\$100.00	\$0.00		\$0.00	
Grants	\$0.00	\$0.00	\$0.00	\$0.00	\$200.00	\$0.00	\$200.00
New Revenue Requiring Voter Approval	\$0.00	\$0.00	\$0.00	\$0.00	\$150.00	\$0.00	\$150.00
Planned + Committed (Years 4 & 5 Only)				\$400.00		\$400.00	
Revenues Total	\$400.00	\$400.00	\$400.00	\$400.00		\$400.00	
EXPENDITURES							
Project Name: Main Street widening	\$400.00	\$400.00	\$150.00	\$0.00		\$0.00	
Project Name: Subdivision traffic calming	\$100.00	\$100.00	\$100.00	\$50.00		\$50.00	
Project Name: Bridge replacement	\$0.00	\$0.00	\$250.00	\$450.00		\$450.00	
Expenditures Total	\$500.00	\$500.00	\$500.00	\$500.00		\$500.00	
ANNUAL BALANCE	-\$100.00	-\$100.00	-\$100.00	-\$100.00		-\$100.00	
5 YEAR PLANNING PERIOD BALANCE	-\$500.00						

Not Financially Feasible: Revenues are less than expenditures for the Five Year Planning Period

Bond Revenue Summary

- Include all bonds (approved and proposed)
- Approved Bonds (Committed): List approval or adoption date, purpose, and value.
- Proposed Bonds (Planned): List anticipated approval date, purpose and value.
- Summary to help the local government and DCA determine if a bond is a committed or planned revenue source.

Recommended Best Practice

Sample Bond Revenue Summary

Capital Improvements Element Bond Revenue Summary

Community Name:

Fiscal Year:

Type of Bond	Planned or Committed?	Date Issued	Project Name	Description	Bond Revenue by Year				
					2006/2007	2007/2008	2008/2009	2009/2010	2010/2011
General Obligation	Committed	April 28, 2006	Central Park Acquisition	Bond issued to fund acquisition of 20 acres of new County parkland. This acquisition will maintain LOS standard 'C'.	\$2,000,000	\$0	\$0	\$0	\$0
Proposed General Obligation	Planned	Estimated issue September 1, 2009	Main Street widening	Bond to be issued to widen Main Street from 2 lanes to 4 lanes between 1st St. and 2nd St. This project will maintain LOS standard 'D'	\$0	\$0	\$0	\$7,000,000	\$0
Proposed General Obligation	Planned	Estimated issue October 1, 2009	Sewage Plant expansion	Bond to be issued to increase sewage treatment capacity				\$3,000,000	
TOTAL BOND REVENUE					\$2,000,000	\$0	\$0	\$10,000,000	\$0

Private Funding of Public Facilities

- Include privately funded projects with executed and enforceable development and interlocal agreements if relied upon to satisfy LOS standards or meet concurrency

Requirement: Sec. 163.3177(3)(a)5., F.S.

Private Funding of Public Facilities

- Summary should include:
 - Name of the private entity;
 - Date of agreement;
 - Expiration date;
 - Agreement amount;
 - Purpose of the private funding

Recommended Best Practice

- If applicable, the summary should state if the private funding source is subject to a DRI Development Order or a binding agreement that addresses proportionate-share mitigation for transportation facilities (if used to demonstrate financial feasibility of the Comprehensive Plan)

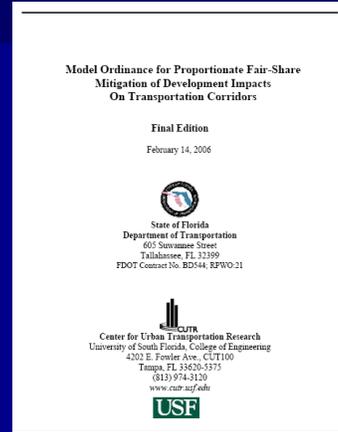
Requirement: Sec. 163.3177(3)(e), F.S.

Private Funding of Public Facilities

Capital Improvements Element Private Funding Agreement Summary							
Community Name:							
Fiscal Year:							
Name of Private Entity	Agreement Amount	Date of Agreement	Expiration Date	Project Name	Purpose and Description	DRI Development Order? (Y/N)	Proportionate Fair Share? (Y/N)
Land Development LLC	\$3,000,000	4/28/2006	4/28/2016	Walker School	Fee simple acquisition of new school site for subdivision	No	No
Clarendon, Inc.	\$1,500,000	9/1/2006	9/1/2011	Clarendon Hills	New traffic turn lane outside of subdivision	No	Yes

Proportionate Fair-Share Projects

- Transportation concurrency requirements may be satisfied by paying the proportionate fair-share to transportation facilities or facility segments identified in the CIE
- New projects must be added to the CIE if the local government, at its discretion, intends for them to be funded in total or in part by the Proportionate Fair-Share Program.



Requirement: Sec. 163.3180(16)(b)1., F.S.

<http://www.dot.state.fl.us/planning/gm/pfso/default.htm>

Step 7: Adopt FDOT/MPO Projects by Reference

- Must review FDOT and MPO capital plans:
 - FDOT 5-Year District Work Plan
 - MPO Transportation Improvement Program (TIP)
- Adopt specific projects by reference if the local government is relying on these projects to ensure concurrency.
- **Sample Policy:** *"The (local government) hereby adopts by reference the 5-Year Schedule of Improvements as formally adopted by the (local FDOT district or local MPO) on (date) into the (local government) 5-Year Schedule of Capital Improvements."*



Requirement: Sec. 163.3177(3)(a)6., F.S.

Step 8: Adopt School District 5-Year Facilities Plan

- All local governments are required to adopt a Public School Facilities Element beginning in 2008
- The school district is required to annually update its 5-year work plan and submit it to the Department of Education by October 1st of each year.
- The local government must adopt the local school district's entire 5-year district facilities work plan by reference if relying on projects to meet school concurrency.
- Adoption by reference into CIE should occur after October 1

Requirement: Sec. 163.3180(13)(d)1., F.S.

Local School District Capital Improvements

- Do not modify the School District projects or adopt portions of the School Plan
 - Local governments may provide input through an interlocal agreement.
- **Sample Policy:** *"The (local government) hereby adopts by reference the 5-Year district facilities work plan as formally adopted by the (local school district) on (date) into the 5-Year Schedule of Capital Improvements."*

Requirement: Sec. 163.3180(13)(d)1., F.S.

Step 9: Adopt Water Supply Projects

- Adopt Water Management District (WMD) water supply projects by reference if needed to maintain concurrency
- Adopt projects within 18 months of the update to the WMD Regional Water Supply Plan (RWSP).

Requirement: Sec. 163.3177(6)(c), F.S.



Regional Water Supply Plan Adoption Dates

- Northwest Florida WMD: January 25, 2007
 - (Adopt projects by July 2008)
- South Florida WMD: July 12, 2006
 - (Adopt projects by January 2008)
- Southwest Florida WMD: December 1, 2006
 - (Adopt projects by June 2008)
- St Johns River WMD: February 7, 2006
 - (Adopt projects by August 2007)
- Suwannee River WMD: n/a
 - (current water supply sources in the region are sufficient to meet projected needs for the next 20 years)

Step 10: Summary of De Minimis Records Report

- Submit a summary of de minimis records to DCA with the annual CIE update

Requirement: Sec. 163.3180(6), F.S.

- *"An impact that would not affect more than 1 percent of the maximum volume at the adopted level of service of the affected transportation facility as determined by the local government."*

- Example: A single family home on an existing lot

BWELLING - SINGLE FAMILY
DETACHED



De Minimis Records

- Summary should include:
 - Definition and approval process of developments having de minimis impact;
 - Existing conditions and deficient road links;
 - De minimis trip activity on all applicable road links; and
 - Planned improvements included in the local government's CIE that resolve existing deficiencies.
- Each local government determines whether it should allow de minimis exceptions.

Requirement: Sec. 163.3180(6), F.S.

Step 12: Adopt CIE at single public hearing

- The CIE Amendment is exempt from the normal biannual Comprehensive Plan Amendment cycle
 - If the annual CIE update requires updates to other Comprehensive Plan Elements, they may be amended at the same time
- No Transmittal Hearing, only Adoption Hearing



Requirement: Sec. 163.3177(3)(b)2., F.S. and Sec. 163.3187(1)(f), F.S.

Adopt CIE at Single Public Hearing

- All CIE updates must be adopted and submitted to DCA no later than December 1 of each year.
- Schedule a public adoption hearing for either **October** or **November**.
- If local regulations require two hearings for adoption, then allot extra time to ensure adequate public notice.
- Coordinate with the Local Planning Agency (LPA) to schedule a "special" CIE amendment hearing if necessary.

Requirement: Sec. 163.3177(3)(b)2., F.S.

Step 13: Submit Adopted CIE to DCA

- Submit copy of adoption ordinance to DCA no later than December 1 of each year
- Failure to adopt annual update results in a prohibition on adopting future land use amendments.

Requirement: Sec. 163.3177(3)(b)1., F.S.



What are the potential sanctions?

- Failure to meet obligations identified in the CIE may result in sanctions by the Administration Commission.
 - Ineligibility for grants, including:
 - Florida Small Cities Community Development Block Grant Program
 - Florida Recreation Development Assistance Program
 - State Revenue Sharing

Requirement: Sec. 163.3177(3)(c), F.S. and Sec. 163.3184(11), F.S.

Submit Adopted CIE to DCA

- Include Submittal Checklist



- Verify that annual CIE update requirements have been completed.
- Helps local government to track internal progress

Recommended Best Practice

Capital Improvements Element Best Practices Checklist

Capital Improvements Element Best Practices Checklist		
Community Name:		
Fiscal Year:		
Instructions: Place a checkmark in the box next to each item to verify that the following steps were taken in the CIE update process	Date Completed	✓
The CIE update process has been coordinated with the annual Budget and Capital Improvements Program update process		<input type="checkbox"/>
A CIE Update Training Manual was distributed to departments that request new capital facility projects		<input type="checkbox"/>
Staff from Planning, Budgeting, Public Works and other key staff participated in an internal CIE coordination workshop		<input type="checkbox"/>
The local government held coordination workshops with external agencies (FDOT, WMD, MPO, etc) regarding capital projects in its jurisdiction		<input type="checkbox"/>
A growth and development report was created to monitor annual growth, capacity, and adopted LOS standards		<input type="checkbox"/>
Capital Improvement Project Request Sheets were prepared and distributed to departments. Detailed cost estimates are provided		<input type="checkbox"/>
A Weighted Ranking System was used to prioritize projects in the 5-Year Schedule of Capital Improvements		<input type="checkbox"/>
Strategies to develop unfunded projects with low priorities in the 5-Year Schedule of Capital Improvements have been identified		<input type="checkbox"/>
FDOT and Local MPO 5-Year Schedule of Capital Improvements adopted by reference		<input type="checkbox"/>
Local School District 5-Year District Facilities Work Plan adopted by reference		<input type="checkbox"/>
The local comprehensive plan and concurrency management system are consistent with the implementation of proportionate fair-share, as codified in the locally adopted ordinance		<input type="checkbox"/>
An internal coordination procedure to record the approval of de minimis impacts has been utilized (if de minimis impacts are allowed)		<input type="checkbox"/>
Long-term planning strategies and policies to address long-term infrastructure needs outside of the 5-Year Schedule of Capital Improvements have been adopted		<input type="checkbox"/>
A Balance Sheet approach was used to demonstrate financial feasibility (Committed Funds in Yrs. 1-3, Planned Funds in Yrs. 4-5 only)		<input type="checkbox"/>
Bond Revenue Summary Chart included (if applicable)		<input type="checkbox"/>
Private Funding of Public Facilities Summary Chart included (if applicable)		<input type="checkbox"/>
The CIE was adopted as an Amendment to the Comprehensive Plan		<input type="checkbox"/>

Agenda

1. What is the CIE?
2. Florida Statutes
3. CIE Update Process
4. **Next Steps**
5. Best Practices Manual

Next Steps

For smaller communities:

- Develop internal procedures and protocols for the annual update. Document as written instructions
- Develop a long-term strategy for funding capital improvements needed to accommodate growth. If backlogs exist, it may be appropriate to also develop a long-term Concurrency Management System (CMS).
- Contact the local Regional Planning Council or DCA for assistance.

Recommended Best Practices

Next Steps

- For larger communities:
 - Develop internal procedures and protocols for the annual update. Document into written instructions
 - Create an annual Growth and Development report
 - If backlogs exist, it may be appropriate to also develop a computer-based long-term Concurrency Management System (CMS).
 - Provide up to date information on capacity and LOS to each department.
 - Identify areas that are reaching maximum capacity.

Recommended Best Practices

Annual Growth & Development Report

CITY OF ORLANDO
CAPACITY AVAILABILITY REPORT

August 1, 2006



Economic Development Department
City Planning Division

Annual Growth & Development Report

- Request capacity data for concurrency-related public facilities from each permitting department
- Evaluate capacity available for concurrency-related public facilities (e.g. roads, potable water, parks, etc.);
- Evaluate whether LOS standards are being met, and if they will service approved and planned development over a 5-year period.
- Determine future public facility needs, based upon existing, approved, and planned development which will require public services in the 5-year planning horizon;
- Consider timing and location of construction to meet future public facilities demand.

PURPOSE

This report has been prepared in accordance with Section 59.702 of the City's Concurrency Management Regulations (Chapter 59 of the City Code) for the twelve-month period beginning July 1, 2005 and ending June 30, 2006. The report summarizes the impact that development has had on the provision of the following public services and facilities: roads, mass transit, wastewater, potable water, solid waste, parks and stormwater. The report also evaluates the impact that existing and new development has had on adopted Level of Service (LOS) standards and shows the amount of capacity available for future growth.

SUMMARY OF DEVELOPMENT ACTIVITY

This evaluation of LOS and capacity availability reflects net development during the twelve-month period beginning July 1, 2005 and ending June 30, 2006. Certificates of occupancy issued and demolitions permitted during this time were used to determine the amount of development activity. The net quantity of development by land use for the period beginning July 1, 2005 and ending June 30, 2006 was as follows:

Net Development Based on Certificates of Occupancy and Demolitions July 1, 2005 through June 30, 2006

Land Use	Units	Square Feet
Single Family Residential	986 Units	
Multi-Family Residential	2,305 Units	
Hotel	0 Rooms	
Commercial	16,473 sq. ft.	
Office	690,973 sq. ft.	
Industrial	769,364 sq. ft.	
Government/Institutional	23,278 sq. ft.	
Hospital	430,209 sq. ft.	

Source: City of Orlando, Office of Permitting Services, Permit Plan System
 Note: Net commercial development is low due to over 125,000 square feet of demolitions in the Downtown to make room for redevelopment, and demolition of approximately 84,000 square feet in the remainder of the City. Future years will reflect additional development as certificates of occupancy are issued.

2006 POPULATION

For purposes of evaluating the impact of increased population on public facilities, the City Land Use Database was used to project the City's population. The Growth Management Division has estimated that the City's population is 223,608 as of July 1, 2006.

Capacity Availability Report
 August 1, 2006
 Page 1

Roads

The City has adopted 15 Transportation Areas (TAs). The boundaries of each TA are depicted on Figure 1. The City uses TAs to measure the performance of the adopted LOS standards in two ways: through implementation of the Trip Allocation Program and through annual monitoring using the City's Travel Demand Model.

Trip Allocation Program. As of June 30, 2006, the remaining capacity in the 2006-2008 Trip Allocation Program by TA was as follows:

Capacity Remaining in Trip Allocation Program by Transportation Area June 30, 2006

	2006	2007	2008
TA 1	109,176	10,184	10,184
TA 2	66,323	6,219	6,219
TA 3	37,348	4,123	4,123
TA 4	9,451	0	0
TA 5	90,247	4,147	4,147
TA 6	29,559	264	264
TA 7	36,881	1,987	1,987
TA 8	929,402	7,058	7,058
TA 9	100,346	13,380	13,380
TA 10	10,819	7,263	7,263
TA 11	83,182	128	128
TA 12	35,664	3,687	3,687
TA 13	99,956	9,001	9,001
TA 14	143,771	17,637	17,637
TA 15	24,553	2,525	2,525
	1,806,026	87,570	87,570

Source: Engineering Bureau, Concurrency Management Section

Wastewater

The City's Wastewater Bureau operates three wastewater treatment facilities. The City monitors LOS by the availability of treatment plant capacity, measured in million gallons per day (MGD). The following table shows that surplus wastewater capacity was available at each wastewater treatment facility as of May 31, 2006. The wastewater level of service is 75% of the pipe's capacity. All lines are operating in a supply capacity condition. The Wastewater Division will continue to monitor these facilities.

Wastewater Capacity Availability (Million Gallons per Day) July 1, 2005 through May 31, 2006

Facility	Capacity	Capacity Used (12 mo. avg.)	Capacity Available
Conserv I	7,500	4,756	2,744
Conserv II	25,000	15,312	9,688
Iron Bridge	40,000	27,037	12,963

Source: Technical Support Section, Wastewater Division

Agenda

1. What is the CIE?
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Best Practices Manual

- Examples of "Best Practices" currently used by FL communities
- A resource for completing the CIE update
- Will be available on the DCA website

