

**LEGISLATIVE #**

**110925C**

## CAPITAL IMPROVEMENTS ELEMENT

**TO PROVIDE AND MAINTAIN, IN A TIMELY FASHION, ADEQUATE, EFFICIENT, RELIABLE, EQUITABLE AND ENVIRONMENTALLY SOUND PUBLIC FACILITIES THAT ARE FINANCIALLY FEASIBLE.**

### Objective 1.1

**The City shall use, in its biennial budget process, the 5-Year Schedule of Capital Improvements to set funding levels for the provision, renewal or replacement of public facilities necessary to meet and maintain the adopted Level of Service (LOS) standards for existing and future populations.**

- 1.1.1 The Capital Improvements Element shall only include facility expenditure information for the facility types with required adopted LOS standards ~~mandated by Chapter 9J-5, Florida Administrative Code~~ (Transportation Mobility, Potable Water, Water Supply, Wastewater, Recreation, Public Schools Facilities and Stormwater Management). Existing and projected facility needs identified in those Elements are included in this Element. Other capital expenditures are listed in the biennial budget and the City's 5-Year Capital Improvement Plan or Gainesville Regional Utilities' (GRU) 6-Year Capital Improvement Plan.
- 1.1.2 The Capital Improvements Element shall define a capital improvement as land, non-structural improvements to land and structures (including the costs for design, permitting, construction, furnishings and equipment) with a unit cost of \$25,000 or more. The improvement shall have an expected life of at least 2 years.
- 1.1.3 The City shall schedule and fund City capital projects shown in the 5-Year Schedule of Capital Improvements included in this Element.
- 1.1.4 The City shall annually review and update the Capital Improvements Element and 5-Year Schedule of Capital Improvements during the regular budget planning and adoption process.
- 1.1.5 The City and GRU shall continue their policies of annually including capital projects and capital equipment as part of their adopted budgets.
- 1.1.6 The City's Capital Improvements Element shall be considered a component of the City's overall Capital Improvements Program (CIP) in the annual budget appropriations and the 5-Year Capital Improvement Plan (5-YR CIP) and items listed in the CIP and 5-YR CIP shall reflect the priorities and needs set in the Capital Improvements Element.
- 1.1.7 The Potable Water and Wastewater sections of the City's Capital Improvements Element shall be considered a subset of GRU's capital budget and 6-Year Capital Improvements Plan (6-YR CIP) and the capital budget and 6-YR CIP shall reflect the priorities and needs set in the Capital Improvements Element.
- 1.1.8 The Capital Improvements Element and 5-Year Schedule of Improvements shall reflect the policies and needs set in other Elements of the Comprehensive Plan.
- 1.1.9 The City shall replace or renew capital facilities required to maintain adopted

LOS standards when deemed necessary by prudent engineering and utility practices. These improvements shall be included in the 5-Year Schedule of Capital Improvements.

- 1.1.10 The City shall evaluate all annexation proposals to determine its ability to provide facilities at adopted LOS standards for the residents in the area(s) to be annexed.
- 1.1.11 The City's Capital Improvements Element 5-Year Schedule of Improvements shall be reviewed annually and updated as necessary to reflect proportionate fair-share contributions.
- 1.1.12 The City shall ensure the financial feasibility, as defined by state law, of all capital improvements in the adopted 5-Year Schedule of Capital Improvements. The 5-Year Schedule of Capital Improvements shall identify projects necessary to ensure that any adopted LOS standards are achieved and maintained for the 5-year period. The projects shall be identified as either funded or unfunded and given a level of priority for funding.
- 1.1.13 The City incorporates, by reference, the Alachua County School Board annually updated 5-Year District Facilities Work Program.

## Objective 1.2

**The City shall continue to ensure the provisions of services and facilities needed to meet and maintain the LOS standards adopted in this Plan.**

- 1.2.1 The City shall continue to use the concurrency management system to issue final development orders conditioned on the following:
  - a. The availability of existing public facilities associated with the adopted LOS standards;
  - b. The funding of public facilities (based on existing or projected funding sources) listed in the 5-Year Schedule of Capital Improvements or the School Board's annually updated 5-Year District Facilities Work Program (as incorporated by reference) that are needed to maintain adopted LOS standards.
- 1.2.2 If the projected revenues to support capital improvements become unavailable, the City shall amend the relevant LOS standards in the Comprehensive Plan or prohibit any development that would lower the adopted LOS standards.
- 1.2.3 The City shall continue operation of its Concurrency Management System. The Concurrency Management System is used to determine whether adequate facilities exist, when the impacts of development are expected to occur, to maintain adopted LOS standards set in the Comprehensive Plan. The latest point in the application process for the determination of concurrency is prior to the approval of an application for a development order or permit which contains a specific plan for development, including the densities and intensities of development.

- 1.2.4 The concurrency requirements for potable water, solid waste, stormwater management, water supply, and wastewater shall be met by any one of the following standards:
- a. The necessary facilities and services are in place at the time a final development order is issued;
  - b. A final development order is issued subject to the condition that the necessary facilities and services will be in place when the impacts of development occur and available to serve the development no later than the issuance of a certificate of occupancy or its functional equivalent;
  - c. The necessary facilities are under construction and bonded for completion at the time a final development order is issued;
  - d. The necessary facilities and services are guaranteed in an enforceable development agreement that includes the provisions listed in Policy 1.2.4 (a-c), which guarantee is secured by a completion bond, letter of credit, or other security acceptable to the City Attorney. The agreement must guarantee that the necessary facilities and services will be in place when the impacts of the development occur and available to serve the development no later than the issuance of a certificate of occupancy or its functional equivalent.
- 1.2.5 The concurrency requirement for recreation shall be met by any one of the standards listed in Policy 1.2.4 or by either of the following standards:
- a. The necessary facilities and services are the subject of an executed binding contract, bonded for completion and which is acceptable to the City Attorney which provides for the start of construction of the required facilities, or provision of the services, within one year of the issuance of the final development order that the necessary facilities and services are in place and available to serve the development no later than the issuance of a certificate of occupancy or its functional equivalent;
  - b. The necessary facilities and services are guaranteed in an enforceable development agreement requiring commencement of actual construction of the facilities or provision of services within one year from issuance of the applicable development order that the necessary facilities and services are in place and available to serve the development no later than the issuance of a certificate of occupancy or its functional equivalent, which guarantee is secured by a completion bond, letter of credit, or other security acceptable to the City Attorney.
- 1.2.6 The City shall adopt the following LOS standards for public facilities within its jurisdiction as indicated in the relevant Elements of its Comprehensive Plan:

Transportation Mobility:	Policies 3.2.3, 7.1.6, 7.1.7, 7.1.8, 7.1.11
Stormwater:	Policy 1.1.1
Potable Water & <u>Water Supply</u> :	Policy 1.1.1 <u>and Policy 1.1.3</u>
Wastewater:	Policy 1.1.2
Recreation:	Policy 1.1.1

Exhibit A-1  
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Solid Waste:	Policy 1.4.1
Concurrency Management:	Policies 1.1.1, 1.1.2, 1.1.3, 1.1.4, 1.1.5, 1.1.6, 1.1.7, 1.1.9, 1.1.11, 1.1.13, 1.1.14, 1.1.15
Public School Facilities	Policy 2.2.1

### Objective 1.3

**The City shall continue to require future development to pay for its capital improvements that are required to maintain adopted LOS standards.**

- 1.3.1 Development shall pay the full cost of stormwater management facilities required by it to maintain the stormwater LOS standards set in the Comprehensive Plan.
- 1.3.2 The City shall continue the adopted Land Development Regulations that establish stormwater quantity and quality standards for the development of existing sites with substandard on-site stormwater facilities. Such development shall pay the proportional cost of meeting those standards that it requires.
- 1.3.3 The City shall continue its policy of having all new water and wastewater service connections pay the fully allocated cost of the treatment facilities required to serve them in the form of plant connection fees, and the cost of distribution or collection facilities unless the service is on a developer-installed system.
- 1.3.4 The City shall continue its policy of having development contribute the water and wastewater distribution and collection system internal to a development. Contributions in aid of construction must be paid if the City does not project an adequate return on investment for water distribution or wastewater collection system extensions.
- 1.3.5 The City shall continue its policy of having development provide all road improvements within subdivisions as per the City's subdivision regulations.
- 1.3.6 The City shall adopt Land Development Regulations that require that development provide the roadway facilities and/or improvements external to a development that are necessary to mitigate the development's expected traffic circulation transportation mobility impacts

### Objective 1.4

**The facilities necessary to maintain the adopted LOS standards required to serve vested developments shall be available when the impacts of development occur consistent with Objective 1.2 and its policies.**

- 1.4.1 Vested developments shall be defined as developments that have been issued final development orders that have not expired under the regulations of the City's Code of Ordinances, were issued prior to adoption of the 1990-2000 Gainesville Comprehensive Plan, and such developments have commenced and are continuing in good faith.
- 1.4.2 The City shall continue its tracking of the number of developments with vested

development rights that must be served by public facilities at adopted LOS standards through the Concurrency Management System.

- 1.4.3 Vested developments must provide or pay for the capital improvements that they were required to provide under the development regulations that existed when they were permitted.

#### **Objective 1.5**

**The City shall continue to schedule General Government Capital Improvements necessary to meet and maintain the LOS standards adopted in this Plan. The schedule shall give priority to correcting existing deficiencies and replacement of worn out or obsolete facilities prior to the extension of new facilities.**

- 1.5.1 The capital improvement must be within the financial capability of the City (either through debt capacity or ability to fund the improvement outright). The operating costs associated with it shall be identified and shall not exceed the City's ability to annually fund those costs.
- 1.5.2 The City shall consider the plans of state agencies and water management districts in evaluating capital improvements projects.
- 1.5.3 First priority shall be given to correcting existing facility deficiencies in adopted LOS standards, elimination of public hazards and meeting regulatory requirements or Federal and/or State mandates. First priority shall also be given to capital improvements that are fully funded by development and that will not cause operating cost deficits for the City.
- 1.5.4 Second priority shall be given to replacement of obsolete or worn-out facilities that are projected to cause facility deficiencies in LOS prior to expanding other facilities.
- 1.5.5 Third priority shall be given to adding or expanding facilities to serve vested developments.
- 1.5.6 Fourth priority shall be given to adding or expanding facilities to serve development needs in designated redevelopment areas that increase the use of existing facilities and promote infill development.
- 1.5.7 Fifth priority shall be given to adding or expanding facilities for new development in currently unserved areas. Expansions of facilities to unserved areas shall be based on projected growth patterns found in the Future Land Use Element.

#### **Objective 1.6**

**The City, through GRU, shall continue to schedule and fund water/wastewater capital improvements necessary to meet the standards adopted in this Plan. The schedule shall give priority to correcting existing deficiencies and replacing worn out or obsolete facilities prior to the extension of new facilities.**

- 1.6.1 The capital improvement must be within the financial capability of GRU (either through debt capacity or ability to fund the improvement outright) and the operating costs associated with it shall be identified and shall not exceed GRU's ability to annually fund those costs.
- 1.6.2 GRU shall consider the plans of state agencies and water management districts in evaluating capital improvements projects.
- 1.6.3 First priority shall be given to projects that correct existing facility deficiencies in adopted LOS standards, eliminate or mitigate public hazards, meet regulatory requirements or Federal and/or State mandates, or promote the reuse and conservation of resources.
- 1.6.4 Second priority shall be given to projects to correct projected deficiencies in adopted LOS standards or projects to accommodate new development and redevelopment needs.

### **Objective 1.7**

**The City General Government shall use the following policies to manage debt in such a way that General Government revenues available to fund on-going operating expenditures are maximized.**

- 1.7.1 Debt pledged as a general obligation of the City shall not exceed 3% of the non-exempt property valuation within the corporate boundaries.
- 1.7.2 Revenue bond debt can be as high as 100% of total debt.
- 1.7.3 The maximum ratio of total debt service to total revenue shall not exceed 10%.

### **Objective 1.8**

**GRU shall continue to use the following policy to manage debt.**

- 1.8.1 In order to issue additional bonds, GRU shall establish and collect rates, fees and other charges for the use or the sale of the output, capacity or services of the Water/Wastewater Systems sufficient so that the revenues of the Systems are expected to yield net revenues that shall be at least equal to 1.4 times the annual debt service on outstanding revenue bonds for each 12-month period within any prospective 60-month period.

### **Objective 1.9**

**The City shall continue to use the Stormwater Management Utility funds allocated for capital improvements to pay for the Stormwater Projects needed to maintain LOS standards. These projects shall be shown in the 5-Year Schedule of Capital Improvements.**

- 1.9.1 The City shall provide at least \$200,000 annually for Stormwater Projects.

**~~Objective 1.10~~**

**~~The City shall coordinate with Alachua County on the Alachua County Forever program.~~**

~~1.10.1 The City shall seek to maximize the protection of environmentally sensitive lands through the nomination of properties for acquisition with Alachua County Forever funds.~~