



## CAPITAL IMPROVEMENTS ELEMENT INTRODUCTION

Overall planning and programming for capital improvements has been formally undertaken by Seminole County dating back to its first Comprehensive Plan (Plan) in 1977. Each subsequent update incorporates refinements to programs and funding strategies which serve as a basis from which Seminole County initiates significant local actions to implement programs and respond to changing conditions. Since 1991, the implementation of a five- year Capital Improvements Element (CIE) linked to the financially feasible Countywide budget and five-year Capital Improvements Program, has helped to provide for the more accurate long-range planning of growth needs and will serve as a platform from which to address larger issues such as water resources, stormwater management and legislative changes which may occur.

The CIE sets out a five-year capital expenditure program designed to implement the Plan's goals, objectives and policies and ensure adopted level of service standards are met and maintained.

As a required element of the Plan, the CIE must meet the following requirements of Chapter 163, Florida Statutes:

- A.** Ensure that the Comprehensive Plan is economically feasible and encourage the efficient utilization of public facilities (major capital improvements) by:
  - 1. Considering the need for and location of public facilities;
  - 2. Outlining principles for public facilities which are necessary to implement the plan for construction, extension, or increase in capacity and correcting existing public facility deficiencies;
  - 3. Estimating public facility costs, including identification of when facilities will be needed, general location of facilities, and projected revenue sources to fund the facilities; and
  - 4. Setting standards to ensure the availability of adequate public facilities, including acceptable levels of service.
- B.** Ensure coordination of the several elements of the Plan by requiring consistency of the Capital Improvements Element with the public facility and future land use elements.
- C.** Ensure that public facilities needed to support development are available concurrent with the impacts of the development or guaranteed in an enforceable development agreement.

The CIE sets out a capital expenditure program designed to meet the goals of the community as reflected in the policies, standards and programs adopted in the Plan. The CIE program is driven by four factors:

- A.** The community's growth;
- B.** The community's current and planned facility service programs;
- C.** The levels of service desired or required by statute for those programs; and
- D.** The desired quality of life for which the community is willing to pay.

**COMPLIANCE WITH CHAPTER 163, FLORIDA STATUTES, REQUIREMENTS FOR PUBLIC SCHOOL CONCURRENCY**

Public School Facilities Element - The County adopted a public school element on January 22, 2008, which added a new set of capital project tables starting with page Exhibit CIE: Facility Program – Public School Facilities. Two new policies have been added as part of the Evaluation and Appraisal Report update of the Comprehensive Plan: Policy CIE 1.13 Seminole County School Board Responsibilities and Policy CIE 3.6 Monitoring of Public School Facilities Level of Service.

An update to the capital projects list for the element shall be adopted each year as part of the County's annual CIE Update in compliance with the "2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as Amended January 2008". The Seminole County School Board is responsible for annually preparing and providing to the County and each municipality a financially feasible capital projects list for adoption by local jurisdictions.



## CAPITAL IMPROVEMENTS ELEMENT ISSUES AND CONCERNS

### ISSUE CIE 1 CONSISTENCY WITH OTHER ELEMENTS

The Capital Improvements Element's (CIE) five-year capital expenditure program is based upon the findings of the other Plan elements as to:

- A. How the local government will manage the land development process so that public facility needs created by previously issued development orders or by future development do not exceed the ability of the local government to fund and provide the needed capital improvements.
- B. How policies and procedures for approving development in phases operate to ensure that the public facilities and those related services which are deemed necessary by the local government to operate the facilities necessitated by that development are available concurrent with the impacts of the development.
- C. Where facilities will be located so that the CIE may show how the local government will use fiscal policies to direct expenditures for capital improvements (e.g., discouraging development by not investing public capital in floodprone areas).
- D. The establishment of criteria for prioritization of improvements, to include elimination of safety hazards and deficiencies, so that the CIE may incorporate such criteria for the evaluation of capital expenditures.

### ISSUE CIE 2 THE CAPITAL IMPROVEMENTS ELEMENT MUST MEET CERTAIN PLANNING AND FINANCING REQUIREMENTS

The requirements and corresponding program statements created within the CIE include:

- A. How the schedule of capital improvements will maintain adopted level of service standards and meet the existing and future facility needs.  
  
Facility Improvements/Capacity Summaries have been prepared for each component element of the CIE.
- B. Local budget impact (i.e., funding and Operation and Maintenance cost effects) for successful delivery of capital projects.  
  
Cost impacts, including operating costs, have been projected for each element. The CIE includes policy statements to ensure adequate operations funding to support capital facilities or identification of the funding priority of projects for which funding is not yet available.
- C. The policies and provisions made for the replacement and renewal of capital facilities.  
  
Renewal/Replacement is discussed in the projections for each element. The CIE also includes policies to encourage rehabilitation/reuse of existing facilities as a cost-effective alternative to new construction.
- D. How the County will manage the issuance of debt, including a projection of debt capacity. Specific debt criteria are:
  1. The County will employ comprehensive debt management strategies that establish parameters and provide general direction in the planning and implementation of the County's debt program and promote achievement of agreed-upon financial objectives.



2. When establishing acceptable levels of debt, the County will consider legal limitations, service levels and other factors affecting long-term operating expenses; debt commitments of other governments who rely on the same tax base; and demographic and economic trends affecting the community.

### **ISSUE CIE 3 FINANCIAL PROJECTIONS**

The approach and key assumptions used to make financial projections must be comprehensive in nature to address the requirements identified in Issue CIE 2 The Capital Improvements Element must meet certain planning and financing requirements and embody sound methodologies. The approach utilized in developing multi-year financial projections by Seminole County is to:

- A. Determine the net available resources (surplus or deficit) in each future year, which would result after providing current year baseline services. Debt service requirements for outstanding obligations are considered baseline, and are projected according to the debt service schedule for each bond issue.
- B. Identify and project significant multi-year special programs needed to implement Board of County Commissioners intent expressed during the most recent adopted annual budget.
- C. Identify and project future capital and operating costs generated by the requirements of:
  1. The CIE;
  2. Other Comprehensive Plan policies; and
  3. Non-Comprehensive Plan/Basic growth needs.



## CAPITAL IMPROVEMENTS ELEMENT GOALS, OBJECTIVES, AND POLICIES

### GOAL

Implement a capital planning program that provides and maintains in a timely, efficient, and fiscally prudent manner public facilities and services which protect the public health, safety and welfare; adequately serve existing and new development; are consistent with Seminole County's future land use plan; achieve and maintain adopted facility levels of service and mobility strategies; maintain the existing infrastructure; and minimize public costs.

### OBJECTIVE CIE 1      **ADOPTION AND UPDATE OF CAPITAL IMPROVEMENTS ELEMENT**

The Capital Improvements Element shall be used to guide the programming and implementation of public facility improvements to correct existing deficiencies, repair and replace worn out or obsolete facilities and to accommodate previously approved and new growth in an efficient, cost effective, and timely manner.

#### Policy CIE 1.1      **County Responsibility for Maintaining Level of Service and Mobility Strategies within the Dense Urban Land Area/Transportation Concurrency Exception Area**

The Capital Improvements Element (CIE) shall include an annual schedule of the capital improvements for which Seminole County has fiscal responsibility to maintain the level of service standards adopted in the public facility elements of the Comprehensive Plan and to support mobility strategies identified in the Transportation Element (see Exhibit CIE: Facility LOS – All Facilities and Mobility Strategies at rear of element). With respect to mobility within the Dense Urban Land Area/Transportation Concurrency Exception Area, the County shall annually evaluate whether conditions that trigger the need to alter quality/level of service standards (as identified in the Transportation Element) have been achieved. If so, necessary improvements shall be included in capital or operating budgets and within the CIE.

#### Policy CIE 1.2      **Annual Review and Update**

The Capital Improvements Element shall concentrate on the first five years of capital needs, shall be financially feasible and shall be reviewed and updated annually (see five (5) year capital schedules of improvements for each facility element in the Exhibits Section at the rear of this element).

#### Policy CIE 1.3      **Florida Department of Transportation Capital Projects**

The schedule of capital improvements shall recognize as financially feasible the transportation projects within Seminole County included in the first three years of the adopted five-year Florida Department of Transportation work program.

#### Policy CIE 1.4      **Capital Improvements Element Amendments**

A Plan amendment shall be required to eliminate, defer, or delay construction of any road or mass transit facility or service which is needed to maintain the adopted level of service standard and which is listed in the five-year schedule of improvements.



- Policy CIE 1.5      Capital Improvements Element Consistency with Other Elements**  
 The schedule of capital improvements shall be based upon the future land use and public facility elements of the Comprehensive Plan and shall be consistent with all other elements of this Plan.
- Policy CIE 1.6      Coordination with Annual Budgets**  
 Adoption of annual budgets shall include a specific capital budget, which shall implement adequate funding sources and be consistent with the Capital Improvements Element.
- Policy CIE 1.7      Provisions to meet Committed Development Needs**  
 Each major update of the County's socio-economic data, analysis and projections shall include a review of the assumptions, projections and provisions made to serve committed (previously approved) development, including an itemization of existing committed developments. An ongoing update of committed development needs shall be achieved through the use of reports generated by the Concurrency Management System.
- Policy CIE 1.8      Criteria for Public Capital Expenditures**  
 The County shall evaluate capital projects for inclusion into the Capital Improvements Element schedule of projects, using as a guide the degree of compliance with the following criteria:
- A.** Elimination of public health and safety hazards;
  - B.** Replacement or rehabilitation of facilities and the elimination of existing capacity deficiencies necessary to maintain level of service standards;
  - C.** Necessity for compliance with statutory or regulatory requirements;
  - D.** Provision of capacity for redevelopment and new development, based upon projected growth patterns;
  - E.** Coordination of improvement programs with State agencies, such as the St. Johns River Water Management District, that provide facilities within Seminole County;
  - F.** Provision of capacity within service areas and urban centers established in the facility elements of this Plan;
  - G.** Compliance with and support of locational policies established in the Future Land Use, public facilities, and other elements of this Plan;
  - H.** Improved efficiency/cost-effectiveness of County operations; and
  - I.** Cost impacts to annual operating budgets.
- Policy CIE 1.9      Provisions for Renewal/Replacement**  
 Each annual review and update of the Capital Improvements Element (CIE) shall include a review of the assumptions, projections, needs, and considerations for appropriate and timely renewal and replacement of existing facilities, using as a guide the following criteria:
- A.** Evaluations of actual operating condition and useful life;
  - B.** Maintenance or enhancement of the operational capacity of public facilities, including opportunities for deficiency correction;



- C. Compliance with and support of renewal/replacement policies established in the public facility elements of this Plan;
- D. Maintenance or improvement of operating cost-effectiveness/efficiency;
- E. Maintenance or enhancement of services through opportunities to incorporate improved technology and materials; and
- F. Opportunities for future fiscal efficiencies through such activities as reuse of existing facilities, renewal/rehabilitation to extend useful life, and spreading major periodic renewal/replacement cost burdens over time.

These provisions for renewal/replacement shall be incorporated in the CIE and implemented through annual budget adoptions.

**Policy CIE 1.10      Prioritizing and Funding of Capital Improvements Projects**

The County shall identify necessary Capital Improvements, identify funding sources for those improvements, and identify the priority for funding of those for which funding is not yet available.

- A. If funding resources are insufficient to complete projects needed during the CIE’s five-year planning period, the County shall identify the priority of the project(s) for funding and may consider options to address this issue including the following: Seeking grant funding from State or Federal funding authorities; considering public/private partnerships to fund improvements; increasing the rates of current revenue sources or implement other available sources such that the schedule of capital improvements is adequately funded in each year; and/or
- B. Require that proposed developments whose service demand cannot be met to phase the development plan until such time that capital projects can be completed and ensure that the development provides for its fair share of any capital costs; and/or
- C. Amend the Future Land Use, Capital Improvements Element and public facility elements, modify level of service standards, and/or modify the schedule of capital improvements, as appropriate and necessary, such that internal consistency of the Comprehensive Plan is maintained.

**Policy CIE 1.11      Funding of Public Transportation Services**

The Board of County Commissioners shall, at its discretion and in accordance with law, make use of fuel tax revenues and other legal revenue sources for the purpose of funding public transportation capital, operations and maintenance as identified in the Seminole County Comprehensive Plan Capital Improvements Element (CIE). Such revenues may be expended for the public transportation services identified in the CIE including but not limited to capital facilities, operations and maintenance. These services may be provided directly by the County or may be contracted for through public or private service providers.

**Policy CIE 1.12      Maintaining Consistency with Water Supply Facilities Work Plan**

The County shall include in its annual update of the County’s five (5) year capital improvements schedule the first five (5) years of the Ten-year Water Supply Facilities Work Plan (which is adopted by reference in the Potable Water Element), capital improvement schedule to ensure consistency between the Potable Water Element and the Capital Improvements Element as shown

in CIE Exhibit *2022 10-Year Water Supply Facilities Work Plan 5-Year Capital Improvement Schedule*.

**Policy CIE 1.13**

**Seminole County School Board Responsibilities**

The Seminole County School Board (School Board) shall be responsible for annually providing a schedule of capital improvements that the Board of County Commissioners (Board) shall recognize as being financially feasible and necessary to maintain the level of service standards detailed in the “2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as amended January 2008” and adopted by the Board on January 22, 2008. The schedule provided will be incorporated into the County’s annual Capital Improvements Element Update. Funding for the school projects shall be the responsibility of the School Board.





**OBJECTIVE CIE 2 CAPITAL IMPROVEMENTS PROGRAM**

The County shall use the Capital Improvements Program (CIP) process for the update and refinement of multi-year projections of fiscal resources such that a financially feasible schedule of capital improvements is maintained.

**Policy CIE 2.1 Multi-Year Projections**

The Capital Improvements Program shall establish the schedule and process for regular, periodic evaluation and updating of multi-year financial projections and of fiscal policies, practices and strategies for all County programs, services and facilities.

**Policy CIE 2.2 Consistency of the Capital Improvements Element with the Capital Improvements Program**

The adopted Capital Improvements Element shall be consistent with the Capital Improvements Program and shall be implemented through annual budget adoptions.

**Policy CIE 2.3 Multi-Year Fiscal Management**

The Capital Improvements Program shall embody and be consistent with the following:

- A.** Maintenance of existing infrastructure, including renewal/replacement of worn-out facilities and rehabilitation/reuse of existing facilities, shall be specifically projected and funding identified;
- B.** Debt obligations shall be specifically identified and projected to ensure compliance with debt covenants, including coverage requirements;
- C.** A debt management strategy and set of criteria which shall be based upon the debt management principles set forth in subsequent Policy CIE 2.5 Debt Management Principles;
- D.** Maintenance of levels of budgeted undesignated reserves ("contingency" and "fund balance forward") adequate to serve sound public fiscal management purposes; and
- E.** Equity of the uses of a revenue source relative to the populace generating the revenue.

**Policy CIE 2.4 Multi-Year Operating Budgets**

Concurrent with the inclusion of a capital improvement in the Capital Improvements Program and the Capital Improvements Element, associated impacts to annual operating budgets shall be projected and funding strategies identified.

**Policy CIE 2.5 Debt Management Principles**

The County shall continue to issue, manage and evaluate its debt obligations according to sound fiscal management principles, while taking into account existing legal, economic, financial and debt market considerations. At a minimum, the County shall adhere to the following objectives:

- A.** Maintain and improve the County's bond rating and market acceptance in order to minimize borrowing costs and preserve the County's access to credit markets.



- B. Maintain a position of full compliance with disclosure guidelines for all financial reports, official statements, and continuing disclosure reports.
- C. Structure bond issues and other debt instruments to match the useful life of capital improvements using the most appropriate method of borrowing funds.
- D. Address pertinent factors before issuance of debt:
  - 1. Legal constraints on debt capacity and various financing alternatives.
  - 2. Urgency of the capital requirements to be met and the economic costs of delays.
  - 3. Willingness and financial ability of the taxpayers to pay for the capital improvements.
  - 4. Determination as to whether to employ a "pay as you acquire" versus a "pay as you use" approach.
  - 5. Proper balance between internal and external financing.
  - 6. Current interest rates and other market considerations.
  - 7. The financial condition of the County.
  - 8. The types, availability and stability of revenues to be pledged for repayment of the debt.
  - 9. Type of debt to be issued.
  - 10. The nature of the projects to be financed (i.e., approved schedule of improvements, non-recurring improvements, etc.).



**OBJECTIVE CIE 3 LOS AND DEVELOPMENT AND REDEVELOPMENT APPROVALS**

By adoption and implementation of the Seminole County Comprehensive Plan, land use decisions shall require maintenance of adopted level of service standards and mobility strategies, and shall be coordinated with the Capital Improvements Element and public facility elements including the adopted schedule of capital improvements.

**Policy CIE 3.1 Adopted Level of Service Standards and Schedules of Capital Improvements**

Exhibit CIE: Facility LOS - All Facilities and Mobility Strategies shall identify the adopted level of service standards for each public facility. Exhibit CIE: Facility Program for individual elements or Exhibit CIE: Schedule of Improvements for multiple facility programs shall detail the annually adopted five-year capital expenditure program supporting the goals, objectives and policies of the Plan.

**Policy CIE 3.2 Application to New Development and Redevelopment**

For the purposes of approving new development and redevelopment, subsequent to adoption of this Comprehensive Plan, all adopted public facility level of service standards and schedules of capital improvements shall be applied and evaluated in any new development and redevelopment reviews and approvals consistent with policies of the Implementation Element. A final development order shall be issued only if this evaluation finds that the needed public facilities that meet the adopted level of service standards are available or are assured to be available concurrent with the impacts of the development. Within the Dense Urban Land Area/Transportation Concurrency Exception Area, Mobility Strategies as detailed in the Transportation Element shall apply, rather than adopted roadway levels of service (except for State roads). Preliminary development orders shall only be issued with the condition that no rights to obtain final development orders or development permits, nor any other rights to develop or redevelop the subject property are granted or implied by the County's approval of the preliminary development order.

**Policy CIE 3.3 Five-Year Level of Service and Impact Assessment**

To guide provision of adequate public facilities concurrent with the impacts of development, the schedule of capital improvements for each public facility type shall be accompanied by a summary evaluation of capacity needs and availability for at least the five-year period.

**Policy CIE 3.4 Concurrency Management and Mobility**

Seminole County shall continue to operate a concurrency management system pursuant to the Implementation Element which, in conjunction with Policy CIE 3.2 Application to New Development and Redevelopment and other policies of this Capital Improvements Element, will ensure that development orders and permits are issued in a manner that will assure that the necessary public facilities and services are available at adopted level of service standards concurrent with the impacts of that development. Within the Dense Urban Land Area/Transportation Concurrency Exception Area, Mobility Strategies as detailed in the Transportation Element shall apply, rather than adopted roadway levels of service (except for State roads).

For potable water, adequate water supplies and potable water facilities shall be in place and available to serve new development no later than the issuance



by the County of a certificate of occupancy or its functional equivalent. Prior to approval of a building permit or its functional equivalent, the County shall consult with the applicable water supplier to determine whether adequate water supplies to serve the new development will be available no later than the anticipated date of issuance by the County of a certificate of occupancy or its functional equivalent.

**Policy CIE 3.5****Level of Service Monitoring**

Seminole County shall maintain a monitoring system which enables the County to determine whether it is adhering to the adopted level of service standards and the schedule of capital improvements. Findings and determinations from the monitoring system shall be used in each annual review and update of this Capital Improvements Element.

**Policy CIE 3.6****Monitoring of Public School Facilities Level of Service**

The County Board shall rely on the Seminole County School Board to provide a demonstration that adopted levels of service are being met. The County shall support the maintenance of the public schools level of service by requiring completion and submission for each site plan, final subdivision or functional equivalent for new residential development a School Capacity Availability Letter of Determination signed by an authorized representative of the School Board.

**Policy CIE 3.7****Level of Service Monitoring for the US 17-92 Corridor**

The County shall verify that the municipal service providers responsible for potable water and sanitary sewer service within individual service areas of the US 17-92 Corridor can continue to provide such services to proposed redevelopment projects, in accordance with their respective levels of service, through the County's Development Review Process and such interlocal agreements as may be necessary. The County shall continue to monitor its own level of service and schedule of capital improvements for those portions of the US 17-92 Corridor that are served by Seminole County.

**Policy CIE 3.8****Accessory Dwelling Units (ADUs)**

As regulated under this Comprehensive Plan and the Land Development Code, ADUs shall be considered to have negligible impacts on available capacities of all public facilities, and shall not be counted toward maximum permitted densities under any applicable future land use designation. This policy shall be re-evaluated at two (2) year intervals to determine whether revisions are required to maintain adopted Levels of Service.



**OBJECTIVE CIE 4      USER PAYS PRINCIPLE**

Development shall bear a proportionate cost of needed facility improvements through equitable and legally available means.

**Policy CIE 4.1      Developments Proportionate Share**

Development will bear an equitable and proportionate share of the cost of providing new or expanded public facilities required to maintain adopted levels of service through mechanisms such as impact fees; capacity fees; developer dedications; developer contributions pursuant to land development regulations; and special benefit assessment/taxing districts.

**Policy CIE 4.2      Fee Assessments**

The County shall regularly evaluate whether present fee levies are adequate to address impacts of inflation, whether the County needs to appropriate new impact fees, and whether capacity fees, user charges, special benefit assessment/ taxing districts and other mechanisms are adequately and fairly meeting the fiscal demands placed on the County by new development.

**Policy CIE 4.3      Proportionate Fair-Share Program**

The Proportionate Fair-Share Program as provided in Section 163.3180(16), Florida Statutes, shall apply to all developments in the County that impact a road segment or transportation facility in the County Concurrency Management System that applies to areas outside of the Seminole County Transportation Concurrency Exception Area (TCEA), where the developer has been notified of a failure to achieve transportation concurrency on the roadway segment or segments, or transportation facility or facilities.

An applicant may choose to satisfy the transportation concurrency requirements by making a proportionate fair-share contribution if the proposed development is consistent with the County's Comprehensive Plan and Land Development Code, and the County's five-year Capital Improvement Program (CIP) and the Capital Improvements Element (CIE) include a transportation improvement or improvements that, upon completion, will accommodate the additional trips generated by the proposed development, or the County agrees to add the transportation improvement to the CIP and CIE no later than the next regular update of those documents. When the Proportionate Fair-Share Program is used by a developer, this source of funding shall be included in the CIP and CIE as a revenue stream for the affected transportation improvement or improvements.

The methodology to calculate proportionate fair-share mitigation, which is specified in the Land Development Code, shall be as provided in Section 163.3180(12), Florida Statutes proportionate fair-share mitigation includes separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by Seminole County. Mitigation for development impacts to facilities on the Strategic Intermodal System, as required by Section 163.3180(16)(e), Florida Statutes, and the County's Land Development Code, requires concurrence of the Department of Transportation.

In addition, the Proportionate Fair Share program shall apply to all development and redevelopment within the Seminole County TCEA where a proposal generates a need for expansion of or improvements to existing or planned mobility strategy facilities.



Such mobility strategy facilities may include, but not be limited to pedestrian improvements (such as sidewalks connecting the proposal to a LYNX or SunRail stop, or pedestrian paths connecting a residential proposal to nearby employment opportunities); bicycle improvements (such as bicycle paths connecting the proposal to a LYNX or SunRail stop); transit improvements (such as bus shelters or improvements to a SunRail stop) or roadway mobility improvements (such as pedestrian crosswalks, Intelligent Transportation System or other signalization improvements, pedestrian medians, deceleration lanes or other features).

The methodology to calculate such fair-share shall be as specified in the County's Land Development Code.