

The seal of the City of Boynton Beach is a circular emblem. It features a central figure of a seagull in flight, with its wings spread, perched on a branch. The background of the seal consists of horizontal lines. The words "CITY OF" are arched across the top, and "BOYNTON BEACH" is arched across the bottom.

CAPITAL IMPROVEMENTS ELEMENT
including
Capital Improvements Schedule (CIS)

Last amended November 16, 2010

Table of Contents

Objective	Page
9.1 Provision of Capital Improvements to serve projected growth.....	9-1
9.2 Development approvals conditioned on availability of services.....	9-2
9.3 Capital program accommodated by projected revenues	9-8
9.4 Proportional sharing of facility improvement costs	9-9

Capital Improvements Schedule

Palm Beach County School District: Summary of CIP

City of Boynton Beach
Capital Improvements Element
Goals, Objectives, and Policies

Goal 9. The City shall provide adequate public facilities to meet existing needs and accommodate future growth consistently with objectives and policies of all elements of this Plan through a comprehensive cost-effective funding strategy.

Objective 9.1 The City shall provide, or arrange for others to provide, capital improvements necessary to correct deficiencies in existing public facilities, to serve projected future growth and to replace obsolete and worn-out facilities, in accordance with an adopted Capital Improvements Schedule.

Policy 9.1.1 The Capital Improvements Schedule shall include facilities that promote public health and safety and all facilities for which the Level of Service Standard has been adopted: Roads, Potable Water, Wastewater, Stormwater, Solid Waste Collection, and Parks and Recreation. The Capital Improvement Schedule may also include other facilities that enhance the quality of life for City’s residents.

Policy 9.1.2 Beginning in 2007, the City shall include in the Capital Improvements Schedule a five year financially feasible public school facilities program established in conjunction with the Palm Beach County School District.

Policy 9.1.3 The Capital Improvement Schedule shall be organized by the following broad priorities: issues related to public health and safety shall receive first priority, issues related to providing the adopted level of service shall receive second priority, and all other additional issues shall be addressed as needed to maintain operational efficiency in the City.

Policy 9.1.4 By 2008, the City shall establish specific priority criteria for reviewing capital improvements projects. The criteria will reflect cost feasibility and effectiveness, relative magnitude and term of need, intergovernmental commitments, the ability to take advantage of other jurisdictional capital improvements, and overall budget impacts. Project evaluation may also involve additional criteria that are unique to each type of public facility, as described in other elements of this Comprehensive Plan.

- Policy 9.1.5 The Capital Improvements Schedule shall implement fiscal policies to direct expenditures for capital improvements which recognize the policies of the other comprehensive plan elements.
- Policy 9.1.6 Public facilities projects listed in the Capital Improvements Schedule shall maintain adopted levels of service standards for existing and future development in a manner and location consistent with the Future Land Use Element of this Comprehensive Plan.
- Policy 9.1.7 The City shall continue to recognize that capital expenditures necessary for renewal, replacement or improvement of existing facilities take precedent over expansion or anticipated future facility needs.
- Policy 9.1.8 The City shall continue to enforce policies of Objective 7.4, contained in the Coastal Management Element, that limits public expenditure enabling or subsidizing development and redevelopment at increased density in the Coastal High Hazard Area.
- Policy 9.1.9 The City shall monitor and evaluate the Capital Improvements Element on an annual basis and reaffirm the City's Capital Improvement Schedule in conjunction with annual budget deliberations and adoption. Updated Capital Improvement Element with Capital Improvement Schedule shall be transmitted to the Department of Community Affairs no later than December 1st of each year.
- Objective 9.2 The City shall continue to require that development and redevelopment proposals are approved conditioned upon existing service availability or the scheduled provision of additional services at the adopted level of service standards and meet existing and future facility needs.**
- Policy 9.2.1 The City shall enforce the Concurrency Management System as set forth in the City's Land Development Regulations to ensure that public facilities and services needed to maintain adopted Levels of Service standards are available concurrent with the impacts of development. Prior to the issuance of a development order or a building permit, the concurrency review shall establish the following:
- Finding on the impacts created by the proposed development
 - Finding as to whether the public facilities covered under the Concurrency Management System will be available concurrent

with the impacts of new development at the adopted Level of Service;

- Finding of facility(s) improvements or additions that are required to ensure the finding of concurrency; and
- Finding of the entity responsible for the implementation of all required facility(s) improvements or additions.

Policy 9.2.2 The Concurrency Management system requirements will be satisfied if, at the time development order or permit is issued, one or more of the following conditions are met:

For potable water, wastewater, stormwater and solid waste:

- A development permit is issued subject to the condition that, at the time of issuance of certificate of occupancy, the necessary facilities and services will be in place; or
- The necessary facilities and services are guaranteed in an enforceable development agreement to be in place to serve the new development at the time of issuance of the certificate of occupancy. The development agreement may include, but is not limited to, development agreements pursuant to section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S.

For parks and recreation:

- The necessary facilities and services are in place or are under construction at the time a development permit is issued; or
- A development permit is issued subject to the condition that the necessary facilities and services are to be in place or under construction not more than one year after issuance of certificate of occupancy; or
- A development permit is issued subject to the condition that, at the time of issuance of certificate of occupancy, funds in the amount of developer's share are committed; or
- At the time the development permit is issued, the necessary facilities and services are the subject of a binding executed agreement which provides for the commencement of the actual construction of the required facilities or the provision of services within one year of the issuance of a certificate of occupancy; or
- The necessary facilities and services to serve new development are guaranteed in an enforceable development agreement to be in place or under construction not more than one year after issuance of certificate of occupancy. An enforceable development agreement

may include, but is not limited to, development agreements pursuant to section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S.

For roadway facilities:

- The necessary facilities and services are in place or under construction at the time a development permit is issued; or
- A development permit is issued subject to the condition that the necessary facilities and services are to be in place or under construction not more than three years after issuance of certificate of occupancy; or
- At the time the development permit is issued, the necessary facilities and services are the subject of a binding executed contract which provides for the commencement of the actual construction of the required facilities or the provision of services no more than three years after the issuance of a certificate of occupancy.
- The necessary facilities and services to serve new development are guaranteed in an enforceable development agreement to be in place or under construction not more than three years after issuance of the certificate of occupancy. An enforceable development agreement may include, but is not limited to, development agreements pursuant to section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S.
- A proposed development may be deemed to have a de minimis impact and not be subject to the concurrency requirements.

Policy 9.2.3 In the case of public school facilities, the issuance of development orders, development permits or development approvals shall be based upon the School District of Palm Beach County's ability to maintain the minimum level of service. The necessary facilities shall be considered to be in place when sufficient capacity exist in the concurrency service area (CSA) in which the proposed development is located, or an immediately adjacent CSA.

Policy 9.2.4 Concurrency review for public school facilities shall require the applicant for a development order which includes any residential component to provide a determination of capacity by the School District of Palm Beach County that the proposed development will meet the public school facilities level of service. A determination by the School District is not required for permitting of single-family residences on existing single family legal lots of record.

Policy 9.2.5 The City shall consider as committed and existing the public school capacity which is projected to be in place or under construction in the first three years of the School District's most recently adopted Five Year Plan, as reflected in the Five Year Capital Improvement Schedule

of the Capital Improvement Element of the City Of Boynton Beach's Comprehensive Plan.

Policy 9.2.6

The availability of public facilities shall be determined and measured for the required public facility types using the following Level of Service (LOS) standards:

- for sanitary sewer - 100 gallons per capita per day for the maximum month average daily flow for peak population
- for potable water supply and treatment - 200 gallons MDF per capita of peak population
- for solid waste - 7.2 pounds per capita per day with bi-weekly pickup
- for drainage - design for a 3-year storm for the duration of the time of concentration of the watershed
- for drainage - floor elevation above 100 year storm (a minimum of six inches above the crown of any abutting road)
- for parks: 2.5 acres of developed parkland per 1000 population

The city shall provide a motor vehicle transportation network based on the following minimum level of service standards, except within the transportation concurrency exception area (TCEA) and designated constrained roadways at a lower level of service (CRALLS):

- Level of Service "D" or better for peak hour conditions on all unspecified City local and collector highway facilities.
- Level of Service "D" for peak season peak hour conditions on all unspecified arterial facilities.
- Level of Service "D" for I-95 through the City, Boynton Beach Boulevard from Old Boynton Road to I-95, NW 22nd Avenue between Congress Avenue and I-95, Congress Avenue between Boynton Beach Boulevard and NW 22nd Avenue and Boynton Beach Boulevard east of I-95.
- Level of Service "Maintain" for all facilities that have been identified as Backlogged and Constrained (where Level of Service standards have been exceeded), except within TCEA and CRALLS.

The School District of Palm Beach County shall maintain minimum level of service standards for public school facilities as follows, in accordance with the adopted Interlocal Agreement:

- The level of service is a school’s utilization, defined as the enrollment as a percentage of school student capacity based upon the Florida Inventory of School Houses (FISH).
- The level of service standard for all schools shall be 110 percent unless the school is the subject of a School Capacity Study (SCS) undertaken by the School District, working with the Technical Advisory Group (TAG) which determines that a particular school can operate in excess of 110% utilization. No school shall operate in excess of 120% utilization. The SCS shall be required if a school in the first student count of the second semester reaches 108% or higher capacity.

Policy 9.2.7 The advisory Levels of Service standards have been established for recreation facilities. The following standards are not part of the concurrency evaluation but the City shall considered them as guidelines in the capital improvement project review:

- Baseball/Soft. Youth - 1 per 15,000 persons,
- Baseball, Reg- 1 per 25,000 persons,
- Basketball Courts - 1 per 4,000 persons,
- Community Centers - 1 per 25,000 persons,
- Fitness Trails - 1/30,000
- Football/Soccer Fields - 1 per 40, 000 persons,
- Handball/Racq. Courts - 1 per 10,000 persons,
- Picnic Areas - 1 per 3,000 persons,
- Playgrounds - 1 per 4,000 persons,
- Multipurpose Fields - 1 per 10,000 persons,
- Shuffleboard Courts - 1 per 5000 persons,
- Swimming Pools - 1 per 40,000 persons,
- Tennis Courts - 1 per 2,000 persons,
- Bocce Court - 1 per 25,000 persons,
- Volleyball Court - 1 per 15,000, and
- Skate park - 1 per 65,000.

Policy 9.2.8 For areas to be annexed, which are platted, developed, under development, or have approved development plans in Palm Beach County, the level of service for parks at time of annexation shall be assumed to be that created by existing park facilities serving the area.

Policy 9.2.9 All community redevelopment plans adopted by the City Commission shall include an evaluation of public facilities

which serve the redevelopment area to determine whether the levels of service contained in the Plan are met, and to examine sources of funding for any necessary capital improvements related to these public facilities.

Policy 9.2.10 The City shall continue to coordinate capital improvement projects with plans of agencies that provide public facilities within the City as follows:

Waterways:

Boynton (C-16) Canal:

The findings and recommendations concerning the primary drainage facilities shall be coordinated with the South Florida Water Management District and Lake Worth Drainage District.

The City's stormwater planning shall be coordinated with the drainage studies which will be conducted by the Lake Worth Drainage District.

Intracoastal Waterway:

The design of public facilities which are over, adjacent to, or in the Lake Worth Lagoon or the Intracoastal Waterway shall comply with the requirements of the Inland Navigation District and the Army Corps of Engineers.

Roads:

The City shall coordinate major road improvements with Palm Beach County, Metropolitan Planning Organization and the Florida Department of Transportation, and lobby them to ensure funding and construction of needed improvements to state highways.

The Capital Improvement Schedule shall include all improvements made to state-and county roadway facilities by the Florida Department of Transportation and Palm Beach County that are essential for maintaining the level of service on facilities within the City's boundaries.

Public School Facilities:

The City shall provide the School District with annual information needed to maintain school concurrency, including information required for the School District to establish:

- School siting criteria;
- Level of service update and maintenance;
- Joint approval of the public school capital facilities program;
- Concurrency service area criteria and standards; and
- School utilization.

Policy 9.2.11 The City has incorporated the impacts of development orders issued prior to adoption of this Plan in the level of service standards for all facilities for which such standards have been adopted. Therefore, the Capital Improvement Schedule identifies the projects necessary to maintain the adopted level of service standards; this ensures the availability of public services for previously issued development orders.

Policy 9.2.12 Notwithstanding the provisions of this Plan to the contrary, the requirements of this Plan shall be maintained so as to not apply in any manner to impair vested rights established pursuant to Florida Law, to the extent that any development, or portion thereof, is vested as against the requirements of this Plan.

Objective 9.3 The City shall maintain a capital program that can be adequately accommodated by projected revenues or other financial resources.

Policy 9.3.1 Capital Improvements shall be financed, and debt shall be managed, as follows:

- Public facilities financed by enterprise funds (i.e. utilities - potable water, sanitary sewer, stormwater, solid waste, and golf course) shall be financed by:
 - Debt to be repaid by user fees and charges for enterprise service; or
 - Current assets (i.e., reserves, surpluses, and current revenue, including transfers); or
 - A combination of debt and current assets.
- Public facilities which are financed by non-enterprise funds (i.e., roads, parks, library, fire service, police protection, and

government buildings) shall be financed from current assets: revenue, equity and/or debt. Financing of specific capital projects shall depend on which asset, or group of assets, will be most cost effective, consistent with prudent asset and liability management, appropriate to the useful life of the project(s) to be financed, and make the most efficient use of the City's debt capacity.

Policy 9.3.2 The Capital Improvement Schedule shall be financially feasible as defined in Section 163.3164, Florida Statutes. Specifically, the City shall ensure that sufficient revenues are currently available or will be available from committed funding sources for the first 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, such as ad valorem taxes, bonds, state and federal funds, tax revenues, impact fees, and developer contributions, which are adequate to fund the projected costs of the capital improvements identified in the comprehensive plan necessary to ensure that adopted level-of-service standards are achieved and maintained within the period covered by the 5-year schedule of capital improvements.

Policy 9.3.3 The City of Boynton Beach shall maintain a maximum cap for long-term general obligation debt, 10% of the total assessed value of both real and personal property within the City limits. This cap shall be adjusted annually to reflect the annual changes in the assessed value. There shall be no limitation on the use of revenue bonds as a percent of total debt service of the City.

Objective 9.4 The City shall continue to provide that private developers participate on a proportionate share basis in any facility improvement costs necessary to maintain the adopted level of service standards specified in Policy 9.2.6 via capital facility charges, impact fees and any other legally available and appropriate methods.

Policy 9.4.1 The existing and future development shall pay a proportionate cost of the capital improvement necessary to maintain the adopted level of service. Existing development's payment may take the form of user fees, special assessment and taxes. Future development's payment may take a form of, but not be limited

to, impact fees, capital facility charges, dedications of land, provisions of public facilities, and voluntary contributions.

- Policy 9.4.2 The City shall continue the implementation of the Park Impact Fee Program, allowing for land dedication in-lieu of the fee payment, to ensure that new development pays a proportionate share of the costs of park capital facility capacity needed to address the demand for such facilities generated by new development.
- Policy 9.4.3 The City shall continue the implementation of the Water, Wastewater and Stormwater capital facility charges to ensure that new development pays a proportionate share of the costs of the water, wastewater and stormwater capital facility capacity needed to address the demand for such facilities generated by new development.
- Policy 9.4.4 The City shall continue to implement its Proportionate Fair-Share Mitigation of Transportation Impact Program to allow for proportionate share contributions from developers toward traffic concurrency requirements by contributing their share of the cost of improving the impacted transportation facility. Proportionate Fair-Share mitigation contribution may include private funds, contributions of land, and construction and contribution of facilities; the City shall continue its preference for the actual construction of facilities over contribution of funds.