

**CAPITAL IMPROVEMENTS ELEMENT  
OF THE CITY OF PEMBROKE PINES  
COMPREHENSIVE PLAN**

Chapter 163.3177 Florida Statutes

City of Pembroke Pines, Florida

**ADOPTION DOCUMENT**

**CAPITAL IMPROVEMENTS ELEMENT**

# CAPITAL IMPROVEMENTS ELEMENT ADOPTION DOCUMENT

## IV. GOALS, OBJECTIVES AND POLICIES

### GOAL

The goal of the Capital Improvements Element of the Pembroke Pines Comprehensive Plan is to insure the timely and efficient provision of public facilities through the use of sound fiscal policies.

### OBJECTIVE I

All land use decisions shall continue to be supported by a report which demonstrates consistency with available or projected fiscal resources including a schedule of needed capital improvements which maintains adopted level of service standards and meets the existing and future facility needs of the City.

**Evaluation Measure Objective I** - Record prioritizing capital improvements needed to maintain adopted level of service standards.

### POLICY 1.1

Criteria shall continue to be utilized which evaluates local capital improvement projects. The criteria will continue to include those projects which must be implemented to maintain an adequate level of service for the elements of the Comprehensive Plan. The criteria will continue to address the following:

1. Elimination of any public hazards
2. Elimination of an existing capacity deficiency
3. Impact on local budget
4. Locational needs based upon growth patterns
5. New development and redevelopment facility needs
6. Financial feasibility
7. Review of plans by State agencies and the South Florida Water Management District to determine the impacts of the plans by those public facilities

## POLICY 1.2

The City's fiscal policy shall continue to direct expenditures for capital improvements in a manner which is consistent with the policies of the Comprehensive Plan Elements.

## OBJECTIVE II

The Capital Improvements Element will continue to be utilized as a vehicle for the construction of capital facilities to address the existing deficiencies, to accommodate future growth and to replace obsolete facilities.

**Evaluation Measure Objective II** - Record of new capital facilities needed to accommodate future growth, and existing capital facilities in need of replacements or improvements.

## POLICY 2.1

The City will continue to implement and update when necessary land development regulations which ensure that all facilities will either meet the adopted level of service standards identified in the comprehensive plan elements and land development regulations, and are available concurrent with the impacts of development, or development orders and permits are specifically conditioned on the availability of the facilities and services necessary to serve the proposed development.

## POLICY 2.2

Funding will continue to be allocated for replacement and renewal of capital facilities.

## POLICY 2.3

The city shall continue to provide capital facilities and infrastructure necessary to maintain the following levels of service as identified in the City's Comprehensive Plan Elements:

Facility Type	Level of Service Standard
Transportation SIS (FIHS)	"D" Per TE Policy 2.13
Sanitary Sewer	93 gallons/capita/day 1,000 gallons/acres/day
Solid Waste	5 pounds/capita/day
Drainage:	
Road Protection	Residential streets not greater than fifty feet wide rights-of-way to have crown elevations no lower than the elevation for the respective area depicted on the Broward County "Flood Criteria Map." Rights-of-way greater than fifty feet wide to have an ultimate edge of pavement no lower than the elevation for the respective area depicted on the "Flood Criteria Map." In all cases, residential streets shall be designed in accordance with the Broward County flood maps
Buildings	<p>"The minimum lowest floor elevation" shall be the highest of the following:</p> <ol style="list-style-type: none"> <li>1. Minimum floor elevation as set forth in the South Florida Water Management District's Surface Water Management Permit</li> <li>2. The elevation shown on the "100 year Floor Elevation" Map, Latest Revision, prepared by the Broward County Transportation Department</li> <li>3. Twelve (12) inches above the highest point of the paved roadway/drive-lane nearest to the building.</li> </ol>

Off-Site Discharge	Not to exceed the inflow limit of SFWMD primary receiving canal or the local conveyance system, whichever is less. Within the SBDD pumped basins, the allowable discharge is not applicable. The discharge for the entire basin is controlled by the District's pump station.
Storm Sewers	Design frequency minimum to be three-year rainfall intensity of the State Department of Transportation Zone 10 rainfall chart as shown on the attached exhibit. SBDD requires that an initial time of concentration of 10 minutes be used or calculations be provided to justify a time of concentration greater than 10 minutes. The time of overland flow is dependent on the slope of the ground and the nature of the ground cover, for example, whether the surface is paved, rocky or grassed.
Flood Plain	Calculated flood elevations routing based on the ten-year and one hundred-year return frequency rainfall of the three-day duration shall not exceed the corresponding elevations of the Broward County "Flood Criteria Map" and the "100 Year Floor Elevation" Map, or in accordance with SBDD permits.
Antecedent Water	The control elevation for each of the District's basins are set by SFWMD permits
Water Quality Pretreatment Standards and On-Site Storage	<p>a. Retention and/or detention in the overall system, including swales, lakes, canals, greenways, etc., shall be provided for one of the three following criteria or equivalent combinations thereof:</p> <ol style="list-style-type: none"> <li>1. Wet detention volume shall be provided for the first inch of runoff from the developed project, or the total runoff of 2.5 inches times the percentage of imperviousness, whichever is greater.</li> </ol>

2. Dry detention volume shall be provided equal to 75 percent of the above amounts computed for wet detention.

3. Retention volume shall be provided equal to 50 percent of the above amounts computed for wet detention.

b. Commercial or industrial zoned projects shall provide at least one half inch of dry detention or retention pretreatment as part of the required retention/detention, unless reasonable assurances can be offered that hazardous materials will not enter the project's surface water management system.

c. Systems with inlets in greased areas will be credited with up to 0.2 inches of the contributing areas. Full credit will be based on a ratio of 10:1 impervious area runoff to pervious area with proportional credit granted for greater ratios.

d. Storage requirements for each SBDD basin are in accordance with SBDD's Public Facility Report

Best Management Practices (BMP'S)

Prior to discharge to surface or ground water BMP's will be used to reduce pollutant discharge.

Water

84.8 gallons/capita/day

Recreation/  
Open Space

10 acres/1,000 population total of which 7 acres/1,000 population in neighborhood and community parks; and 3 acres/1,000 population in regional parks

## POLICY 2.4

The City will continue to provide public facilities necessary to serve developments for which development orders were issued prior to adoption of the Comprehensive Plan consistent with the approvals of those developments.

## POLICY 2.5

The Concurrency Management System is used by the City for monitoring and ensuring adherence to: the adopted level of service standards (LOS), the availability of public facility capacity, and the schedule of improvements as defined in appropriate Comprehensive Plan Elements. It includes guidelines for interpreting and applying LOS standards to applications for development orders (DO's) and development permits (DP's) and determining when the test for concurrency must be met, including the latest point in the application process for the determination of concurrency prior to the approval of an application. The Concurrency Management System provides a program that insures DO's and DP's are issued in a manner that will not result in a reduction in the levels of service below the adopted LOS standard for the affected facility.

### A. Capacity and Level of Service Inventory

The provisions and requirements of the Concurrency Management System apply to those facilities listed herein. The following inventories shall be maintained by the appropriate City departments/divisions and they will be used for the concurrency assessment of new development. The inventory shall be reviewed annually and updated as necessary.

## SANITARY SEWER

At the time of the issuance of a Certificate of Occupancy (CO) or its functional equivalent, the necessary facilities and services are in place and available to serve the new development; or at the time of a development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place and available to serve new development at the time of the issuance of a CO or its functional equivalent .

The design capacity of the wastewater treatment facilities.

The existing level of service standards measured by the average number of gallons per day per unit based on the average flows experienced at the treatment plant and the total number of equivalent residential units within the service area.

The adopted level of service standard for average daily flows per equivalent residential unit.

The existing deficiencies of the system.

The capacities reserved for approved but unbuilt development.

The projected capacities or deficiencies due to approved but unbuilt development.

The improvements to be made to the facility in the current fiscal year by any approved developments pursuant to previous development orders or by the City, and the impact of such improvements on the existing capacities or deficiencies.

## POTABLE WATER

At the time of the issuance of a Certificate of Occupancy or its functional equivalent, the necessary facilities and services are in place and available to serve the new development; or at the time of a development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place and available to serve new development at the time of the issuance of a CO or its functional equivalent.

The design capacity of potable water treatment facilities.

The existing level of service standards measured by the average number of gallons per day per unit based on the average flows experienced and the total number of equivalent residential units within the service area.

The existing potable water storage capabilities of the water system.

The existing minimum water pressure.

The adopted level of service standards for the potable water facility components.

The existing deficiencies of the system.

The capacities reserved for approved but unbuilt development.

The improvements to be made to the facility in the current fiscal year by any approved developments pursuant to previous development orders, or by the City, and the impact of such improvements on the existing capacities or deficiencies.

## SOLID WASTE DISPOSAL

At the time of the issuance of a Certificate of Occupancy or its functional equivalent, the necessary facilities and services are in place and available to serve the new development; or at the time of a development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place and available to serve new development at the time of the issuance of a CO or its functional equivalent.

The design capacity of solid waste disposal facilities.

The existing level of service measured by the number of units served per route.

The adopted level of service standard for solid waste.

The capacities reserved for approved but unbuilt development.

The projected capacities or deficiencies due to approved but unbuilt development.

The improvements to be made to the facility in the current fiscal year by any approved developments pursuant to previous development orders, or by the City, and the impact of such improvements on the existing capacities or deficiencies.

## STORMWATER DRAINAGE

At the time of the issuance of a Certificate of Occupancy or its functional equivalent, the necessary facilities and services are in place and available to serve the new development; or at the time of a development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place and available to serve new development at the time of the issuance of a CO or its functional equivalent.

The existing level of service measured by storm event as determined by the City and /or its consulting engineers.

The adopted level of service standard for stormwater drainage.

## PARKS AND RECREATION FACILITIES

At the time the development order or permit is issued, the necessary facilities are in place or under actual construction; or a development order or permit is issued subject to the condition that, at the time of the issuance of a CO or its functional equivalent, the acreage for the necessary facilities and services to serve the new development is dedicated or acquired by the local government, or funds in the amount of the developer's fair share are committed; and

- a. A development order or permit is issued subject to the conditions that the necessary facilities and services needed to serve the new development are scheduled to be in place or under actual construction not more than one year after the issuance of a CO or its functional equivalent as provided in the adopted 5-year schedule of improvements (CIP); or
- b. At the time the development order or permit is issued, the necessary facilities and services are the subject of a binding executed agreement which requires the necessary facilities and services to serve the new development to be in place or under actual construction not more than one year after issuance of a CO or its functional equivalent; or

- c. At the time the development order or permit is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, F.S., or an agreement or development order issued pursuant to Chapter 380, F.S., to be in place or under actual construction not more than one year after the issuance of a CO or its functional equivalent.

## TRANSPORTATION FACILITIES (SEE TE)

## SCHOOL FACILITIES (see Objective VI and implementing policies)

### B. Concurrency Assessment

The Planning Division will be responsible for determining concurrency for all applications of development orders for final site plans and/or final subdivision plans/plats. When reviewing applications for such development orders, the Division shall perform a Concurrency Assessment as part of the Development Review process to ensure that the public facilities are available concurrent with the impacts of the proposed development. To conduct the assessment, and to determine the capability of existing facilities to serve new development, the inventory of services and facilities contained in the CIE shall be used as a foundation for the establishment of existing conditions. Finally, a determination of concurrency shall be made. Such determination may include conditions of approval which are deemed necessary for concurrency to be ensured.

The Division shall provide recommendations to the Planning and Zoning Board and City Commission concerning those development order applications which require Planning and Zoning Board and/or City Commission approval. The recommendations provided by the Division shall include but are not limited to the following:

1. The ability of existing facilities to accommodate the proposed development at the adopted level of service standards;
2. Any existing facility deficiencies that will need to be corrected prior to the completion of the proposed development;
3. The facility(s) improvements or additions that will be needed to accommodate the impacts of the proposed development at the adopted level(s) of service standard(s);

4. The date such facility(s) improvements or additions will need to be completed to be concurrent with the impacts on such facility(s) created by the proposed development; and
5. A recommendation of approval or denial with any applicable conditions for the timing and location of needed improvements.

Prior to the issuance of a development order for a proposed new development, the City Commission and/or Planning and Zoning Board and/or Planning Division shall:

1. Make a finding on the impacts created by the proposed development;
2. Make a 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;
3. Make a finding of those facility(s) improvements or additions that are required to ensure the finding of concurrency; and
4. Make a finding of the entity responsible for the design and installation of all required facility(s) improvements or additions.

The adopted level of service standards shall be the minimum acceptable standards with which all proposed new development shall comply. The Concurrency Management System shall not preclude the Planning and Zoning Board or the City Commission from imposing other conditions of approval including improvements and additions to the facilities covered under this system beyond the minimums necessary to achieve concurrency.

Prior to the approval of an application for a final subdivision plan or final site plan, the City will review the proposed development application to ensure that public facilities and services needed to support development are available concurrent with the impacts of such development based on the Concurrency Management System as set forth in the City's Land Development Regulations.

Provisions in the Comprehensive Plan that ensure that public facilities and services standards (excluding transportation improvements) will be met to satisfy the concurrency requirement shall consist of the following:

1. The necessary facilities and services are in place at the time a development permit is issued; or

2. A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or
3. A development order or permit is issued subject to the condition that, at the time of the issuance of a certificate of occupancy or its functional equivalent, the necessary facilities and services are in place and available to serve the new development; or
4. The necessary facilities and services are guaranteed in an enforceable development agreement that includes the provisions of Rules 9J-5.055(2) (a) 1-3, Florida Administrative Code. The agreement must guarantee that the necessary facilities and services will be in place when the impacts of the development occur.

### C. Guidelines for Interpreting and Applying LOS Standards

Proposed plan amendments and requests for new development or redevelopment shall be evaluated according to the following guidelines as to whether the proposed action would:

1. Be consistent with the Infrastructure Element and not contribute to a condition of public hazard.
2. Be consistent with the Infrastructure Element and not intensify any existing public facility capacity deficits not envisioned with this element.
3. Generate public facilities demands that may be accommodated by planned capacity increases.
4. Conform with future land uses as shown on the Future Land Use Map of the Future Land Use Element.
5. Accommodate public facility demands based upon level of service standards by provision of facilities by the developer or by the City consistent with this element.
6. Be consistent with state and regional agencies' and water management district's facility plans.

### POLICY 2.6

A plan amendment shall be required to eliminate, defer, or delay construction of any road or public transit facility or service which is needed to maintain the adopted level of service standard and which is listed in the long-term schedule of capital improvements, if established.

## POLICY 2.7

In order to coordinate land uses with available and projected fiscal resources and a financially feasible schedule of capital improvements for water supply and facility projects, the City of Pembroke Pines shall include in its annual update of the City's financially feasible five (5) year capital improvements project listing the first five (5) years of the (10) year Water Supply Facility Work Plan (WSFWP) to ensure consistency between the Potable Water Sub-Element of the Infrastructure Element and the Capital Improvements Element . *Annual updates to the CIP projects listing will continue to include projects listed in the work plan beyond the initial five year time frame (cross- reference IE Policy 7.1 and CE Updated Policy 2.15).*

## OBJECTIVE III

Future development will continue to bear a proportionate share of the cost of providing infrastructure required to maintain adopted levels of service.

**Evaluation Measure Objective III** - Record of fees paid for facility improvements for new developments.

## POLICY 3.1

New developments will continue to be assessed a pro rata share of the costs to support new growth.

## POLICY 3.2

Developer dedications, contributions and impact fees shall continue to be required to provide pro rata share of public facility needs to finance and serve new development within the established levels of service.

## OBJECTIVE IV

An annual report will continue to be issued, and address the City's ability to provide and require public facilities to meet the needs which are created by previously approved developments. The report will continue to provide an assessment of the status of the City's fiscal ability to maintain the levels of service outlined in its Comprehensive Plan.

**Evaluation Measure Objective IV** - Annual review and status of report

#### POLICY 4.1

The City's ongoing program for the replacement of capital facilities shall continue to include the following:

- Review by Department Heads.
- Review by City Manager and Finance Director.
- Approval by City Commission

#### POLICY 4.2

The City shall continue its current process of establishing a capital budget as a part of the annual budgeting process of the community.

#### POLICY 4.3

The City shall update the Capital Improvement Element including the Five-Year Schedule of Capital Improvements (CIP) on an annual basis pursuant to s. 163.3177(3)(b)1., Florida Statutes and Rule 9J-5.016(5), Florida Administrative Code. The adopted update amendment shall be submitted to the State of Florida Department of Community Affairs by December 1 of each year starting December 2008.

#### OBJECTIVE V

Construction of all public facility improvements and facilities included within other plan elements will continue to be monitored through the comprehensive planning process, land development regulations, and the Capital Improvements Element, which will continue to ensure that the City is not required to construct improvements beyond its financial capacity.

**Evaluation Measure of Objective V** - Record of public facility improvements and facilities constructed by the City in accordance with the five year Capital Improvement Program and consistent with the City's debt/service standard.

#### POLICY 5.1

Public Facilities required to eliminate existing deficiencies for which the City is financially responsible shall be included in the five (5) year Capital Improvement Program. Annual updates of transportation related projects adopted by County agencies including the MPO are adopted by reference in the CIE and as annually adopted thereafter. In addition, the annual update to the five (5) year CIP will be

accomplished through adoption of an ordinance, without amendment to the comprehensive plan, pursuant to Section 163.3177(3)(b), Florida Statutes. Those changes to the CIE, other than to the 5-Year CIP shall (continue to) be accomplished through the comprehensive plan amendment process

#### POLICY 5.2

Total debt/service expense shall continue to not exceed 20% of the annual budget.

#### POLICY 5.3

The City will update the data relating to public education and health facilities as needed through 2015 and submit the updated data during the EAR process following the update.

#### POLICY 5.4

The City shall continue to use local option fuel tax proceeds for transportation expenditures as defined in Section 336.025(7), Florida Statutes, that are needed to meet the requirements of the Capital Improvements Element of the Comprehensive Plan.

#### OBJECTIVE VI

The City of Pembroke Pines, in coordination with the County and the School Board shall ensure that public school facilities are available for current and future students consistent with available resources and the adopted level of service (LOS).

Evaluation Measure Objective VI – Record of public school facilities being available at the adopted level of service concurrent with construction of residential development.

#### POLICY 6.1

Consistent with policies and procedures within the adopted Interlocal Agreement (ILA), the District Educational Facilities Plan (DEFP) shall contain a five (5) year financially feasible schedule of capital improvements to address existing deficiencies and achieve and maintain the adopted LOS in all Concurrency Service Areas (CSA). This financially feasible schedule shall be updated on an annual basis and adopted into the CIE.

## POLICY 6.2

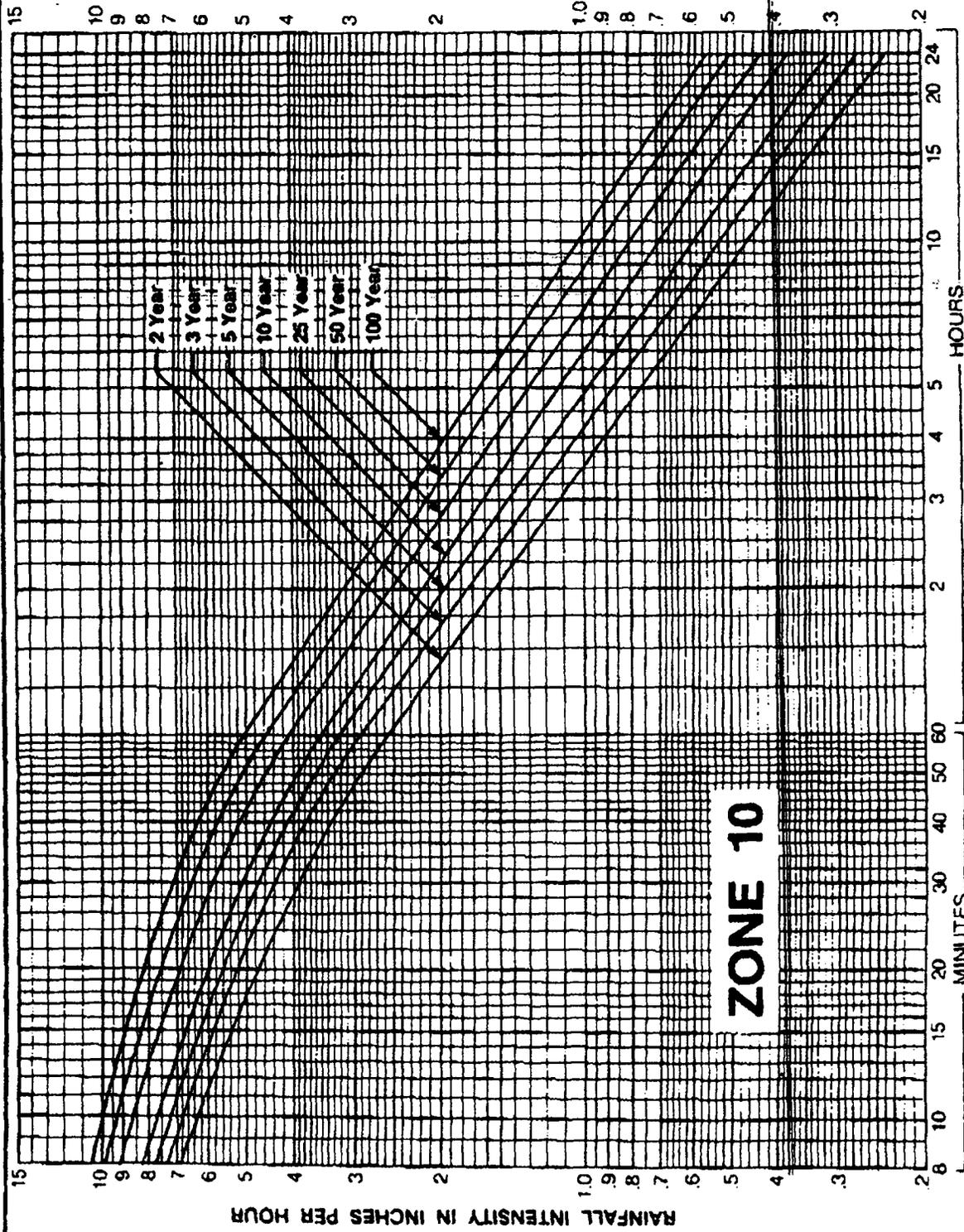
The uniform, district-wide LOS shall be 100 percent of gross capacity (with relocatable classrooms) for each CSA until the end of the 2018/19 school year, and commencing at the 2019/20 school year, the LOS for each CSA shall be 110 percent of permanent Florida Inventory of School Housing (FISH) capacity for each public elementary, middle and high school.

## POLICY 6.3

The adopted LOS shall be applied consistently by the City of Pembroke Pines, Broward County, and the School Board, district-wide to all schools of the same type.

## POLICY 6.4

The Broward County Public Schools DEFP, as adopted by the Broward County School Board on September 10, 2013, and as annually adopted thereafter is adopted by reference into the CIE.



DURATION

FIGURE 5-11

Rainfall Intensity-Duration-Frequency Curves for Zone 10

# **CAPITAL IMPROVEMENTS ELEMENT**

## **V. CAPITAL IMPROVEMENTS IMPLEMENTATION**

The purpose of this section is to identify the procedure and process the City follows to complete the improvements which are identified as needed within the community. The five-year capital improvement program is typically utilized as a strategy to implement the Capital Improvement Element. The only capital improvements identified by the Comprehensive Plan to address shortfalls in water supply are included in the update to the Capital Improvement Element and five-year capital improvement program.

The City will continue to ensure that adequate levels of service are maintained in accordance with the elements of the Comprehensive Plan (See FLU Policy 7.1). Through updates to the land development regulations and development review process, the City will ensure that the goals, objectives and policies of the Comprehensive Plan are implemented. Each development will be evaluated to determine whether level of service standards can be met with existing infrastructure or with infrastructure improvements which will be in place concurrent with the impacts of the development. Development orders will not be issued if sufficient infrastructure is not in place or will not be in place concurrent with the impacts of development and no development orders will be issued which do not maintain the established levels of service of the Comprehensive Plan.

## **VI. MONITORING AND EVALUATION**

The Capital Improvements Element of the Comprehensive Plan shall be reviewed and submitted to the Florida Department of Community Affairs by December 1 of each year as required by State Statute to determine its consistency with the Comprehensive Plan and the maintenance of the levels of service outlined in the elements of the Comprehensive Plan. A report shall be issued which will address the current status of the Comprehensive Plan and the Capital Improvements Element as they relate to the growth and development occurring within the City of Pembroke Pines. The report will identify any deficiencies which may be present and will also provide a course of action to rectify any deficiencies that are identified.