

**DRAFT CAPITAL IMPROVEMENTS ELEMENT  
GOALS, OBJECTIVES, & POLICIES**

**9J-5.016(3)**

**GOAL CAP 1**

Lake County will provide needed public facilities within the County's designated service areas in a manner which protects investments in and maximizes use of existing facilities, maintains adopted level of service standards, promotes a balanced government budget and sound use of public money.

**OBJECTIVE CAP 1.1**

Public facilities shall be provided for the purpose of correcting existing deficiencies, accommodating future growth, and replacing deteriorated or obsolete facilities pursuant to applicable level of service standards adopted within the comprehensive plan for all land use categories and overlay districts designated on the future land use map.

**Policy CAP 1.1-1     Public Facilities Defined**

For the purpose of this Comprehensive Plan, public facilities shall be construed to include the structures, land design, permitting, ancillary equipment, and construction costs related to the following capital improvements:

- a. Arterial and collector roads;
- b. Mass transit;
- c. Airports;
- d. Potable water;
- e. Sanitary sewer;
- f. Parks, recreation and open space;
- g. Solid waste collection and disposal;
- h. Stormwater management;
- i. Public buildings accommodating public services provided through the following facilities: courthouse, jail, administrative, health, education, environmental services, fire protection, and law enforcement.

**Policy CAP 1.1-2     Level of Service Categories Applicable to Public Facilities.**

Lake County shall apply level of service standards to public facilities according to the following categories:

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- a. **Category A (Concurrency)** - Public facilities for which a level of service must be established for concurrency determination, as mandated by Chapter 163, Florida Statutes. These facilities include schools, roadways, mass transit, sanitary sewer, drainage, potable water, solid waste, and recreation and open space facilities within Lake County's unincorporated jurisdictional area, and in municipal (unincorporated) areas served by certain facilities provided by Lake County. All Category A facilities shall be inventoried and analyzed within mandatory elements of the Comprehensive Plan supporting document titled *Data Inventory & Analysis*.
- b. **Category B (Non-Concurrency)** - Public facilities and services exempt from concurrency determination but which are incorporated into the Comprehensive Plan under a mandatory or non-mandatory element. These facilities include conservation, housing, economic development, and aviation and rails.
- c. **Category C (Non-Mandatory)** - Public facilities and services not required by Chapter 162, F.S., and 9J-5, Florida Administrative Code (FAC), to be inventoried and analyzed within an element of the Comprehensive Plan, but whose cost or implementation may affect the financial feasibility of a Category A or B facility. All other County governmental facilities and services not included under Category A or B represent Category C facilities. These facilities include, but are not limited to, fire protection, law enforcement, public buildings, library services, emergency medical service, mosquito control, and jail facilities.

**Policy CAP 1.1-3      Level of Service Concurrent with Impacts of New Development**

Public facilities and services consistent with adopted level of service standards must be available concurrent with the impacts of new development or expansion of service areas, consistent with 9J-5.0055(2), Florida Administrative Code.

**Policy CAP 1.1-4      Solid Waste Level of Service**

The County's adopted level of service for its solid waste disposal facilities, as per the *Solid Waste sub-element*, shall be as follows:

*Policy SOL 1.6-6.1      The base level of service is 2-1-1: two days per week garbage pickup, one day per week recycling pickup, and one day per week yard waste pickup.*

*Policy SOL 1.6-6.2      Exceptions to Policy SOL 1.6-6.1 are in the north and northeast part of the County, which are contracted for 1-1-1 due to road conditions and a less dense population.*

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**Policy CAP 1.1-5 Recreation Levels of Service**

The level of service standard for recreation per **Policy REC 1.4-3** shall be four (4) acres per 1000 residents.

**Policy CAP 1.1-6 Stormwater Levels of Service**

As per **Policy STORM 1.2-9**, Lake County shall maintain a level of service standard, for new and existing development, based on the following stormwater quantity and quality criteria:

- a. Design storm based on 24 hour minimum.

Table CAP-1. Lake County Stormwater Quantity & Quality Criteria

FACILITY	FREQUENCY & DURATION
Bridges	50 years, 24 hours
Principal arterial bridges and evacuation routes	100 years, 24 hours
Canals, ditches, swales or culverts for drainage external to the development	25 years, 24 hours
Canals, ditches, swales or culverts for drainage internal to the development	10 years, 24 hours
Detention and retention basins contributory to land-locked areas with no positive outlet	25 years, 96 hours
Detention/retention structures with a positive outlet	25 years, 24 hours Mean Annual Storm
Houses/Buildings/Garages first floor elevation must be 18 inches or above the 100-year flood elevation	100 years, 24 hours
Storm sewers	10 year storm

- b. Pollution abatement shall be accomplished by requiring stormwater management systems to retain or detain with filtration, the first one-half inch of run-off from developed sites, or the run-off generated from the first inch of rainfall on developed sites, whichever is greater.
- c. Lake County shall require a retention/detention system that limits peak discharge of a developed site to the discharge from the site in an undeveloped condition during a 24 hour/25 year frequency storm event.

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- d. Lake County shall require, prior to development approval, that projects receive appropriate permits from State agencies to comply with the rules and regulations for stormwater facility design, performance and discharge.
- e. Discharged stormwater run-off shall not degrade receiving surface water bodies below the minimum conditions as established by State water quality standards (17-302 and 17-40.420, Florida Administrative Code).

**Policy CAP 1.1-7      Transportation Levels of Service**

As defined in the Transportation Element, **Policy TRA 1.1-1**, Rural Areas Minimum Operating Level of Service Standards, and **Policy TRA 1.1-2**, Urbanized Area Minimum Operating Level of Service Standards, Table CAP-2, summarizing these levels of services, is provided:

Table CAP-2 Transportation Levels of Service

ROAD CLASSIFICATION	PEAK HOUR MINIMUM LEVEL OF SERVICE	
	RURAL AREAS	URBAN AREAS
Strategic Intermodal System / Florida Intrastate Highway System	B	C
County & State Arterials	C	D
Collectors	C	D
Constrained/Backlogged Roadways	Maintained	Maintained

**Policy CAP 1.1-8      Level of Service Annual Review**

Lake County shall annually review compliance and appropriateness of the adopted level of service standards.

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**GOAL CAP 2**

Lake County shall plan for and manage the provisioning of public facilities and services within a balanced budget that reflects the sound use of public funds in a responsible manner to adequately serve existing and new residents while continuing to provide a quality environment for all residents of the County.

**OBJECTIVE CAP 2.1**

Lake County shall schedule and provide capital improvements to meet existing deficiencies, to accommodate desired future growth, and to replace obsolete or worn-out facilities.

**Policy CAP 2.1-1      Schedule of Capital Improvements**

Lake County shall prepare an annual Schedule of Capital Improvements for County departments, and those authorities and special districts that depend on funds allocated by the Board of County Commissioners to guide the timing and location of capital expenditures.

**Policy CAP 2.1-2      Capital Improvements Defined**

Public physical improvements, including land acquisition, buildings, structures, facilities, equipment, and infrastructure with a unit cost exceeding \$25,000 and a useful life of at least five years shall be considered capital improvements. For purposes of the Schedule of Capital Improvements, public facilities are defined as those facilities that maintain or improve adopted levels of service for traffic circulation, mass transit, potable water, sanitary sewer, solid waste, parks and stormwater management.

**Policy CAP 2.1-3      Consistency in the Schedule of Capital Improvement**

The Schedule of Capital Improvements shall be consistent with and act as a means of implementing the County's comprehensive plan. All County capital improvements shall be made in accordance with the adopted Schedule of Capital Improvements, including amendments, as outlined in the comprehensive plan.

**Policy CAP 2.1-4      Evaluating and Prioritizing the Schedule of Capital Improvements**

Projects submitted for inclusion in the Schedule of Capital Improvements will be evaluated annually and prioritized by a committee composed of staff from the appropriate County departments. Projects will be evaluated and prioritized based on the following criteria:

- a. elimination of a public hazard;
- b. consistency with the Comprehensive Plan;
- c. elimination of an existing deficiency;
- d. required by legislative mandate;
- e. needed to maintain level of service standard;

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- f. financial feasibility;
- g. public safety;
- h. local priorities; and,
- i. consistency with plans of surrounding jurisdictions and agencies.

- Policy CAP 2.1-5      Annual Review and Update**  
The County shall review the Schedule of Capital Improvements on an annual basis. The Schedule of Capital Improvements budget will be based on the multi-year Schedule of Capital Improvements. Future capital improvement expenditures necessitated by changes in population, changes in real estate development, or changes in the economic base will be calculated and included in capital improvements budget projections.
- Policy CAP 2.1-6      Future Operating Costs**  
The County shall coordinate development of the Capital Improvements budget with development of the operating budget. Future operating costs associated with new capital improvements will be projected and included in operating budget forecasts.
- Policy CAP 2.1-7      Intergovernmental Assistance**  
The County shall use intergovernmental assistance to finance only those capital improvements that are consistent with the Capital Improvements Element and County priorities, and whose operating and maintenance costs have been included in operating budget forecasts.
- Policy CAP 2.1-8      Adequate Asset Level**  
The County shall maintain all its assets at a level adequate to protect the County's capital investment, and to minimize future maintenance and replacement costs.
- Policy CAP 2.1-9      Maintenance and Replacement Schedule**  
The County shall project its equipment replacement and maintenance needs for the next several years and will update this projection each year. From this projection, a maintenance and replacement schedule will be developed and followed.
- Policy CAP 2.1-10      Funding Sources**  
The County shall identify the estimated costs and potential funding sources for each capital project proposal before it is submitted for approval.
- Policy CAP 2.1-11      Adoption by BCC**  
The Lake County Five Year Schedule of Capital Improvements shall be adopted by the Board of County Commissioners concurrent with approval of the annual budget. The Capital Improvements budget will be adopted and incorporated into the annual Lake County budget. Deviations from

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the adopted Capital Improvements budget or Schedule of Capital Improvements will require approval by the Board of County Commissioners. Also, deviations involving concurrency related projects, with the exceptions noted in Section 163.3177(3)(b), Florida Statutes, shall require a comp plan amendment based on the Board of County Commissioner's approval.

**Policy CAP 2.1-12 Service Commitments**

Public facility and service commitments established in development agreements shall be annually incorporated into the Schedule of Capital Improvements.

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**OBJECTIVE CAP 2.2**

Lake County shall maintain a comprehensive and viable debt management strategy which recognizes the capital improvements needs of the County as well as the taxpayer's or rate payer's ability to pay, accounting for existing legal, economic, financial and debt market considerations.

**Policy CAP 2.2-1      Cost of Financing**

The County shall identify and pursue the least costly financing method for all new projects.

**Policy CAP 2.2-2      Financing Enterprise Fund Operations**

Capital improvements related to enterprise funds operations (e.g., refuse disposal systems, etc.) shall be financed solely by debt to be repaid from user fees and charges generated from the respective enterprise funds operation, when practicable.

**Policy CAP 2.2-3      Financing Non-enterprise Fund Operations**

Capital improvements not related to enterprise funds operations (e.g., roads, parks, public buildings, etc.) may be financed by debt to be repaid from available revenue sources (including ad valorem taxes) pledgeable for same, when practical.

**Policy CAP 2.2-4      Use of Cash Surpluses**

Cash surpluses, to the extent available and appropriate, shall be considered to finance scheduled capital improvements.

**Policy CAP 2.2-5      Issuance of Debt**

The County shall issue debt only for the purposes of constructing or acquiring capital improvements (more specifically, the approved schedule of capital improvements) and for making major renovations to existing capital improvements. The only exception to the above would involve entering into long-term leases for the acquisition of major equipment when it is cost justifiable to do so.

**Policy CAP 2.2-6      Duration of Financing**

All capital improvements financed through the issuance of debt shall be financed for a period not to exceed the useful life of the improvements, but in no event to exceed thirty years.

**Policy CAP 2.2-7      Funding Prerequisite**

The County shall not construct or acquire a public facility if it is unable to adequately provide for the subsequent annual operation and maintenance costs of the facility.

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- Policy CAP 2.2-8      Credit Rating**  
The County shall at all times manage its debt and sustain its financial position in order to seek and maintain the highest credit rating possible.
- Policy CAP 2.2-9      Checks and Balances**  
The County shall ensure that an adequate system of internal control exists (e.g., audits, etc.) to provide reasonable assurance as to compliance with appropriate laws, rules, regulations and covenants associated with outstanding debt.
- Policy CAP 2.2-10     Pledging of Revenue Streams**  
Revenue sources shall only be pledged for debt when legally available and, in those situations where they have previously been used for operation and maintenance expenses/general operating expenditures, they will only be pledged for debt when other sufficient revenue sources are available to replace same to meet operation and maintenance expenses/general operating expenditures.
- Policy CAP 2.2-11     Marketing of Debt**  
The County shall market its debt through the use of competitive bid whenever deemed feasible, cost effective and advantageous to do so. However, it is recognized that, in some situations, certain complexities and intricacies of a particular debt issue are such that it may be advantageous to market the debt via negotiated sale.
- Policy CAP 2.2-12     Early Debt Retirement**  
The County shall continually monitor its outstanding debt in relation to existing conditions in the debt market and will retire any outstanding debt when sufficient cost savings can be realized.
- Policy CAP 2.2-13     Usage of Credit Enhancements**  
Credit enhancements (insurance, letters of credit, etc.) shall be used only in those instances where the anticipated present value savings in terms of reduced interest expense equals or exceeds the cost of the credit enhancement.
- Policy CAP 2.2-14     Stabilize Debt Service Payments**  
In order to maintain a stable debt service burden, the County will attempt to issue debt that carries a fixed interest rate. However, it is recognized that certain circumstances may warrant the issuances of variable rate debt. In those instances, the County should attempt to stabilize debt service payments through the use of an appropriate stabilization arrangement.

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**OBJECTIVE CAP 2.3**

Lake County shall investigate and identify new sources of revenue and promote the adoption of non-ad valorem based revenue sources.

**Policy CAP 2.3-1      Impact Fees**

Lake County shall impose impact fees as a means of establishing and paying for future development's proportional cost of capital improvements.

**Policy CAP 2.3-2      User Pay Public Improvements**

To the maximum extent feasible, the "user pays" philosophy shall be incorporated into the revenue structure of all major public improvements and infrastructure systems that do not provide substantially equal benefit to all County residents on a countywide basis.

**Policy CAP 2.3-3      Fee Structure**

The fee structure of all County enterprise funded infrastructure systems shall be set equal to the financial requirements for the operation, maintenance, capital improvements programs and debt service of the respective system.

**Policy CAP 2.3-4      Federal and State Funding**

Lake County shall aggressively seek Federal and State funding for appropriate improvements and activities to reduce reliance on the County's ad valorem tax base.

**Policy CAP 2.3-5      Funding for Transportation Improvements**

Lake County will strongly lobby for the inclusion of appropriate projects on the Metropolitan Planning Organization Road Improvements List and the Florida Department of Transportation Work Program to ensure that the appropriate and equitable amount of money is expended on State road projects within the County. The County also shall pursue additional funding sources for transportation improvements, consistent with Transportation Policies 4.1.1 and 4. Policy 1.8-

**Policy CAP 2.3-6      Investigate New Sources of Revenue**

When and if new revenue sources are needed, Lake County shall investigate the feasibility of adopting new sources of revenue including, but not limited to, franchise fees, special taxing and benefit units, user fees, and other taxes and fees, as appropriate, to ensure the financial feasibility of the Comprehensive Policy Plan and the maintenance of adopted levels of service over the twenty-year planning horizon.

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- Policy CAP 2.3-7      Examine Fee Structure**  
Lake County periodically shall examine existing fee structures to determine the adequacy of the fees to offset capital and administrative impacts associated with the various land development activities.
- Policy CAP 2.3-8      Monitor Revenue and Expenditures**  
Lake County shall monitor the relationship of revenues and expenditures in an effort to identify and rectify possible fiscal problems. A status report shall be provided to the Board of County Commissioners periodically.
- Policy CAP 2.3-9      Community Development Districts**  
On a project by project basis, Lake County shall consider the feasibility and suitability of Community Development Districts (Chapter 190, F.S.) to serve as an alternative financing technique for the provision of infrastructure and public services. To be considered for approval, any proposed Community Development District (CDD) for residential development in Lake County must, at a minimum, provide for the financing of public recreation facilities and public schools. A CDD shall not be considered for approval if it provides for the funding of infrastructure that would otherwise be funded through traditional land development regulations (i.e. subdivision regulations, etc.).

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**OBJECTIVE CAP 2.4**

Lake County shall coordinate the approval of new development with the Schedule of Capital Improvements. The schedule shall include the maintenance of adopted level of service standards and shall include the existing and future facility needs of Lake County.

**Policy CAP 2.4-1      Capital Improvement Consistency**

Capital improvements proposed in the Capital Improvements Element shall be consistent with those required due to concurrency in each individual element of the Comprehensive Plan. Capital improvements not required due to concurrency shall be included in the Capital Improvements Element at the discretion of the County.

**Policy CAP 2.4-2      Public Facility Consistency**

The Capital Improvements Element shall be consistent with public facility needs demanded by new development resulting from amendments to the Comprehensive Plan. The County shall evaluate the Capital Improvements Element simultaneously with the adoption of a plan amendment.

**Policy CAP 2.4-3      Development Order Stipulations**

Development orders shall not be approved if funding sources are not identified for the scheduled financing of capital improvements, or where necessary facilities are not guaranteed by the developer in an enforceable development agreement pursuant to Section 163.3220, Florida Statutes, or to Chapter 380, Florida Statutes. The agreement must guarantee that the necessary facilities and services will be in place when the impacts of the development occur. This shall be interpreted to include all transportation facilities and services, including mass transit.

**Policy CAP 2.4.4      Availability of Public Facilities**

To promote growth in urban and urban expansion areas, Lake County shall prioritize the availability of service capacities for concurrency facilities to these areas. At such time Lake County has sufficient information and studies to document rural type development demands for public facilities and services, different levels of service shall be established for the rural areas of the County.

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**OBJECTIVE CAP 2.5**

Future development shall bear its fair share cost for facility improvements necessary to provide services demanded by new growth and development. The term "fair share" is defined as new growth paying the incremental capital costs for all facilities and services, as defined by documentation for existing and future impact fees and other funding mechanisms, necessary to accommodate the impacts created by new growth in order to maintain the adopted level of service. Fair share costs shall be assessed through the use of impact fees.

**Policy CAP 2.5-1      New Development**

Lake County shall assess impact fees on new development to cover a fair share of the capital cost to provide those services to new growth.

**Policy CAP 2.5-2      Capital Facility Needs**

Impact fees shall be used to fund capital facility needs resulting from new development and shall not be used to fund existing deficiencies.

**Policy CAP 2.5-3      Public Facility Needs**

Impact fees shall be maintained for as many public facilities as feasible, but with consideration to the economic impact on affordable housing and the local construction industry.