



## ITEM SUMMARY

**MEETING DATE:** January 3, 2022

**FROM:** Kara Irwin-Ferris, AICP, Development & Neighborhood Services Director

**SUBJECT:** **Ordinance 2021-15, CPA-21-02**  
CIE Update

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### BACKGROUND

The Florida legislature mandated that local governments plan for the availability of public facilities and services to support development concurrent with the impact of such development. Consequently, the Capital Improvements Element (CIE) has become the “cornerstone” of achieving this mandate. The goals, objectives and policies set forth in the Capital Improvement Element are the general ends the City of Greenacres wants to achieve; the objectives that need to be accomplished to achieve them; and the positions, programs and level of service standards which need to be adopted in order to achieve the objectives.

Previously, § 163.3177, F.S. required that cities annually update their CIE and Five-Year Schedule of Capital Improvements. However, Chapter 163.3177 was modified in two important ways upon passing of the 2011 Community Planning Act. First, Section 163.3117(3)(a)(4) previously required that the capital improvements element cover a 5-year period and identified whether projects were funded or unfunded and be accompanied by a priority. This section of Florida Statutes no longer requires the demonstration of financial feasibility. Secondly, Section 163.3177(3)(b) modifies the requirements for local governments to annually review the capital improvements element. The City is no longer required to transmit the adopted amendment to the state land planning agency, adopt a long-term concurrency management system, or to address financial feasibility.

However, State Statutes still obligates the City to yearly update its capital projects schedule(s) including those being funded by outside agencies which may impact the City; just not as a Comprehensive Plan Amendment. Therefore, this is the yearly update to the Capital Improvements Element (CIE) of the City’s Comprehensive Plan to maintain consistency between the City’s most recently adopted budget and the Comprehensive Plan. The Amendments include deleting and replacing the following outdated Tables:

1. City of Greenacres Capital Improvement Projects – Table 1A
2. Palm Beach County Roadway Project – Table 1B
3. Palm Beach County Water Projects – Table 1C
4. Palm Beach County School Projects - Table 8

The Local Planning Agency reviewed this text amendment on October 20, 2021, and recommended approval by a vote of 5-0. On November 1, 2021 the City Council voted 4-0 to approve the amendment on first reading.

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### **ANALYSIS**

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The text amendment will authorize an update to the Capital Improvement Element within the City's Comprehensive Plan as required by state statute.

Overall, this amendment is compatible with the Treasure Coast Regional Planning Council's Strategic Policy Plan and Chapter 163, Florida Statutes.

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### **FINANCIAL INFORMATION**

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### **LEGAL**

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Ordinance 2021-15 was prepared in accordance with all applicable state statutes and City Code Requirements.

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### **STAFF RECOMMENDATION**

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*Approval* of CPA-21-02 through the adoption of Ordinance 2021-15.