

CHAPTER 10

PUBLIC SCHOOL FACILITIES ELEMENT

INTRODUCTION

The purpose of this element is to establish a goal and measurable objectives with corresponding policies addressing the public school facility needs of Gadsden County. In conjunction with other elements, it will provide guidance for the coordination of efforts between the County, towns, cities and the Gadsden County School Board to ensure that sufficient facilities are provided in compliance with applicable criteria and standards.

The data and analysis for this element serves as the foundation of the element and establishes the directives which the County shall follow in implementing the Comprehensive Plan. The data and analysis is used in collaboration with data and analysis of other plan elements. The element is closely related to other elements to ensure that facilities are of sufficient size and placed in strategic locations to provide for convenient access and provide joint use opportunities to the public.

The following goal, objectives and policies, in conjunction with other elements, are intended to serve the public school facilities needs of the County.

GOAL 10: Collaborate and coordinate with the Gadsden County School Board (“School Board”) to ensure a high quality public education system which meets the needs of the County’s existing and future population.

OBJECTIVES AND POLICIES:

OBJECTIVE 10.1: Implement and maintain mechanisms designed to coordinate with the School Board in order to provide consistency between the Comprehensive Plan and public school facilities programs.

10.1.1: If capacity will not be available to serve students, then the County may use the lack of school capacity as a basis for denial of residential subdivisions and residential site plans.

10.1.2: In cooperation with the School Board and the towns and cities, the County will continue to implement the *Gadsden County Interlocal Agreement for Public School Facility Planning* as required by Section 163.31777, F.S..

10.1.3: The County shall include, as a member of the Planning Commission, a nonvoting or voting representative appointed by the School Board. The representative shall attend and may provide comment at those meetings where a comprehensive plan amendment, residential site plan or residential subdivision that may increase residential density or the use of public lands are on the agenda.

10.1.4: In order to ensure that the *Gadsden County Interlocal Agreement for Public School Facility Planning* is fully compliant, the County shall recommend to the School Siting Interlocal Agreement Committee that on or before the next annual meeting the Agreement will be amended to: (1) acknowledge the School Board's Constitutional and statutory obligations to provide free public schools and the land use authority of local governments to approve comprehensive plan amendments and development orders and (2) address revisions needed to maintain consistency between the ILA and this element, and to appropriately reflect the requirements of Chapter 163, Florida Statutes.

OBJECTIVE 10.2: The County shall ensure that existing public school facility deficiencies and future public school facility needs are addressed to ensure adequate public school capacity consistent with the adopted level of service standards for public school facilities. The adopted level of service standards will be achieved by the end of the short term planning period and shall be maintained thereafter.

10.2.1: The County shall update the Capital Improvements Element and add a new fifth year prior to December 1 of each year.

10.2.2: The County shall ensure that the Five Year Capital Improvements Schedule includes all necessary projects to address existing deficiencies and meet future student needs as projected by the County, town and cities based upon identified improvements over the short term and long term planning periods, in consultation with the School Board's projections of student enrollment based on the adopted level of service standards.

10.2.3: Consistent with Section 1013.35(3), F.S., and the provisions of the Interlocal Agreement, the School Board shall provide the County with a draft of the Gadsden County School Board Five Year District Facilities Work Plan prior to adoption and the County shall provide comments on the consistency of the work plan with the local government comprehensive plan. The School Board shall consider the County's comments when adopting the work plan.

10.2.4: The School Board shall provide the County with a copy of the adopted Gadsden County School Board Five Year District Facilities Work Plan prior to December 1 of each year.

10.2.5: The School Board, in coordination with the County, cities and towns, shall annually update its Five Year District Facilities Work Plan, including the addition of a new fifth year, to ensure maintenance of a financially feasible capital improvements program, and to ensure level of service standards will continue to be achieved and maintained during the short-term and long-term planning periods.

10.2.6: By December 1 of each year, the County will update its Capital Improvements Element to incorporate by reference the current Gadsden County School Board Five Year District Facilities Work Plan. The County and School Board will coordinate during updates or

amendments to the Comprehensive Plan and updates or amendments for long-term plans for public school facilities.

10.2.7: The County’s strategy, in coordination with the School Board, for correcting existing deficiencies and addressing future needs includes:

1. Implementation of a financially feasible Gadsden County School Board Five Year District Facilities Work Plan to ensure level of service standards are achieved and maintained;
2. Identification of adequate sites for funded and planned schools;
3. Ensuring that future development pays its share of the costs of capital facility capacity needed to accommodate new development;
4. Managing the timing of new development to coordinate with adequate school capacity; and
5. Evaluating options to expand revenues for school construction.

OBJECTIVE 10.3: Enhance neighborhood design through effective school facility design and siting standards and encourage the siting of school facilities so they serve as neighborhood focal points and are compatible with and accessible to surrounding land uses.

10.3.1: The County will coordinate with the School Board to assure that proposed public school facility sites are consistent with the Future Land Use categories and policies of the Comprehensive Plan.

10.3.2: The County will include sufficient Future Land Use categories allowing for schools approximate to residential development to meet the projected needs for public school facilities.

10.3.3: All public school facilities shall provide bicycle and pedestrian access, including, at a minimum, sidewalks on rights-of-way adjacent to schools and connecting to the schools and bicycle parking facilities.

10.3.4: Gadsden County and the School Board shall collaborate on public and private transit routes to better serve citizens and students.

10.3.5: The County shall encourage the location of public school facilities near existing residential areas.

10.3.6: The County shall coordinate with the School Board and may assist in identifying funding sources and/or construction opportunities for sidewalks, turn lanes, traffic signalization, access, potable water, wastewater, drainage, solid waste, recreation and other infrastructure improvements.

10.3.7: The County shall seek opportunities to co-locate and share community facilities, such as parks, libraries, community centers, recreation facilities, auditoriums, learning centers, museums, performing arts centers, health care, social services and stadiums, with public school facilities as the need for these facilities is identified. Co-location and shared use opportunities will be considered by the County and School Board when planning and designing new or renovating existing community facilities.

10.3.8: The County shall permit public schools in all Future Land Use categories except for Conservation, Silviculture, Mining, Historical, unless the school is a historic structure, and Industrial. Schools shall only be permitted in the Agricultural-3 Future Land Use category through a special exception permit process approved by the Board of County Commissioners. Special emphasis shall be used to encourage the location of schools in areas other than the Agricultural Future Land Use categories and in areas where central water and central sewer are available.

10.3.9: The County shall coordinate with the School Board to assure that existing and proposed public school facility sites are coordinated with the Future Land Use Map and Future Land Use Map series.

10.3.10: The County shall coordinate with the School Board to ensure the compatibility of existing and proposed public school facility sites with surrounding land uses.

10.3.11: The County shall coordinate with the School Board to ensure compatibility of proposed Future Land Use Map amendments with existing and future public school facility sites.

10.3.12: The County hereby incorporates *Map A: Short Term and Long Term (2008-2018) Locations of Public School Facilities and Ancillary Facilities* into this Element.

OBJECTIVE 10.3: Encourage sustainable design and development for public school facilities.

10.3.1: The County shall encourage the School Board to use sustainable design and performance standards, such as using energy efficient and recycled materials.

10.3.2: The County shall encourage schools to be located in areas where infrastructure exists with available capacity, including where existing pedestrian systems are in place to encourage bicycle and pedestrian modes of travel.

OBJECTIVE 10.4: The County will coordinate with the School Board to support emergency preparedness through transportation and facility use and develop agreements to use these facilities as emergency shelters.

10.4.1: The County will continue to coordinate with the School Board in efforts to design and build new public school facilities and facility rehabilitation and expansions as emergency shelters.

10.4.2: The County, in conjunction with the School Board, towns and cities, shall identify issues relating to public school emergency preparedness, such as:

1. The determination of evacuation zones, evacuation routes and shelter location,
2. The design and use of public schools as emergency shelters and
3. The designation of sites other than public schools as long term shelters, to allow public schools to resume normal operations following emergency events.

10.4.3: The County shall coordinate with the School Board to transport vulnerable citizens to designated shelters upon notification of an impending or declared emergency.

OBJECTIVE 10.5: Assist the School Board in complying with their respective public school facility siting policies.

10.5.1: On proposed site plans for public school facilities, the County may impose reasonable development standards and conditions in accordance with Section 1013.33(13), Florida Statutes.

10.5.2: The County shall consider the adequacy of proposed site plans for public school facilities as they relate to environmental concerns, health, safety, welfare, effects on adjacent property and impacts on infrastructure and transportation facilities.

OBJECTIVE 10.6: Manage the timing of residential subdivision approvals and residential site plan approvals to ensure adequate school capacity is available consistent with adopted level of service standards for public school concurrency.

10.6.1: The County hereby adopts the following level of service standards for public school concurrency:

TYPE OF SCHOOL FACILITY	LEVEL OF SERVICE
Elementary	100% of Florida Inventory of School Houses permanent capacity
Middle	100% of Florida Inventory of School Houses permanent capacity
K-8	100% of Florida Inventory of School Houses permanent capacity
High	100% of Florida Inventory of School Houses

Special purpose	permanent capacity 100% of Florida Inventory of School Houses permanent capacity
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10.6.2: Potential amendments to the adopted levels of service standards shall be conducted as set forth in the *Gadsden County Interlocal Agreement for Public School Facility Planning*.

10.6.3: The School Board and County will determine whether adequate school capacity exists for a proposed development based on the standards set forth in the *Gadsden County Interlocal Agreement for Public School Facility Planning* and Policy 10.6.1.

10.6.4: The County shall give priority consideration to residential site plans and residential subdivisions in areas with adequate school capacity or where public school sites adequate to serve potential growth have been donated to or set aside for purchase by the School Board at raw land (pre-development approval) prices reflected in a written agreement approved by the School Board.

10.6.5: Public school concurrency shall be applied on a district wide basis until 2010 and thereafter on a school type and attendance zone basis.

10.6.6: The County hereby adopts the entire school district as the concurrency service area as shown on Map 9 in the data and analysis.

10.6.7: The County shall use the following procedures and standards for modifying school concurrency service areas:

1. If a modification is proposed, it shall be accomplished by the execution of an amendment to the *Gadsden County Interlocal Agreement for Public School Facility Planning* by all parties and the adoption of an amendment to the comprehensive plan of all parties. The amended concurrency service area shall not be effective until all parties: (1) comprehensive plan amendments are adopted and (2) the amended *Gadsden County Interlocal Agreement for Public School Facility Planning* is fully executed.
2. No concurrency service area shall be amended without showing that the amended concurrency service area boundaries are financially feasible and can be achieved and maintained over the five years of the Capital Facilities Plan.

10.6.8: The County shall amend its Land Development Code/Concurrency Management System to require that all new residential units be reviewed for school concurrency at the time of preliminary residential subdivision review or preliminary residential site plan review. The County may choose to provide an informational assessment at a pre-application meeting or

conceptual review stage. The test and capacity reservation shall be applied at final residential subdivision approval or final residential site plan approval. If a preliminary approval does not receive final approval prior to the deadline established in the Land Development Code/Concurrency Management System then the capacity reservation shall be removed. The County shall not deny a residential subdivision preliminary approval or a residential site plan preliminary approval due to a failure to achieve and maintain the adopted level of service for public school capacity where:

- a) Adequate public school facilities will be in place or under actual construction within three years after the issuance of the final residential subdivision approval or final residential site plan approval; or
- b) The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by the subject property prior to the issuance of the final residential subdivision approval or final residential site plan approval.
- c) The development consists of an age-restricted community where through a developer's agreement that the age of residents shall be restricted to those 55 years of age or older.
- d) The development consists of a retirement home or nursing home.

10.6.9: In evaluating for concurrency, any relevant programmed improvements in the current year and years 2 or 3 of the 5-year schedule of improvements shall be considered available capacity for the project and factored into the level of service analysis. Any relevant programmed improvements in years 4 or 5 of the 5 year schedule of improvements shall not be considered available capacity for the project unless funding for the improvement is assured through School Board funding, the proportionate share mitigation process or some other legally binding means, and the improvement is accelerated into the first three years of the Five Year Plan.

10.6.10: In the event that the County or the School Board finds that there is not sufficient capacity in the affected concurrency service area to address the impacts of a proposed development, the following standards shall apply: Either,

- (a) the preliminary residential site plan or preliminary residential subdivision must provide capacity enhancement sufficient to meet its impacts through proportionate share mitigation, or
- (b) as a condition of the development order of the preliminary residential site plan or preliminary residential subdivision the project's construction plans and/or building permits shall be delayed to a date when capacity enhancement and level of service can be

assured or only a final residential subdivision plat phase or portion of the final residential site plan able to comply with concurrency standards shall be approved, or

(c) the project cannot be approved.

10.6.11: The School Board staff, working with County and municipal staff, will develop and apply, for each school type, student generation multipliers for residential units by type which consider past trends in student enrollment in order to project student enrollment and projected capital improvements costs per student station. The student generation rates shall be determined by the School Board with County, town and city staff in accordance with professionally accepted methodologies and shall be updated at least every two years and shall be adopted into the Comprehensive Plan by this reference.

10.6.12: Options for providing proportionate share mitigation for any final site plan or final subdivision that triggers a failure of level of service for public school capacity shall include the following:

1. Contribution of, or payment for, acquisition of new or expanded public school sites,
2. Construction or expansion of permanent school facilities, and/or
3. The creation of mitigation banking to be cumulatively combined with other projects contributing funds for school capacity improvements. Mitigation shall be directed to projects on the Gadsden County School Board Five Year District Facilities Work Plan for expanding or accommodating capacity increases satisfying the demand created by that development approval and shall be assured by a legally binding development agreement between the School Board, the County and the applicant executed prior to issuance of any construction plan approval for the project. This development agreement shall include the landowner's commitment to continuing renewal of the development agreement upon its expiration, if necessary.

10.6.13: The amount of mitigation required shall be calculated based on: (1) the cost per student station as determined by the Florida Department of Education's most current cost per student station applicable to Gadsden County and (2) each school type for which there is not sufficient capacity and (3) any land costs for new or expanded school sites, if applicable.

10.6.14: The proportionate share for a development shall be determined by the following formula:

$$B * C - D = A * F = E$$

A = the number of new student stations required for mitigation by school type

B = the number of dwelling units generated by proposed development by housing type

C = student generation multiplier by housing type and school type

D = number of available student stations

E = cost of proportionate share mitigation

F = cost per student station by school type

The formula shall not include portable buildings or temporary buildings intended for use more than five years. The full cost of proportionate share mitigation per student station generation per school type shall be required from the proposed development. The County and School Board shall consider options that may be available for proportionate share mitigation including the amendment of the Gadsden County School Board Five Year District Facilities Work Plan. If option(s) exist for proportionate share mitigation, then the County and School Board shall authorize the preparation of a development agreement and other documentation appropriate to implement the option(s). Upon full execution of a development agreement, the County may issue a final development order with the condition of compliance with the development agreement.

10.6.15: The County shall consider the following residential uses exempt from the requirements of school concurrency:

A. single family lots of record having been legally created and existing at the time the public school concurrency implementing ordinance becomes effective,

B. any amendment to any previously approved residential site plan or residential subdivision that does not increase the number of dwelling units or change the type of dwelling units,

C. prior to the public school concurrency implementing ordinance becoming effective, two-for-one subdivisions, minor subdivisions and major subdivision that have received final approval and commenced construction within one year of final approval,

D. the development consists of an age-restricted community where through a developer's agreement that the age of residents shall be restricted to those 55 years of age or older,

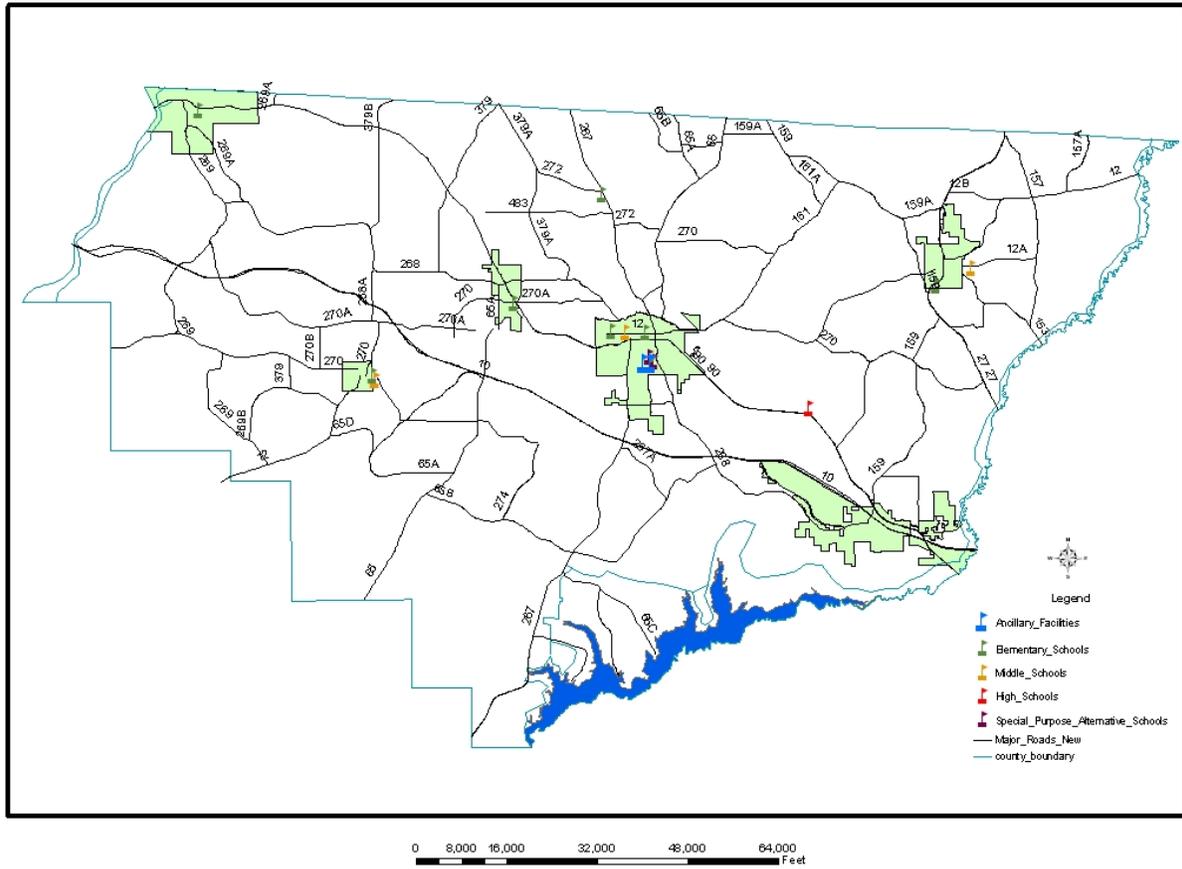
E. The development consists of a retirement home or nursing home,

10.6.16: The County shall ensure that future development pays its share of the costs of capital facility capacity needed to accommodate new development and to assist in maintaining adopted level of service standards.

OBJECTIVE 10.7: Investigate the possible use of school impact fees as a way to realize the cost of new development and its impact on land use in regards to public school facilities.

10.7.1: The County shall pursue a collaborative effort with the School Board, cities and towns to develop, adopt and administer an impact fee program.

Map A: Short Term and Long Term (2008-2018) Locations of Public School Facilities and Ancillary Facilities*



*Note: There are no planned future facilities.