

9. PUBLIC SCHOOL FACILITIES ELEMENT

Goal, Objectives, and Policies

GOAL 9-1: AS A BASIC TENET OF COMMUNITY LIFE, IT IS THE GOAL OF THE CITY OF ALTAMONTE SPRINGS TO CONTRIBUTE TO AND COOPERATE IN MAINTAINING A HIGH QUALITY PUBLIC SCHOOL ENVIRONMENT AND DIVERSE EDUCATION SYSTEM.

OBJECTIVE 9-1.1: LEVEL OF SERVICE (LOS) STANDARDS AND SERVICE BOUNDARIES. The City shall coordinate with the Seminole County School Board in the School Board's efforts to correct existing deficiencies and address future needs through implementation of adopted LOS standards and appropriate public school facility service area boundaries. The LOS standard is a Countywide standard specified in the 2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as Amended January 2008, wherein the following terms are used: Permanent Florida Inventory of School Houses (FISH), meaning the permanent facilities within the inventory of land, buildings and rooms in public educational facilities used by the Florida Department of Education, Office of Educational Facilities; and LOS standard, meaning a standard established to measure utilization of capacity within a Concurrency Service Area (CSA). Current LOS within a CSA is determined by dividing the full-time equivalent (FTE) student count for the Fall Semester at the same type of schools by the permanent FISH capacity of the same type of schools. Projected or future LOS is determined by the dividing the projected enrolled students at the same type of schools within a CSA by the planned permanent FISH capacity of the same type of schools.

Policy 9-1.1.1: Adoption of Public School LOS Standards. To ensure that the capacity of public schools is sufficient to support student growth, Seminole County, the cities within the County and the Seminole County School Board agree that the desired LOS standard shall be 100% of the aggregate permanent FISH capacity for each school type within each CSA. To financially achieve the desired LOS standard, the following tiered LOS standard is established as follows:

School Type	2008 - 2012	Beginning 2013
Elementary and Middle CSA	100% of Permanent FISH Capacity	100% of Permanent FISH Capacity
High School CSA	110% of Permanent FISH Capacity	100% of Permanent FISH Capacity

Policy 9-1.1.2: Use of Public School LOS Standards. The City shall operate its concurrency management system for Public Schools in cooperation with the School Board for compliance with the LOS standards that have been established for each type of public school in order to ensure that the LOS is maintained.

Policy 9-1.1.3: Use of Concurrency Service Areas (CSA). School concurrency shall be implemented and measured in Seminole County using CSAs as adopted by the Seminole County School Board.

Policy 9-1.1.4: Concurrency Service Areas for each type of school. The CSA boundaries established by the School Board will be based on clustered attendance zones for each school by type (elementary, middle, and high school) and will be re-evaluated by the School Board as needed.

Policy 9-1.1.5: Review and Process for CSA Boundary Changes. Upon recommendation by the School Board, the City shall review proposed public school facility service area boundary changes and submit comments to the School Board within 45 days of receipt. These changes may be to school attendance zones, CSAs or both. The following guidelines and standards for modifications to the CSAs will be used:

- (a) As future school attendance zone changes are required for schools programmed in the Seminole School Board Five-Year Capital Improvement Plan (CIP), the CSAs shall be modified to the greatest extent possible to provide maximum utilization.
- (b) Any Party may propose a change to the CSA boundaries. Prior to adopting any change, the School Board must verify that as a result of the change:
 1. The adopted LOS standards will be achieved and maintained for each year of the five-year planning period; and
 2. The utilization of school capacity will be maximized to the greatest extent possible, taking into account transportation costs, and other relevant factors.
- (c) The Parties shall observe the following process for modifying CSA maps:
 1. Changes in school attendance boundaries shall be governed by School Board Policy 5.30, Section 120.54 F.S. and applicable uniform rules for administrative proceedings.
 2. At such time as the School Board determines that a school(s) attendance boundary is appropriate considering the above standards, the School Board shall transmit the revised attendance zones or CSAs and data and analysis to support the changes to the Cities, to the County, and to the Public Schools Facilities Planning Committee (PSFPC).
 3. The County, Cities, and PSFPC shall review the proposed amendment within the times prescribed by Section 120.54 F.S.
 4. The change to a CSA boundary shall conform to revised attendance boundaries and become effective upon final adoption.

Policy 9-1.1.6: Coordination of School Board Capital Program and Potential CSA Boundary Changes. The School Board annual update of its Five Year CIP will include review of CSA boundaries and, if necessary, updates to the CSA maps.

Policy 9-1.1.7: Public School Existing and Future Conditions. The City will utilize the Public Schools Map Series for planning purposes when reviewing the School Board's annual update to its Five-Year CIP. This map series includes Figures I-9.1, I-9.2, and I-9.3 for existing conditions of elementary, middle, high schools respectively. And Figures I-9.4, I-9.5, and I-9.6 for elementary, middle, and high schools, respectively, for planned new, or improvements to existing schools identified in the School Board's Five-Year CIP. This map series shall be updated along with Policy 10-1.1.8.1 annually after the Seminole County School Board adopts its Five-Year CIP.

OBJECTIVE 9-1.2: DEVELOPMENT REVIEW COORDINATION TO ACHIEVE CONCURRENCY. The City will coordinate its development review efforts of residential developments with the Seminole County School Board, Seminole County and other County cities to achieve and maintain concurrency in all public schools serving students who reside in the City.

Policy 9-1.2.1: Development Review Approval of Residential Development. No site plan, final subdivision, or functional equivalent for new residential development shall be approved by the City, unless the residential development is exempt from these requirements as provided in Section 12.1(C) of the *2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as Amended January 2008*, or until a School Capacity Availability Letter of Determination has been issued by the School Board to the City indicating that adequate school facilities exist to serve the proposed development.

Policy 9-1.2.2: Adoption of School Concurrency Regulations. The City adopted school concurrency provisions into its Land Development Code, on January 20, 2009, consistent with the requirements of the *2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as Amended January 2008*.

OBJECTIVE 9-1.3: COORDINATION OF EXISTING AND FUTURE PUBLIC SCHOOL FACILITY PLANNING WITH THE FUTURE LAND USE ELEMENT AND DEVELOPMENT APPROVAL PROCESS. The City shall coordinate future siting of schools and capacity needs with residential development permitting and changes to the Future Land Use Map.

Policy 9-1.3.1: Coordination of Residential Comprehensive Plan Amendments and Facility Planning. The City will coordinate the timing and approval of administrative and privately submitted comprehensive plan land use map amendments involving residential land uses to insure the availability of public school facility capacity.

Policy 9-1.3.2: Site Sizes and Co-Location within the City. The City shall follow the site selection process identified in the *2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as Amended January 2008*. In addition, the City will work with the School Board staff to identify sites for future educational facilities that meet the minimum standards of the School Board where possible and where consistent with the provisions of the City comprehensive plan. When the size of available sites does not meet the minimum School Board standards, the City will support the School Board in efforts to use standards more appropriate to a built urban environment. To the extent feasible, as a solution to the lack of sufficiently sized sites, the City shall work with the School Board to achieve co-location of schools with City facilities such as libraries, parks, and other facilities.

Policy 9-1.3.3: City Participation in the Planning Technical Advisory Committee. The City shall be represented at the Planning Technical Advisory Committee meetings, as provided in the *2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as Amended January 2008*, for purposes of discussing population projections and other issues required in the agreement.

Policy 9-1.3.4: Determining New Residential Impacts. The City and School Board staff shall coordinate the determination of school capacity demands of new residential

development through the development review process, during which time the School Board staff shall apply student generation multipliers consistent with those applied by the Seminole County School Board as well as supplemental multipliers for mixed use development, and the Department of Education student enrollment projections.

Policy 9-1.3.5: Notification of Submittal Of Residential Applications. The City shall continue to notify the School Board of the submittal of all residential development pre-applications or formal applications within 15 days of submittal to the City and shall make available copies of subdivision plans and site plans with residential development for School Board review.

Policy 9-1.3.6: Notification of Agendas. The City shall continue to provide the School Board with agendas containing proposed residential developments for pre-application conferences, Development Review Committee meetings, Planning Board/Local Planning Agency, and City Commission meetings.

OBJECTIVE 9-1.4: PUBLIC SCHOOL CONCURRENCY. The City shall require that public school facility capacity is available concurrent with the impacts of new residential development, as required by Section 163.3180(13), F.S.

Policy 9-1.4.1: Methodology. The methodology for performing the concurrency test shall follow the steps outlined below:

- (a) To determine a proposed development's projected students, the proposed development's projected number and type of residential units shall be converted into projected students for all schools of each type within the specific CSA using the adopted Student Generation Multiplier, as established in the most current adopted Seminole County BCC Public School Impact Fee Ordinance.
- (b) New school capacity within a CSA which is in place or under actual construction in the first three years of the School Board's CIP will be added to the capacity shown in the CSA, and is counted as available capacity for the residential development under review.
- (c) If the projected student growth from a residential development causes the adopted LOS to be exceeded in the CSA, an adjacent CSA which is contiguous with and touches the boundary of, the CSA within which the proposed development is located shall be evaluated for available capacity. An adjacency evaluation review shall be conducted as follows:
 1. In conducting the adjacency review, the School Board shall first use the adjacent CSA with the most available capacity to evaluate projected enrollment impact and, if necessary, shall continue to the next adjacent CSA with the next most available capacity.
 2. Consistent with Rule 6A-3.0171, F.A.C., at no time shall the shift of impact to an adjacent CSA result in a total morning or afternoon transportation time of either elementary or secondary students to exceed 50 minutes or one hour, respectively. The transportation time shall be determined by the School Board transportation routing system and measured from the school the impact is to be assigned, to the center of the subject parcel/plat in the amendment application, along the most direct improved public roadway free from major hazards.

Policy 9-1.4.2: Timing of Concurrency Review. The City shall require that all new residential development be reviewed by the School Board for school concurrency at the time of preliminary subdivision or site plan submittal.

Policy 9-1.4.3: Results of Concurrency Review. In compliance with the availability standards of Section 163.3180(13)(e), Florida Statutes, the City shall not deny a preliminary subdivision plan or site plan based on failure to achieve the adopted LOS standard for public school facilities when the following occurs:

- (a) Adequate school facilities are planned and will be in place or under construction within three years of the date of approval of a final subdivision plan or site plan;
- (b) The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities consistent with the methodology in the *2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as Amended January 2008*.

Policy 9-1.4.4: Residential Uses Exempt from the Requirements of School Concurrency. The following residential uses shall be exempt from the requirements of school concurrency:

- (a) All single family lots of record at the time the school concurrency implementing ordinance became effective.
- (b) Any new residential development that has a preliminary plat or site plan approval or the functional equivalent for a site specific development order prior to the commencement date of the School Concurrency Program.
- (c) Any amendment to a previously approved residential development which does not increase the number of dwelling units or change the type of dwelling units (i.e., single family to multi-family).
- (d) Any age restricted community with no permanent residents under the age of 18 (a restrictive covenant limiting the age of residents to 18 and older shall be required).

Policy 9-1.4.5: Use of Revenues Received Through Proportionate Share Mitigation. Any revenues received for proportionate share mitigation are to be spent on capital improvement projects to expand capacity for public school facilities to enable them to accommodate students.

Policy 9-1.4.6: Proportionate Share Mitigation: In the event there is not available school capacity to support a development, the School Board may entertain proportionate share mitigation options and, if accepted, shall enter into an enforceable and binding agreement with the developer to mitigate the impact from the development through the creation of additional school capacity.

- (a) When the anticipated student impacts from a proposed development cause the adopted LOS standard to be exceeded, the developer's proportionate share will be based on the number of additional student stations necessary to achieve the established LOS. The amount to be paid will be calculated by the cost per student station for elementary, middle, and high school as determined and published by the State of Florida.

- (b) The methodology used to calculate a developer's proportionate share mitigation shall be as follows:

Proportionate Share = (Development Students¹ - Available Capacity) x Total Cost² per student station

Where:

¹Development Students = those students from the development that are assigned to a CSA and have triggered a deficiency of the available capacity.

²Total Cost = the cost per student station as determined and published by the State of Florida.

- (c) The applicant shall be allowed to enter into a 90-day negotiation period with the School Board in an effort to mitigate the impact from the development through the creation of additional capacity. Upon identification and acceptance of a mitigation option deemed financially feasible by the School Board, the developer shall enter into a binding and enforceable development agreement with the School Board.
1. A mitigation contribution provided by a developer to offset the impact of a residential development must be directed by the School Board toward a school capacity project identified in the School Board's Five-Year CIP. Capacity enhancing projects identified within the first three years of the Five-Year CIP shall be considered as committed in accordance with Section 9.5 the *2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as Amended January 2008*.
 2. If capacity projects are planned in years four or five of the School Board's Five-Year CIP within the same CSA as the proposed residential development, the developer may pay his proportionate share to mitigate the proposed development in accordance with the formula provided in Section 12.7 (B) of the *2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as Amended January 2008*.
 3. If a capacity project does not exist in the CIP, the School Board will add a capacity project to satisfy the impacts from a proposed residential development, if it is funded through the developer's proportionate share mitigation contributions. Mitigation options may include, but are not limited to:
 - a. Contribution of land or payment for land acquisition suitable for and in conjunction with, the provision of additional school capacity; or
 - b. Mitigation banking based on the construction of a educational facility in exchange for the right to sell capacity credits; or
 - c. Provide modular or permanent student stations acceptable for use as an educational facilities; or
 - d. Provide additional student stations through the remodeling of existing buildings acceptable for use as an educational facility; or
 - e. Construction or expansion of permanent student stations at the impacted school within the CSA; or
 - f. Construction of an educational facility in advance of the time set forth in the School Board's Five-Year CIP.

- (d) For mitigation measures (a) thru (f) above, the estimated cost to construct the mitigating capacity will reflect the estimated future construction costs at the time of the anticipated construction. Improvements contributed by the developer shall receive school impact fee credit.
- (e) Developer shall receive an impact fee credit for the proportionate share mitigation. Credits will be given for that portion of the impact fees that would have been used to fund the improvements on which the proportionate fair share contribution was calculated. The portion of impact fees available for the credit will be based on the historic distribution of impact fee funds to the school type (elementary, middle, high) in the appropriate CSA. Impact fee credits shall be calculated at the same time as the applicant's proportionate share obligation is calculated. Any school impact fee credit based on proportionate fair share contributions for a proposed development cannot be transferred to any other parcel or parcels of real property within the CSA.
- (f) A proportionate share mitigation contribution shall not be subsequently amended or refunded after final site plan or plat approval to reflect a reduction in planned or constructed residential density.
- (g) Impact fees shall be credited against the proportionate share mitigation total.
- (h) Any proportionate share mitigation must be directed by the School Board toward a school capacity improvement identified in the School Board's Five-Year CIP.
- (i) Upon conclusion of the negotiation period, a second Determination Letter shall be issued. If mitigation is agreed to, the School Board shall issue a new Determination Letter approving the development subject to those mitigation measures agreed to by the local government, developer and the School Board. Prior to site plan approval, final subdivision approval, or the functional equivalent, the mitigation measures shall be memorialized in an enforceable and binding agreement with the local government, the School Board and the Developer that specifically details mitigation provisions to be paid for by the developer and the relevant terms and conditions. If mitigation is not agreed to, the Determination Letter shall detail why any mitigation proposals were rejected and why the development is not in compliance with public school concurrency requirements. A School Capacity Availability Letter of Determination indicating either that adequate capacity is available, or that there is not a negotiated proportionate share mitigation settlement following the 90 day negotiation period as described in Section 12.7(B) of the *2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as Amended January 2008*, constitutes final agency action by the School Board for purposes of Chapter 120, F.S.

Appeal Process. A person substantially affected by a School Board's adequate capacity determination made as a part of the School Concurrency Process may appeal such determination through the process provided in Chapter 120, F.S.

The City's Land Development Code was amended on January 20, 2009 to include the Proportionate Share Mitigation as provided for in the *2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as Amended January 2008*.

OBJECTIVE 9-1.5: PROCEDURE FOR ANNUAL UPDATE OF CAPITAL IMPROVEMENT ELEMENT. During the annual update to the Capital Improvement Element the City shall include those projects adopted by the Seminole City School Board into the School Board financially feasible Five-Year CIP that are necessary to meet the LOS standard for existing and future demands.

Policy 9-1.5.1: Annual Update of Capital Improvement Element. On an annual basis, the City shall update the Capital Improvement Element of the City's comprehensive plan to include the Seminole County School Board Five-Year CIP for public school capacity prior to December 31st.

Policy 9-1.5.2: Addition of New Financially Feasible 5th Year Projects. During each annual update to the Capital Improvement Element, a new 5th year and the financially feasible public school capacity projects that have been adopted by the School Board in its update of the Five-Year CIP shall be added.

Policy 1-1.5.3: Compliance with Florida Statute in Timing of Capital Improvements Element update. The City shall amend its Capital Improvement Element to reflect changes to the School Board Five-Year Capital Improvement Plan in compliance with timing requirements of Florida Statutes.

OBJECTIVE 9-1.6: ENSURING COMPATIBILITY WITH SURROUNDING LAND USES, ENCOURAGING CO-LOCATION WITH APPROPRIATE CITY FACILITIES, LOCATION IN PROXIMITY TO RESIDENTIAL AREAS TO BE SERVED AND FUNCTION AS A COMMUNITY FOCAL POINT. The City shall ensure compatibility of school facilities with surrounding land use through the City's Development Review Process and shall encourage, to the extent feasible, co-location of new schools with compatible City facilities, and the location of school facilities to serve as Community Focal Points.

Policy 9-1.6.1: Allowable Locations of Public School Sites and Compatibility Standards. Public school sites are allowed in several land use designations within City either as a permitted or a conditional use. Compatibility with adjacent land uses will be ensured through the following measures:

- (a) New public school sites within the City must not be adjacent to any noxious industrial uses or other property from which noise, vibration, odors, dust, toxic materials, traffic conditions or other disturbances would have a negative impact on the health and safety of students.
- (b) Public school sites shall be compatible with compact urban growth patterns.
- (c) Public school sites shall be compatible with environmental protection, based on soils, topography, protected species and other natural resources on the site.
- (d) An assessment of critical transportation issues, including provision of adequate roadway capacity, transit capacity, sidewalks, and bikeways, shall be performed for proposed school sites prior to any development to ensure safe and efficient transport of students.
- (e) New school sites within the City must minimize detrimental impacts on residential neighborhoods, hospitals, nursing homes and similar uses through the Development Review Process by, at a minimum, complying with requirements of the City Land Development Code (LDC) with respect to noise and light glare; provision of sufficient parking onsite so as to ensure that surrounding neighborhoods are not impacted; provision of sufficient internal vehicular circulation to ensure that unsafe stacking of vehicles on access roads does not occur; and compliance with relevant active-passive buffer yard standards of the LDC.
- (f) New public school sites within the City for elementary and middle schools shall be located in close proximity to existing or anticipated concentrations of residential development. New school sites for high schools and specialized schools are suitable for other locations, due to their special characteristics.

- (g) The Development Review process shall ensure that facilities such as sanitary sewer and potable water will be available at the time demanded by the new school site, and services such as public safety can also be provided.
- (h) New public school sites shall have safe ingress and egress for pedestrians, bicycles, cars, buses, service vehicles and emergency vehicles. High schools should be located with access to collector or arterial roads, rather than relying solely on local roads.

Policy 9-1.6.2: Co-Location and Community Focal Point. Recognizing that new public schools are an essential component in creating a sense of community, to the extent feasible, the City shall encourage the co-location of new school sites with appropriate City facilities, and shall encourage, through the Development Review process, the location of new school sites so they may serve as community focal points. Where co-location takes place, the City may enter into an Interlocal Agreement with the School Board to address shared uses of facilities, maintenance costs, vehicular and bicycle parking, supervision and liability issues, among other concerns.

OBJECTIVE 9-1.7: ENSURING PROVISION OF NECESSARY INFRASTRUCTURE.

The City will coordinate with the School Board to ensure the provision of public facilities to support the necessary functions of public school facilities.

Policy 9-1.7.1: Maximizing Efficiency of Infrastructure. During participation in the future school site identification process detailed in the *2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as Amended January 2008*, the City shall seek to maximize efficient use of existing infrastructure and avoid sprawl development by identifying future school sites that take advantage of existing and planned roads, potable water, sanitary sewer, parks and drainage systems.

Policy 9-1.7.2: Safe Student Access. The City will ensure safe student access to school sites by coordinating the construction of new neighborhoods and residential developments, expansion of existing neighborhoods and developments and redevelopment or revitalization of existing neighborhoods and developments with safe road and sidewalk connections to school sites.

Policy 9-1.7.3: Bicycle Access and Pedestrian Connection. The City will coordinate bicycle access to public schools. In addition, the City shall revise its Land Development Code as needed by January 1, 2013 to specify any needed performance standards for new residential developments adjacent to existing and proposed school sites, other than age restricted developments, including pedestrian connections between the sidewalk network within the development and the adjacent school site.

Policy 9-1.7.4: Coordination to Ensure Necessary Off-Site Improvements. During the Development Review process for a proposed new school facility the City will work with the School Board to determine responsibility for the costs and construction of any needed off-site improvements, such as signalization, installation of deceleration lanes, roadway striping for crosswalks, safe directional/warning signage and installation of sidewalks. The City shall revise its Land Development Code as needed by January 1, 2013 to specify that performance standards for a new development adjacent to or sharing an access road with an existing school or future school site shall mitigate the traffic impacts of the development on safe access to the school. Such mitigation efforts may include, but are not limited to, developer striping of crosswalks, developer

installation of sidewalks, payment for safe directional/warning signage, and payment for signalization.

Policy 9-1.7.5: Inclusion of Provisions for School Buses. The City shall revise its Land Development Code as needed to require the inclusion of school bus stops and turnarounds in new residential developments other than age restricted developments.

OBJECTIVE 9-1.8: COORDINATION WITH SCHOOL BOARD AND LOCAL GOVERNMENTS. The City of Altamonte Springs shall coordinate with the School Board, Seminole County and county Cities as specified by the procedures in the *2007 Interlocal Agreement for Public School Facility Planning and School Concurrency as Amended January 2008* and provide information to the School Board and Cities for emergency preparedness issues.

Policy 9-1.8.1: Providing Information and Fulfilling All Responsibilities Specified. The City shall provide population projection and development approval data, including site plan and building permit data, to the School Board and shall fulfill all responsibilities as specified by the *2007 Interlocal Agreement for Public School Facilities Planning and School Concurrency as Amended January 2008*.

Policy 9-1.8.2: Providing Committee Representation. The City shall assign representatives to take part in all committees and participate in all meetings as specified by the *2007 Interlocal Agreement for Public School Facilities Planning and School Concurrency as Amended January 2008*. A staff representative shall be assigned to the Planning Technical Advisory Committee (PTAC) which shall meet as specified in the Interlocal Agreement. An elected official or designee shall be appointed to the Public Schools Facilities Planning Committee (PSFPC) which shall also meet as specified in the 2007 Interlocal Agreement.

Policy 9-1.8.3: Advising of Proposed Changes. The City shall provide notification to the School Board, Seminole City, and any adjacent cities of proposed amendments to the Future Land Use Map that may increase residential densities, and any proposed preliminary site plans, subdivisions and plats, as specified by the *2007 Interlocal Agreement for Public School Facilities Planning and School Concurrency as Amended January 2008*.

Policy 9-1.8.4: Emergency Preparedness and Response. The City shall continue to work with Seminole County and the Seminole County School Board through the City's Emergency Management Division to provide information and coordinate emergency preparedness and response efforts.