

## **PUBLIC SCHOOLS FACILITIES ELEMENT**

### **Goals, Objectives and Implementing Policies**

This section stipulates goals, objectives and policies for implementing the desired Public Schools in the City of Minneola.

#### **GOAL 9-1:**

**It is the Goal of the City of Minneola to work with the Lake County School Board and provide for the future availability of public school facilities in a manner consistent with the adopted level of service standard. The implementation of school concurrency will be accomplished by adhering to and recognizing the City's authority in land use decisions, which include the authority to approve or deny comprehensive plan amendments, re-zonings, or other development orders that generate students and impact the Lake County school system; and the Lake County School Board's statutory and constitutional responsibility to provide adequate public schools.**

**OBJECTIVE 9-1.1** Level of Service (LOS) standards shall be adopted in order to ensure that there is sufficient school capacity to support student growth for the five-year planning period and for the long term planning horizon.

**Policy 9-1.1.1:** The LOS is defined as school enrollment as a percentage of school student capacity based upon the Florida Inventory of School Houses (FISH). The LOS standard is the maximum level of school utilization that will be permitted in the Lake County School District. The LOS for all schools shall be set at 100% of FISH permanent capacity. In instances where the CORE (dining) capacity is greater than the FISH permanent capacity, the school capacity shall then be increased to that of the CORE (dining) capacity and the level of service maintained at 100% of the school capacity. In no instance shall the school capacity increase more than 125% due to additional CORE (dining) capacity.

**Policy 9-1.1.2:** The adopted LOS standard shall become applicable to the City no later than June 1, 2008.

**Policy 9-1.1.3:** Individual schools are discouraged from operating in excess of the established LOS. Moreover, the issuance of development orders and building permits shall be strictly conditioned upon the availability of school capacity and the maintenance of the adopted LOS.

**Policy 9-1.1.4:** The LOS standards will be used to determine whether sufficient school capacity exists to accommodate future development projects, and evaluate the sufficiency of the Five-Year Schedule of Capital Improvements. The Five-year Schedule of Capital Improvements shall be reviewed, updated, and adopted annually thus ensuring those projects necessary to address existing deficiencies, and to meet future needs based upon our adopted level of service standards, are adequately planned for. Furthermore, coordination with the Lake County School Board's Five Year District Facilities Work Plan, the plans of other local governments, and as necessary, updates to the Concurrency Service Area map is required to ensure that the adopted

Level of Service Standards for Concurrency Service Areas will be achieved and maintained.

**Policy 9-1.1.5:** In coordination with the Interlocal Agreement between Lake County, Lake County School Board and Municipalities for School Facilities Planning and Siting, future amendments to the Concurrency Service Areas (CSA's) may be accomplished by the School Board only after review and comment by the County and other municipalities within Lake County as provided in the Interlocal Agreement. Amendments to the CSA's shall be established to maximize available school capacity, taking into account transportation costs, desegregation plans, diversity policies, and the extent to which development approvals have been issued by a local government based on the availability of school capacity in a CSA contiguous to the CSA in which the development approval was issued. Amendments to the CSA's and attendance zones shall be designed to make efficient use of new and existing public school facilities in accordance with the Level of Service Standards set forth in the Interlocal Agreement.

**Objective 9-1.2:** Ensure that comprehensive plan amendments and other land use decisions are simultaneously evaluated with school capacity availability within the City.

**Policy 9-1.2.1:** School Board findings and comments on the availability of adequate school capacity shall be considered when evaluating the decision to approve comprehensive plan amendments and other land use decisions as provided for in s. 163.3177 (6)(a), F.S.

**Policy 9-1.2.2:** The School Board shall review potential new development student generation impacts and available school capacity. Where capacity will not be available to serve students from the property seeking development approval and proportionate share mitigation agreement has not been executed, the School Board shall issue an unfavorable concurrency determination.

**Objective 9-1.3:** Ensure that the planning and construction of educational facilities are coordinated so that the timing is proper, the selected location is compatible with the surrounding area, the construction is concurrent with necessary services and infrastructure and the proposal is consistent with the comprehensive plan.

**Policy 9-1.3.1:** The City shall coordinate with the School Board so that proposed public school facility sites are consistent with the applicable land use designations and policies of the comprehensive plan. Pursuant to Section 235.193, F.S., the City will consider each site plan as it relates to environmental concerns, health, safety and welfare, and effects on adjacent property. In addition, road capacity and traffic concerns will also be evaluated. The City will also continue to pursue the development of mutually acceptable guidelines for the selection of future school sites including, but not limited to:

- a. Acquisition of school sites which allow for future expansions to accommodate future enrollment and other facility needs deemed beneficial for joint-uses, as identified by the Lake County School Board and the City;

- b. Coordination of the location, phasing, and development of future school sites to ensure that site development occurs in conjunction with the provision of required infrastructure to serve the school facility;
- c. Preferences for urban and urbanizing areas; and
- d. Provide for allowances for rural sites as deemed necessary and appropriate under certain circumstances.

**Policy 9-1.3.2:** The School Board shall submit a request for determination that a proposed site for a public educational facility is consistent with the Local Government's comprehensive plan and an application for site plan approval as early in the design stage as feasible, but no later than 90 days prior to the proposed construction commencement date of a new public educational facility or modernization of an existing public educational facility. The School Board application shall include an aerial map, a location map, a site plan demonstrating the requirements of the comprehensive plan to the extent the comprehensive plan is not in conflict with the state uniform building code or the review criteria in subparagraph (b) below, any other information required to demonstrate compliance with subparagraph (b) below, a traffic concurrency letter from the MPO, and the proposed acquisition and construction completion schedule. The City shall have 90 days to determine in writing after receiving all of the required information from the School Board whether the proposed site and site plan for the public education facility is consistent with the local comprehensive plan and if the site plan is approved.

a) If the City informs the School Board that a proposed site is not consistent with the land use categories and policies of the Local Government's comprehensive plan, the School Board shall not proceed to construct any new or expanded public educational facility on the site unless and until the City's comprehensive plan is amended to make the proposed facility consistent with the comprehensive plan. If the site is consistent with the comprehensive plan's future land use policies and categories in which public schools are allowable uses, the City may not deny the development of the site for a public educational facility but may impose reasonable development standards and conditions through the site plan approval process in accordance with Section 1013.51, Florida Statutes.

b) The City may not deny the site plan based on the adequacy of the site plan as it relates solely to the needs of the educational facility. The City's review may consider the site plan and its adequacy as it relates to environmental concerns, health, safety and welfare, and effects on adjacent property. Standards and conditions may not be imposed which conflict with those established in Chapter 1013, Florida Statutes, or the State Uniform Building Code, unless mutually agreed by the School Board and the Local Government. The following criteria shall be applied in evaluating the site plan:

- 1. The proposed site and education facilities shall, at a minimum, meet the State Requirements for Educational Facilities (SREF), plus a ten percent (10%) capacity flexibility allowance in conformance with the School Board's adopted level of service.

2. The site plan shall demonstrate that there are no adverse impacts on sites listed in the national Register of Historic Places or otherwise designated in accordance with appropriate State guidelines as locally significant historic or archaeological resources.
3. The site plan shall provide sufficient space to meet on-site parking and on-site traffic circulation requirements to satisfy current and projected site generated vehicular demand.
4. There shall be adequate setbacks, buffering and design controls to eliminate or decrease any negative externalities, such as noise, from affecting neighboring developments in accordance with SREF standards, at a minimum. Outdoor recreational facilities, including stadiums and similar support facilities shall be located and buffered on the proposed site to minimize impacts on the adjacent properties.
5. The location of the proposed site shall comply with all provisions of Florida Statutes, as they relate to the siting of public education facilities.
6. The following access standards shall apply to the proposed sites of the specific school types:
  - a. For elementary schools, special education facilities, and alternative education facilities, proposed school sites shall have direct access to at least a minor collector road or as otherwise approved by the City after determination of acceptable traffic impacts.
  - b. For middle schools, the proposed site shall have direct access to at least a minor collector road or as otherwise approved by the City after determination of acceptable traffic impacts.
  - c. For high schools, the proposed location shall have direct access to at least a major collector road, or as otherwise approved by the City after determination of acceptable traffic impacts.

**Policy 9-1.3.3:** The City will coordinate its comprehensive plan and land use map with the School County School Board's long-range facility map.

**Objective 9-1.4:** Enhance community design through effective school facility design and siting standards. Encourage the siting of school facilities so that they are compatible with the surrounding land use.

**Policy 9-1.4.1:** The City shall closely coordinate with the School Board in order to provide consistency between the City's comprehensive plan and public school facilities programs, such as:

- a. Greater efficiency for the School Board and the City by locating schools to take advantage of existing and planned roads, water, sewer, parks, and drainage systems;
- b. Improved student access and safety by coordinating the construction of new and expanded schools and sidewalk construction programs;
- c. The location and design of schools with parks, ball fields, libraries, and other community facilities to take advantage of shared use opportunities;
- d. The expansion and rehabilitation of existing schools to support neighborhoods.

**Policy 9-1.4.2:** Local governments and the school district shall coordinate emergency preparedness issues including, but not limited to, the use of school facilities as public shelters during emergencies.

**Policy 9-1.4.3:** Public schools shall provide bicycle and pedestrian access consistent with Florida Statutes. Bicycle access and trails to public schools should be incorporated in trail projects and programs that are currently scheduled by the City and County. Parking and sidewalks at public schools will be provided consistent with the comprehensive plan.

**Policy 9-1.4.4:** Schools shall be designed consistent with the comprehensive plan. Land uses in which schools will be an allowable use will be directed by the City's comprehensive plan and any subsequent zoning and land development codes must be consistent with the comprehensive plan.

**GOAL 9-2:**

**It is the Goal of the City to establish a process for the implementation of school concurrency by providing for capacity determination standards, availability standards, applicability standards, and proportionate share mitigation.**

**Objective 9-2.1:** Establish capacity determination standards.

**Policy 9-2.1.1:** The School Board shall determine whether adequate school capacity exists for a proposed development based on LOS standards.

**Policy 9-2.1.2:** The School District shall conduct a concurrency review that includes findings and recommendations of whether there is adequate school capacity to accommodate the proposed development for each type of school within the City consistent with the LOS standard. The School District shall issue a concurrency determination based on the findings and recommendations.

**Objective 9-2.2:** Establish availability standards.

**Policy 9-2.2.1:** The City shall not deny a subdivision plat or site plan for the failure to achieve and maintain the adopted level of service for public school capacity where:

- a. Adequate school facilities will be in place or under construction within three (3) years after the issuance of the subdivision plat or site plan according to the School Boards 5 year Capital Improvement Plan at the time of approval;
- b. Adequate school facilities are available and the capacity impacts of development can be satisfied by utilizing available capacity in an adjacent Concurrency Service Area or;
- c. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property subject to the final plat or site plan.

**Policy 9-2.2.2:** If the School District determines that adequate capacity will not be in place or under construction within three (3) years after the issuance of final subdivision or site plan approval according to the Lake County School Boards 5 year Capital Improvement Plan at the time of approval and mitigation agreement executed per the interlocal agreement, the School District shall issue a School Concurrency Determination stating that capacity is not available. If the School District determines that adequate capacity does not exist, but mitigation, through proportionate share mitigation could be met, the development will remain active pending the conclusion of mitigation negotiations.

**Objective 9-2.3:** Establish proportionate share mitigation alternatives which are financially feasible and will achieve and maintain the adopted level of service standard consistent with the adopted School Board's financially feasible Capital Improvement Plan.

**Policy 9-2.3.1:** In the event that mitigation alternatives are explored to offset the impacts of a proposed development, where the adopted LOS standards would otherwise be exceeded, the following options listed below, for which the School District assumes operational responsibility through incorporation in the adopted School Board's financially feasible Capital Improvements Program and which will maintain the adopted LOS standards, shall include but not limited to:

- a. The donation, construction, or funding of school facilities created by the proposed development.
- b. The creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits.

**Policy 9-2.3.2:** Proposed mitigation shall be directed toward a permanent capacity improvement identified in the School Board's financially feasible 5-Year Capital Improvement Program. The School Board has the ability to place an additional improvement required for mitigation on its Capital Improvement Program. The proposed mitigation must satisfy the demand created by the proposed development consistent with the adopted LOS standards or identified as an amendment to the adopted Capital Improvement Program. Temporary classrooms will not be accepted as mitigation.

**Policy 9-2.3.3:** Mitigation shall be directed to projects on the School Board's financially feasible Capital Improvement Program that the School Board agrees will satisfy the demand created by that development approval, and shall be assured by a legally binding development agreement between the School Board, the relevant local government, and the applicant executed prior to the issuance of the subdivision plat, site plan, or functional equivalent. If all parties agree to the mitigation, the School Board must commit in the agreement to placing the improvement required for mitigation on its Capital Improvement Program. This development agreement shall include landowner's commitment to continuing renewal of the development agreement upon its expiration.

**Policy 9-2.3.4:** The applicant's total proportionate-share mitigation obligation to resolve a capacity deficiency shall be based on the following formula, for each school level: multiply the number of new student stations required to serve the new development by the average cost per student station. The applicant's proportionate-share mitigation obligation will be credited toward any other impact fee or exaction imposed by local ordinance for the same need, on a dollar-for-dollar basis, at fair market value. The process to determine proportionate share mitigation obligation shall be as follows:

**Step 1:** *Determine the number of students to be generated by the development.*

Number of Dwelling Units in the proposed development (by unit type)  
*MULTIPLIED BY*  
 Student Generation Rate (by type of DU and by School Type)  
*EQUALS*  
 Number Student Stations needed to serve the proposed development

**Step 2:** *Comparing the available capacity to the number of student stations calculated in Step 1 to assess the need for mitigation.*

Available Capacity  
*MINUS*  
 The Number of new Student Stations needed to accommodate the proposed development  
*EQUALS*  
 The shortfall (negative number) or surplus (positive number) of capacity to serve the development

**Step 3:** *Evaluation the available capacity in contiguous services area.*

If Step 2 results in a negative number, repeat that step for one or more contiguous service areas. If the step results in a negative number, then proceed to Step 4 to calculate the proportionate share mitigation.

**Step 4:** *Calculating proportionate share mitigation.*

Needed additional Student Stations from Step 3  
*MULTIPLIED BY*  
 Cost of Student Station  
*EQUALS*  
 Proportionate-Share Mitigation Obligation

**Objective 9-2.3.5:** The student generation rates used to determine the impact of a particular development application on public schools shall be consistent with Lake County School Board and Florida Department of Education Standards. The student generation rates shall be reviewed and updated every two (2) years in accordance with professionally accepted methodologies.