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## PUBLIC SCHOOL FACILITIES ELEMENT GOALS, OBJECTIVES, AND POLICIES

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### GOAL 11.1

**The City shall collaborate with the St. Lucie County School Board to plan for public school capacity to accommodate projected enrollment demand within the five-year, 10-year and 20-year planning periods.**

#### 11.1.1 Objective:

*It is the objective of City of Fort Pierce to coordinate land use decisions [see definition] with school capacity planning. This objective will be accomplished recognizing the St. Lucie County School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the City's authority for land use, including the authority to approve or deny petitions for future land use, rezoning, and subdivision and site plans for residential development that generate students and impact the St. Lucie County school system.*

#### 11.1.1.1 Policy: Coordinated Map Series

The City shall provide the St. Lucie County School Board by October 15 of each year a report of development trends for use in school planning. The St. Lucie County School Board shall coordinate with each local government in the preparation of the annual Educational Facilities plan. Based upon the final adopted Educational Facilities plan, the City, in conjunction with the St. Lucie County School Board (School Board), St. Lucie County and other Local Governments, shall annually update and maintain a public school facilities map series as supporting data and analysis. This map series including the planned general location of schools and ancillary facilities for the five-year planning period and the long-range planning period, will be coordinated with the City's Future Land Use Map or Map Series. The Map Series shall include at a minimum:

- (a) A map or maps which identify existing location of public school facilities by type and existing location of ancillary plants.
- (b) A future conditions map or map series which depicts the planned general location of public school facilities and ancillary plants and renovated facilities by year for the five year planning period, and for the end of the long range planning period of the host City.
- (c) A map or map series which depicts School Capacity Planning Areas (SCPAs) for high schools, middle schools and elementary schools.
- (d) A map or map series which depicts School Concurrency Service Areas (CSAs) for high schools, middle schools and elementary schools.

#### 11.1.1.2 Policy: Coordinating School Capacity with Growth

The City shall coordinate land use decisions with the St. Lucie County School Board's Long Range Facilities Plans over the 5-year, 10-year and 20-year periods.

#### 11.1.1.3 Policy: Geographic Basis for School Capacity Planning

For purposes of coordinating land use decisions with school capacity planning, the School Capacity Planning Areas (SCPAs) that are established for high, middle and elementary schools as part of the Interlocal Agreement for Public School Facility Planning shall be used for school capacity planning. The relationship of high, middle and elementary capacity and students anticipated to be generated as a result of land use decisions shall be assessed in terms of its impact (1) on the school system as a whole and (2) on the applicable SCPA(s). For purposes of this planning assessment, existing or planned capacity in adjacent SCPA(s) shall not be considered.

#### 11.1.1.4 Policy: Local Government Notice of Development Proposals [ILA Section 9.3]

The City agrees to give the School Board notification of land use applications and development proposals pending before them that may affect student enrollment, enrollment projections, or school facilities.

Notice to the School Board will include copies of the meeting agenda and all City staff comments and other attachments related to any pending application or development proposal potentially affecting student enrollment, enrollment projections, or school facilities.

Notice to the School Board will be provided simultaneously with provision of such materials to the LPA, DRC, or City Commission.

This notice requirement applies to any amendment to the comprehensive plan future land use map, rezoning, development of regional impact, or major residential or mixed-use development project that proposes to:

- a. To increase the density of land with non-age-restricted residential dwelling units, that will produce more than one (1) student in any grade level, or
- b. To construct or develop non-age- restricted dwelling units or lots that will produce more than one (1) student in any grade level.

#### 11.1.1.5 Policy: St. Lucie County School Board Report to City [ILA Section 9.4]

Within 15 days after notification by the City, the School Board will advise the local government of the school enrollment impacts anticipated to result from the proposed land use application or development proposal, and whether sufficient school capacity exists or is planned to accommodate the impacts.

11.1.1.6 Policy: School Capacity Shortfalls [ILA Section 9.5]

If sufficient school capacity is not available or planned to serve the development at the time of impact, the School Board will specify how it proposes to meet the anticipated student enrollment demand; alternatively, the School Board, the City, and the developer will collaborate to find means to ensure sufficient capacity will exist to accommodate the development, such as, developer contributions, project phasing, or developer provided facility improvements.

11.1.1.7 Policy:

In reviewing and approving comprehensive plan amendments, developments of regional impact, rezoning, and development proposals, the City will consider the following factors:

- a. School Board comments;
- b. Available school capacity or planned improvements to accommodate the enrollment resulting from the land use decision;
- c. The provision of school sites and facilities within planned neighborhoods;
- d. Compatibility of land uses adjacent to existing schools and reserved school sites;
- e. The co-location of parks, recreation and neighborhood facilities with school sites;
- f. The linkage of schools, parks, libraries and other public facilities with bikeways, trails, and sidewalks for safe access;
- g. Traffic circulation plans which serve schools and the surrounding neighborhood;
- h. The provision of off-site signalization, signage, access improvements, and sidewalks to serve schools; and
- i. The inclusion of school bus stops and turnarounds.

11.1.1.8 Policy:

Where feasible and agreeable to the City, St. Lucie County School Board, affected jurisdictions and the applicant, Capacity Enhancement Agreements shall be encouraged to ensure adequate capacity is available at the time the school impact is created. The St. Lucie County School Board's Long Range Facilities Plans over the 5-year, 10-year and 20-year periods shall be amended to incorporate capacity modification commitments established by Capacity Enhancement Agreements.

### 11.1.2 OBJECTIVE

*The City shall consider school capacity in the formulation of Community Development Plans.*

#### 11.1.2.1 Policy: Factors Considered in Formulating Community Development Plans

In formulating community development plans and programs, the City will consider the following factors:

- a. Scheduling capital improvements that are coordinated with and meet the capital needs identified in the School Board's educational facilities plan;
- b. Providing incentives to the private sector to identify and implement creative solutions to developing adequate school facilities in residential developments;
- c. Targeting community development improvements in older and distressed neighborhoods near schools; and
- d. Working to address and resolve multijurisdictional public school issues.

### 11.1.3 OBJECTIVE: EVALUATION AND APPRAISAL OF COMPREHENSIVE PLANS [ILA Section 9.8]

*The City shall consider school needs and school capacity in the Evaluation and Appraisal of Comprehensive Plans.*

#### 11.1.3.1 Policy: Evaluation and Appraisal of Comprehensive Plans

- a. In accordance with Section 163.3191, Florida Statutes, the Local Planning Agency (LPA) for each Local Government must prepare an Evaluation and Appraisal Report (EAR) on the Comprehensive Plan for its area of jurisdiction at least once every 7 years, or as otherwise scheduled by the Florida Department of Community Affairs.
- b. Whenever a meeting of or hearing before the LPA includes consideration of an EAR, the City shall provide to the School Board, prior to the meeting or hearing, copies of (1) the meeting or hearing agenda, (2) any draft of the EAR under consideration, and (3) any staff analysis, report, or recommendation prepared with respect to the EAR under consideration.
- c. The City shall provide the School Board a copy of each EAR prepared by the LPA within 30 days of submission to the City Commission.
- d. Whenever a meeting of or hearing before the City Commission includes consideration of an EAR or proposed amendments to the Comprehensive Plan to implement an EAR, the City shall provide to the School Board prior to the meeting or hearing, copies of (1) the meeting or hearing agenda, (2) any draft of the EAR or proposed Comprehensive Plan amendments under consideration, and (3) any staff analysis, report, or recommendation prepared with respect to the EAR or proposed Comprehensive Plan amendments under consideration.

- e. The School Board may submit written comments to the City about the possible affect upon the School Board of any EAR or proposed amendments to the Comprehensive Plan that are necessary to implement an EAR, and the City shall give due and appropriate consideration to such comments.
- f. The City may request that the School Board provide technical assistance with respect to any EAR or proposed amendments to the Comprehensive Plan to implement an EAR and the possible affect upon the School Board, and the School Board shall endeavor to provide such assistance as time and resources permit.

**GOAL 11.2:**

**PROVIDE ADEQUATE PUBLIC SCHOOL CAPACITY TO ACCOMMODATE ENROLLMENT DEMAND WITHIN A FINANCIALLY FEASIBLE FIVE-YEAR DISTRICT FACILITIES WORK PROGRAM.**

**11.2.1 OBJECTIVE: IMPLEMENTATION OF SCHOOL CONCURRENCY**

*The City shall coordinate with the St. Lucie County School Board to assure the future availability of adequate public school facility capacity through its authority to implement school concurrency. [ICE Objective 8.5]*

**11.2.1.1 Policy: Amendment of Interlocal Agreement**

The City shall coordinate amendments to the Interlocal Agreement for Public School Facility Planning to implement school concurrency in concert with the St. Lucie County School Board, St. Lucie County and other Local Governments. The Interlocal Agreement shall be consistent with the goals, objectives and policies of the Element.

**11.2.1.2 Policy: Ordinance Implementing School Concurrency**

The City shall implement the adopted School Concurrency Ordinance to address school concurrency and ensure that the capacity of public schools is sufficient to support new residential development.

**11.2.2 OBJECTIVE: LEVEL OF SERVICE STANDARDS**

*The City shall ensure that the capacity of public schools is sufficient to support new residential subdivisions, plats and/or site plans at the adopted level of service (LOS) standards within the period covered by the five-year schedule of capital improvements and the long range planning period. After the first 5-year schedule of capital improvements, capacity shall be maintained within each year of subsequent 5-year schedules of capital improvements.*

**11.2.2.1 Policy: Uniform Application of LOS Standards**

The LOS standards established herein shall be applied consistently by all the local governments within St Lucie County and by the St. Lucie County School Board district-wide to all schools of the same type.

11.2.2.2 Policy: LOS Standards for High, Middle and Elementary Schools and for Title 1 Schools

The uniform, district-wide LOS standards shall be 100% of permanent program capacity for elementary, middle, and high schools and for Title 1 Schools. The Florida Inventory of School Houses (FISH) capacity shall be adjusted by the St. Lucie County School Board annually to account for measurable programmatic changes. No later than February 1, 2011, the School Board shall develop a permanent program capacity. Until such time as a permanent program capacity is developed, the permanent program capacity shall be designated as FISH.

11.2.2.3 Policy: Amendment of the LOS Standards

If there is agreement to amend the LOS standards, it shall be accomplished by the execution of an amendment to the Interlocal Agreement by all parties and the adoption of amendments to the local government comprehensive plans. The amended LOS standards shall not be effective until all plan amendments are effective and the amendment to the Interlocal Agreement for Public School Facility Planning is fully executed. Changes to LOS standards shall be supported by adequate data and analysis showing that the amended LOS standards are financially feasible and can be achieved and maintained within the period covered by the first five years of the St. Lucie County School Board's Five-Year Work Program. After the first five-year schedule of capital improvements, the capacity shall be maintained within each subsequent five-year schedules of capital improvements.

11.2.3 OBJECTIVE: SCHOOL CONCURRENCY SERVICE AREAS

*The City shall, in coordination with the St. Lucie County School Board, St. Lucie County and other Local Governments, establish Concurrency Service Areas (CSA's), as the areas within which an evaluation is made of whether adequate school capacity is available based on the adopted LOS standard.*

11.2.3.1 Policy: School Concurrency Service Area Maps

CSAs for high, middle and elementary schools shall be as adopted in the Interlocal Agreement. CSA boundaries shall be included as a part the Data and Analysis supporting this Element and included in the PSFE Map Series as part of that supporting data.

11.2.3.2 Policy: Criteria for School Concurrency Service Areas

CSAs shall be established to maximize available school capacity and make efficient use of new and existing public schools in accordance with the LOS standards, taking into account minimization of transportation costs, limitations on maximum student travel times, the effect of court approved desegregation plans, and recognition of the capacity commitments resulting from the local governments' within St Lucie County's development approvals within the CSA and contiguous CSAs.

### 11.2.3.3 Policy: Modifying School Concurrency Service Areas

The City, in coordination with the St. Lucie County School Board, St. Lucie County and other Local Governments, shall require that prior to adopting a modification to CSAs, the following standards will be met:

- a. Potential modifications to the CSAs may be considered annually. Supporting data & analysis for modified CSA's shall be included in the annual update to the St. Lucie County School Board's 5 -Year Work Program;
- b. Modifications to CSA boundaries shall be based upon the criteria as provided in Policy 11.2.3.2;
- c. CSA boundaries shall be modified based on supporting data and analysis showing that the amended CSA's are financially feasible within the five year period described by the five year schedule of capital improvements;
- d. Any party to the adopted Interlocal Agreement may propose a modification to the CSA boundary maps;
- e. At such time as the St. Lucie County School Board determines that a CSA boundary change is appropriate considering the above criteria, the St. Lucie County School Board shall transmit the proposed CSA boundary modification with data and analysis to support the changes to the Elected Officials Group. The Elected Officials Group shall review the proposed CSA boundary modifications and send its comments to the St. Lucie County School Board; and
- f. Modifications to a CSA shall become effective upon final approval by the St. Lucie County School Board and amendment of the Interlocal Agreement for Public School Facility Planning.

### 11.2.4 OBJECTIVE: SCHOOL CONCURRENCY REVIEW PROCESS

*In coordination with the St. Lucie County School Board, the City will establish a joint process for implementation of school concurrency which includes applicability, capacity determination, availability standards, and school capacity methodology.*

#### 11.2.4.1 Policy: Development Review

The issuance of final subdivisions or plats and site plan approvals for residential development shall be subject to the availability of adequate school capacity based on the Level of Service (LOS) standards adopted in this Element.

#### 11.2.4.2 Policy: Exemptions

The following residential developments are exempt from the school concurrency requirements:

1. Single family lots of record that received final subdivision or plat approval prior to May 1, 2008;

2. Single Family subdivisions or plats that (i) were undergoing active review on May 1, 2008, (ii) had received preliminary subdivision approval prior to such date, and (iii) have had no lapse in the development approval status;
3. Multi-family residential development that received final site plan approval prior to May 1, 2008, and for which there has been no lapse in the development approval status;
4. Multi-family plans that (i) were undergoing active review on May 1, 2008, (ii) had received preliminary site plan approval prior to such date, and (iii) have had no lapse in the development approval status;
5. Amendments to subdivisions plat or site plan for residential development that was approved prior May 1, 2008, so long as the amendment does not increase the number of students generated by the development;
6. Age restricted developments that prohibit permanent occupancy by persons of school age. Such restrictions must be recorded, irrevocable for a period of at least thirty (30) years and lawful under applicable state and federal housing statutes. The applicant must demonstrate that these conditions are satisfied;
7. Group quarters that do not generate students that will be housed in public school facilities, including residential facilities such as local jails, prisons, hospitals, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse dorms, college dorms exclusive of married student housing, and religious non-youth facilities; and
8. Developments of regional impact, as defined in Section 380.06, Florida Statutes that received development orders prior to July 1, 2005, or had filed application for development approval prior to May 1, 2005.

#### 11.2.4.3 Policy: Student Generation Rates and Costs per Student Station

Student generation rates used to determine the impact of a particular development application on public schools, and the costs per student station shall be determined in accordance with professionally accepted methodologies and adopted annually by the St. Lucie County School Board in the 5-Year Work Program.

#### 11.2.4.4 Policy: School Capacity and Enrollment

The uniform methodology for determining if a particular school is meeting adopted LOS standards, shall be determined by the St. Lucie County School Board. The St. Lucie County School Board shall use permanent program capacity as the methodology to determine the capacity of elementary, middle, and high school facilities. School enrollment shall be based on the enrollment of each individual school based on counts reported by the St. Lucie County School Board to the Department of Education.

#### 11.2.4.5 Policy: Determination of Adequate Capacity

The St. Lucie County School Board shall conduct a concurrency review for all development plan approval subject to school concurrency. This review shall include findings and recommendations to the City whether there is adequate school capacity to accommodate the proposed development.

1. Adequate school capacity means there is sufficient school capacity at the adopted LOS standards to accommodate the demand created by a proposed development for each type of school within the affected CSA.
2. The St. Lucie County School Board's findings and recommendations shall address whether adequate capacity exists for each type of school, based on the level of service standards. If adequate capacity does not exist, the St. Lucie County School Board shall identify possible mitigation options that may be considered consistent with the policies set forth within Objective 11.2.5.

The City will issue a concurrency determination based on the St. Lucie County School Board written findings and recommendations.

#### 11.2.4.6 Policy: Concurrency Availability Standard

School concurrency applies only to residential development or a phase of residential development requiring a subdivision or plat approval, site plan, or its functional equivalent, proposed or established after the effective date of the Public School Facilities Element (PSFE).

The City shall amend the concurrency management systems in its land development regulations to require that all new residential development be reviewed for school concurrency no later than the time of final subdivision, final plat or final site plan. The City shall not deny a final subdivision, final plat or final site plan for residential development due to a failure to achieve and maintain the adopted LOS standards for public school capacity where:

1. Adequate school facilities will be in place or under construction within three years after the issuance of the final subdivision, final plat or final site plan for residential development; or,
2. Adequate school facilities are available in an adjacent CSA, and when adequate capacity at adopted LOS Standards will be in place or under construction in the adjacent CSA within three years after the issuance of the final subdivision, final plat or final site plan approval; or,
3. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by development of the property subject to the final subdivision, plat or site plan (or functional equivalent) as provided in this element.

For CSAs that do not have any school type (elementary, middle, or high), capacity will be measured in the adjacent CSAs.

#### 11.2.4.7 Policy: Reservation of Capacity

The City shall not issue a Certificate of Concurrency Determination for any non-exempt residential development application until the School District has issued a School Capacity Availability Determination Letter verifying capacity is available to serve the development. The School Capacity Determination Letter shall indicate a temporary commitment of capacity of necessary school facilities for a period not to exceed six (6) months or until a Final Development Order is issued, whichever occurs first.

- a. Once the City issues a Certificate of Concurrency Reservation as a part of the Final Development Order, the school capacity necessary to serve the development shall be considered reserved for the life of the Development Order.
- b. The City shall notify shall notify the St. Lucie County School Board within fifteen (15) days of the approval or expiration of a Concurrency Reservation for a residential development. No further determination of school capacity availability shall be required for the residential development before the expiration of the Certificate of Concurrency Determination, except that any change requires review.

#### 11.2.4.8 Policy: Subdivision and Site Plan Standards

In the event that the St. Lucie County School Board determines that there is not sufficient capacity in the affected CSA or an adjacent CSA to address the impacts of a proposed development, the following standards shall apply. Either (i) the site plan or final subdivision must provide capacity enhancement sufficient to meet its impacts through proportionate share mitigation under Objective 11.2.5; or (ii) the final site plan or final subdivision must be delayed to a date when capacity enhancement and level of service can be assured; or (iii) a condition of approval of the site plan or final subdivision shall be that the project's development plan and/or building permits shall be delayed to a date when capacity enhancement and level of service can be assured.

#### 11.2.4.9 Policy: Capacity Availability

In evaluating a subdivision plat or site plan for concurrency, any relevant programmed improvements in 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 St. Lucie County School Board funding to accelerate the project, through proportionate share mitigation, or some other means of assuring adequate capacity will be available within 3 years. St. Lucie County School Board may use relocatable classrooms to provide temporary capacity while funded schools or school expansions are being constructed.

## 11.2.5 OBJECTIVE: PROPORTIONATE SHARE MITIGATION

*The City of Fort Pierce, in coordination with the St. Lucie County School Board, shall provide for mitigation alternatives that are determined by the St. Lucie County School Board to be financially feasible and will achieve and maintain the adopted LOS standards consistent with the adopted St. Lucie County School Board's financially feasible 5-Year Work Program.*

### 11.2.5.1 Policy: Mitigation Options

Mitigation may be allowed for those developments that cannot meet the adopted LOS Standards. Mitigation options shall include options listed below for which the St. Lucie County School Board assumes operational responsibility through incorporation in the adopted St. Lucie County School Board financially feasible Five-Year Work Program and which will maintain adopted LOS standards.

1. The donation, construction, or funding of school facilities or sites sufficient to offset the demand for public school facilities created by the proposed development;
2. The creation a school mitigation bank in accordance with an agreement acceptable to the School Board providing for (i) the construction, in accordance with State Requirements for Educational Facilities (SREF), of a public educational facility at an acceptable location, (ii) the conveyance of such facility to the School Board at no cost, (iii) the grant of appropriate credits against the educational facilities impact fees that will be due as a result of the proposed development, and (iv) to the extent credits are insufficient to cover the reasonable cost of such facility, reimbursement from future educational facilities impact fees, received by the School Board from collections within the same CSA or adjacent CSA;
3. The establishment of a charter school with facilities constructed that are both (i) constructed in accordance with the SREF and (ii) subject to enforcement assurances that the facility will be conveyed to the School Board at no cost if the charter school ceases operations;
4. The establishment of an educational facilities benefit district, and the corresponding construction of educational facilities that are sufficient to offset the demand for public educational facilities created by the proposed development at no cost to the School Board. In accordance with Sections 1013.355 through 1013.357, Florida Statutes and other governing law; and
5. At the sole discretion of the School Board, payment of a temporary capacity charge to fund temporary educational facilities until such time as there is sufficient impact, need and demand to justify or substantiate, in accordance with SREF and other governing requirements, the construction of a new educational facility that is identified in the District facilities work program for a 5-year period.

#### 11.2.5.2 Policy: Mitigation Must Enhance Permanent Capacity

Mitigation must be directed toward a permanent capacity improvement identified in the St. Lucie County School Board's financially feasible 5-Year Work Program, which satisfies the demands created by the proposed development consistent with the adopted LOS standards. Relocatable classrooms will not be accepted as mitigation.

#### 11.2.5.3 Policy: Mitigation to Meet Financial Feasibility

Mitigation shall be directed to projects on the St. Lucie County School Board's financially feasible 5-Year Work Plan that the St. Lucie County School Board agrees will satisfy the demand created by that development approval, and shall be assured by a legally binding development agreement between the St. Lucie County School Board, the City, and the applicant which shall be executed prior to the City's issuance of the final subdivision plat or the final site plan approval. If the St. Lucie County School Board agrees to the mitigation, the St. Lucie County School Board must commit in the agreement to placing the improvement required for mitigation on its 5-Year Work Program.

#### 11.2.5.4 Policy: Calculating Proportionate Share

The applicant's total proportionate share obligation to resolve a capacity deficiency shall be based on the following:

NUMBER OF STUDENT STATIONS (BY SCHOOL TYPE) = NUMBER OF DWELLING UNITS BY HOUSING TYPE X STUDENT GENERATION MULTIPLIER (BY HOUSING TYPE AND SCHOOL TYPE)

PROPORTIONATE SHARE AMOUNT = NUMBER OF STUDENT STATIONS (BY SCHOOL TYPE) X COST PER STUDENT STATION FOR SCHOOL TYPE.

The above formula shall be calculated for each housing type within the proposed development and for each school type (elementary, middle or high) for which a capacity deficiency has been identified. The sum of these calculations shall be the proportionate share amount for the development under review.

The St. Lucie County School Board average cost per student station shall include school facility construction and land costs, and costs to build schools to emergency shelter standards when applicable.

The applicant's proportionate-share mitigation obligation shall be credited toward any other impact or exaction fee imposed by local ordinance for the same need, on a dollar-for-dollar basis, at fair market value.

#### 11.2.6 OBJECTIVE: ADOPTION OF ST LUCIE COUNTY SCHOOL BOARD FIVE-YEAR WORK PROGRAM [9]-5.025(3) (b) (1) and (3) F.A.C.]

*Effective July 1, 2008 and no later than December 1st of each year thereafter, the City shall adopt by reference in its Capital Improvements Element, the St. Lucie County School Board's annually updated 5-Year Work Program.*

#### 11.2.6.1 Policy: Development, Adoption and Amendment of the St. Lucie County School Board 5-Year Work Program

The St. Lucie County School Board shall annually update and amend the Five-Year Work Program to reflect the (LOS) standards for schools to add a new fifth year, which continues to achieve and maintain the adopted LOS for schools. The Five-Year Work Program ensures the level of service standards for public schools are achieved and maintained within the period covered by the 5-year schedule. After the first 5-year schedule of capital improvements, annual updates to the schedule shall ensure levels of service standards are achieved and maintained within the subsequent 5-year schedule of capital improvements. The City shall have neither obligation nor responsibility for funding the Five-Year Work Program by adopting the St. Lucie County School Board's Five-Year Work Program into the Capital Improvements Element.

#### 11.2.7 OBJECTIVE: ADOPTION OF SCHOOL CAPACITY PLANNING AREAS.

*The City shall in coordination with the St. Lucie County School Board and municipalities, establish School Capacity Planning areas (SCPA) as the areas within with long range capacity if planned and used for evaluation of comprehensive plan amendments.*

##### 11.2.7.1 Policy: School Capacity Planning Areas (SCPA) Maps

SCPA for high, middle and elementary schools shall be as adopted in the Interlocal Agreement. SCPA boundaries shall be included as a part of the Data and Analysis supporting this Element and included in the PSFE Map Series as part of that supporting data.

##### 11.2.7.2 Policy: Criteria for School Capacity Planning Areas

SCPA shall be established to properly plan the location of schools in proximity of new development. While short or intermediate term school capacity needs may be met by student stations in the SCSA or the adjacent SCSA it is the goal to place schools in proximity of the residential areas that they serve so that student travel times and the necessary infrastructure needed is minimized for each SCPA. The SCPAs should form the basis for evaluating school capacity for all planning and preliminary regulatory review for residential development throughout St Lucie County and serve as the basis for "developer agreements" designed to preserve school sites and assure the timely commitment of school construction.

##### 11.2.7.3 Policy: Modifying School Concurrency Planning Areas

The City, in coordination with the St. Lucie County School Board and the Municipalities, shall require that prior to adopting a modification to SCPA, the following standards will be met:

- a. Potential modifications to the SCPA may be considered annually. Supporting data and analysis for modified SCPA shall be included in the annual update to the St. Lucie County School Board's 5 -Year Work Program;

- b. Modifications to SCPA boundaries shall be based upon the criteria as provided in Policy PSFE 2.7.2;
- c. Any party to the adopted Interlocal Agreement may propose a modification to the SCPA boundary maps;
- d. At such time as the St. Lucie County School Board determines that a SCPA boundary change is appropriate considering the above criteria, the St. Lucie County School Board shall transmit the proposed SCPA boundary modification with data and analysis to support the changes to the Elected Officials Group; and
- e. The Elected Officials Group shall review the proposed SCPA boundary modifications and send its comments to the St. Lucie County School Board.

Modifications to a SCPA shall become effective upon final approval by the S St. Lucie County School Board and amendment of the Interlocal Agreement for Public School Facility Planning.

**11.3 GOAL: PROVIDE SAFE AND SECURE SCHOOLS SITED WITHIN WELL DESIGNED COMMUNITIES.**

**11.3.1 OBJECTIVE: SCHOOL LOCATION**

*The City shall establish standards and criteria to guide the location of future schools.*

**11.3.1.1 Policy: Future Land Use Map to Designate Land Use Classifications Where Schools Are Permitted**

The City shall allow schools in all Future Land Use categories except the following categories: County Industrial (CI), Industrial (I), Heavy Industrial (HI), Residential Conservation (RC) and Open Space Conservation (OSC). [FLUE Policy 1.2.1]

**11.3.1.2 Policy: Sufficient Land Proximate to Residential Development [FLUE Policy 1.2.2]**

The City shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with the St Lucie County School Board.

**11.3.1.3 Policy: Land Contiguous to Existing School Sites [FLUE Policy 1.2.3]**

The City shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use.

**11.3.2 OBJECTIVE: ENCOURAGE SCHOOLS AS FOCAL POINTS OF COMMUNITY PLANNING AND DESIGN. [9J-5.025(3)(b)(4), (5) and (6)]**

#### 11.3.2.1 Policy: Enhance Community/Neighborhood Design

The City, in conjunction with the St. Lucie County School Board, shall promote the neighborhood concept in new developments or redevelopment by encouraging the use of existing schools as neighborhood centers or focal points.

#### 11.3.3 OBJECTIVE: STANDARDS FOR SCHOOL SITE DESIGN

*The City will establish standards for school siting and site design to provide security and safety of children and to provide a functional educational environment.*

##### 11.3.3.1 Policy: Encourage Schools Proximate to Residential Areas (FLUE Policy 1.2.3)

The City shall encourage the location of schools proximate to urban residential areas to the fullest extent possible.

##### 11.3.3.2 Policy: Compatibility of Adjacent Uses

The City shall review development proposals for compatibility of uses adjacent to existing schools and known future school sites.

##### 11.3.3.3 Policy: School Accessibility

The City shall encourage the establishment of bicycle and pedestrian facilities around schools, especially areas near schools that are not served by the school bus system.

##### 11.3.3.4 Policy: Bus Stops

The City shall, in cooperation with the St. Lucie County School Board, develop and adopt design standards for school bus stops and turnarounds in new developments and re-development projects.

##### 11.3.3.5 Policy: Safe Ways to School

To reduce hazardous walking conditions consistent with Florida's safe ways to school program, City of Fort Pierce, in coordination with the St. Lucie County School Board, shall implement the following strategies:

- a. New developments adjacent to school properties shall be required to provide a right-of-way and a direct safe access path for pedestrian travel to existing and planned school sites, and shall connect to the neighborhood's existing pedestrian network;
- b. For new development and redevelopment within 2 miles of an existing or planned school, the City shall require sidewalks along the property for the corridor that directly serves the school, or qualifies as an acceptable designated walk or bicycle route to the school;

- c. To ensure continuous pedestrian access to public schools, priority will be given to cases of hazardous walking conditions pursuant to Section 1006.23, Florida Statutes, and specific provisions for constructing such facilities will be included in the schedule of capital improvements adopted each fiscal year; and

Evaluate school zones to consider safe crossing of children along major roadways, including possible speed limit reductions from 25 mph to 15 mph in school zones; and prioritize areas for sidewalk improvements including: schools with a high number of pedestrian and bicycle injuries or fatalities, schools requiring courtesy busing for hazardous walking conditions, schools with significant walking populations, but poor pedestrian and bicycle access, and schools needing safety improvements.

#### 11.3.4 OBJECTIVE: SCHOOL SITING STANDARDS

*The City will establish siting standards for schools.*

##### 11.3.4.1 Policy: Evaluation of Potential School Sites [ILA Section 6.3]

Potential school sites shall be consistent with the following school siting standards, to the extent practicable:

- a. The location of schools proximate to urban residential development and contiguous to existing school sites, and which provide potential focal points for community activities, including opportunities for shared use and co-location with other community facilities;
- b. The location of elementary schools proximate to and, within walking distance of the residential neighborhoods served;
- c. Elementary schools should be located on local or collector streets;
- d. Middle and high schools should be located near arterial streets;
- e. Compatibility of the school site with present and future land uses of adjacent property considering the safety of students or the effective provision of education;
- f. Whether existing schools can be expanded or renovated to support community redevelopment and revitalization, efficient use of existing infrastructure, and the discouragement of urban sprawl;
- g. Site acquisition and development costs;
- h. Safe access to and from the school site by pedestrians, bicyclists and motor vehicles;
- i. Existing or planned availability of adequate public facilities and services to support the School;

- j. Environmental constraints that would either preclude or render infeasible the development or significant expansion of a public school on the site;
- k. Adverse impacts on archaeological or historic sites listed in the National Register of Historic Places or designated by the affected local government as a locally significant historic or archaeological resource;
- l. The proposed location is consistent with the local government comprehensive plan, storm water management plans, or watershed management plans;
- m. The proposed location is not within a velocity flood zone or floodway, as delineated on pertinent maps identified or referenced in the applicable comprehensive plan or land development regulations;
- n. The proposed site can accommodate the required parking, circulation and queuing of vehicles; and
- o. The proposed location lies outside the area regulated by Section 333.03, F.S., regarding the construction of public educational facilities in the vicinity of an airport.

#### 11.3.5 OBJECTIVE: SCHOOL DEVELOPMENT STANDARDS

*Coordinate with the St. Lucie County School Board and other educational institutions to locate future educational facilities in a manner which provides for their needs without undue negative impact on the proposed school, surrounding land uses, or public facilities.*

##### 11.3.5.1 Policy: School Development Standards.

As provided in Chapter 1013, Florida Statutes, the Land Development Code may include reasonable development standards and conditions for school site plans if those standards and conditions are not in conflict with Chapter 1013, Florida Statutes or the State Building Code.

- a. The location, arrangement, and lighting of play fields and playgrounds shall be located and buffered as may be necessary to minimize impacts to adjacent residential property;
- b. Maximum height of the school structure shall adhere to the height requirements established for the zoning district for the school site zoning district;
- c. Building setbacks from property lines for all schools shall adhere to the minimum building setback requirements established for the zoning district for the school site zoning district;
- d. All parking areas on school sites shall adhere to the minimum setback requirements established for the zoning district;
- e. Access to school sites shall be governed by City and THE Florida Department of Transportation (FDOT) access management regulations, including installation

by the St. Lucie County School Board, or other party as determined by the City, of all access-related improvement required by such regulations. All school sites shall be connected to the existing network by existing paved roads;

- f. The site shall be required to provide bicycle/pedestrian connections to sidewalks, trails, and bikeways internal or adjacent to residential neighborhoods, including the provision of safe roadway crossings; and

Development of the site shall be consistent with applicable wetland policies contained within the Conservation Element and Recreation and Open Space Element of this plan.

#### 11.3.6 OBJECTIVE: COORDINATION OF SUPPORTING INFRASTRUCTURE [9J-.025(3)(c)(5)]

*The City shall coordinate with the St. Lucie County School Board plans for supporting infrastructure.*

##### 11.3.6.1 Policy: Coordination of Planned Improvements

The City shall annually update and amend the Capital Improvements Element to include the St. Lucie County School Board's 5-Year Work Program to reflect the infrastructure required to support new school facilities.

#### **11.4 GOAL: PROMOTE AND OPTIMIZE INTERGOVERNMENTAL COOPERATION FOR EFFECTIVE FUTURE PLANNING OF PUBLIC SCHOOL SYSTEM FACILITIES.**

##### 11.4.1 OBJECTIVE: SCHOOL BOARD REPRESENTATION

11.4.1.1 Policy: School Board Representation on LPAs. [Section 163.3174(1) F.S.] [ILA Section 9.1]

The City will include a nonvoting representative appointed by the School Board on the LPA to attend those meetings at which the agencies consider Comprehensive Plan amendments and rezoning that would, if approved, increase residential density on the property that is the subject of the application. The appointment of a nonvoting representative for the School Board shall not affect the quorum or voting requirements of the LPA, nor entitle such representative to compensation or expense reimbursement otherwise applicable to the voting members of the LPA.

11.4.1.2 Policy: Development Review Representative. [ILA Section 9.2]

The School Board will appoint a representative to serve on the staff Technical Review Committee (TRC) of the City. The School Board representative will be provided agendas for review and invited to participate in each meeting of the TRC when development and redevelopment proposals are proposed which could have a significant impact on student enrollment or school facilities.

#### 11.4.2 OBJECTIVE: JOINT MEETINGS

*The City shall participate in meetings and other actions established to promote coordination and the sharing of data and information.*

##### 11.4.2.1 Policy: Staff Working Group [ILA Section 2.1]

A staff working group of the Local Governments and School Board will meet on a semi-annual basis to discuss issues and formulate recommendations regarding coordination of land use and school facilities planning, including such issues as population and student projections, development trends, school needs, co-location and joint use opportunities, and ancillary infrastructure improvements needed to support the school and ensure safe student access.

Representatives from the Regional Planning Council will also be invited to attend. The Superintendent shall be responsible for making meeting arrangements and providing notification of meetings. [ILA Section 2.2]

##### 11.4.2.2 Policy: Joint Workshop Sessions [ILA Section 2.2]

One or more representatives of the City, each Local Government, and the School Board will meet at least annually in joint workshop sessions. A representative of the Regional Planning Council will also be invited to attend. The joint workshop sessions will be opportunities for the Local Governments and the School Board to hear reports, discuss policy, set direction, and reach understandings concerning issues of mutual concern regarding coordination of land use and school facilities planning, including population and student growth, development trends, school needs, off-site improvements, and joint use opportunities. The Superintendent of Schools, or designee, shall be responsible for making meeting arrangements and providing notification to the general public of the annual meeting. [ILA Section 1.2]

#### 11.4.3 OBJECTIVE: STUDENT ENROLLMENT & POPULATION PROJECTIONS [ILA Section 3]

*The City will coordinate with the St. Lucie County School Board and the Local Governments to maintain and update student enrollment and population projections.*

##### 11.4.3.1 Policy: Review of Projections [ILA Section 3.1]

In fulfillment of their respective planning duties, the City, the School Board, the County and other Local Governments agree to coordinate and base their plans upon consistent projections of the amount, type, and distribution population growth and student enrollment. Countywide five-year population projections developed by the County and five-year student enrollment projections developed by the School Board shall be revised annually and provided at the first staff working group meeting described in Policy 11.4.2.1.

#### 11.4.3.2 Policy: Basis of Projections [ILA Section 3.2]

The School Board shall utilize student population projections based on information produced by the demographic, revenue, and education estimating conferences pursuant to Section 216.136, Florida Statutes, where available, as modified by the School Board based on development data and agreement with the local governments and the Office of Educational Facilities and SMART Schools Clearinghouse. The School Board may request adjustment to the estimating conferences' projections to reflect actual enrollment and development trends. In formulating such a request the School Board will coordinate with the Local Governments regarding development trends and future population projections.

#### 11.4.3.3 Policy: Allocation of Enrollment [ILA Section 3.3].

The School Board, working with the Local Governments, will use the information described in Section 4.3 of the ILA to allocate projected student enrollment into sub-count planning sectors so that the District-wide projections are not exceeded. The planning sectors will be established by mutual consent of the School Board and Local Government staff. The allocation of projected student enrollment will be determined at the first joint staff working group meeting described in Policy 11.4.2.1.

#### 11.4.3.4 Policy: Provision of Reports [ILA Section 3.4]

The Local Governments shall provide the School Board a copy of each population report, count, or projection; residential building permit report, count, or projection; and demographic study or analysis prepared or received by any of them within thirty (30) days of preparation or receipt. The School Board shall provide the Local Governments a copy of each student enrollment report, count, or projection and demographic study or analysis prepared or received by the School Board within thirty (30) days of preparation or receipt. Alternatively, the parties may comply with the requirements of this subsection by making each such report available at the next semiannual staff working group meeting that follows preparation or receipt of the report.

#### 11.4.3.5 Policy: The School District's Five-Year Facilities Work Program [ILA Section 4.1]

On August 1st of each year, the School Board shall submit to the Local Governments the tentative District educational facilities plan prior to adoption by the Board. The plan will be consistent with the requirements of Section 1013.35, Florida Statutes, and include projected student populations apportioned geographically, an inventory of existing school facilities, projections of facility space needs, information on relocatables, general locations of new schools for the 5-, 10-, and 20-year time periods, and options to reduce the need for additional permanent student stations. The plan will also include a financially feasible District facilities work program for a 5-year period. The Local Governments shall review the plan and comment to the School Board within 30 days on the consistency of the plan with the local Comprehensive Plan, whether a Comprehensive Plan amendment will be necessary for any proposed educational facility, and whether the Local Government supports a necessary Comprehensive Plan amendment. If the Local Government does not

support a Comprehensive Plan amendment, the matter shall be resolved pursuant to procedures established in the Interlocal Agreement for Public School Facility Planning.

#### 11.4.3.6 Policy: Educational Plant Survey [ILA Section 4.2]

At least one year prior to preparation of the Educational Plant Survey update, the staff working group established in Policy 11.4.2.1 will assist the School Board in an advisory capacity in the preparation of the update. The Educational Plant Survey shall be consistent with the requirements of Section 1013.31, Florida Statutes, and include at least an inventory of existing educational facilities, recommendations for new and existing facilities, and the general location of each in coordination with the land use plan. The staff working group will evaluate and make recommendations regarding the location and need for new, or significant renovation and expansion of existing educational facilities with the Comprehensive Plan, and relevant issues established in this Element.

#### 11.4.3.7 Policy: Growth and Development Trends [ILA Section 4.3]

On October 15 of each year, the Local Governments will provide the School Board with a report on growth and development trends within their respective jurisdictions. This report will be in tabular, graphic, and textual formats (in electronic form using the respective Local Government's geographic information system data base) and will include the following:

- a. The type, number, and location of residential units which have received zoning or site plan approval;
- b. Information regarding comprehensive land use amendments which have an impact on school facilities;
- c. Residential building permits and / or certificates of occupancy issued for the preceding year and their location;
- d. Information regarding the conversion or redevelopment of housing or other structures into residential units which are likely to generate new students; and
- e. The identification of any development orders issued which contain a requirement for the provision of a school site as a condition of development.

#### 11.4.4 OBJECTIVE: SCHOOL SITE SELECTION, EXPANSIONS AND CLOSURES [ILA Section 6]

*The City, in conjunction with the St. Lucie County School Board, shall implement an effective process for identification and selection of school sites and for the review of significant expansions and closures.*

#### 11.4.4.1 Policy: Public Schools Advisory Committee [ILA Section 6.1]

The School Board will establish a Public Schools Advisory Committee for the purpose of reviewing potential sites for new schools and proposals for significant renovation and potential closure of existing schools. The School Board and each Local Government shall appoint a citizen member to serve on the Committee. Based on information gathered during the review, the Committee will submit recommendations to the Superintendent. The Public Schools Advisory Committee will be a standing committee and will meet on an as needed basis. In addition to citizen members, the Committee will include appropriate members of School Board staff and at least one staff member from each of the Local Governments.

#### 11.4.4.2 Policy: Committee Review of Proposed Sites, Renovations, and Closures [ILA Section 6.2]

When the need for a new school is identified in the District educational facilities plan, the Public Schools Advisory Committee will develop a list of potential sites in the area of need. The list of potential sites for new schools and the list of schools identified in the District educational facilities plan for significant renovation and potential closure will be submitted to the City for an informal assessment regarding consistency with the Comprehensive Plan, including, as applicable: environmental suitability, transportation and pedestrian access, availability of infrastructure and services, safety concerns, land use compatibility, consistency with community vision, and other relevant issues. In addition, the issues identified in Policy 11.4.4.3 will be considered by both the City and Public Schools Advisory Committee as each site or school is evaluated. Based on the information gathered during this review, for new schools the Committee will make a recommendation to the Superintendent of one or more sites in order of preference. For significant renovations and potential closures, the Committee will make appropriate recommendations.

#### 11.4.4.3 Policy: Factors Considered. [ILA Section 6.3]

The Public Schools Advisory Committee, the School Board, and the City will consider the factors established in Policy 11.3.4.1 when evaluating new school sites and significant renovations and potential closure of existing schools.

#### 11.4.4.4 Policy: Notice of Proposed Educational Facility Site Acquisition. [ILA Section 6.4]

At least 60 days prior to acquiring or leasing property that may be used for a new public educational facility, the St. Lucie County School Board shall provide written notice of its intent to the City. The City shall notify the St. Lucie County School Board within 45 days of receipt of this notice if the proposed new public education facility site is consistent with the local government's comprehensive plan. This notice does not constitute the local government's determination of consistency of any proposed construction pursuant to Section 1013.33 (12), (13), (14), (15), F.S.

#### 11.4.4.5 Policy: Proposed Ancillary Facility Site Acquisition [ILA Section 6.5]

When the need for a new ancillary facility is identified in a District facilities work program, the St. Lucie County School Board will follow the site selection procedures set forth in Policy 11.4.4.2 and Policy 11.4.4.3 with appropriate adjustment to the factors considered based upon the principal or predominant use proposed for the facility. At least 60 days prior to acquiring or leasing property that may be used for a new ancillary facility, the St. Lucie County School Board shall provide written notice to the City. The City, upon receipt of this notice, shall notify the St. Lucie County School Board within 45 days if the proposed new ancillary facility site is consistent with the land use categories and policies of the City's comprehensive plan. This preliminary notice does not constitute the City's determination of consistency pursuant to Section 1013.33(12), Florida Statutes.

#### 11.4.4.6 Policy: Conforming Future Land Use Change or Rezoning [ILA Section 6.6].

Upon request of the City, the St. Lucie County School Board shall cooperate in undertaking any City-requested change to the future land use classification or zoning of property acquired or leased for an ancillary or educational facility if the City determines that such a change is appropriate to conform the future land use classification or zoning of the property to its actual or intended use by the St. Lucie County School Board, provided, however, that no such change shall render the facility inconsistent with the Comprehensive Plan, inconsistent with the applicable LDRs, or otherwise nonconforming.

#### 11.4.4.7 Policy: Supporting Infrastructure Agreement [ILA Section 6.7]

In conjunction with the preliminary consistency determination in accordance with Policy 11.4.4.4 and Policy 11.4.4.5, the St. Lucie County School Board and the City will jointly determine the need for and timing of on-site and off-site improvements necessary to support each new school or ancillary facility or the proposed significant renovation of an existing school, and will enter into a written agreement as to the timing, future maintenance, location, and the party or parties responsible for constructing, operating, and maintaining the required improvements.

#### 11.4.5 OBJECTIVE: ANCILLARY FACILITIES SITE DEVELOPMENT [ILA Section 7]

*The City, in conjunction with the St. Lucie County School Board, shall implement an effective process for identification and selection of sites and for the review of ancillary facility and site development.*

##### 11.4.5.1 Policy: Ancillary Facilities Deemed Consistent with applicable LDRs [ILA Section 7.1]

All ancillary facilities existing or under construction as of October 2003 [Interlocal Agreement] are deemed to be consistent with the applicable LDRs.

11.4.5.2 Policy: Notice of Proposed Facility and Request for Consistency Review [ILA Section 7.2]

At least 120 days prior to commencing construction of a new ancillary facility proposed for construction, the School Board shall notify and request the City to review the proposed facility for consistency with the City's Comprehensive Plan and the Applicable LDRs. The notice and request for consistency review shall include a site plan and related submittal materials that comply with those site plan submission requirements of the City that are applicable to the type of ancillary facilities proposed. The site plan and related submittal materials, in turn, shall include, at a minimum, the following:

- a. Site boundary;
- b. General site development information, to scale and with dimensions, including building layout, vehicle access and parking facilities, and activity fields; and
- c. Proposed staff population so that traffic impacts may be evaluated.

11.4.5.3 Policy: Consistency Determination [ILA Section 7.3]

- a. Scope of Review: The City acknowledges and recognizes the need to conserve public funds, the special nature of ancillary facilities and the fact that such facilities constitute a vital component of the total public infrastructure required to support existing and future development. All new ancillary facilities proposed for construction shall be subject to the site plan submission requirements of the City that are applicable to the type of ancillary facilities proposed. Any required concurrency review of a new ancillary facility proposed for construction, including any appropriate capacity reservation, shall be undertaken as part of the reviews provided in this Element. As provided in Section 1013.371 (1)(a), Florida Statutes, exempting ancillary facilities from local codes and ordinances, no conditional use, special exception, variance, or other process or procedure shall apply to such facilities in addition to the review provided in this Element.
- b. Procedure for Review: When the School Board proposes the construction of a new ancillary facility, the following consistency determination and site plan review procedure shall apply:
  - 1) Within 45 days of receiving from the School Board all of the site plan submittal materials applicable to the type of ancillary facility proposed, the City staff shall (i) conduct a sufficiency review of the submission and a substantive analysis of the site plan, and (ii) schedule a review with and provide comments and recommendations to School Board staff.
  - 2) All comments and recommendations of the City shall be set forth in writing specifying the basis for the determination, including the determined inconsistency with the Applicable LDRs.
  - 3) To the extent practicable, the school Board shall incorporate the comments and recommendations of the City into the site plan, and the School Board may then

proceed with development consistent with and in accordance with the procedures set forth in the State Uniform Building Code for Public Education Facilities Construction adopted as provided in Section 1013.37, Florida Statutes.

- 4) Except as provided in this Element, no other or additional consistency determination or development approval shall be required by, of, or from the City with respect to a new ancillary facility proposed for construction within the City.
- 5) Following receipt of a consistency determination, and upon request of the School Board, the City shall confirm to any agency exercising regulatory jurisdiction over development of such facility that the School Board has obtained all development approvals required by the City.

#### 11.4.6 OBJECTIVE: EDUCATIONAL FACILITIES SITE DEVELOPMENT [ILA Section 8]

*The City, in conjunction with the St. Lucie County School Board, shall implement an effective process for the development of sites for educational facilities.*

##### 11.4.6.1 Policy: Educational Facilities Deemed Consistent with applicable LDRs [ILA Section 8.1]

All educational facilities existing or under construction as of October 2003 are deemed to be consistent with the applicable LDRs.

##### 11.4.6.2 Policy: Notice of Proposed Facility and Request for Consistency Review [ILA Section 8.2]

At least 120 days prior to commencing construction of a new educational facility proposed for construction, the School Board shall notify and request the City to review the proposed facility for consistency with the Comprehensive Plan and the Applicable LDRs. The notice and request for consistency review shall include a site plan and related submittal materials that comply with those site plan submission requirements of the City that are applicable to the type of educational facilities proposed. The site plan and related submittal materials, in turn, shall include, at a minimum, the following:

- a. Site boundary;
- b. General site development information, to scale and with dimensions, including building layout, vehicle access and parking facilities, and activity fields; and
- c. Proposed student, faculty, and support staff populations so that traffic impacts may be evaluated.

11.4.6.3 Policy: Consistency Determination [ILA Section 8.3]

- a. Scope of Review: The City acknowledges and recognizes the need to conserve public funds, the special nature of educational facilities, the fact that such facilities constitute a vital component of the total public infrastructure required to support existing and future development, and the fact that the School Board's site plans for such facilities will undergo scrutiny by several state and regional agencies. The City therefore agrees that its review of each such site plan, and each determination of consistency with the Comprehensive Plan and the applicable LDRs, shall focus upon but not be limited to the following:
  - 1) Whether the ingress and egress to the site, with particular reference to vehicle and pedestrian safety, convenience, traffic flow and control, including traffic flow and control on the surrounding roads, and emergency access, are consistent with the Applicable LDRs;
  - 2) Whether the water and wastewater capacities available to the site or to be constructed on site are sufficient for the proposed educational facility;
  - 3) Whether the drainage and stormwater management facilities available to the site or to be constructed on site or in conjunction with development of the site are sufficient for the proposed educational facility;
  - 4) Whether proposed signs and exterior lighting for the proposed educational facility, with reference to glare and traffic safety, are consistent with the applicable LDRs;
  - 5) Whether the site plan, as proposed or with reasonable conditions, is adequate as it relates to environmental concerns and effects on adjacent property; and
  - 6) If the site is located within a designated historic preservation, redevelopment, or other overlay zone, whether the site plan and design of the structure are consistent with the architectural guidelines and other LDRs governing such overlay zone.

Any required concurrency review of a new educational facility proposed for construction, including any appropriate capacity reservation, shall be undertaken as a part of the reviews provided in this Element. As provided in Section 1013.371(1)(a), Florida Statutes, exempting educational facilities from local codes and ordinances, no conditional use, special exception, variance, or other process or procedure shall apply to such facilities in addition to the review provided in subsection 4.6.3(b) of this Element.

- b. Procedure for Review: As provided in Section 1013.33(14), Florida Statutes, when the School Board proposes the construction of a new educational facility, the following consistency determination and site plan review procedure shall apply:
  - 1) Within 45 days of receiving the submittals specified in this Element, the City staff shall (i) conduct a sufficiency review of the submission and a substantive

analysis of the site plan, and (ii) schedule a review with and provide comments to School Board staff.

- 2) All comments and recommendations from the City shall be set forth in writing specifying the basis for the determination, including the determined inconsistency with the Applicable LDRs.
- 3) To the extent practicable, the School Board shall incorporate the comments and recommendations of the City into the site plan, and the School Board may then proceed with development consistent with and in accordance with the procedures set forth in the State Uniform Building Code for Public Education Facilities Construction adopted as provided in Section 1013.37, Florida Statutes.
- 4) Except as provided in this Agreement, no other or additional consistency determination or development approval shall be required by, of, or from the City with respect to a new educational facility proposed for construction within its respective jurisdiction.
- 5) Following receipt of a consistency determination, and upon request of the School Board, the City shall confirm to any agency exercising regulatory jurisdiction over development of such facility that the School Board has obtained all local government development approvals required by the City.

No site plan review fee shall apply but the St. Lucie County School shall reimburse the City for the actual cost of any required publication or other notification expense

- c. Exceptions: Notwithstanding any other provision of this Agreement, as provided in Section 1013.33(15), Florida Statutes, no consistency determination or site plan review shall be required for:
  - 1) The placement of temporary or portable classroom facilities; or
  - 2) Proposed renovation or construction on existing school sites, with the exception of construction that changes the primary use of a facility, includes stadiums, or results in a greater than 5 percent increase in student capacity.

#### 11.4.7 OBJECTIVE: CAPITAL FUNDING MANAGEMENT

*The City will support St. Lucie County School Board of efforts to effectively and efficiently manage capital funds and resources.*

##### 11.4.7.1 Policy: Alternative Funding Strategies

The City shall support the St. Lucie County School Board in its efforts to research and support alternative funding for school capital needs, including, but not limited to, educational benefit units, and Community Development Districts.

#### 11.4.7.2 Policy: Private Partnering

The City shall coordinate with the St. Lucie County School Board to encourage the private sector to identify and implement creative solutions, such as joint use facilities and alternative design, as well as requiring land dedication and requiring adequate school facilities in residential developments.

#### 11.4.7.3 Policy: Support for Creative Partnerships

The City shall support the St. Lucie County School Board by giving priority consideration for development approvals when property owners provide donation of site(s), reservation or sale of school sites at pre-development prices, construction of new facilities or renovations to existing facilities, and provide transportation alternatives.

### 11.4.8 OBJECTIVE: MAXIMIZE CO-LOCATION AND SHARED USE OPPORTUNITIES

*The City shall maximize co-location and shared use opportunities between the City, the St. Lucie County School Board, and the local governments.*

#### 11.4.8.1 Policy: Co-location of Public Facilities [FLUE Policy 1.2.4]

The City shall require the collocation of public facilities, such as parks, libraries, and community centers, with schools to the extent possible and to encourage the use of elementary schools as focal points for neighborhoods.

#### 11.4.8.2 Policy: Co-location and Shared Use of Facilities [ILA Section 10.1]

Collocation and shared use of facilities are important to both the School Board and the City. The School Board will look for opportunities to collocate and share use of school facilities and civic facilities when preparing the District Educational Facilities Plan. Likewise, collocation and shared use opportunities will be considered by the City when preparing the annual update to the Comprehensive Plan's schedule of capital improvements and when planning and designing new, or renovating existing, community facilities. For example, opportunities for collocation and shared use with public schools will be considered for libraries, parks, recreation facilities, community centers, auditoriums, learning centers, museums, performing arts centers, and stadiums. In addition, collocation and shared use of school and governmental facilities for health care and social services will be considered.

As part of the annual update of the Annual Facilities Work Plan, the City will provide the School Board with planned parks, libraries and community centers anticipated to be planned or constructed within the next five years. The School Board will review potential for collocation with schools.

#### 11.4.8.3 Policy: Separate Agreement [ILA Section 10.2]

A separate agreement will be developed for each instance of collocation and shared use which addresses legal liability, operating and maintenance costs, scheduling of use, and facility supervision or any other issues that may arise from collocation and shared use.

#### 11.4.8.4 Policy: Emergency Preparedness

New school facilities, and rehabilitation of existing facilities and expansions, may be designed to serve as and provide emergency shelters as required by Section 1013.372, Florida Statutes. The City will coordinate with the St. Lucie County School Board, St. Lucie County and adjacent Local Governments on requirements for such efforts.

### 11.4.9 OBJECTIVE: SCHOOL SITE IDENTIFICATION

*The City, in conjunction with the St. Lucie County School Board, shall implement an effective process for identification of school sites.*

#### 11.4.9.1 Policy: School Site Identification

The City shall coordinate with the St. Lucie County School Board to identify and acquire future school sites prior to or concurrent with changes in urban service lines, land use, zoning or approval of projects generating new students.

#### 11.4.9.2 Policy: Use of Dedicated Property

The City shall require within any developer agreement, zoning condition, or development order, the condition that any property required to be conveyed for public services to the City may be transferred to the St. Lucie County School Board, with or without consideration except that, as applicable, to develop educational facilities, and conversely, if the St. Lucie County School Board deems any donated property through a developer agreement, zoning condition or development order condition unsuitable for a school site, then it may transfer or lease said property to the City for any public use with or without consideration, as applicable. Said agreements and conditions may provide that any such properties may be transferred directly to the St. Lucie County School Board.

#### 11.4.9.3 Policy: Use of Surplus Property

Before disposing of surplus property, the City shall notify the St. Lucie County School Board and conversely, the St. Lucie County School Board shall notify the City.

#### 11.4.9.4 Policy: Conveyance of School Sites

The City shall facilitate the conveyance of land, as required by the St. Lucie County School Board and consistent with this Element, to address the impact of new residential development on the school system.

#### 11.4.9.5 Policy: Density Transfer

The City shall, consistent with this Comprehensive Plan, allow for the transfer of the entitled density of a school site, onto existing developable areas of the parent site proposed for residential development or redevelopment.

### **GOAL 11.5: MONITORING AND EVALUATION OF PUBLIC SCHOOL FACILITIES ELEMENT**

#### 11.5.1 OBJECTIVE: COORDINATE THE COMPREHENSIVE PLAN WITH SCHOOL FACILITIES PLANS

*On an ongoing basis, City of Fort Pierce shall evaluate the comprehensive plan with the school facilities plans of the St. Lucie County School Board to ensure consistency with the Comprehensive Plan.*

##### 11.5.1.1 Policy: Coordination of Plan Amendments

City of Fort Pierce and the St. Lucie County School Board will coordinate during updates or amendments to the City's Comprehensive Plan and updates or amendments for long-range plans for School Board facilities. Amendments to the Public School Facilities Element will be initiated following the procedures of the Interlocal Agreement and amendments to the Capital Improvements Element to incorporate the School Board's adopted Work Program shall occur prior to December 1 of each year.

##### 11.5.1.2 Policy: Annual Meeting of the School Working Group

Consistent with the Interlocal Agreement, the School Working Group will meet at least once per year to discuss issues related to the effectiveness of implementing the Public School Facilities Element and Interlocal Agreement and discuss recommendations for change.

##### 11.5.1.3 Policy: St. Lucie County School Board to Report to the Elected Officials Group

The St. Lucie County School Board will annually provide a cumulative report of land use decisions and the effect of these decisions on public school capacity.

##### 11.5.1.4 Policy: Annual Meeting of the City and the St. Lucie County School Board

On an annual basis, the City of Fort Pierce and the School Board will conduct a workshop on implementing the Public School Facilities Element and Interlocal Agreement.

Definitions. The terms used in this element shall be defined as follows:[ILA Section 1]

1. **Adequate school capacity** - the circumstance where there is sufficient school capacity by school type, based on adopted Level of Service (LOS) standards, to accommodate the demand created by a proposed residential development.
2. **Affected Jurisdictions** – Local governments that are parties to the Interlocal Agreement for Public School Facilities Planning and are physically located within the same SCSA(s) as the area affected by a land use decision that may increase public school enrollment.
3. **Ancillary facilities / plant** - the buildings, sites, and site improvements necessary to provide such facilities as vehicle maintenance, warehouses, maintenance, or administrative buildings necessary to provide support services to an educational program of the School Board. [ILA Section 1.1]
4. **Applicable LDRs** - the LDRs adopted by the Local Government with jurisdiction to the extent that (a) the regulations are not in conflict with or the subject regulated is not specifically addressed by Chapter 1013, Florida Statutes, or the State Uniform Building Code for Public Educational Facilities Construction adopted as provided in Section 1013.37, Florida Statutes, including the State Requirements for Educational Facilities, and (b) such regulations are specified in this Agreement as applicable to ancillary or educational facilities of the School Board. [ILA Section 1.2]
5. **Auxiliary facilities"** - the spaces located at educational plants of the School Board that are not designed for student occupant stations. [ILA Section 1.3]
6. **Capacity** - "capacity" as defined in the FISH Manual.
7. **Capacity Enhancement Agreement** – An agreement between the St. Lucie County School Board, affected jurisdictions and a private entity (land owner, developer, applicant, etc) for the mitigation of school capacity deficiencies that are anticipated to result from a land use decision.
8. **Concurrency Management System** - the requirements relating to the availability of public facilities and services to serve new development adopted by a Local Government in the manner provided in Section 163.3180, Florida Statutes. [ILA Section 1.6]
9. **Development regulatory action** - action by the City upon any proposal, application, or request to enact, adopt, approve, amend, or rescind a comprehensive plan, land use classification, zoning ordinance, zoning classification, land development rule or regulation, conditional use, special exception, site plan, mining permit, condemnation, or other development order, permit, or approval, but not including action upon an application for a building permit. [ILA Section 1.7]
10. **TRC** - the staff development review committee, site plan technical review committee, or equivalent body, for the City. [ILA Section 1.8]
11. **Educational facilities** - shall mean the buildings and equipment, structures and special educational use areas that are built, installed, or established to serve primarily the educational purposes and secondarily the social and park and recreational purposes of the community and

that may lawfully be used as authorized by the Florida K-20 Education Code (Chapters 1000-1013, Florida Statutes) and approved by the School Board. [ILA Section 1.10]

12. **Educational plant** - the educational facilities, site, and site improvements necessary to accommodate students, faculty, administrators, staff, and the activities of the educational program of each educational plant of the School Board. [ILA Section 1.11]
13. **Existing school facilities** - school facilities constructed and operational at the time a completed application for residential development is submitted to the County and Cities.
14. **Final Subdivision or Plat / Final Site Plan** - The stage in residential development where permits or development orders are approved authorizing actual construction of infrastructure, the recording of a final plat or the issuance of building permits.
15. **FISH Manual** - the document entitled "Florida Inventory of School Houses (FISH)," current edition, and that is published by the Florida Department of Education, Office of Educational Facilities (hereinafter the "FISH Manual"). [ <http://www.fldoe.org/edfacil/> ]
16. **Land Use Decisions** - future land use amendments, developments of regional impact, rezoning and other residential development approvals under the Land Development Code that precede the application of school concurrency and do not require a Certificate of School Concurrency.
17. **LDRs** - the land development regulations adopted by the Local Government with its jurisdiction, including but not limited to (a) for the County, the St. Lucie County Land Development Code, (b) for Fort Pierce, the Zoning Ordinance of the City of Fort Pierce, and (c) for Port St. Lucie, the Port St. Lucie Zoning Code. [ILA Section 1.17]
18. **Long-range planning** - devising a systematic method based on educational information and needs, carefully analyzed, to provide the facilities to meet the goals and objectives of the School Board. [ILA Section 1.18]
19. **LPA** - the local planning agency, planning and zoning commission, zoning board, or equivalent body, designated (a) to prepare the Comprehensive Plan for a Local Government in accordance with the Florida Local Government Comprehensive Planning and Land Development Regulation Act, Part II of Chapter 163, Florida Statutes, and/or (b) to review and recommend approval or disapproval of applications to rezone property within the jurisdiction of, or to amend the LDRs of, a Local Government. [ILA Section 1.20]
20. **New construction** - any construction of a building or unit of a building in which the entire work is new or an entirely new addition connected to an existing building. [ILA Section 1.22]
21. **Permanent FISH Capacity** - capacity that is provided by "permanent buildings," as defined in the FISH Manual.
22. **Permanent Program Capacity** - the maximum number of students that may be housed in structure that are "permanent buildings" as defined in the FISH Manual that is adjusted by the School Board annually to account for measurable programmatic changes in order to create a permanent program capacity, as set forth in the District facilities work program for a 5-year period [ILA Section 1.23]

23. **Planned school facilities** - school facility capacity that will be in place or under actual construction within three (3) years after the issuance of final subdivision or site plan approval, pursuant to the School Board's adopted Five Year Facilities Work Program.
24. **Preliminary Subdivision or Plat / Preliminary Site Plan** – Any conceptual approval in residential that precedes the review of detailed engineering plans and/or the commencement of actual construction of infrastructure.
25. **Regional Planning Council** - the Treasure Coast Regional Planning Council, a regional planning council created as provided in Section 186.504, Florida Statutes. [ILA Section 1.16]
26. **State Requirements for Educational Facilities (SREF)** – Standards established for the design and construction of public educational facilities as adopted by the Florida Administrative Code Rule 6A.2.0010.
27. **School facilities** - any or all ancillary, auxiliary, and educational facilities of the School Board. [ILA Section 1.17]
28. **Site** - a space of ground occupied or to be occupied by an ancillary or educational facility or program. [ILA Section 1.18]
29. **Site development** - work that must be performed on an unimproved site in order to make it usable for the desired purpose; or, work incidental to new construction or to make an addition usable. [ILA Section 1.19]
30. **Site improvement** - work that must be performed on an existing site to improve its utilization, correct health and safety deficiencies, meet special program needs, or provide additional service areas. [ILA Section 1.20]
31. **Superintendent** - the Superintendent of Schools for St. Lucie County, Florida. [ILA Section 1.21]
32. **Utilization of capacity** - current enrollment at the time of a completed application for residential development.
33. **Work Program** - the financially feasible School District's Five Year Facilities Work Program adopted pursuant to section 1013.35, F.S.
34. **Measurable programmatic change** - means a change to the operation of a school or the use of the school facility that has consistently and measurably modifies the capacity such as the use of classrooms for special education or other special purposes.
35. **School Type** - Elementary Schools are grades Pre Kindergarten Exceptional Student Education (PK- ESE) through 5; Middle Schools are grades 6 through 8; and High School are grades 9 through 12.