

**COLLIER COUNTY COMPREHENSIVE
GROWTH MANAGEMENT PLAN**

CHAPTER

PUBLIC SCHOOL FACILITIES ELEMENT

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DRAFT DOCUMENT

August 2007

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PUBLIC SCHOOL FACILITIES ELEMENT

GOAL, OBJECTIVES, AND POLICIES
PUBLIC SCHOOL FACILITIES ELEMENT

GOAL 1: ~~[9J-5.025(3)(a), F.A.C.]~~

TO PROVIDE FOR COORDINATED PLANNING BETWEEN THE COUNTY AND THE SCHOOL DISTRICT TO PROVIDE A PUBLIC SCHOOL SYSTEM THAT OFFERS A HIGH QUALITY EDUCATIONAL ENVIRONMENT, PROVIDES ACCESSIBILITY FOR ALL OF ITS STUDENTS, AND TO ESTABLISH A SCHOOL CONCURRENCY MANAGEMENT SYSTEM TO ENSURES ADEQUATE SCHOOL CAPACITY IS AVAILABLE TO ACCOMMODATE ENROLLMENT DEMAND AS IDENTIFIED IN THE SCHOOL DISTRICT'S WITHIN A FINANCIALLY FEASIBLE SCHOOL DISTRICT'S FIVE-YEAR CAPITAL PLAN.

OBJECTIVE 1.1: SCHOOL CONCURRENCY MANAGEMENT SYSTEM
~~[9J-025(3)(b)(1)F.A.C.]~~

Maintain public school facilities in Collier County shall by adopting a school concurrency management system to provide school capacity at an adopted level of service standard, measured within School Concurrency Service Area's (CSAs) for each school type (elementary, middle, high) for the long term and ~~short term~~ five-year planning periods.

Policy 1.1.1:
~~[9J-5.025(3)(c)(7))F.A.C.]~~

The County hereby adopts the following Level of Service (LOS) standards for CSAs shall be based upon permanent FISH capacity: ~~the LOS standard shall be 100% of Permanent FISH capacity~~ for high school CSAs; ~~LOS standard of 95% of the permanent FISH capacity~~ for elementary school CSAs; and ~~95% of Permanent FISH capacity~~ for middle school CSAs.

Policy 1.1.2:
~~[9J-5.025(3)(c)(1) F.A.C.]~~

The County hereby adopts School CSAs shall be established less than district-wide CSA's through the merger of Traffic Analysis Zones (TAZs) to establish separate elementary school, middle school and high schools CSA's ~~in against~~ which to measure the level of service standard.

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Policy 1.1.3:

~~[9J-5.025(3)(c)(1) F.A.C.]~~

Prior to adopting any change to the CSA boundaries, the County shall require that the School District verify that as a result of the change:

- A. The adopted LOS standards will be achieved and maintained for each year of the five-year planning period; and
- B. The utilization of school capacity will be maximized to the greatest extent possible, taking into account transportation costs, court approved desegregation plans and other relevant factors.

Policy 1.1.4:

~~[9J-5.025(3)(c)(1) F.A.C.]~~

The County, in conjunction with the School District and ~~Cities~~ municipalities within the County shall observe the following process for modifying CSA boundary maps:

- ~~A. The School District, in coordination with ~~Local Governments~~ shall review the proposed CSA boundaries and the data and analysis used to support the changes, and determine whether or not a change is appropriate considering criteria established in Policy 1.1.3. ~~Comments from the Local Governments must be provided within 45 days of receipt of the proposed changes.~~ The School District shall transmit supporting data and analysis to the local government for review and comment.~~
- ~~B. If the proposed changes to the CSA boundaries are acceptable to the School District and the ~~Local Governments~~, the School District shall transmit the changes with the final supporting data and analysis to the ~~Local Governments~~ shall review and comment on the proposed changes within forty-five (45) days of receipt.~~
- ~~C. If the proposed change is acceptable to the local government, ~~the~~ change to a CSA boundary shall become effective upon final approval of the new CSA boundary map by the School Board. New maps of the CSA boundaries shall also be included as data and analysis in support of the ~~Local Governments~~. ~~CIEs~~ [PSFEs](#).~~

Policy 1.1.5:

~~[9J-5.025(3)(c)(1) F.A.C.]~~

The County, in conjunction with the School District and ~~Cities~~ municipalities within the County shall observe the following process for changes in the use of schools:

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- A. At such time as the School District determines that a change in the school facility type is appropriate, considering the current use of the school and utilization requirements, the School District shall transmit the proposed school change in use with the supporting data and analysis for the changes to the ~~Local Governments~~ Local Governments for review and comment.
- B. ~~If the proposed change to the school use is acceptable, the School District shall transmit the change with the supporting data and analysis to the Local Government for review and comment. Comments from the Local Governments shall review and comment on the proposed changes must be provided within forty-five (45) days of receipt.~~
- C. If acceptable to local governments, ~~T~~the change to a school use shall become effective upon final approval of the new use of the school by the School Board.

OBJECTIVE 1.2: RESIDENTIAL DEVELOPMENT REVIEW

[9J-5.025(3)(b)(2) F.A.C.]

The County, in cooperation with the School District, shall ensure a school concurrency evaluation is performed by the Collier County School District to review projected on all non-exempt residential development to verify that new students can be accommodated within the adopted level of service standard established for each school type as measured within a CSA.

Policy 1.2.1:

[9J-5.025(3)(c)(1) F.A.C.]

The County shall not approve any non-exempt residential development application for a new residential preliminary plat, site plan or functional equivalent until the School District ~~School~~ has issued a School Capacity Availability Determination Letter (SCADL) verifying available capacity to serve the development.

Policy 1.2.2:

[9J-5.025(3)(c)(1) F.A.C.]

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

- A. Single family and mobile home lots of record, existing ~~at the time as of the effective date of the eSchool eConcurrency Program in the Growth Management Plan implementing ordinance becomes effective.~~
- B. Any new residential development that has a ~~preliminary~~ final plat or site plan approval or the functional equivalent ~~for~~ of a site specific development order ~~prior to~~ as of the ~~commencement~~ effective date of the School Concurrency Program in

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the Growth Management Plan.

- C. Any amendment to any previously approved residential development order that does not increase the number of dwelling units or change the dwelling unit type of dwelling units (e.g., single-family to multi-family, etc.).
- D. Age-restricted communities with no permanent residents under the age of 18. Exemption of an age-restricted community will be subject to a restrictive covenant limiting the age of permanent residents to 18 years and older.
- E. All new residential plats and site plans (or functional equivalent), or amendments to previously approved residential development orders, which are calculated to generate less than one student. Such development shall be subject to payment of school impact fees.
- F. Development that has been authorized as a Development of Regional Impact pursuant to Chapter 380, F.S., as of March 1, 2008.

~~Upon request by an Applicant submitting any land development application with a residential component, the School District shall issue a determination as to whether or not a development, lot or unit is exempt from the requirements of school concurrency.~~

Policy 1.2.3:

[9J-5.025(3)(c)(8) F.A.C.]

The County, through its land development regulations, and in conjunction with the School District, shall establish a school concurrency review process for all residential development projects that are not exempt under Policy 1.2.2. of this Element. The minimum process requirements are ~~described below~~ as follows:

- A. A residential development application including a School Impact Analysis (SIA) is submitted to the County for review.
- B. The County determines if the application is complete for processing and transmits the complete SIA to the School District for review.
- C. The School District reviews the application for available capacity and issues a School Capacity Availability Determination Letter (SCADL) to the County stating:
 - 1. If capacity is available within the affected CSA, the School District shall issue a SCADL verifying available capacity.
 - 2. If capacity is not available within the affected CSA, contiguous CSAs are reviewed for available capacity.

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3. If capacity is available in the contiguous CSAs, the School District shall issue a SCADL verifying available capacity in the adjacent contiguous CSAs.
4. If capacity is not available in the contiguous CSAs, the School District shall issue a SCADL indicating the development is not in compliance with the adopted LOS and offers the Applicant the opportunity to negotiate a mitigation plan within a negotiation period 90 days period for the proportionate share mitigation process.

Policy 1.2.4:

[9-5.025(3)(c)(9) F.A.C.]

The County, in conjunction with the School District, shall review an Applicant's residential development proposal for proportionate share mitigation projects to add the school capacity necessary to satisfy the impacts of a the proposed residential development.

A. Mitigation options may include, but are not limited to:

1. Contribution of land or payment for land acquisition in conjunction with the provision of additional school capacity; or
2. Mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits; or
3. Donation of buildings for use as a primary or alternative learning facility; or
4. Renovation of existing buildings for use as learning facilities; or
5. Construction or expansion of permanent student stations or core capacity; or
6. Construction of a public school facility in advance of the time set forth in the School District's Five-Year Capital Facilities Plan.

B. If mitigation is approved, the County and the School District shall enter into an enforceable binding agreement with the Applicant. The improvement(s) must be directed by the School District toward a school capacity improvement(s) identified in the School District's Five Year Capital Plan, and the improvement(s) must be reflected in the next update to the County's Capital Improvements Element. Following execution of the enforceable binding Agreement, the School District shall issue a SCADL verifying available capacity to support the development.

C. If mitigation is denied, the County must deny the application based upon ~~no~~ a lack of available school capacity.

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Policy 1.2.5:

~~[9J-5.025(3)(c)(9) F.A.C.]~~

The County shall be responsible for notifying the School District representative when a residential development has received Certificate of Public Facility Adequacy (COA) when the development order for the residential development expires or is revoked, and when its school impact fees have been paid.

- A. The County shall not issue a COA for a residential development until receiving confirmation of available school capacity in the form of a SCADL from the School District.
- B. Upon the County issuing the COA, school concurrency for the residential development shall be valid for the life of the COA. Expiration, extension or modification of a COA for a residential development shall require a new review for adequate school capacity to be performed by the School District.
- C. The County shall notify the School District within ten (10) working days of any official change in the validity (status) of a COA for a residential development.
- D. The County shall not issue a building permit or its functional equivalent for a non-exempt residential development without confirming that the development received a COA at plat, site plan or functional equivalent, and the COA is still valid.

Policy 1.2.6:

~~[9J-5.025(3)(c)(4) F.A.C.]~~

On or before Within 180 days from the effective date of the School Concurrency Growth Management Plan amendments, the County shall adopt school concurrency provisions into its Land Development Regulations (LDR) to implement school concurrency.

OBJECTIVE 1.3:

~~[9J-5.025(3)(b)(4)(5) and (6) F.A.C.]~~

Beginning with an effective date of in 2008, the County and the School District will: coordinate the location of public schools with the Future Land Use Map ~~or~~ and map series to ensure that existing and proposed school facilities are located consistent with existing and proposed residential areas they serve and are proximate to appropriate existing and future land uses, and serve as community focal points; coordinate the location of public school facilities relative to the location of other public facilities such as parks, libraries and community centers to the extent possible; coordinate existing and planned public school facilities with the plans for supporting infrastructure; establish a monitoring group; and address coordination on emergency preparedness issues.

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Policy 1.3.1:

~~[9J 5.025(3)(c)(5) and 9J 5.025(3)(c)(10) F.A.C.]~~

~~Each year during the annual update to the School District's Capital Improvement Plan, t~~The County, in conjunction with the School District, shall jointly determine the need for, and timing of, on-site and off-site improvements necessary to support new schools, proposed expansions, ~~or~~ and construction that changes the primary use of a facility, stadium construction, or construction that results in a greater than five percent increase in student capacity, the redevelopment of an existing schools resulting in an increase in student capacity on a case by case basis, at the time of site planning.

Policy 1.3.2:

~~[9J 5.025(3)(c)(5) F.A.C.]~~

~~When a new school is identified in the School District's Capital Improvement Plan~~ Prior to commencement of construction of a new school, the County, ~~when necessary,~~ shall enter into an agreement with the School Board identifying the timing, location, and the party or parties responsible for the planning, constructing, operating, and maintaining infrastructure improvements necessary to support a new school or school improvement, and ensure that the necessary infrastructure is in place prior to or concurrent with school construction.

Policy 1.3.3:

~~[9J 5.025(3)(c)(10) F.A.C.]~~

~~The County shall encourage the location of schools near residential areas by:~~

- ~~A. Assisting the School District in the identification of funding and/or construction opportunities (including Applicant participation or County capital budget expenditures) for sidewalks, traffic signalization, access, water, sewer, drainage and other infrastructure improvements.~~
- ~~B. Reviewing and providing comments to the School District for its consideration on all new school sites including the compatibility and integration of the new school with surrounding land uses.~~

~~The County shall review all proposals for new public schools, school expansions, or the redevelopment of existing schools to ensure compatibility of school sites and surrounding land uses. County staff shall consider standards such as, but not limited to, building setbacks, buffering, traffic calming, and noise and glare attenuation. County staff shall provide comments to the School District for incorporation into the site plan.~~

Policy 1.3.4:

~~[9J 5.025(3)(c)(4) F.A.C.]~~

~~The County, in conjunction with the School District, shall seek opportunities to co-locate schools with public facilities, such as parks, libraries, and community centers, as the need for these facilities is identified. A separate agreement between the School District and the~~

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County or other appropriate entity, will be developed for each instance of co-location and shared use which addresses legal liability, operating and maintenance costs, scheduling of use, and facility supervision.

Policy 1.3.5:

[9J-5.025(3)(c)(11) F.A.C.]

The County, in conjunction with the School District and the municipalities within the County, shall identify issues relating to public school emergency preparedness, such as:

- A. The determination of evacuation zones, evacuation routes, and shelter locations.
- B. The design and use of public schools as emergency shelters.
- C. The designation of sites other than public schools as long-term shelters, to allow schools to resume normal operations following emergency events.

Policy 1.3.6:

[9J-5.025(3)(c)(3) F.A.C.]

The County, in conjunction with the School District, hereby designates shall establish a the Citizen Advisory Group (CAG) as the to monitoring group for coordinated planning and school concurrency in Collier County.

Policy 1.3.7:

[9J-5.025(3)(c)(5) F.A.C.]

The County shall consider existing school facilities to be consistent with the County's comprehensive plan adopted under part II of Ch. 163, F.S., in accordance with Ch. 4013.33(15), F.S.

OBJECTIVE 1.4:

[9J-5.025(3)(b)(1) and (3) F.A.C.]

Beginning with an effective with an effective date of December 1, ~~in 2008, and no later than December 1st of each year thereafter,~~ the County ~~will~~ shall adopt by reference ~~and incorporate~~ into ~~include in~~ its Capital Improvements Element (CIE), the School District's annually updated financially feasible Five-Year Capital Improvement Plan, specifically the "Summary of Capital Improvements Program" and "Summary of Estimated Revenue" Tables. These tables identify the financially feasible school facility capacity projects necessary to address existing deficiencies and future needs based upon achieving and maintaining the adopted LOS standard for schools. ~~five-year schedule of capital improvements as approved by adopted by the School Board, if the School Board's Schedule is internally consistent with the adopted Growth Management Plan, specifically the entirety of the Capital Improvement Element,~~ which identifies financially feasible school facility capacity projects necessary to address existing deficiencies and meet future needs based upon achieving and maintaining the adopted level of service standard for schools.

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Policy 1.4.1:

[9J-5.025(3)(c)(2) F.A.C.]

No later than December 1st of each year, ~~t~~The County shall adopt by reference annually update the CIE to incorporate the School District's annually updated and ~~adopted~~ financially feasible ~~update to the~~ Five-Year Capital Improvement Plan, ~~for public schools in the form of~~ specifically the "Summary of Capital Improvements Program" and "Summary of Estimated Revenue" Tables, as formally adopted by the School Board, as part of the CIE, provided such adoption does not result in the removal or addition of any project or public facility into the County's Capital Improvement Element, unless mutually agreed upon by the Collier County Board of County Commissioners and the Collier County School Board. The Tables shall identify school facility capacity projects necessary to address existing deficiencies and ~~to meet future needs and to ensure that~~ maintain the adopted LOS standards will continue ~~to be achieved and maintained for schools within each CSA for the five-year planning period.~~

Policy 1.4.2:

[9J-5.025(3)(c)(9) F.A.C.]

The County, in conjunction with the School District, shall annually review the Public School Facilities Element and maintain a public school facilities map series which are coordinated with the County Future Land Use Map ~~or~~ and Map Series, including the planned general location of schools and ancillary facilities for the five-year planning period and the long-range planning period. This Map Series shall include:

- A. A map or maps which identify the location of existing public school facilities by type, and the location of ancillary plants.
- B. A map or maps which identify the general location and type of public school facilities and ancillary plants anticipated over the five-year and for the long-range planning period.

Policy 1.4.3:

[9J-5.025(3)(c)(6) F.A.C.]

The County, in conjunction with the School District, shall coordinate the long range public school facilities map with its ~~e~~C~~omprehensive~~ ~~p~~P~~lan~~ and ~~f~~F~~uture~~ ~~l~~L~~and~~ ~~u~~U~~se~~ ~~m~~M~~ap~~ and map series.

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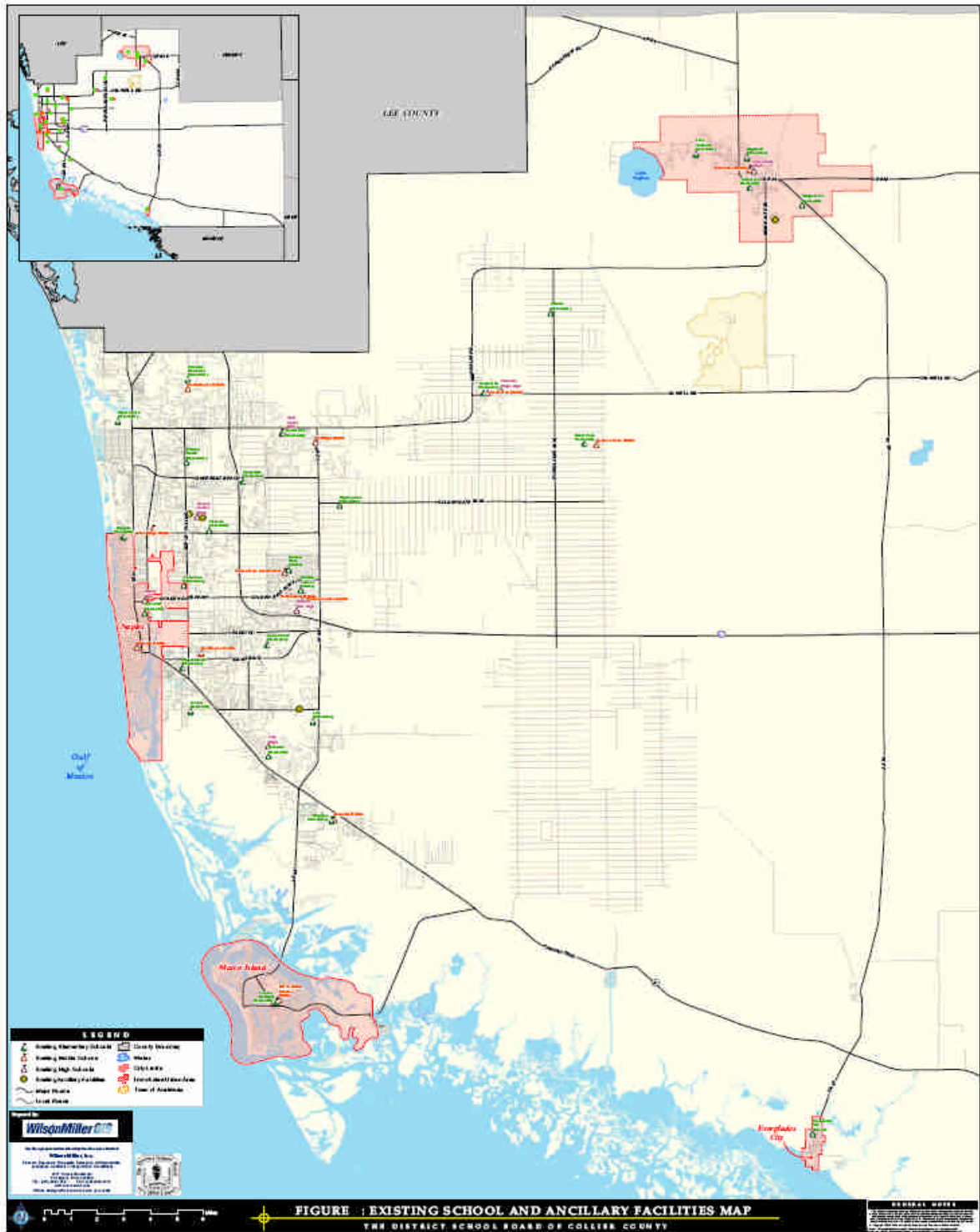
APPENDIX A

MAP SERIES

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