

**PUBLIC SCHOOL FACILITIES – GOALS, OBJECTIVES AND POLICIES**

**PURPOSE**

This element establishes the basis for coordination between the school board and local governments for public school planning, and the review and approval of residential development to ensure that school capacity at the adopted level of service standard is available prior to or concurrent with the student impact associated with residential development.

All references to any ordinances, statutes or regulations contained herein shall, unless otherwise noted, be deemed to be those in effect as of the date of adoption of this element and thereafter as amended, renumbered or otherwise revised.

**GOALS, OBJECTIVES AND POLICIES**

**SCH GOAL 1: PURPOSE**

**Establish and maintain, with the School District, a public school system that offers a high quality educational environment, provides accessibility for all of its students, and ensures adequate school capacity to accommodate enrollment demand.**

**SCH Objective 1.1: Concurrency Management**

To provide adequate school facilities in Charlotte County schools by adopting a concurrency management system that can achieve and maintain the adopted Level of Service (LOS) for the five-year and ten-year planning periods.

**SCH Policy 1.1.1: Level of Service Standards**

The County shall use the following LOS standards for existing and new schools: elementary schools at 95 percent of Total Florida Inventory of School Houses (FISH) Capacity; middle schools at 100 percent of Total FISH Capacity; and, high schools at 100 percent of Total FISH Capacity.

**SCH Policy 1.1.2: Concurrency Service Areas (CSA)**

The County shall use less than district-wide Concurrency Service Areas (CSAs). This is done through the use of individual attendance boundaries to establish middle school and high school CSAs in order to measure LOS standards.

**SCH Policy 1.1.3: Modifying CSAs**

The County, in collaboration with the City of Punta Gorda and the School District, shall utilize the following procedures for modifying CSAs. When considering a CSA modification, the School District must verify the following:

1. The adopted LOS standard shall be achieved and maintained during the five-year planning period;

2. The utilization of school capacity shall be maximized to the greatest extent possible, taking into account transportation costs and other relevant factors;
3. The School Board, 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 the standards outlined in SCH Policy 1.1.3,1, above;
4. If the proposed changes to the CSA boundaries are acceptable, the School Board shall transmit the changes with the supporting data and analysis to the local governments for review and comment. Comments from the local governments must be provided within 45 days of receipt; and
5. The change to a CSA boundary shall become effective upon final approval of the new CSA boundary map by the School Board. New CSA boundary maps shall also be adopted as part of the School Facilities Map (SFAM) series in SCH Appendix I.

**SCH Objective 1.2: Concurrency Review**

To require that school concurrency reviews are performed by the School District to ensure that adequate school facility capacity within the Public School Concurrency Service Area is available to accommodate projected residential developments in accordance with the adopted LOS standard for schools.

**SCH Policy 1.2.1: Verification of Capacity**

The County shall not approve any residential development application for preliminary plat, site plan or functional equivalent that is not exempt per SCH Policy 1.2.2 until the School District has verified that available capacity exists to serve the development.

**SCH Policy 1.2.2: Exemptions**

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

1. Single family lots of record existing at the time the school concurrency implementing ordinance became effective, March 17, 2009. This includes any residential development that has a site plan, preliminary or final plat approval or the functional equivalent for a site specific development order prior to March 17, 2009;
2. 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; and

3. All new residential plats and site plans (or functional equivalent), or amendments to previously approved residential development that are calculated to generate less than one student. Such development shall be subject to payment of any school impact fees that are in effect.

**SCH Policy 1.2.3: Process Requirements**

The County shall use the adopted school concurrency review process for approval of residential preliminary plats, site plans or functional equivalents that are not exempt under SCH Policy 1.2.2. The following minimum process requirements are described below:

1. A residential development application is submitted to the local government that includes a School Impact Analysis (SIA). The local government determines that the application is sufficient for processing and transmits the SIA to the School District for review;
2. The School District reviews the application for available capacity and issues a School Capacity Availability Determination Letter (SCADL) to the local government;
3. If capacity is available within the CSA (or an adjacent CSA), the School District shall issue a SCADL verifying available capacity;
4. If capacity is not available within the CSA (or an adjacent CSA), the School District shall issue a SCADL indicating the development is not in compliance with the adopted LOS and may offer the developer a negotiation period to present mitigation options; and
5. The County shall not issue approval for any site plan, preliminary or final plat approval or functional equivalent for a residential development until receiving confirmation of available school capacity in the form of a SCADL from the School District.

**SCH Policy 1.2.4: Proportionate Share Mitigation**

If adequate school capacity is not available to support a proposed residential development, the County, in conjunction with the School District, shall review proportionate share mitigation options that will add the school capacity necessary to satisfy the impacts of the proposed development. Acceptable forms of mitigation shall 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. Provision of additional student stations through the donation of buildings for use as a primary or alternative learning facility; or

4. Provision of additional student stations through the 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 5-Year Work Program.
7. Construction of a charter school facility in advance of the time set forth in the School District's 5-Year Work Program, providing that it is built according to State Requirements for Educational Facilities (SREF) standards.

If mitigation is approved, the County and the School Board shall enter into a legally binding commitment with the residential developer, and the School District shall issue a SCADL verifying available capacity. If mitigation is denied, the County shall deny the application based on a deficiency in available school capacity to support the residential development.

**SCH Policy 1.2.5: Legally Binding Agreement**

The County shall, upon acceptance of a mitigation option identified in Policy SCH 1.2.4, enter into a legally binding commitment with the School District and the residential developer. Mitigation funds provided must be directed by the School Board toward a school capacity improvement identified in a financially feasible 5-Year District Facilities Work Program and must satisfy the demands created by the development.

**SCH Policy 1.2.6: Notification of School District**

The County shall notify the School District when a residential development has received approval of a site plan, preliminary or final plat approval or functional equivalent, when the development order for the residential development expires or is revoked, and when any school impact fees in effect have been paid.

**SCH Policy 1.2.7: Staff Working Group (SWG)**

The County, the School District and the City shall utilize the SWG to monitor the Updated Interlocal Agreement for Coordinated Planning and School Concurrency (ILA) that includes provisions for school concurrency in Charlotte County.

**SCH Objective 1.3: New School Construction**

To require that all new public schools built within the County after March 17, 2009, shall be coordinated to be consistent with the County's Future Land Use Map designation, shall be co-located with other appropriate public facilities when possible, and shall have the on-site and off-site infrastructure necessary to support the new school.

**SCH Policy 1.3.1: Compatibility**

The County, in conjunction with the School District, shall jointly ensure the compatibility and integration between public schools and surrounding land uses, including a determination of the need for and timing of on-site and off-site improvements necessary to support a new school.

**SCH Policy 1.3.2: Responsibilities**

The County and School Board agree that the primary responsibility for constructing, operating and maintaining required infrastructure improvements necessary to support new schools shall be divided as follows:

1. The School Board is responsible for the following:
  - a. On-site infrastructure improvements necessary to support the school;
  - b. On-site right-of-way dedications necessary to accommodate off-site infrastructure (turn lanes, sidewalks, etc.) adjacent to the school property; and
  - c. Extension of water and sewer lines required to serve the educational or ancillary facility. This provision is not intended to require the School Board to dedicate property or pay for improvements or construction of facilities of a general district-wide or regional nature that exceeds the School Board’s proportionate share of the cost. By virtue of this subsection, the School Board is not waiving any local governmental responsibility for reimbursement per Chapter 1013, F.S.
2. The County is responsible for:
  - a. Acceleration/deceleration/by-pass lanes on roads contiguous to the school site;
  - b. School cross-walk pavement striping;
  - c. School zone flashing lights;
  - d. Traffic signals that are required on public roads;
  - e. Sidewalks needed within the two-mile walk zone of a school;
  - f. Reduced speed limit zones and signage; and
  - g. Fire hydrant main extension.

**SCH Policy 1.3.3: School Location**

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

1. Reviewing and providing comments on all new school sites;
2. Working with the School District to ensure compatibility of school sites with surrounding land uses; and

3. Assisting the School District in the identification of funding or construction opportunities (including developer participation or capital budget expenditures) for sidewalks, traffic signalization, access, water, sewer, drainage and other infrastructure improvements.

**SCH Policy 1.3.4: Co-location**

The County, in conjunction with the School District, shall seek opportunities to co-locate public facilities with schools, such as parks, libraries, and community centers, as the needs for these facilities are identified.

**SCH Policy 1.3.5: Emergency Use**

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

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

**SCH Objective 1.4: Annual Adoption**

To adopt the School District’s updated 5-Year District Facilities Work Program, which identifies financially feasible school facility capacity projects necessary to address existing deficiencies and meet future needs based upon achieving and maintaining the adopted LOS standard for schools, annually, into the Capital Improvements Element (CIE).

**SCH Policy 1.4.1: 5-Year Work Plan**

The County shall adopt the School District’s annually updated and adopted 5-Year District Facilities Work Program no later than December 1st of each year into the Capital Improvements Element.

**SCH Policy 1.4.2: Annual Review**

The County, in conjunction with the School District, shall annually review the Public School Facilities element and maintain a long-range public school facilities map series, including the planned general location of schools and ancillary facilities for the five-year and ten-year planning periods. The map series shall include at a minimum maps showing the following:

1. Existing public school facilities by type and location of ancillary plants,
2. Public school facilities and ancillary plants generally planned for the five-year and ten-year planning periods.

**SCH Policy 1.4.3: Maps**

The County hereby adopts the public school facilities map series as SCH Appendix I: Future School Facilities Map (SFAM) Series.