

PUBLIC SCHOOL FACILITIES ELEMENT

GOALS, OBJECTIVES AND POLICIES

Element Guide:

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Introduction: Purpose & Requirements

Purpose

As required by Chapter 163, Florida Statutes, Levy County, the Town of Bronson, the City of Williston, the City of Cedar Key and the City of Chiefland, shall collaborate and coordinate with the Levy County School District (School District) and other local government entities to ensure high quality public school facilities are available to meet the needs of Levy County's existing and future population. These governmental entities shall work together to adopt the necessary comprehensive plan amendments to establish school concurrency by August, 2008. Pursuant to Section 163.3177(12) (b), F.S., the Towns of Otter Creek, Fanning Springs, Inglis, and Yankeetown, are exempt from the requirements of school concurrency.

Public School Facilities Element Requirements

Over the past decade the Florida Legislature has progressively strengthened the ties between school planning and general land use and comprehensive planning through amendments to Chapters 163 and 1013, Florida Statutes.

The 2005 Legislature mandated that the availability of public schools be made a prerequisite for the approval of residential construction and directed a closer integration of planning for school capacity with comprehensive planning with the passage of Senate Bill 360. Senate Bill 360:

- requires that existing Interlocal Agreements between school boards and local governments be updated and expanded to comply with the legislation;
- requires each local government to adopt a Public School Facilities Element as part of its comprehensive plan;
- mandates school concurrency;
- requires that local governments update their Intergovernmental Coordination Elements to coordinate public school planning;
- requires that procedures for comprehensive plan amendments related to Capital Improvement Element updates; and,
- requires the establishment of a process and uniform methodology for proportionate share mitigation.

The law requires that local governments adopt a public school facilities element as a part of their comprehensive plans to establish a framework for the planning of public schools (Section 163.3177(12), Florida Statutes). Local governments were granted approximately three years to adopt a public school facilities element. As directed by the legislation, the Florida Department of Community Affairs has established a phased schedule for adoption of the elements with each local government adopting no later than December 1, 2008. This schedule established due dates which are staggered throughout the course of the 2008 calendar year. In addition, the Legislature established enforcement mechanisms should a local government and school district fail to adopt a public school concurrency program.

The legislation prescribed the following minimum content requirements for goals, objectives, and policies:

- procedure of annual update process;
- procedure for school site selection;
- procedure for school permitting;
- provision of infrastructure necessary to support proposed schools; and,
- provision for collocation of other public facilities in proximity to public schools; provision for location of schools proximate to residential areas and to complement patterns of development; measures to ensure compatibility of school sites and surrounding land uses; and coordination with adjacent local governments and the school district on emergency preparedness issues.

In addition, the element is to include one or more future conditions maps which generally depict the anticipated location of educational and ancillary plants anticipated over the five-year and long-term planning period.

- depict the anticipated location of educational and ancillary plants, including the general location of improvements to existing schools or new schools anticipated over the five-year or long-term planning period; and
- of necessity, the maps will be general for the long-term planning period and more specific for the five-year period. Maps indicating general locations of future schools or school improvements may not prescribe a land use on a particular parcel of land.

GOAL 1 COORDINATE AND MAINTAIN HIGH QUALITY EDUCATION SYSTEM

Levy County shall collaborate and coordinate with the Levy County School District (School District) and other local government entities to ensure high quality public school facilities which meet the needs of Levy County's existing and future population.

Objective 1.1 Coordination and Consistency

Levy County shall establish coordination and review procedures to ensure consistency of the Levy County Comprehensive Plan with the plans of the School District, County and municipalities within the County.

Policy 1.1.1 Pursuant to the executed Levy County School Interlocal Agreement the legislative bodies of Levy County, the Town of Bronson, the City of Williston, the City of Cedar Key and the City of Chiefland will meet with the School District annually, to provide opportunities to discuss issues of mutual concern. The District will monitor, evaluate and find mechanisms to improve upon, mutually agreed upon criteria in their review of development plans, selection of school sites and construction of schools as needed.

Policy 1.1.2 Levy County and the School District shall coordinate and base their plans upon consistent projections of the amount, type and distribution of population growth and student enrollment. Countywide five-year population and student enrollment projections shall be revised annually, as required by the Interlocal Agreement.

Policy 1.1.3 Annually, by April 1st, pursuant to the School Interlocal Agreement, Levy County shall provide the School District with information on growth and development trends within their respective jurisdictions. This information shall be in tabular, graphic, or textual formats, and shall include the following:

- a. the type, number, and location of residential units that have received zoning or site plan approval;
- b. information about future land use map amendments that might affect school facilities;
- c. building permits issued in the proceeding year, and the locations of the permitted uses;
- d. information about the conversion or redevelopment of housing or other structures into residential units that are likely to generate new students; and
- e. identification of any development orders issued that require provision of a school site as a condition of development approval.

Policy 1.1.4 At the time of adoption of the Public School Facilities Element, Levy County shall develop a report of projects exempt from school concurrency.

Policy 1.1.5 Pursuant to the Levy County School Interlocal Agreement, the Levy County School District shall appoint one non-voting member of the Levy County Planning Commission to the designated Local Planning Agency, as required by Section 163.3174, Florida Statutes.

Objective 1.2 Public School Facility Siting and Availability

Levy County shall coordinate with the Levy County School District on the planning and siting of new public schools to ensure school facilities are coordinated with necessary services and infrastructure and are compatible and consistent with the Levy County Comprehensive Plan.

Policy 1.2.1 Levy County shall ensure consistency between new school construction and related public facilities and the Levy County Comprehensive Plan.

Policy 1.2.2 Levy County will coordinate with the Levy County School District to assure that all proposed public school facility sites are consistent with the applicable land use categories and policies of the comprehensive plans.

Policy 1.2.3 In reviewing all proposed school sites, Levy County will consider each site, as it relates to environmental, health, safety and welfare concerns, as well as the effects on adjacent property.

Policy 1.2.4 The County will coordinate with the School District for the selection of future school sites based on the following:

- a. The acquisition of school sites which allow for future expansions to accommodate future enrollment, in accordance with the adopted Level of Service (LOS) standards and other facility needs which coordinate with the development in Levy County and are deemed beneficial for joint-uses, as identified by the School District and the County, to the extent feasible; and
- b. The coordination of the location, phasing, and development of future school sites to ensure that site development occurs in conjunction with the provision of required infrastructure to serve the school facility.

Policy 1.2.5 Levy County shall coordinate with the School District in the school site selection process to encourage the location of new schools within areas designated for development on the Future Land Use Map.

Policy 1.2.6 In Levy County, public schools are located in the Municipal Service Districts, as adopted as a part of the Future Land Use Map series. Public schools are permitted as a matter of right within all residential land use categories, and the A/RR (Agricultural/Rural Residential) and F/RR (Forestry/Rural Residential) future land use categories as depicted on the Levy County Future Land Use Map. To be considered for location in designated commercial land use categories, a proposed school site must be functionally related to surrounding land uses and development, in close proximity to the municipal boundary (city limits), and not in environmentally sensitive areas or flood-prone areas.

Policy 1.2.7 Public schools shall be sited so as to provide access to a collector or an arterial roadway, where feasible.

Policy 1.2.8 High schools should be located and planned so as to provide sufficient buffers to adjacent residential uses and ensure sufficient onsite parking and traffic controls to avoid disruptive traffic congestion.

Policy 1.2.9 Levy County and the Levy County School District will jointly determine the need for and timing of on-site and off-site improvements necessary to support each new school or the proposed renovation, expansion or closure of an existing school.

Policy 1.2.10 Levy County shall coordinate with the School District to ensure that future school facilities are located outside areas susceptible to hurricane and/or storm damage and/or areas prone to flooding, or as consistent with Chapter 1013, F.S. regarding flood plain and school building requirements.

Policy 1.2.11 Levy County shall provide the School District representatives the opportunity to participate in the review process for all proposed developments adjacent to schools.

Objective 1.3 Enhance Community Design

Levy County shall enhance community and neighborhood design through effective school facility design and siting standards and encourage the siting of school facilities that are compatible with surrounding land uses.

Policy 1.3.1 Levy County shall collaborate with the School District on the siting of Levy County facilities such as parks, libraries, and community centers shall be planned near existing or planned public schools, to the extent feasible.

Policy 1.3.2 Levy County will look for opportunities to collocate and share use of County facilities when preparing updates to the Comprehensive plan’s schedule of capital improvements and when planning and designing new, or renovating existing, community facilities.

Policy 1.3.3 Levy County shall continue working with the School District to provide recreational programs and facilities.

Policy 1.3.4 All public schools shall be encouraged to provide bicycle and pedestrian access consistent with Florida Statutes, where feasible.

Policy 1.3.5 Levy County shall coordinate with the Levy County School District to ensure that pedestrian and bicycle facilities are provided adjacent to future school sites in the county to allow safe access for pedestrians and bicyclists.

Policy 1.3.6 Future elementary and middle schools in the county should be located and planned so as to allow adjacent residential uses easy access to the school site through roadway, pedestrian, and bicycle connections, to the extent feasible.

Policy 1.3.7 Levy County shall coordinate planning activities mandated by the comprehensive plan related to use of School District property as potential recreation sites.

Policy 1.3.8 Levy County shall coordinate planning activities mandated by the comprehensive plan with the School District for related land use and development plans.

Policy 1.3.9 When applicable, Levy County will continue to coordinate efforts with the Levy County School District to build new school facilities, and facility rehabilitation and expansions designed to serve as and provide emergency shelters as required by Section 1013.372, Florida Statutes.

Policy 1.3.10 Encourage the School District to use sustainable design and performance standards, such as using energy efficient and recycled materials, to reduce lifetime costs, where feasible.

Objective 1.4 Coordinate Land Use with School Capacity

Levy County shall coordinate with the Levy County School District petitions for Future Land Use Map amendments, rezonings, and developments of regional impact for residential development with to assure adequate school capacity.

Policy 1.4.1 As provided for in the Florida Statutes, Levy County will take into consideration the School District’s comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments and other land use decisions including developments of regional impact.

Policy 1.4.2 Where capacity will not be available to serve students from the property seeking Future Land Use Map amendments and developments of regional impact for residential development, the Levy County Board of County Commissioners will coordinate with the Levy School District to ensure adequate capacity will be available by requiring that the developer enter into a Capacity Enhancement agreement with the School District to assure that capacity is planned and funded to accommodate future students.

Policy 1.4.3 In reviewing petitions for Future Land Use Map amendments, rezonings, or final subdivision plat and site plan approval for residential development, which may affect student enrollment or school facilities, the Levy County Board of County Commissioners will consider the following issues:

1. School District comments and findings of available school capacity;
2. Available school capacity or planned improvements to increase school capacity;
3. Compatibility of land uses adjacent to existing schools and future school sites;
4. The collocation of parks, recreation and community facilities with school sites;
5. The linkage of schools and parks, with bikeways, trails, and sidewalks for safe access;
6. Traffic circulation plans to serve schools and the surrounding neighborhood;
7. The provision of off-site signalization, signage, access improvements serve schools;
8. The inclusion of school bus stops and turnarounds;
9. Available school capacity or planned improvements to increase school capacity;

Policy 1.4.4 Amendments to the Future Land Use Map will be coordinated with the School District and the Public School Facilities Planning Maps.

GOAL 2 IMPLEMENT PUBLIC SCHOOL CONCURRENCY

Levy County shall assure the future availability of public school facilities to serve new development consistent with the adopted level of service standards. This goal will be accomplished recognizing the School District’s statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and Levy County’s authority for land use decisions, including the authority to approve or deny comprehensive plan amendments, rezonings or other development orders that generate students and impact the Levy County School District.

Objective 2.1 Level of Service Standards

Levy County, through implementation of its concurrency management system and in coordination with the Levy County School District shall ensure that the capacity of schools is sufficient to support residential subdivisions and site plans at the adopted level of service (LOS) standards.

Policy 2.1.1 Annually, the five-year plan will be evaluated to ensure that it meets the LOS standards.

Policy 2.1.2 The LOS standards set forth herein shall be applied consistently throughout Levy County by all local governments and the School District district-wide to all schools of the same type, as agreed upon by the Levy County Interlocal Agreement for Schools.

Policy 2.1.3 Consistent with the Interlocal Agreement, the uniform, district-wide Level of Service Standards (LOS) shall be adopted in the Public School Facilities and Capital Improvements Elements of the Levy County Comprehensive Plan. The Level of Service Standard shall be the Permanent Florida Inventory of School House (FISH) Capacity based on 100% utilization rate for all school types.

Policy 2.1.4 A change to the Level of Service Standard shall not be effective until all plan amendments are effective until the School Interlocal Agreement is amended to reflect the new LOS and is full executed.

Policy 2.1.5 No level of service standard shall be amended without showing that the amended level of service is financially feasible, supported by adequate data and analysis and can be achieved and maintained within the five years of the Capital Facilities Plan.

Objective 2.2 Concurrency Service Areas

Levy County shall establish School Concurrency Service Areas, as the area within which an evaluation is made of whether adequate school capacity is available based on the adopted level of service standards.

Policy 2.2.1 The six concurrency service areas have been established and documented in the data and analysis support documents for the Public School Facilities Element (PSFE) and a map of these six concurrency service areas shall be provided in the data and analysis.

Policy 2.2.2 Concurrency service areas (CSA) shall be established and subsequently modified for the following purposes:

- To maximize available school capacity;

- To make efficient use of new and existing public schools in accordance with the level of service standards,
- To take into account minimizing transportation costs,
- To limit maximum student travel times,
- To achieve socio-economic, racial and cultural diversity objectives, where applicable
- To recognize the capacity commitments resulting from the local governments' within Levy County's development approvals for the CSA and for contiguous CSAs.
- To protect the unique character of the existing schools in the district

Policy 2.2.3 Concurrency service areas shall be designed so that the adopted Level of Service will be able to be achieved and maintained for each year of the five years of the Capital Facilities Plan, and that the five year Capital Facilities Plan is financially feasible.

Policy 2.2.4 The maps attached to this document as Exhibit A- Existing Schools, Exhibit B- Concurrency Service Areas, and Exhibit C – Future Educational Facilities are hereby adopted.

Objective 2.3 Process for School Concurrency Implementation

In coordination with the School District, Levy County will establish a process for implementation of school concurrency. Levy County shall manage the timing of residential subdivision approvals and site plans to ensure adequate school capacity is available consistent with adopted level of service standards for public school concurrency.

Policy 2.3.1 Development approvals shall be issued for residential development only if adequate school capacity exists or will be under actual construction within three (3) years.

Policy 2.3.2 School concurrency applies only to residential development or a phase of residential development requiring a subdivision plat approval or site plan, proposed or established after the effective date of the Public Schools Facilities Element.

Policy 2.3.3 The following residential development shall be considered exempt from the school concurrency requirements:

1. Lots of record recorded in Levy County prior to the adoption of the Public Schools Facilities Element.
2. Subdivisions having received final subdivision plat approval prior to the effective date of the Public Schools Facilities Element.
3. Multi-family residential development having received final site plan approval prior to the effective date of the Public Schools Facilities Element
4. Amendments to approved residential development, which have received final subdivision plat or site plan approval prior to the effective date of the Public Schools Facilities Element, and do not increase the number of residential units or change the type of residential units proposed.

- 5. Amendment to age restricted development that are subject to deed restrictions prohibiting the permanent occupancy of residents under the age of eighteen (18). Such deed restrictions must be recorded and must be irrevocable for a period of at least thirty (30) years.
- 6. Group quarters including residential type of facilities such as local jails, prisons, hospitals, nursing homes, 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.

Policy 2.3.4 The uniform methodology for determining if a particular school is over capacity shall be determined by the Levy County School District and adopted into the Levy County Public School Facilities Element.

Policy 2.3.5 The Levy County School District hereby selects the permanent FISH capacity based on utilization rate as the uniform methodology for existing schools.

Policy 2.3.6 The Levy County School District hereby selects the design capacity for future schools. Any new schools built in Levy County shall meet these design capacities:

K-5	650 Students
K-8	650 Students
6-8	650 Students
9-12	1,100 Students

Policy 2.3.7 Levy County shall only issue a concurrency approval for a subdivision plat or site plan for residential development where:

- a. The School District’s findings indicate adequate school facilities will be in place or under actual construction in the affected concurrency service area (CSA) within three (3) years after the issuance of the subdivision plat or site plan for each level of school;
- b. Adequate school facilities are available in an adjacent CSA or under actual construction within three (3) years and the impacts of development shall be shifted to that area. If capacity exists in more than one CSA or school within a CSA, the School District shall determine where the impact shall be shifted; or
- c. The developer executes a legal binding agreement with the Levy County School District to provide mitigation proportionate for the demand for public school facilities to be created by the actual development of the property subject to the final plat or site plan.
- d. In the event that there is not sufficient capacity in the affected concurrency service area or an adjacent concurrency service area, the developer shall also have the option to delay approval to a date when capacity and level of service can be assured.

Policy 2.3.8 In order to protect the limitations of the Cedar Key School, students living in CSA 6, or possible future students generated from residential development in CSA 6; will attend schools on CSA 2, CSA 3, or CSA 5, depending on available capacity of the schools in the CSAs.

Objective 2.4 Proportionate Share Mitigation

If the development opts not to delay approval, the Levy County Board of County Commissioners shall allow development to pay a proportionate cost of facility improvements needed as a result of that development in order to maintain adopted LOS standards and receive development approval.

Policy 2.4.1 In the event that there is not sufficient capacity in the affected concurrency service area or the adjacent concurrency service area, proportionate share mitigation shall be required to address the impacts of the proposed development. The developer shall also have the option to be delayed to a date when capacity and level of service can be assured.

Policy 2.4.2 Levy County will allow mitigation alternatives that are financially feasible and will achieve and maintain the adopted level of service standard consistent with the adopted School District's financially feasible Work Program.

Policy 2.4.3 In the event that the proportionate share mitigation option is selected, the mitigation shall be negotiated and agreed to by the School District and shall be sufficient to offset the demand for public school facilities projected to be required by the development.

Acceptable forms of mitigation shall include:

- School construction
- Contribution of land
- Payment for construction and/or land acquisition

Policy 2.4.4 Any mitigation accepted by the School District, and subsequently agreed to by the applicable local government entity shall:

- Be allocated toward a permanent school capacity improvement identified in the School District's financially feasible Five Year Facilities Work Plan which satisfies the demands created by the proposed development.
- Be proportionate to the demand projected to be created by the proposed development.
- Be executed by a legally binding agreement between the School District and the developer. The agreement shall include the terms of mitigation, including the amount, nature and timing, the amount and timing of any impact fee credits and the developers' commitment to continuing renewal of the agreement upon its expiration.
- Any required amendments to the Five Year Facilities Workplan shall be included in the next update and adoption cycle.
- Relocatables shall not be accepted as a means of proportionate share mitigation.

Policy 2.4.5 Mitigation shall be directed to projects on the School District's financially feasible Work Plan that the School District agrees will satisfy the demand created by that development approval, and shall be assured by a legally binding agreement between the School District, and the applicant executed prior to the issuance of the subdivision plat or the site plan. If the School District agrees to the mitigation, the School District must commit in the agreement to placing the improvement required for mitigation on its Work Plan. This development agreement

shall include the landowner’s commitment to continuing renewal of the development agreement upon its expiration.

Policy 2.4.6 The amount of mitigation required for each school level shall be determined by using the following formula:

$$(\# \text{ of housing units}) \times (\text{student generation rate}) \times (\text{generation rate by student level}) \times (\text{student station cost adjusted to local costs and land value}) - \text{applicable credits} = \text{proportionate share mitigation amount}$$

This calculation should be repeated for all student levels, i.e. elementary, middle, and high school.

Pursuant to Section 163.3180(13)(e)(2), F.S., 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 based, at fair market value.

Policy 2.4.7 The student generation rates used to determine the impact of a particular development application on public schools, and the costs per student station are to be established annually by the School District in accordance with professionally accepted methodologies.

Objective 2.5 Capital Facilities Planning

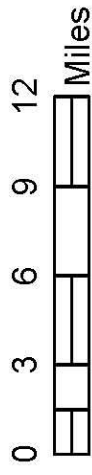
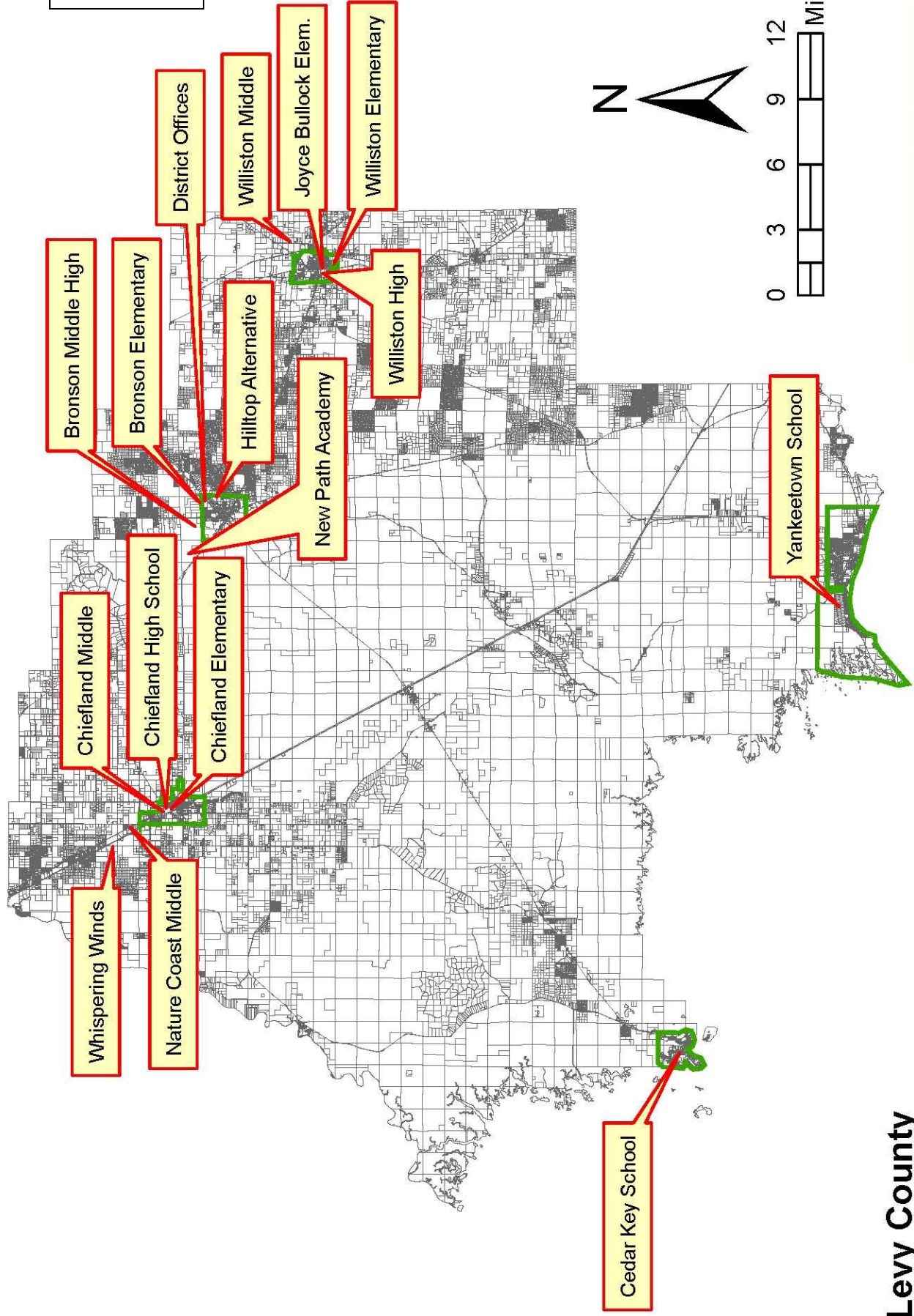
Levy County shall ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standards for public schools.

Policy 2.5.1 Levy County shall ensure that future development pays a proportionate share of the costs of capital facility capacity needed to accommodate new development and to assist in maintaining adopted level of service standards, using any adopted impact fees and other legally available and appropriate methods for development.

Policy 2.5.2 Levy County hereby incorporates by reference Levy County School District’s 2007 – 2012 financially feasible Work Program, adopted on October 16, 2007, by the Levy County School District, that includes school capacity sufficient to meet and maintain anticipated student demands projected by the County and municipalities, in consultation with the School District’s projections of student enrollment, based on the adopted level of service standards for public schools.

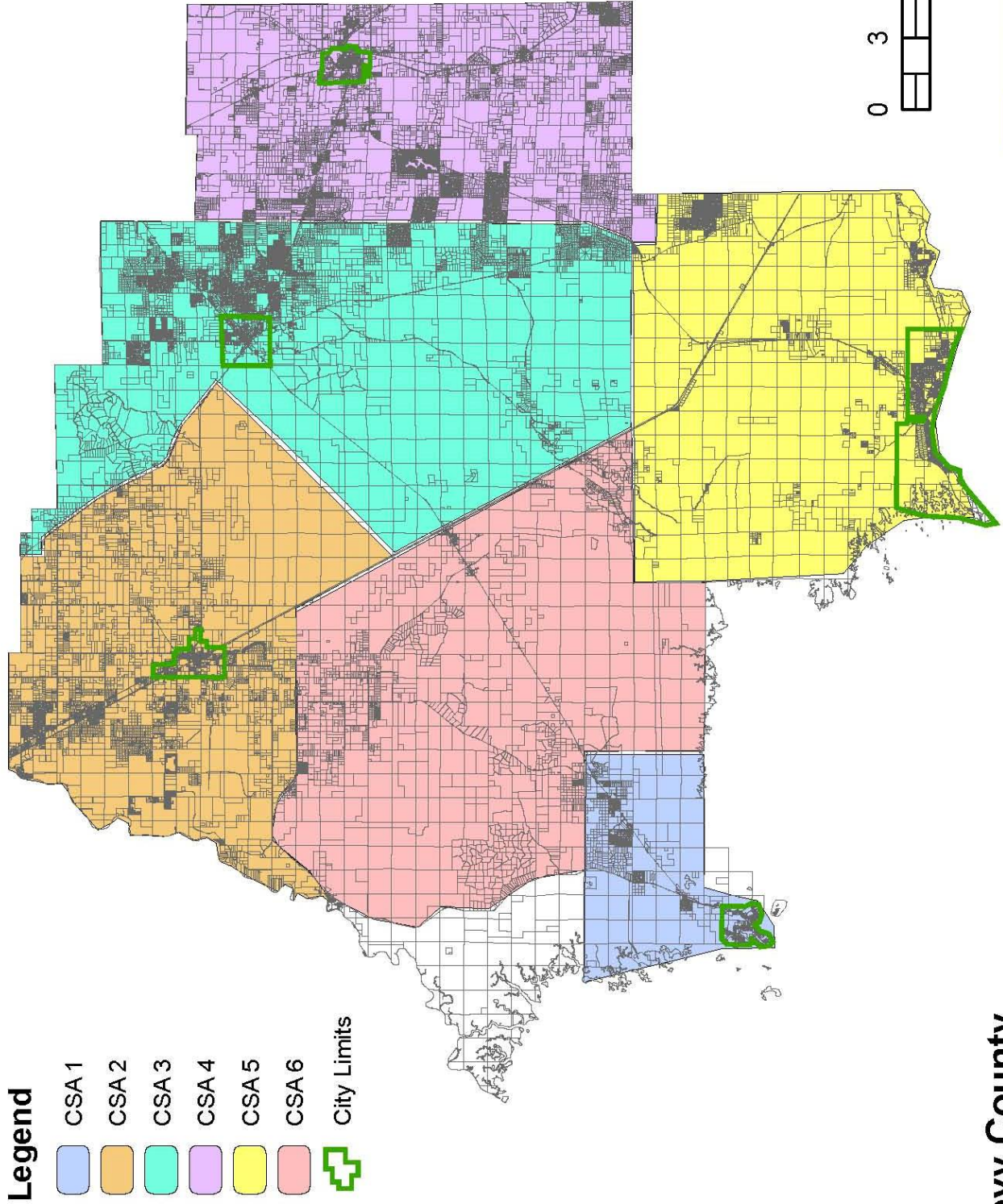
Policy 2.5.3 Annually, by December 1st of each year, Levy County, in coordination with Levy County School District, shall update the School District’s financially feasible Work Program to ensure maintenance of a financially feasible capital improvements program and to ensure level of service standards will continue to be achieved and maintained during the five year planning period. Each year the capital improvements plan will be evaluated to ensure that it meets these standards.

Exhibit A



Levy County Existing Public Schools - 2007

Exhibit B

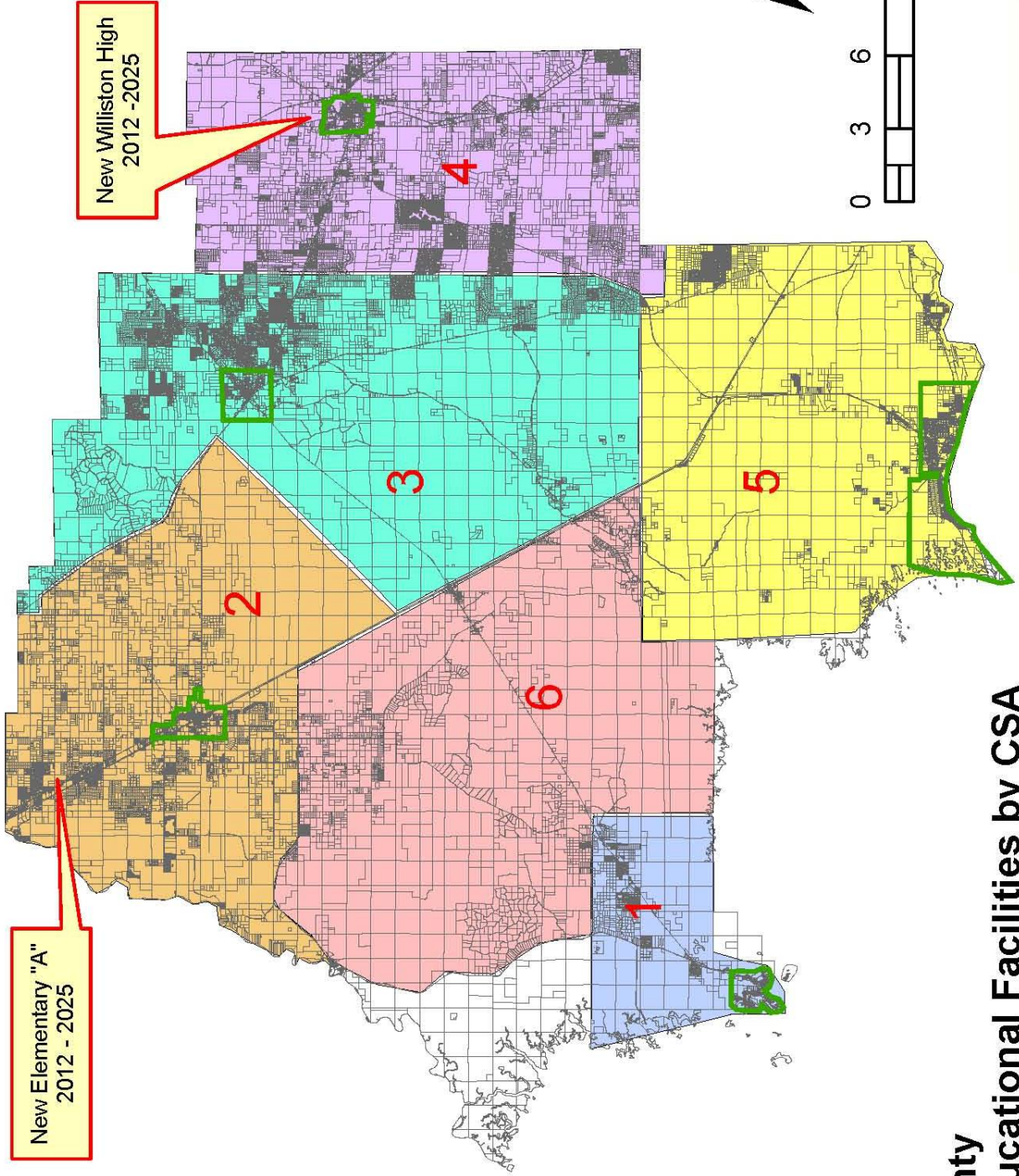


Legend

- CSA 1
- CSA 2
- CSA 3
- CSA 4
- CSA 5
- CSA 6
- City Limits

**Levy County
School Concurrency Service Areas (CSA)**

Exhibit C



Levy County Future Educational Facilities by CSA

2007 - 2011: No Planned New Facilities