

## **PUBLIC SCHOOL FACILITIES ELEMENT GOALS, OBJECTIVES & POLICIES**

### **Public School Facilities Goal 1**

To provide 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 within a financially feasible School District's Five-Year Capital Facilities Work Program.

#### ***Objective 1.1: Tiered Level of Service Standards***

Maintain adequate school facilities in Brevard County Schools by adopting a concurrency management system to address the need for correction of school facility deficiencies through a tiered level of service for the short and long term planning periods.

#### *Policies*

##### **1.1.1 Tiered Level of Service**

The Local Government hereby adopts the following tiered Level of Service (LOS) standards for public schools, based upon permanent FISH capacity, which shall address the correction of existing school facility deficiencies. The tiered LOS will terminate, upon achieving the LOS standard of 100% of permanent FISH capacity for all schools of the same type by the school year 2011-2012.

<b>TIERED LEVEL OF SERVICE BY SCHOOL YEAR</b>						
<b>Facility Type</b>	<b>2007-08</b>	<b>2008-09</b>	<b>2009- 10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
Elementary	130%	162%	100%	100%	100%	100%
Jr. High	122%	122%	100%	100%	100%	100%
High	127%	122%	100%	100%	100%	100%

*Source: Kimley-Horn and Associates, Inc. 2007*

##### **1.1.2 Concurrency Service Areas**

The City of West Melbourne hereby adopts the School Board's current public school attendance boundaries, as the Concurrency Service Areas (CSA). Maps of the School Concurrency Service Areas are adopted in the Interlocal Agreement for Public Schools, as well as adopting the policies regarding concurrency service areas stated in the Interlocal Agreement.

##### **1.1.3 Modifying Concurrency Service Areas**

Concurrency shall be measured and applied using a geographic area known as a Concurrency Service Area (CSA) which shall coincide with the school attendance boundaries, as adopted by the School District. Either the Local Government or the School District may propose a change to the CSA boundaries. The following procedures shall be used for modifying a CSA map:

- a) The School District will transmit a proposed CSA map modification with data and analysis to support the change to the Cities, the County, and the Capital Outlay

Committee (COC). Any proposed change to a CSA shall require a demonstration by the School District that the change complies with the public school LOS standard and that utilization of school capacity is maximized to the greatest extent possible. Adjustment measures to achieve the LOS standard shall include school boundary adjustments, shifts to contiguous CSA's with available capacity, proportionate share mitigation (land donation or payment), or construction of a traditional or charter school or permanent expansions. When considering changes to a concurrency service area, factors such as transportation costs, court approved desegregation plans and other relevant factors will be used to analyze maximum school capacity utilization.

- b) West Melbourne and the COC will review the proposed modification of the CSA and send their comments to the School District within 45 days of receipt of the proposed change.
- c) The modification of a CSA shall be effective upon adoption by the School Board.

#### **1.1.4 Modifying School Use**

The Parties shall observe the following process for changes in the use of schools:

- a) At such time as the School District determines that a school change is appropriate considering the appropriate use of the school and utilization requirements, the School District shall transmit the proposed school change in use and data and analysis to support the changes to the Capital Outlay Committee and the Staff Working Group.
- b) The Capital Outlay Committee and the Staff Working Group shall review the proposed changes to the school use and send their comments to the School District within forty five (45) days of receipt.
- c) The change in school use shall become effective upon final approval by the School Board.

#### ***Objective 1.2: School Concurrency Evaluation***

The Local Government shall ensure a school concurrency evaluation shall be performed by the Brevard County School District to review projected residential development in order to accommodate new students at the adopted level of service for adequate school facility capacity.

#### *Policies*

##### **1.2.1 School Concurrency Availability**

The City of West Melbourne 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.

### **1.2.2 Residential Exemptions**

The Local Government shall consider the following criteria to exempt residential uses from the requirements of school concurrency:

- a) Single family lots of record, existing at the time the Public School Facilities Element addressing school concurrency implementation becomes effective.
- b) Any new residential development that has a preliminary plat or site plan approval or the functional equivalent for a site specific development order prior to the commencement date of the School Concurrency Program.
- c) Any amendment to any previously approved residential development that does not increase the number of dwelling units or change the type of dwelling units (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) Group quarters that do not generate students including residential facilities such as extended stay hotels, motels, temporary emergency shelters, adult halfway houses, and religious non-youth facilities.

### **1.2.3 Concurrency Review Process**

The City of West Melbourne, through its land development regulations, and in conjunction with the School District, shall establish a school concurrency review process for all residential projects that are not exempt under Policy 1.2.2.

The minimum process requirements are described below:

- a) A residential development application including a School Impact Analysis (SIA) is submitted to the Local Government for review.
- b) The City of West Melbourne determines application is complete for processing and transmits the SIA to the School District for review.
- c) The School District reviews application for available capacity and issues a School Capacity Availability Determination Letter (SCADL) to the Local Government:
  - 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.
  - 3. If capacity is available in the contiguous CSAs, the School District shall issue a SCADL verifying available capacity in the adjacent 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 developer a 90-day negotiation period for mitigation.

#### **1.2.4 School Board Capacity Maximization**

If the adopted level of service cannot be met within a particular concurrency service area, the School Board may apply one or more of the following techniques to maximize use of available capacity and provide for student stations to meet current and future demand:

- a) Construct new schools.
- b) Adjust program assignments to schools with available capacity.
- c) Modify attendance boundaries to assign students to schools with available capacity.
- d) Eliminate variances to overcrowded facilities that are not otherwise restricted by State or Federal requirements.

#### **1.2.5 Proportionate Share Mitigation**

The City of West Melbourne in conjunction with the School District shall review developer proposed applications for proportionate share mitigation projects to add the school capacity necessary to satisfy the impacts of a proposed residential development. Mitigation options may include, but are not limited to:

- a) Contribution of land or payment for land acquisition in conjunction with the provision of additional school capacity; or
- b) Mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits; or
- c) Donation of buildings for use as a primary or alternative learning facility; or
- d) Renovation of existing buildings for use as learning facilities; or
- e) Construction or expansion of permanent student stations or core capacity; or
- f) Construction of a public school facility in advance of the time set forth in the School District's Five-Year Capital Facilities Work Program.

#### **1.2.6 Mitigation of Cost Estimates**

For mitigation measures in Policy 1.2.5 (A) thru (F) above, the estimated cost to construct the mitigating improvement will reflect the estimated future construction costs at the time of the anticipated construction.

- a) Improvements contributed by the developer shall receive school impact fee credit.

- b) The cost difference between the developer's mitigation costs and the impact fee credit, if greater, shall be the responsibility of the developer.

#### **1.2.7 Mitigation Offer Process**

The City of West Melbourne and the School District shall provide a 90-day negotiation period to allow for the review and negotiation of proportionate share mitigation offers proposed by a developer.

#### **Criteria:**

- a) If mitigation is approved, the City of West Melbourne and the School District enter into an enforceable binding agreement with the developer and the improvement(s) will be included in the School District's annually adopted Five-Year Capital Facilities Work Program and reflected in the next update to the Capital Improvements Element.
- b) If mitigation is denied, the City of West Melbourne must deny application based upon no available school capacity.
- c) West Melbourne shall not issue any permits for a residential development until receiving confirmation of available school capacity in the form of a SCADL from the School District.

#### **1.2.8 Binding Agreement**

The City of West Melbourne shall, upon acceptance of a mitigation option identified in Policy 1.2.5, enter into an enforceable binding agreement with the School District and the developer.

#### **1.2.9 Notification**

West Melbourne shall notify the School District when an approved residential development has paid impact fees and when the developer order for the residential development expires.

### ***Objective 1.3: School Siting***

Beginning with an effective date of 2008, all new public schools built within the City of West Melbourne will be coordinated with the School District to be consistent with West Melbourne's Future Land Use Map designation to ensure facilities are proximate to appropriate existing and future land uses, serve as community focal points, are co-located with other appropriate public facilities, and will have needed supporting infrastructure.

#### *Policies*

#### **1.3.1 Improvements**

The City of West Melbourne, in conjunction with the School District, shall jointly determine the need for, and timing of, on-site and off-site improvements necessary to support a new school.

#### **1.3.2 Joint Agreement**

West Melbourne 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 off- site improvements necessary to support a new school or school improvement to ensure that the necessary infrastructure is in place prior to or concurrent with construction.

### **1.3.3 Construction and Improvements Plans**

Construction plans for new schools and significant additions/renovations shall be submitted to the City of West Melbourne for an informal review of on-site issues. When feasible, such plans should conform to the City's Land Development Regulations and should be consistent with the following policies and sub-policies from 1.3.4 to 1.3.13.

- a) The proposed location is not within the vicinity of an airport as regulated by Florida Statutes Section 333.03.
- b) The expansion of the existing schools was first analyzed to discourage urban sprawl.

### **1.3.4 Infrastructure**

Public utilities, as well as police and fire protection, should be available concurrently with the construction of new school sites.

### **1.3.5 Size**

The size of new school facilities and land areas should satisfy the minimum standards established by the Brevard County School Board, whenever possible. However, the use of these standards shall not preclude consideration of smaller more urban and compact school designs in mixed use developments.

### **1.3.6 Access & Circulation**

New school sites should have frontage on or direct access to a collector or arterial road and should have suitable ingress and egress for pedestrians, bicycles, cars, buses, service vehicles, and emergency vehicles. The proposed site should also be able to accommodate parking, circulation and stacking of vehicles on its premises.

### **1.3.7 Environmental Consideration**

New school sites should be well drained and education buildings should be located away from floodplains, wetlands, and other environmentally sensitive lands.

### **1.3.8 Residential Proximity**

West Melbourne 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 developer participation or Local Government capital budget expenditures) for sidewalks, traffic signalization, access, water, sewer, drainage and other infrastructure improvements.
- b) Reviewing and providing comments on all new school sites including the compatibility and integration of new schools with surrounding land uses.
- c) Allowing schools within all residential land use categories. Elementary and junior high/middle schools shall be allowable uses by special exception in all residential land use categories with the preferred location of such schools being adjacent to or on the perimeter of subdivisions in the low density, single-family residential land use category.

- d) High schools shall not be allowed in the low density, single-family dwellings land use category, but shall be allowed by special exception in the medium and high density residential land use categories.
- e) New school sites should minimize detrimental impacts on residential neighborhoods, hospitals, nursing homes and similar uses through proper site location, configuration, design layout, access, parking, traffic controls and buffers.

#### **1.3.9 Co-location**

The City of West Melbourne, 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.

#### **1.3.10 Industrial Uses**

New traditional school sites shall not be adjacent to any noxious industrial uses or other property from which noise, vibration, odors, dust, toxic materials, traffic conditions or other disturbances that would have a negative impact.

#### **1.3.11 Capital Outlay Committee (COC)**

West Melbourne, in conjunction with the School District, hereby designates the Capital Outlay Committee (COC) as the monitoring group for coordinated planning and school concurrency in Brevard County.

#### **1.3.12 Land Development Regulations (LDR's)**

No later than December 1, 2008, the City of West Melbourne shall adopt school concurrency provisions into its Land Development Regulations (LDR) to implement school concurrency. The City shall rely upon the policies in this adopted Public School Facilities Element and the Interlocal Agreement to implement concurrency in the interim.

#### **1.3.13 Emergency Preparedness**

The City of West Melbourne, in conjunction with the School District and the municipalities within the Local Government 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.

## **Public School Facilities Goal 2**

To provide adequate planning of future school and classroom needs with a financially feasible district five-year capital facilities work program.

### ***Objective 2.1: CIE Update***

Beginning with an effective date of 2008 and no later than December 1<sup>st</sup> of each year thereafter, the Local Government will include in its Capital Improvements Element (CIE), the School District's annually updated five-year schedule of capital improvements as adopted by the School Board, which identifies 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.

#### *Policies*

##### **2.1.1 Five-Year Capital Plan**

The City of West Melbourne shall annually update the Capital Improvements Element to incorporate the School District's annually adopted Five-Year Capital Facilities Work Program's "Summary of Capital Improvements Program" and "Summary of Estimated Revenue" Tables which shall identify school facility capacity projects which are necessary to address existing deficiencies and meet future needs and demonstrate the School District can maintain the adopted LOS standard for the five-year planning period supported by data and analysis demonstrating financial feasibility.

##### **2.1.2 School Enrollment Projections**

West Melbourne shall annually coordinate review of school enrollment projections in conjunction with the School District and other local governments through the Capital Outlay Committee, and provide an annual update of the projections.

##### **2.1.3 Public School Facilities Element Review**

The City of West Melbourne shall annually in conjunction with the School District and other local governments conduct a review of the Public School Facilities Element, related policies in other elements and the school concurrency system. This review shall be performed through the Staff Working Group and the Capital Outlay Committee.

##### **2.1.4 Public School Map**

The City of West Melbourne, in conjunction the School District, shall coordinate the long range public school facilities map with its comprehensive plan and future land use map. General planned locations of schools and ancillary facilities for the five-year planning period and the long-range planning period shall be shown. The Map Series shall include:

- a) Existing and Five-Year Proposed Elementary School Facilities Map - type and location of public school and ancillary facilities.
- b) Existing and Five-Year Proposed Middle School Facilities Map – generally planned public school facilities and ancillary plants.
- c) Existing and Five-Year High School Facilities Map - generally planned public schools and ancillary facilities.
- d) Ten-Year Planning Period Map (2012-2017) "Existing and Proposed Elementary, Middle and High Schools" – generally planned public school facilities and ancillary buildings.
- e) West Melbourne Elementary School Boundaries