

**SUMMARY OF RECOMMENDED CHANGES**  
**2011 EVALUATION & APPRAISAL REPORT (EAR)**

**Public School Facilities Element**

**Goals, Objective and Policies:** The entire Element should be revised to reflect the proper formatting of Goals, Objectives and Policies, as defined below.

**Goal:** General statement that defines what the Element will ultimately achieve.

**Objective:** A more specific statement than the stated Goal; describes actions that will help achieve the goal(s).

**Policies:** Specific statements that provide directives on how to achieve the objectives and ultimately the Element's goal(s).

**Goals, Objective and Policies:** The entire Element should be revised to reflect Department name changes, designee changes, renumbering due to objective and/or policy additions and/or deletions, and grammatical changes.

**Policy 2.3:** Delete the last paragraph within the Policy, as the required school concurrency regulations were adopted within the Land Development Code in June 2010.

**Policy 2.5:** Delete the Policy, as the required school concurrency regulations were adopted within the Land Development Code in June 2010.

**Policy 3.6:** Revise the Policy to reflect the establishment of the Citizen Advisory Group (CAG); and, add a reference to reflect that the planning and monitoring of school concurrency by the CAG is ongoing.

**Assessment of the Successes and Shortcomings  
and Recommendations  
for the Public School Facilities Element**

**A. Background and Introduction**

In 2005, the Florida Legislature enacted legislation (Senate Bill 360) amending Sections 163.3177 and 163.3180, F.S., requiring the establishment of concurrency for public school facilities not granted an exception. The implementation of school concurrency requires local governments to establish level of service standards for concurrency for public schools and adopt a Public School Facilities Element into their comprehensive plans.

In 2008, in response to this legislative requirement, the Collier County School Board, Collier County and the municipalities within the County, coordinated the adoption of the Public Schools Facilities Element along with amendments to the Intergovernmental Coordination and Capital Improvements Elements to ensure consistency among the local governments' comprehensive plan elements and the School Board's plans.

The Public Schools Facilities Element implements a uniform, district-wide public school concurrency system requiring concurrency for public schools be met before development orders are issued.

The Collier County School District has a current enrollment of 42,849 students in grades pre-kindergarten through twelfth grade based on the school enrollment census taken in October 2009. The Florida Inventory of School Houses (FISH) capacity for existing core facilities can serve 48,257 students. The District reports that by year 2019, the projected student enrollment numbers are expected to grow to over 49,800 students. In order to meet the district-wide level of service standard of 100 percent for high schools, and 95 percent for both elementary and middle schools, within the five year planning horizon, an elementary school expansion to add 162 seats is planned and programmed within the District's Five-Year Work Plan. The Collier County School District currently meets the adopted level of service standards for public school facilities.

School concurrency capacity projects identified in the School District's Five-Year Work Plan do not require Collier County to provide capital improvements for those projects within the five-year planning period. Based on student enrollment projections and the elementary school expansion planned and programmed in year 2014/2015, Collier County will continue to meet the adopted level of service standards for public school facilities for the five-year planning period.

**B. Element Review**

Less than two years have passed since the Public School Facilities Element was adopted. During that time period the County experienced a decline in residential development and an outmigration of its population. As a result, school facility construction lessened and projects planned within the School District's 5-Year Capital Improvement Plan were moved into later

planning years. Since the school concurrency program generally remains unchanged since its adoption, the County is proposing minimal changes to PSFE at this time. Proposed changes to the Element include: deleting a paragraph within Policy 2.3 and deleting Policy 2.5 to reflect the adoption of implementing school concurrency provisions within the Land Development Code in June 2010; and, revising Policy 3.6 to reflect the establishment of a Citizen Advisory Group and provide that the planning and monitoring of school concurrency by the CAG is ongoing.

### **C. Objective Analysis**

#### **OBJECTIVE 1: SCHOOL CONCURRENCY MANAGEMENT SYSTEM**

**Collier County shall adopt 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 five-year planning periods.**

##### **Policy 1.1:**

**Level of Service (LOS) standards for CSAs shall be based upon permanent FISH capacity: 100% for high school CSAs; 95% for elementary school CSAs; and 95% for middle school CSAs.**

##### **Policy 1.2:**

**School CSAs shall be established less than district-wide through the merger of Traffic Analysis Zones (TAZs) to establish separate elementary school, middle school and high schools CSAs against which to measure the level of service standard.**

##### **Policy 1.3:**

**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 by the end 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 1.4:**

**The County, in conjunction with the School District and 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 change, and determine whether or not a change is appropriate considering criteria established in Policy 1.3. The School District shall transmit supporting data and analysis to the local government for review and comment.**
- B. 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 government PSFEs.

**Policy 1.5:**

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

- 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 for review and comment.
- B. Local governments shall review and comment on the proposed changes within forty-five (45) days of receipt.
- C. If acceptable to local governments, the change to a school use shall become effective upon final approval of the new use of the school by the School Board.

**OBJECTIVE 2: RESIDENTIAL DEVELOPMENT REVIEW**

The County, in cooperation with the School District, shall ensure a school concurrency evaluation is performed 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 2.1:**

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 has issued a School Capacity Availability Determination Letter (SCADL) verifying available capacity to serve the development.

**Policy 2.2:**

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 as of the effective date of school concurrency.
- B. Any new residential development that has a final plat or site plan approval or the functional equivalent of a site specific development order as of the effective date of school concurrency.
- 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 (e.g. single-family to multi-family).

- 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 July 1, 2005.

**Policy 2.3:**

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 2.2 of this Element. The following are the minimum review process requirements for all non-exempt residential development:

- A. Submittal of a residential development application including a School Impact Analysis (SIA) to the County for sufficiency review.
- B. Determination of completeness by the County. If deemed complete, the County shall transmit the application, including the SIA, to the School District for review.
- C. Review of the application, by the School District, for available capacity, and issuance of a School Capacity Availability Determination Letter (SCADL) within 20 days after receipt of a complete application from the County.

The School District shall identify the following in the SCADL:

1. Available capacity within the affected CSA.
2. If capacity is not available within the affected CSA, the available capacity within one or more of the adjacent CSAs. (If the affected CSA does not contain a particular school type (elementary, middle, high), the adjacent CSAs shall be evaluated for available capacity.)
3. If capacity is not available in the adjacent CSAs, the School District shall indicate that the development is not in compliance with the adopted LOSS and offer the applicant the opportunity to negotiate a mitigation plan within a 90 day period.

The Interlocal Agreement for Public School Facility Planning and School Concurrency and this Public School Facilities Element shall provide the process necessary to determine available school capacity for all residential projects that are not exempt under

**Policy 2.2 of this Element, until such time as land development regulations (LDRs) are adopted. In the event that one of the documents listed above is not in effect prior to LDR adoption, the other document shall provide the process necessary to determine available school capacity for all non-exempt residential projects.**

Policy Achievement Analysis:

The Policy remains relevant and should be retained. However, the last paragraph should be deleted, as this policy objective has been achieved with the adoption of Land Development Code regulations in 2010.

**Policy 2.4:**

**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 the proposed residential development.**

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

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

**Policy 2.5:**

**Within one (1) year from the effective date of the School Concurrency Growth Management Plan amendments, the County shall adopt school concurrency provisions into its Land Development Regulations (LDRs) to implement school concurrency.**

Policy Achievement Analysis:

The Policy objective has been achieved with the adoption of Land Development Code regulations in 2010.

This Policy is no longer relevant and should be deleted.

**OBJECTIVE 3:**

**The County and the School District will: coordinate the location of public schools with the Future Land Use Map 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.**

Public Comment (Community Meeting held on 3/15/10):

*Public stated that there is a need to coordinate school siting and facility planning with County infrastructure.*

**Policy 3.1:**

**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, 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, on a case by case basis, at the time of site planning.**

**Policy 3.2:**

**Prior to commencement of construction of a new school, the County 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 3.3:**

**The County shall review all proposals for new public schools, school expansions, or the redevelopment of existing schools to determine 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 3.4:**

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 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 3.5:**

The County, municipalities within the County, and the School District shall coordinate on emergency preparedness issues.

**Policy 3.6:**

The County, in conjunction with the School District, shall establish a Citizen Advisory Group (CAG) to monitor planning and school concurrency in Collier County.

Policy Achievement Analysis:

The policy objective has been achieved with the establishment of the CAG in 2009.

This Policy remains relevant and should be retained. However, the Policy should be revised to reflect the establishment of the Citizen Advisory Group and that the monitoring and planning of school concurrency, by the CAG, is an ongoing activity.

**OBJECTIVE 4:**

The County shall adopt by reference into its Capital Improvement Element (CIE), the School District's annually updated financially feasible Five-Year Capital Improvement Plan. The District's Five-Year Capital Improvement Plan shall 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.

**Policy 4.1:**

No later than December 1<sup>st</sup> of each year, and in accordance with CIE Policy 4.2, the County shall adopt, by reference, into the Schedule of Capital Improvements – Public School Facilities within the CIE in this Comprehensive Plan, the School District's annually updated and financially feasible Five-Year Capital Improvement Plan.

**Policy 4.2:**

The County, in conjunction with the School District, shall annually review the Public School Facilities Element and maintain a public school facilities map series consistent with the Future Land Use Map Series. This Map Series is adopted as part of this Element, and includes:

- A. One or more maps which identify the location of existing public school facilities by type, and the location of existing ancillary plants.



- B. One or more maps which identify the general location and type of public school facilities and ancillary plants anticipated over the five-year planning period and the long-range planning period.**

**Policy 4.3:**

**The County, in conjunction with the School District, shall coordinate the long range public school facilities needs over the five and ten year planning periods with its Comprehensive Plan, including the Future Land Use Map and map series, to provide sufficient land use categories proximate to residential development in which public schools are allowed, and include criteria to encourage the location of schools proximate to urban residential areas to the extent possible, pursuant to Section 163.3177(6)(a), F.S.**