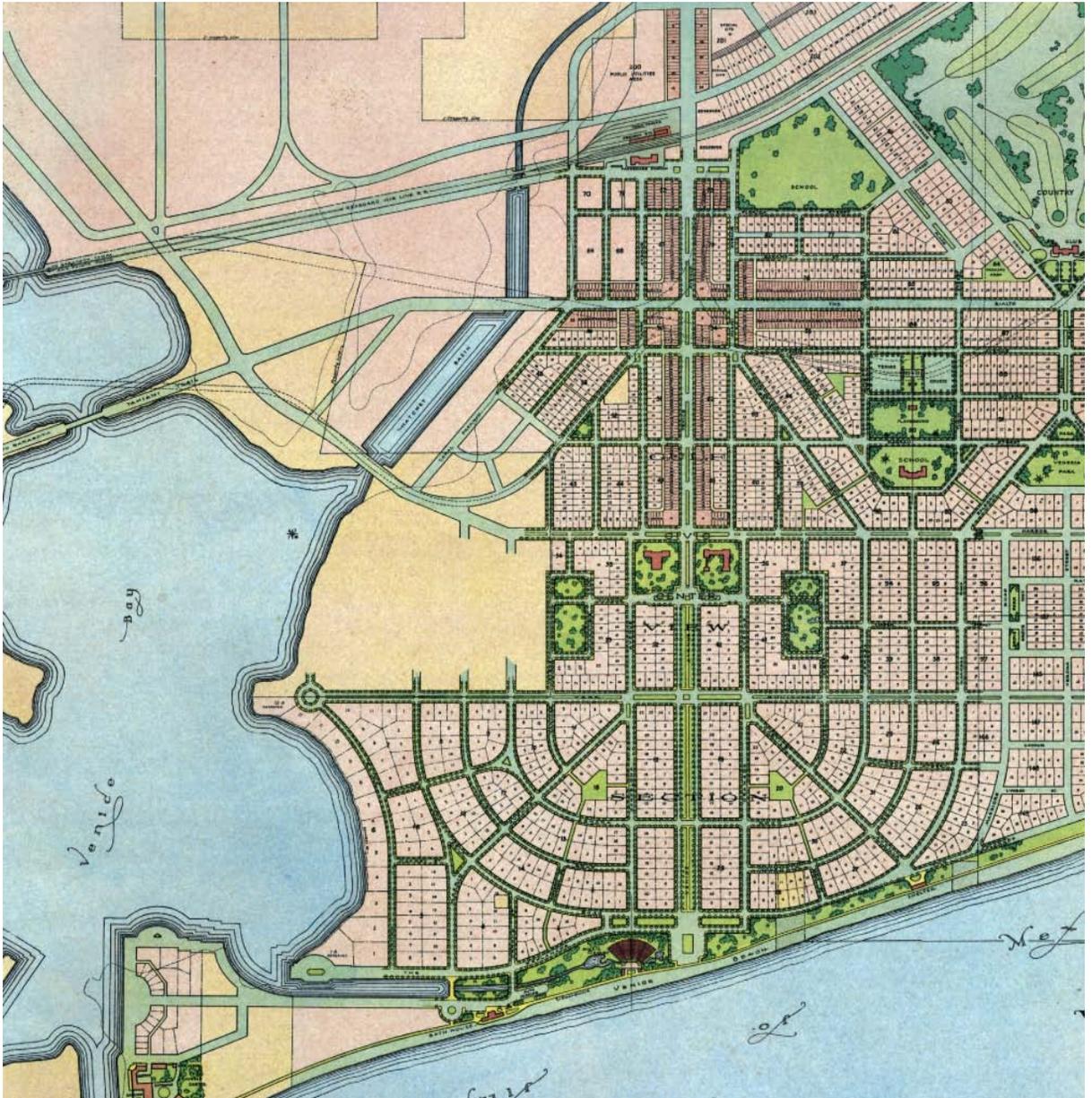


# Chapter VI



## School Concurrency & Facilities





## Public School Facilities Element

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**GOAL: COLLABORATE AND COORDINATE WITH THE SCHOOL BOARD OF SARASOTA COUNTY TO PROVIDE AND MAINTAIN A HIGH QUALITY PUBLIC EDUCATION SYSTEM WHICH MEETS THE NEEDS OF VENICE'S EXISTING AND FUTURE POPULATION. UTILIZE INTERGOVERNMENTAL PARTNERSHIPS TO PROVIDE THE VENICE COMMUNITY A HIGH QUALITY OF LIFE AND ADEQUATE LEVEL OF PUBLIC SERVICES.**

**Objective 1 Coordination and Consistency. The City shall implement and maintain mechanisms designed to more closely coordinate with the School Board in order to provide consistency between the City's comprehensive plan and public school facilities programs, such as:**

- A. Greater efficiency for the School Board and the City by the placement of schools to take advantage of existing and planned roads, water, sewer, parks, and drainage systems;**
- B. Improved student access and safety by coordinating the construction of new and expanded schools with road and sidewalk construction programs;**
- C. The location and design of schools with parks, ball fields, libraries, and other community facilities to take advantage of shared use opportunities; and,**
- D. The expansion and rehabilitation of existing schools so as to support neighborhoods.**

Policy 1.1 Adequate School Capacity. Manage the timing of new development to coordinate with adequate school capacity. Where existing and planned capacity will not be available to serve students from the property seeking a plan amendment for residential development, the City may use the lack of school capacity as a basis for denial.

Policy 1.2 Interlocal Agreement. In cooperation with the School Board and the other local governments within Sarasota County, the City will implement the Interlocal Agreement for Public School Facility Planning for the County of Sarasota, Florida, between Sarasota County, all legislative bodies of the municipalities including the Town of Longboat Key, the City of North Port, the City of Sarasota, and the City of Venice, and the School Board. The Interlocal Agreement for Public School Facility Planning, as required by Sections 1013.33 & 163.31777, Florida Statutes, includes procedures



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for:

- A. Joint meetings;
- B. Student enrollment and population projections;
- C. Coordinating and sharing of information;
- D. School site analysis;
- E. Supporting infrastructure;
- F. Comprehensive plan amendments, rezonings, and development approvals;
- G. Education Plant Survey and Five-Year District Facilities Work program;
- H. Co-location and shared use;
- I. Implementation of school concurrency;
- J. Level of service standards;
- K. Concurrency service areas;
- L. Proportionate-Share Mitigation;
- M. Oversight process; and,
- N. Resolution of Disputes.

Policy 1.3 School Board Representative. The City shall include a representative of the school district, appointed by the School Board, as a nonvoting member of the local planning agency, as required by Section 163.3174, Florida Statutes.

### **Objective 2 School Siting Criteria and Infrastructure. Enhance community and neighborhood design through effective school facility design and siting standards.**

Policy 2.1 Coordinate Land Uses for School Sites. The City will continue to coordinate with the School Board to assure that proposed public school facility sites are consistent with the land use categories and policies of the City's Comprehensive Plan, pursuant to the Interlocal Agreement for Public School Facility Planning.

Policy 2.2 Land Use Designations. Consistent with Section 163.3177, Florida Statutes, the City will include sufficient allowable land use designations for schools approximate to residential development to meet the projected needs for schools.

Policy 2.3 Bicycle and Pedestrian Access. All public schools shall provide bicycle and pedestrian access consistent with Section 1006.23, Florida Statutes. Bicycle access to public schools should be incorporated in the city bicycle plan. Adequate parking at public schools will be provided consistent to



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applicable Land Development Regulations.

- Policy 2.4 Crosswalks and Sidewalks for Schools. In coordination with the School Board, the City will evaluate school crossing zones to consider safe crossing of children along major roadways, including prioritizing existing developed and subdivided areas for sidewalk improvements at locations such as schools with a high number of pedestrian and bicycle injuries or fatalities, schools requiring courtesy busing for hazardous walking conditions, schools with significant walking populations, but poor pedestrian and bicycle access, and needed safety improvements. The City will coordinate with the MPO Long Range Transportation Plans to ensure funding for safe access to schools including: development of sidewalk inventories and list of priority projects coordinated with the School Board recommendations are addressed.
- Policy 2.5 Safe Walking Conditions. At the time of site plan or final plat approval, development, if applicable, will provide for safe walking conditions consistent with Florida's safe ways to school program which are:
- A. New developments adjacent to school properties shall be required to provide a right-of-way and a direct safe access path for pedestrian travel to existing and planned school sites, and shall connect to the neighborhood's existing pedestrian network;
  - B. For new development and redevelopment within 2 miles of an existing or planned school, the City shall require sidewalks (complete, unobstructed, and continuous) along the corridor that directly serves the school, or qualifies as an acceptable designated walk or bicycle route to the school.
- Policy 2.6 School Related Infrastructure Improvements. The School Board and City 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 or expansion of an existing school, and will enter into a written agreement as to the timing, location, and the party or parties responsible for constructing, operating and maintaining the required improvements, pursuant to Section 6 of the Interlocal Agreement for Public School Facility Planning.

### **Objective 3 Funding. Support supplemental and alternative sources for school capital funding.**

- Policy 3.1 School Impact Fees. The City will continue to collect the Educational System Impact Fees for the School Board that requires future growth to



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contribute its fair share of the cost of required capital improvements and additions for educational facilities.

- Policy 3.2 Review of School Impact Fees. The School Board, Sarasota County, and municipal governments within Sarasota County, shall review and recommend amendments, as necessary, to the Educational System Impact Fees ordinance, consistent with applicable laws.

### **Objective 4 Sustainability. Encourage sustainable design and development for educational facilities.**

- Policy 4.1 Co-location of Facilities. Coordinate with the School Board to continue to permit the shared-use and co-location of school sites, recreation, infrastructure, and City facilities with similar facility needs, according to the Interlocal Agreement for Public School Facility Planning for the County of Sarasota, Florida. Coordinate in the location, phasing, and design of future school sites to enhance the potential of schools as recreation areas.
- Policy 4.2 Green School Buildings. Encourage the School Board to use sustainable design and performance standards, such as using energy efficient and recycled materials, to reduce lifetime costs
- Policy 4.3 Schools as Emergency Shelters. The City shall coordinate efforts with the School Board to build new school facilities, and facility rehabilitation and expansions to be designed to provide emergency shelters.

### **Objective 5 Ensure Adequate School Capacity. Coordinate petitions for future land use, rezoning, and subdivision and site plans for residential development in locations with adequate school capacity. This will be accomplished recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the City's authority for land use, including the authority to approve or deny petitions for future land use, rezoning, and subdivision and site plans for urban residential development that generate students and impact the Sarasota County Public School system.**

- Policy 5.1 School Board Findings. The City will consider the School Board's comments and findings on the availability of adequate school capacity when considering proposed comprehensive plan amendments and other land use decisions as provided for in Section 163.3177(6)(a), Florida Statutes.



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- Policy 5.2 Location of Residential Development. Petitions for future land use, rezoning, and subdivision and site plans for urban residential development should be in areas with adequate school capacity. Where capacity will not be available to serve students from the property seeking a land use change, the applicant will coordinate with the School Board to ensure adequate capacity is planned and funded. Where feasible, in conjunction with the plan amendment or zoning change, early dedications of school sites shall be encouraged. To ensure adequate capacity is planned and funded, the School Board's long range facilities plans over the five-year, ten-year and twenty-year planning periods shall be amended to reflect the needs created by the land use plan amendment.
- Policy 5.3 Review of Petitions. Consistent with Section 7.4 of the Interlocal Agreement for Public School Facility Planning, in reviewing petitions for future land use, rezoning, and subdivision and site plans for urban residential development which may affect student enrollment or school facilities, the City will consider the following issues:
- A. Provision of school sites and facilities within planned neighborhoods.
  - B. Insuring the compatibility of land uses adjacent to existing schools and reserved school sites.
  - C. The co-location of parks, recreation and community facilities with school sites.
  - D. The linkage of schools, parks, libraries and other public facilities with bikeways, trails, and sidewalks.
  - E. Insuring the development of traffic circulation plans to serve schools and the surrounding neighborhood.
  - F. Providing off-site signalization, signage, access improvements and sidewalks to serve all schools.
  - G. The inclusion of school bus stops and turnarounds in new developments.
  - H. Encouraging the private sector to identify and implement creative solutions to developing adequate school facilities in residential developments.
  - I. School Board staff comments and findings of available school capacity for comprehensive plan amendments and other land-use decisions.
  - J. Available school capacity or planned improvements to increase school capacity.
  - K. Whether the proposed location is consistent with any local government's school design and planning policies.



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**Objective 6 Implement Public School Concurrency. The City shall manage the timing of petitions for future land use, rezoning, and subdivision and site plans for residential development to ensure adequate school capacity is available consistent with adopted level of service standards for public school concurrency**

Policy 6.1 Public School Concurrency Standards. Consistent with the Interlocal Agreement for Public School Facility Planning, the School Board and County agree to the following standards for school concurrency in Sarasota County:

A. Consistent with the Amended Interlocal Agreement for Public School Facility Planning, school concurrency requirements shall be effective for all applications for construction plans accepted on or after October 1, 2008. School concurrency under these LOS standards shall be as follows, however, within designated concurrency service areas for identified backlogged facilities, interim standards shall apply. The interim level of service standard within these designated areas shall apply over the period covered by the 10-year schedule of improvements. The level-of service standards are initially set as follows:

| Type of School  | Level of Service (LOS) Standard  |
|-----------------|--|
| Elementary      | Initial standard: 115% of permanent program capacity. By Year 2012 elementary schools, with the exception of backlogged facilities, will achieve 105% of permanent program capacity. By Year 2017 all elementary school backlogged facilities will achieve 105% of permanent program capacity. |
| Middle          | Initial standard: 100% of permanent program capacity. By Year 2012 all middle schools, with the exception of backlogged facilities, will achieve 100% of permanent program capacity. By Year 2017 all middle school backlogged facilities will achieve 100% of permanent program capacity.     |
| High            | Initial standard: 105% of permanent program capacity. By Year 2012 all high schools, with the exception of backlogged facilities, will achieve 100% of permanent program capacity.   |
| Special Purpose | 100% of total program capacity includes relocatables.  |



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Within designated concurrency service areas for backlog facilities, interim standards as identified in Table PSFE 23 of the supporting data and analysis shall apply. The interim level of service standard within these designated areas will be improved to the district-wide standard over the period covered by the ten-year schedule of improvements corresponding to the long term concurrency management program.

Potential amendments to the level of service standards may be considered at least annually at the staff working group meeting to take place no later than April 1 of each year. If there is agreement to amend the level of service standards, it shall be accomplished by the execution of an amendment to the Interlocal Agreement by all parties and the adoption of amendments to the County and municipal comprehensive plans. The amended level of service standard shall not be effective until all plan amendments are effective and the amendment to the Interlocal Agreement for Public School Facility Planning is fully executed.

No change to level of service shall be adopted without a showing that the amended level of service is financially feasible, supported by adequate data and analysis, and can be achieved and maintained within the period covered by the first five years of the School Board's Capital Facilities Plan or within the period covered by the ten-year schedule of capital improvements for backlogged facilities. A plan amendment is required to add any school facility to the listing of backlogged facilities. As capacity improvements for backlogged facilities are included in the five-year schedule of capital improvements, the facility will no longer be backlogged, shall be removed from the listing of such facilities, and shall meet the standards for that school type established herein. After the first five-year schedule of capital improvements, or for the initial 10-year schedule of improvements for backlogged facilities, level of service standards shall be maintained within each year of subsequent five-year schedules of capital improvements.

B. Consistent with Subsection 4.2(c), of the Interlocal Agreement for Public School Facility Planning, the concurrency service area shall be coterminous with the applicable student attendance zone for elementary, middle and high schools. The most recent student attendance zones are shown on Maps PSFE 4, 5, and 6 of the supporting data and analysis. The concurrency service areas for special schools and charter schools are district-wide. For the purpose of implementing a long term concurrency management system, Maps



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PSFE 12 and 15 of the supporting data and analysis depict the concurrency service areas where backlogged facilities exist.

- C. Potential amendments to the concurrency service areas, other than periodic adjustments to student attendance zones, shall be considered annually at the staff working group meeting to take place each year no later than April 1. If there is agreement to amend the concurrency service area to establish boundaries other than those that are coterminous with student attendance zones, it shall be accomplished by the execution of an amendment to the Interlocal Agreement by all parties and amendment to the County's and each municipal comprehensive plan. The amended concurrency service area shall not be effective until the Amended Interlocal Agreement for Public School Facility Planning is fully executed and comprehensive plan amendments are in effect. No concurrency service area shall be amended without a showing that the amended concurrency service area boundaries are financially feasible.
- D. Concurrency service areas shall be established and subsequently modified to maximize available school capacity and make efficient use of new and existing public schools in accordance with level of service standards taking into account transportation costs, limiting maximum student travel times, the effect of court-approved desegregation plans, achieving social-economic, racial and cultural diversity objectives, and other relevant factors as determined by the School Board's policy on maximization of capacity. Other considerations for amending concurrency service areas may include safe access (including factors such as the presence of sidewalks, bicycle paths, turn lanes and signalization, general walkability), diversity and geographic or man-made constraints to travel. The types of adjustments to school operations that will be considered in the County shall be determined by the School Board's policies on maximization of capacity.
- E. Concurrency service areas shall be designed so that the adopted level of service will be able to be achieved and maintained within the five years or applicable 10 years of the capital facilities plan, and so that the five-year or applicable 10-year schedule of capital improvements is financially feasible. Plan amendments are required for changes to the concurrency service area other than modifications to student attendance zones.



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- Policy 6.2 Student Generation Rates. As provided in Section 4.2(f) of the Interlocal Agreement for Public School Facility Planning, the costs per student station and student generation rates are to be established annually by the school district in the adopted Five-Year Capital Facilities Plan. The student generation rates, used to determine the impact of a particular development application on public schools, shall be reviewed and updated at least every 2 years in accordance with professionally accepted methodologies.
- Policy 6.3 School Capacity and Enrollment. The uniform methodology for determining if a particular school is overcapacity, based on the adopted level of service standards, shall be determined by the School Board. The School Board hereby selects permanent program capacity as the methodology to determine the capacity of elementary, middle and high schools. Relocatables (portables) are not considered permanent capacity. For special schools, the methodology to determine capacity shall be based on total program capacity (includes portables). Consistent with Section 3.1 of the Interlocal Agreement for Public School Facility Planning, school enrollment shall be based on the annual enrollment of each individual school based on actual counts reported to the Department of Education in October of each year. The School Board will determine whether adequate capacity exists for a proposed development, based on the level of service standards and concurrency service areas according to the standards set in Section 4.2 (a) of the Interlocal Agreement Public School Facility Planning.
- Policy 6.4 Concurrency Availability Standard.
- A. The City shall amend the concurrency management systems in its concurrency regulations to require that all new residential developments be reviewed for school concurrency at the time of subdivision final plat or site plan, using the coordination processes specified in Section 7 of Interlocal Agreement for Public School Facility Planning, within one year of the effective date of the plan amendments to adopt public school concurrency. The City may choose to provide an informational assessment of school concurrency at the time of preliminary plat, but the test of concurrency shall be at subdivision final plat or site plan approval.
- B. The City shall not deny a subdivision or site plan for residential development for the failure to achieve and maintain the adopted level of service for public school capacity where:
1. Adequate school capacity will be in place or under actual construction within three years after the issuance of the



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subdivision or site plan (or functional equivalent) within the concurrency service area, or a contiguous concurrency service area and the impacts of development can be shifted to the area; or

2. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property subject to the subdivision or site plan, as provided in Section 4.2(f) in the Interlocal Agreement for Public School Facility Planning.

C. In evaluating a subdivision final plat or site plan for concurrency, any relevant programmed improvements in the current year or years two or three of the five-year schedule of improvements shall be considered available capacity for the project and factored into the level of service analysis. Any relevant programmed improvements in years four or five of the five-year schedule of improvements shall not be considered available capacity for the project unless funding for the improvement is assured through School Board funding to accelerate the project, through proportionate share mitigation, or some other means of assuring adequate capacity will be available within three years. The School Board may use relocatable classrooms to provide temporary capacity while funded schools or school expansions are being constructed

D. This Action Strategy shall not be construed to limit the authority of the City to deny the subdivision final plat or site plan for residential development for reasons other than failure to achieve and maintain the adopted level of service for public school capacity.

E. Consistent with Subsection 4.2(f) of the Interlocal Agreement for Public School Facility Planning, in the event that there is not sufficient capacity in the affected concurrency service area based on the adopted level of service standard to address the impacts of a proposed development and the availability standard for school concurrency cannot be met, the following shall apply:

1. The project shall provide capacity enhancement(s) sufficient to meet its impact through proportionate share mitigation; or,
2. The project shall be delayed to a date when the level of service can be assured through capital enhancement(s) or planned capacity increases; or,
3. A condition of approval of the subdivision or site plan shall be that the project's impact shall be phased and phases delayed shall be delayed to a date when capacity enhancement and level of service can be assured; or,
4. The project shall not be approved.



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Policy 6.5 Proportionate Share Mitigation. Options for providing proportionate share mitigation for any approval of residential dwelling units that triggers a failure of level of service for public school capacity shall include the following:

1. Contribution of, or payment for, acquisition of new or expanded school sites;
2. Construction or expansion of, or payment for, permanent school district facilities;
3. Mitigation banking within designated areas based on the construction of a public school facility in exchange for the right to sell capacity credits. Capacity credits shall be sold only to developments within the same concurrency service area or a contiguous concurrency service area; and,
4. Educational Facility Benefit Districts.

Mitigation shall be directed to projects into the School District's Five-Year Capital Facilities Plan that the School Board agrees will satisfy the demand created by that development approval, and shall be assured by a legally binding development agreement between the School Board, the City, and the applicant executed prior to the issuance of the subdivision or site plan.

If the School Board agrees to the mitigation, the School Board must commit in the agreement to placing the improvement required for mitigation into its Five-Year Capital Facilities Plan. This development agreement shall include the developer's commitment to continuing renewal of the development agreement until the mitigation is completed as determined by the School Board.

Policy 6.6 Amount of Mitigation. The amount of mitigation required shall be determined by calculating the number of student stations for each school type for which there is not sufficient capacity using the student generation rates applicable to a particular type of development and multiplying by the local costs per student station for each school type applicable to Sarasota County, as determined by the School Board. These costs are in addition to any land costs for new or expanded school sites, if applicable.

Policy 6.7 Financial Feasibility. Each year, the City will adopt plan amendments: 1) adding a new fifth year; 2) updating the financially feasible public schools



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capital facilities program; 3) coordinating the program with the 5-year district facilities work plan, the plans of other local governments; and, as necessary, 4) updating the concurrency service area map. The annual plan amendments shall ensure that the capital improvements program continues to be financially feasible and that the level of service standards will continue to be achieved and maintained.

**Objective 7** **Monitoring and Evaluation.** On an annual basis, the School Board's Facility Strategy Team shall monitor and evaluate the Public School Facilities Chapter in order to assure the best practices of the joint planning processes and procedures for coordination of planning and decision-making.

- Policy 7.1 **Monitoring and Evaluation Strategies.** The Public School Facilities Chapter shall be monitored for adherence to the established goals, objectives and policies and to ensure these goals, objectives and policies accurately reflect the existing needs and conditions of the public schools. This will be accomplished in a three-fold approach:
1. Each Action Strategy will be supported by identified implementation tasks, schedules and contact person(s). This allows for quick review for the implementation status of the adopted policies.
  2. It is the intent of the City to meet annually with the School Board to review the progress in implementing the Public School Facilities Element. This provides the opportunity to formally review the implementation progress and review the current status of public schools.
  3. Consistent with Section 163.3191, Florida Statutes, the City will prepare an evaluation and appraisal report for its comprehensive plan once every seven years. This process will provide an in-depth analysis of the success of the Public School Facilities Chapter to improve the conditions of public schools.