

Alachua County
Response to the Florida Department of Community Affairs
Objections, Recommendations and Comments Report
Proposed Comprehensive Plan Amendment 08-PEFE1

I. CONSISTENCY WITH RULE 9J-5, F.A.C. AND CHAPTER 163, F.S.

1. Objection: The data intending to support the Public Educational Facilities Element includes excerpts from the school board's five-year district facilities work plan; however, the educational plant survey is not included. Both plans must be included in the supporting data and analysis to support adoption of the public educational facilities element and amendments to the capital improvements element. Additionally, the County has combination schools, but has neither proposed a level of service standard for such schools nor disaggregated the enrollment data from these schools to the appropriate school facility (elementary, middle, or high) to demonstrate the level of service is maintained.

Recommendation: The County should revise the amendment to include the current educational plant survey. With regards to level of service standards for combination schools the County may wish to revise Public Educational Facilities Element Policy 2.2.2 to state how the level of service standard will be applied to combination schools or revise the data and analysis to clearly disaggregate the enrollment data to the appropriate school facility to demonstrate the level of service by concurrency service area for each facility is maintained.

Response:

The Alachua County Public Schools Educational Plant Survey (March 2006) and Educational Plant Spot Survey (August 21, 2007) are now included in the supporting data and analysis to support adoption of the Public School Facilities Element and amendments to the Capital Improvements Element, Intergovernmental Coordination Element and Future Land Use Element.

Policy 2.2.2 of the Public School Facilities Element is revised to include the following:

For combination schools, the School Board shall separately determine the capacity of each school to accommodate elementary, middle and high students and apply the LOS Standard prescribed above for elementary, middle and high levels respectively.

2. Objection: The proposed Public Educational Facilities Element does not include objectives to address correction of existing facility deficiencies and facilities needed to meet future needs and the inclusion in the five-year schedule of capital improvements those projects necessary to address existing deficiencies and meet future needs based upon achieving and maintaining the adopted level of service standards as required by Rule 9J-5.025(3)(b)1 and 9J-5.025(3)(b)3, F.A.C.

Recommendation: Revise the element to include the required objective and implementing policies to address correction of existing facility deficiencies and facilities needed to meet future needs and the inclusion in the five-year schedule of capital improvements those projects necessary to address existing deficiencies and meet future needs based upon achieving and maintaining the adopted level of service standards.

Response:

Policy 2.6.1 of the Public School Facilities Element is revised as follows:

Policy 2.6.1 Development, Adoption and Amendment of the SBAC 5-Year Work Program

The SBAC shall annually update and amend the Five-Year Work Program to reflect the (LOS) standards for schools to add a new fifth year, which continues to achieve and maintain the adopted LOS for schools. The Five-Year Work Program ensures the level of service standards for public schools are achieved and maintained within the period covered by the 5-year schedule. The Five-Year Work Program shall also address the correction of existing facility deficiencies and facilities needed to meet future needs. After the first 5-year schedule of capital improvements, annual updates to the schedule shall ensure levels of service standards are achieved and maintained within the subsequent 5-year schedule of capital improvements necessary to address existing deficiencies and meet future needs based upon achieving and maintaining the adopted level of service standards. The County shall have neither obligation nor responsibility for funding the Five-Year Work Program by adopting the SBAC's Five-Year Work Program into the Capital Improvements Element.

3. Objection: The five year capital improvements schedule included with the Capital Improvements Element does not match the capacity projects listed and funded in the most recent five-year district facilities work plan.

Recommendation: The County should revise the capital improvements schedule to be consistent with the 2007-08 adopted district facilities work plan or the difference explained and analysis provided to demonstrate a financially feasible plan to achieve and maintain the level of service standards for schools.

Response:

As presented on page 83 of the Alachua County Public School Facilities Element Data & Analysis, the School Board of Alachua County received authorization of 1,134 seats by the Department of Education (DOE) in October 2007; they were authorized to fund 378 student stations (High Springs Elementary “F”- new school programmed for 2010-11) and 756 student stations (W. Urban Elementary “G” - new school programmed for 2011-12).

Also, as explained on pages 82-83 of the PSFE Data & Analysis under the section “Five Year Plan” (after the most recently adopted 2007-08 Five-Year District Facilities Work Plan approved by the SBAC and sent to DOE):

In October 2007, the SBAC has received authorization from the Florida Department of Education to add 1,134 elementary student stations. To serve the geographic distribution of student enrollment and to advance the concept of community-based schools, the SBAC staff recommended that:

- new elementary schools be designed with core capacity and classroom capacity for 756 students;
- new elementary schools be constructed with full core capacity and classroom capacity for no less than 376 students.

These 1,134 student stations were added by the SBAC as detailed in the 5-year capital plan and included in Table PSFE 29 on page 86. The 2007-08 Five-Year District Facilities Work Program includes these additional seats and is consistent with the 2007-08 adopted District Facilities Work Program as modified pursuant to the October 2007 authorization from DOE.

II. CONSISTENCY WITH THE STATE COMPREHENSIVE PLAN

Objections 1-3: The proposed plan amendments are not consistent with and do not further the following goal and policy of the State Comprehensive Plan [Section 163.3177(10)] F.S.:

(25) Plan Implementation, Goal (a) and Policy (b)7.

Recommendation: Revise the amendments, as necessary, to be consistent with the above referenced goals and policies of the State Comprehensive Plan. Specific

recommendations can be found following the objection cited previously in this report.

Response:

Please see Items 1 through 3 above. The changes noted in the responses revise the amendments so that they are consistent with the State Comprehensive Plan.

OTHER MODIFICATIONS to the PUBLIC SCHOOL FACILITIES ELEMENT:

Policy 1.1.8 Educational Facilities Benefit District Funding Option

The School Board and local governments may consider establishment of Educational Facilities Benefit Districts [Section 1013.355-357, F.S] as a funding option if needed to achieve or maintain financial feasibility.

[Moved from Section 2.5.1(4)]

Policy 1.1.9 SBAC to Report to the Elected Officials Group

The SBAC will annually provide a cumulative report of land use decisions and the effect of these decisions on public school capacity to the Elected Officials Group – comprised of representatives of the School Board, the County and the municipalities within the County – established by the Interlocal Agreement for Public School Facility Planning.

Policy 2.1.2 Ordinance Implementing School Concurrency

~~No later than October 1, 2008,~~ The County shall amend its land development regulations to include provisions for public school concurrency management.

Policy 2.4.2 Exemptions

The following residential developments are exempt from the school concurrency requirements:

1. Single family lots of record that received final subdivision or plat approval prior to the effective date of the PSFE, or single family subdivisions or plats actively being reviewed at the time of adoption of the PSFE that have received preliminary development plan approvals and ~~there is no lapse in the~~ development approval status **has not expired.**
2. Multi-family residential development that received final site plan approval prior to the effective date of the PSFE, or multi-family site plans actively being reviewed at the time of adoption of the PSFE that have received preliminary development plan approvals and ~~there is no lapse in the~~ development approval status **has not expired.**

Policy 2.4.7 Reservation of Capacity

The County shall not issue a Final Certificate of Level of Service Compliance for any non-exempt residential development application until the School District has issued a School Capacity Availability Determination Letter verifying capacity is available to serve the development. The School Capacity Determination Letter shall indicate a temporary commitment of capacity of necessary school facilities for a period not to exceed ~~six months~~ **one year from Preliminary Development Plan Approval** or until a Final Development Order is issued, whichever occurs first.

- (a) Once the County reserves school capacity for concurrency purposes as a part of the Final Development Order, the school capacity necessary to serve the development shall be considered reserved **for a period not to exceed three (3) years or until completion of construction of development infrastructure required by** ~~for the duration of~~ the Development Order as specified in the County's Land Development Regulations.
- (b) The County shall notify shall notify the SBAC within fifteen (15) days of the approval or expiration of a concurrency reservation for a residential development. No further determination of school capacity availability shall be required for the residential development before the expiration of the Final Certificate of Level of Service Compliance, except that any change **that would increase student generation** requires review.

Policy 2.4.8 Subdivision and Site Plan Standards

In the event that the SBAC determines that there is not sufficient capacity in the affected concurrency service area or an adjacent concurrency service area to address the impacts of a proposed development, the following standards shall apply. Either (1) the site plan or final subdivision must provide capacity enhancement sufficient to meet its impacts through proportionate share mitigation in Objective PSFE 2.5; or (2) the final site plan or final subdivision must be delayed to a date when capacity enhancement and level of service can be assured. ~~or (3) a condition of approval of the site plan or final subdivision shall be that the project's development plan and/or building permits shall be delayed to a date when capacity enhancement and level of service can be assured.~~

Policy 2.5.1 Mitigation Options

Mitigation may be allowed for those developments that cannot meet the adopted LOS Standards. Mitigation options shall include options listed below for which the SBAC assumes operational responsibility through incorporation in the adopted SBAC's financially feasible Five-Year Work Program and which will maintain adopted LOS standards.

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1. The donation, construction, or funding of school facilities or sites sufficient to offset the demand for public school facilities created by the proposed development;
2. The creation of mitigation banking within designated areas based on the construction of a public school facility in exchange for the right to sell capacity credits;
3. The establishment of a charter school with facilities constructed in accordance with the State Requirements for Educational Facilities (SREF); and,
4. The establishment of an Educational Benefit District. [Sections 1013.355-357 F.S.]

[Moved this section to Goal 1 – School Capacity Enhancement Policy 1.1.8]