

**Petition 46 CPA-08 PB - City Plan Board. Amend the city of Gainesville 2000-2010 Comprehensive Plan by adding a required Public School Facilities Element.**

Chair Polshek stated that he is disappointed to see that there is no one from the public in the audience as this subject is a very important to this community.

Dean Mimms, Comprehensive Planning Chief gave the Staff presentation and stated that in 2005 the Senate Bill 360 was passed, that requires Public School Facilities to service new residential developments prior to or concurrent with , the impacts of that development. Mr. Mimms further stated that the recommended Level of Service (LOS) is 100% of permanent program capacity for elementary, middle and high schools; as the Concurrency Service areas (CSAs) be less to set up community based CSAs. Mr. Mimms added that Staff is recommending approval of the newly required Public Schools Facilities Element with related elements to the Intergovernmental Coordination Element and Capital Improvements Element; and updating the 5 Year Schedule of Capital Improvements.

Eileen Roy, School Board representative stated that she is very pleased that the Concurrency Service Areas are in place and thanked those who worked on it. The Board discussed the Public School Facilities Element Goals, Objectives and Policies as follows:

**GOAL 1**

**THE CITY SHALL COLLABORATE WITH THE SCHOOL BOARD OF ALACHUA COUNTY (SCHOOL BOARD) TO PLAN FOR PUBLIC SCHOOL CAPACITY TO ACCOMMODATE PROJECTED ENROLLMENT DEMAND WITHIN THE FIVE YEAR, TEN YEAR, AND TWENTY YEAR PLANNING PERIODS.**

**Objective 1.1**

The City of Gainesville shall consider public school capacity when making future land use decisions; 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 and rezoning for residential development that generate students and impact Alachua County's public school system.

**Policy 1.1.1**

The City, in conjunction with the School Board, shall annually update and maintain a public school facilities map series as supporting data and analysis. The public school facilities map series in the data and analysis shall include at a minimum:

- a) A map or maps which identify existing location of public school facilities by type and existing location of ancillary plants;
- b) A future conditions map or map series which depicts the planned general location of public school facilities and ancillary plants and renovated facilities by year for the five-year planning period and the long-range planning period; and,
- c) A map or map series which depicts Concurrency Service Areas (CSAs) for high schools, middle schools and elementary schools.

**Policy 1.1.2**

The City shall coordinate land use decisions with the School Board's Long Range Facilities Plans by requesting School Board review of proposed comprehensive plan amendments and rezonings that would increase residential density.

**Policy 1.1.3**

For purposes of coordinating land use decisions with school capacity planning, the Concurrency Service Areas (CSAs) that are established for high, middle and elementary schools as part of the Interlocal Agreement for Public School Facility Planning shall be used for school capacity planning. [For purposes of this planning assessment, existing or planned capacity in adjacent CSAs shall not be considered.]

**Policy 1.1.4**

In reviewing land use decisions, the School Board may address the following issues as applicable:

- a) Whether school capacity or planned improvements to accommodate the enrollment is available;
- b) Whether school sites and facilities are located within neighborhoods;
- c) Whether parks, recreation and neighborhood facilities are co-located with school sites;
- d) Whether bikeways, trails, and sidewalks are provided for safe access to schools;
- e) Traffic circulation in the vicinity of schools including the provision of off-site signalization, signage, access improvements, sidewalks to serve schools and the inclusion of school bus stops and turnarounds;
- f) Encouraging the private sector to identify and implement creative solutions to developing adequate school facilities in residential developments;
- g) Whether the proposed location is consistent with any local government's school design and planning policies.

Chair Polshek stated that this policy is too conditional and does not reflect anything about student transportation. Chair Polshek further stated that other municipalities around the world have public mass

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transit that functions as their school buses and inquired if that is considered in Alachua County when considering school planning in relation to concurrency.

Gene Boles, Director of the Center for Building Better Communities at the University of Florida stated that it could be an issue when discussing the Comprehensive Plan; however is a hidden cost that is overlooked in schools, and community planning in relation to schools.

Terry Tougaw, Director of Community Planning and Zoning for the School Board of Alachua County stated that he encouraged the use of the local bus system, however the major concern was at the elementary level where parents do not want to put their young children on public transportation. Mr. Tougaw further stated that at the high school level, some students were taking public transportation to Santa Fe Community College for the dual-enrollment program, and it did not occur as much as they would like to have seen.

Rand Wells inquired if the overall necessity of the bus use was reduced due to the result of the rezoning effort. Mr. Tougaw stated that after they completely rezoned the County in 2003-2004 it definitely dropped a sizeable percentage and it will be what the School Board will be looking at in terms of their transportation costs and whether or not they will be able to do more.

Mr. Boles stated that one should not underestimate the value of how they structure CSAs, as they are trying to return the notion that schools are associated with the communities they serve. Mr. Boles further stated that High Springs and Newberry have been identified as two places where schools are needed, and both of these communities are providing sites, in town, for schools; of which will reduce the number of parents that chooses to send their children to a school somewhere else. Mr. Boles added that the reason for using the word "may" instead of "shall" is due to the nature of the point in the process where it is used; however when discussing concurrency it will become "shall".

**Policy 1.1.5**

The School Board shall report its findings and recommendations regarding the land use decision to the City. If the School Board determines that capacity is insufficient to support the proposed land use decision, the School Board shall include its recommendations to remedy the capacity deficiency including estimated cost and financial feasibility. The School Board shall forward the Report to all municipalities within the County.

**Policy 1.1.6**

The City shall consider and review the School Board's comments and findings regarding the availability of school capacity in the evaluation of land use decisions.

**Policy 1.1.7**

Where feasible and acceptable to the City, School Board, other affected jurisdictions and the applicant, Capacity Enhancement Agreements shall be encouraged to ensure adequate capacity is available at the time the school impact is created. The School Board's Long Range Facilities Plans over the 5-year, 10-year and 20-year periods shall be amended to incorporate capacity modification commitments established by Capacity Enhancement Agreements.

Chair Polshek inquired what Capacity Enhancement Agreements are. Mr. Boles stated that it is an agreement that is occurring in the planning stage before the construction or school concurrency stage. Mr. Boles further stated that it is a three party agreement between the City, School District and the Developer; and will work like a Proportionate Share Calculation.

**Policy 1.1.8**

The School Board will annually provide a cumulative report of land use decisions and the effect of those decisions on public school capacity to the Elected Officials Group.

Chair Polshek inquired what group is comprised of the Elected Officials Group. Mr. Mimms stated that it is defined in the Interlocal Agreement, and they meet once a year with representatives from the various local governments and the School Board.

**GOAL 2**

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**THE CITY SHALL HELP ASSURE THE SCHOOL BOARD'S PROVISION OF ADEQUATE PUBLIC SCHOOL CAPACITY TO ACCOMMODATE ENROLLMENT DEMAND WITHIN A FINANCIALLY FEASIBLE, FIVE-YEAR CAPITAL IMPROVEMENTS PROGRAM.**

**Objective 2.1**

The City shall coordinate with the School Board to assure that future land use decisions will not negatively impact the future availability of adequate public school facility capacity through its authority to implement school concurrency.

**Policy 2.1.1**

By December 1, 2008, the City shall amend the Interlocal Agreement for Public School Facility Planning (hereinafter the Interlocal Agreement) to implement school concurrency in concert with the School Board and the local governments within Alachua County. The Interlocal Agreement shall be consistent with the goals, objectives and policies of this element.

**Policy 2.1.2**

No later than December 1, 2008, the City shall amend its land development regulations to include provisions for public school concurrency management.

**Objective 2.2:**

The City, in coordination with the School Board, shall ensure that its approval of final development plans for residential developments meets the adopted level of service (LOS) standards within the 5-year period of the School Board's 5-Year District Facilities Work Program (which is updated on an annual basis).

Jon Reiskind stated that concurrency is a great idea and inquired if there are any exceptions to this State requirement given the Transportation Concurrency Exception Area. Mr. Boles stated that the School Concurrency Rule does not have exceptions, however it may change over time.

Chair Polshek inquired if this will be the trend that will be attracting future development in the community. Mr. Boles stated that the trend across the state and nationally, per the Bureau of Economic Business Research (BEBR) is a declining percentage by population in school age years, of which suggests that there is a smaller number of our population in schools.

**Policy 2.2.1**

The uniform, district-wide LOS standards shall be 100% of Permanent Program Capacity for elementary, middle and high schools. This LOS standard shall apply to all concurrency service areas (CSAs) (within Gainesville's city limits) as adopted in the Interlocal Agreement, except on an interim basis for the elementary Concurrency Service Area listed below:

West Urban CSA – 115% of Permanent Program Capacity through 2010-2011.

(Note – The LOS standard for the West Urban CSA shall only apply to areas that are within Gainesville's city limits.)

Mr. Wells inquired if this policy forces developments to be more isolating opposed to integrating by age, as well as make it easier for developers to avoid concurrency. Mr. Boles stated that he is not aware of any study that exists on that, however if you have a development that is truly adult restricted, then school concurrency could not be applied to it.

**Policy 2.2.2**

Amendments to the LOS standards shall be accomplished by execution of an amendment to the Interlocal Agreement by all parties and adoption of amendments to the local government comprehensive plans. Changes to the LOS standards shall be supported by adequate data and analysis showing that the amended LOS standard is financially feasible and can be achieved and maintained within the period covered by the applicable five years of the School Board's 5-Year District Facilities Work Program.

**Objective 2.3:**

The City, in coordination with the School Board and the local governments within Alachua County, shall use the Concurrency Service Areas (CSAs) as the areas within which an evaluation is made as to whether adequate school capacity is available based on the adopted LOS standards.

**Policy 2.3.1**

CSAs for high, middle and elementary schools shall be as adopted in the Interlocal Agreement. CSA boundaries shall be included in a map series as part of the Data and Analysis for the Public School Facility Element (PSFE).

**Policy 2.3.2**

CSAs shall maximize available school capacity and make efficient use of new and existing public schools in accordance with the LOS standards, taking into account transportation costs, student travel times, any court-approved desegregation plans, and capacity commitments pertaining to development approvals by the local governments within Alachua County.

Mr. Wells inquired if there is any information on the number of parents that are looking or going out of boundaries to find a school that match their needs. Mr. Tougaw stated that using the information from

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the State, there are Magnet Programs that draw parents to those schools. Mr. Boles stated that the Concurrency Program is about matching school facilities to housing inventories, as the School District does it by the attendance zone and the actual assignment of students.

**Policy 2.3.3**

CSA boundaries shall consider the relationship of school facilities to the communities they serve including reserve area designations and extra-territorial areas established under the "Alachua County Boundary Adjustment Act", and the effect of changing development trends.

**Policy 2.3.4**

The City, in coordination with the School Board and the local governments within Alachua County, shall use the following process to modify Concurrency Service Areas:

- (a) Any party to the adopted Interlocal Agreement may propose a modification to the CSA boundary maps;
- (b) Modifications to CSA boundaries shall be based upon the criteria as provided in Policy 2.3.2, and shall be financially feasible within the five-year period described by the School Board's 5-Year District Facilities Work Program;
- (c) The School Board shall transmit the proposed CSA boundary modification with data and analysis to support the changes to the Elected Officials Group;
- (d) The Elected Officials Group shall review the proposed CSA boundary modifications and send its comments to the School Board and the parties to the Interlocal Agreement; and,
- (e) Modifications to a CSA shall become effective upon final approval by the School Board and amendment of the Interlocal Agreement for Public School Facility Planning by the parties to the agreement.

Mr. Reiskind inquired if this policy means that a CSA boundary can be modified in conjunction with the School Board or does it now extend beyond the School Board. Mr. Boles stated that this was a long debated issue with the Department of Community Affairs, as they felt that the CSA boundaries required a Comprehensive Plan change that would have placed local government in the position of approving the Attendance Zone Boundaries. Mr. Boles further stated that all of the Municipalities and the School Board will have to agree to it, but would not have to go through a Comprehensive Plan amendment.

Bob Ackerman inquired if this is a back door way to adjust or utilize adjacency concepts for additional capacity. Mr. Boles stated that it could be, but all parties have to agree to it, and is not a very easy thing to do.

**Objective 2.4**

In coordination with the School Board, the City will establish a joint process for implementation of school concurrency which includes applicability, capacity determination, availability standards, and school capacity methodology.

**Policy 2.4.1**

The issuance of final subdivisions or plats and site plan approvals for residential development shall be subject to the availability of adequate school capacity based on the Level of Service (LOS) standards adopted in the PSFE (Public School Facilities Element).

**Policy 2.4.2**

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.
2. Amendments to subdivisions or plat and site plan for residential development that were approved prior to the effective date of the PSFE, and which do not increase the number of students generated by the development.
3. Age-restricted developments that prohibit permanent occupancy by persons of school age. Such restrictions must be recorded, irrevocable for a period of at least thirty (30) years and lawful under applicable state and federal housing statutes. The applicant must demonstrate that these conditions are satisfied.

Mr. Boles stated that in Florida there are a number of senior citizen communities that qualify for this.

4. Group quarters that do not generate students that will be housed in public school facilities, including residential facilities such as local jails, prisons, hospitals, 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.

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**Policy 2.4.3**

Student generation rates used to determine the impact of a particular development application on public schools, and the costs per student station shall be determined in accordance with professionally accepted methodologies and adopted annually by the School Board in the 5-Year District Facilities Work Program.

**Policy 2.4.4**

The School Board shall determine the level of service or utilization rate of each school using a uniform methodology. The School Board shall use permanent program capacity as the methodology to determine the capacity of elementary, middle, and high school facilities. School enrollment shall be based on the enrollment of each individual school based on counts reported by the School Board to the Department of Education.

**Policy 2.4.5**

The School Board staff shall conduct a concurrency review for all development plan approvals subject to school concurrency. This review shall include findings and recommendations to the City whether there is adequate school capacity to accommodate the proposed development.

1. Adequate school capacity means there is sufficient school capacity at the adopted LOS standards to accommodate the demand created by a proposed development for each type of school within the affected CSA.
2. The School Board's findings and recommendations shall address whether adequate capacity exists for each type of school, based on the level of service standards. If adequate capacity does not exist, the School Board shall identify possible mitigation options that may be considered consistent with the policies set forth within Objective 2.5.

The City will issue a concurrency determination based on the School Board's written findings and recommendations.

Bob Cohen inquired if this procedure is currently being done. Mr. Boles stated not officially, however there are school reviews, as the Interlocal Agreement is what ties the School Board to the contract, as the Comprehensive Plan can not require the School Board to do anything. Mr. Cohen inquired how will the School Board know to do these procedures. Mr. Boles stated that a sheet will be in the City Board's packet with their review comments just like what the other city departments submit for petitions.

**Policy 2.4.6**

School concurrency applies only to residential development or a phase of residential (single-family and multi-family) development requiring a subdivision or plat approval, site plan, or its functional equivalent, proposed or established after the effective date of the Public School Facilities Element (PSFE).

Mr. Boles stated that this is at the point where the shovel is already in the ground and the engineering plans are being reviewed, without a lot of discretion on whether they meet it or not.

The City shall amend the concurrency management systems in its land development regulations to require that all new residential development be reviewed for school concurrency no later than the time of final subdivision, final plat or final site plan. The City shall not deny a final subdivision, final plat or final site plan for residential development due to a failure to achieve and maintain the adopted LOS standards for public school capacity where:

1. Adequate school facilities will be in place or under construction within three years, as provided in the School Board's 5-Year District Facilities Work Program adopted as part of the Capital Improvements Element, after the issuance of the final subdivision, final plat or final site plan for residential development; or,
2. Adequate school facilities are available in an adjacent Concurrency Service Area (CSA), and when adequate capacity at adopted LOS Standards will be in place or under construction in the adjacent CSA within three years, as provided in the School Board's 5-Year District Facilities Work Program adopted as part of the Capital Improvements Element, after the issuance of the final subdivision, final plat or final site plan approval; or,
3. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by development of the property subject to the final subdivision, plat or site plan (or functional equivalent) as provided in this element.

Mr. Boles stated that this is the Proportionate Share Mitigation provision that is not a pay and go system, as the School Board must agree to it, of which is optional for them; however the School Board must be willing to place the improvements that is paid for in their 5 Year Capital Facilities Plan. Mr. Boles further stated that this will be a three party agreement between the City who is the keeper of the development permits, the Developer who is investing a certain amount of capacity; and the School Board who is the keeper of the developer's investment of that capacity.

**Policy 2.4.7**

The City shall not issue a certificate of final concurrency for any non-exempt residential development application until the School Board has issued a school capacity availability determination letter verifying capacity is available to serve the development. The school capacity availability determination letter shall indicate a temporary commitment of capacity of necessary school facilities for a period not to exceed six (6) months or until a final development order is issued, whichever occurs first.

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- (a) Once the City 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 the duration of the development order as specified in the City's land development regulations.
- (b) The City shall notify the School Board 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 certificate of final concurrency, except that any change requires review.

**Policy 2.4.8**

In the event that the School Board 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 per Objective 2.5; or (2) the 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 2.4.9**

In evaluating a subdivision plat or site plan for concurrency, any relevant programmed improvements in years 2 or 3 of the 5-year schedule of improvements (5-Year District Facilities Work Program) shall be considered available capacity for the project and factored into the level of service analysis. Any relevant programmed improvements in years 4 or 5 of the 5-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 3 years. (The School Board may use relocatable classrooms to provide temporary capacity while funded schools or school expansions are being constructed.)

Mr. Boles stated that capacity is developed through sophisticated methods through the School Board, with guidelines from the State; and is no more vulnerable than any level of service that the community chooses to set; however it must jointly be set, adopted and uniformed by school type.

**Objective 2.5**

The City, in coordination with the School Board, shall provide for mitigation alternatives that are determined by the School Board to be financially feasible and will achieve and maintain the adopted LOS standard consistent with the School Board's adopted financially feasible 5-Year District Facilities Work Program.

**Policy 2.5.1**

Mitigation may be allowed for those developments that cannot meet the adopted LOS Standards. Mitigation options shall include options listed below for which the School Board assumes operational responsibility through incorporation in its adopted financially feasible 5-Year District Facilities Work Program, and which will maintain adopted LOS standards.

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;

Mr. Boles stated that they would not suggest that selling capacity credits is an open market sale, but rather a process of transfer rights through the School District on a pre-established value, in a controlled manner; and the School Board would first have to accept the site for this to happen. Mr. Boles further stated that this would need definition in the City Code and Ordinances.

3. The establishment of a charter school with facilities constructed in accordance with the State Requirements for Educational Facilities (SREF); and,

Chair Polshek stated that many of the Charter Schools in our county are very specific in their offerings and instead of resolving a generalized over capacity they are attracting a subset of the community and does not see why this is acceptable to mitigate. Mr. Boles stated that generally it is not, however they have added that the Charter Schools must now build their schools with the same standards of a Public School because if it goes out of business and it is being used for capacity, then it has to be a facility that the School District can now incorporate as part of their facility.

4. The establishment of an Educational Benefit District. [Sections 1013.355-357 F.S.]

Mr. Boles stated that this is like a Community Development District where a developer builds a school and taxes the citizens in that district to pay for the school. Mr. Reiskind inquired if it will also pay for

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teachers. Mr. Boles stated he doubts that, but it is a taxing district. Mr. Boles further stated that the Educational Benefit District suggests that it might be a tool to use in the community to build schools but it really isn't because it requires a 100% participation and agreement by everyone in it.

**Policy 2.5.2**

Mitigation must be directed toward a permanent capacity improvement identified in the School Board's financially feasible 5-Year District Facilities Work Program, which satisfies the demand created by the proposed development consistent with the adopted LOS standards. Relocatable classrooms will not be accepted as mitigation.

**Policy 2.5.3**

Mitigation shall be directed to projects in the School Board's financially feasible 5-Year District Facilities Work Program that the School Board agrees will satisfy the demand created by that development approval. Such mitigation proposals shall be reviewed by the School Board, the City and any affected local government. If agreed to by all parties, the mitigation shall be assured by a legally binding development agreement between the School Board, the City, and the applicant which shall be executed prior to the City's issuance of the final subdivision plat or the final development plan approval. If the mitigation proposal is for a project that is not within the School Board's adopted 5-Year District Facilities Work Program, acceptance of the proposal will be subject to determination by the School Board of the financial feasibility of the project. If the School Board agrees to the mitigation, the School Board must commit in the agreement to placing the improvement required for mitigation in its 5-Year District Facilities Work Program.

**Policy 2.5.4**

The applicant's total proportionate share obligation to resolve a capacity deficiency shall be based on the following:

NUMBER OF STUDENT STATIONS (BY SCHOOL TYPE) = NUMBER OF DWELLING UNITS BY HOUSING TYPE X STUDENT GENERATION MULTIPLIER (BY HOUSING TYPE AND SCHOOL TYPE);

PROPORTIONATE SHARE AMOUNT = NUMBER OF STUDENT STATIONS (BY SCHOOL TYPE) X COST PER STUDENT STATION FOR SCHOOL TYPE;

The above formula shall be calculated for each housing type within the proposed development and for each school type (elementary, middle or high) for which a capacity deficiency has been identified. The sum of these calculations shall be the proportionate share amount for the development under review;

The School Board average cost per student station shall only include school facility construction and land costs, and costs to build schools to emergency shelter standards when applicable; and,

Chair Polshek inquired who pays for teaching and the materials. Mr. Boles stated that is an operational cost to the School District. Chair Polshek stated that if it is mitigation why wouldn't the School District take this opportunity to charge it to the developer. Mr. Boles stated that it is a recurring cost, of which new development and new growth are essentially paid through taxes.

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 basis, at fair market value.

Ms. Roy inquired if there has been any specific information as to how the different types will break down. Mr. Boles stated that it is not yet in place, however what is currently being used is a Public Use Microsoft Sample (PUMS) data and hopes to replace it with a more accurate method. Mr. Boles further stated that one does not want to recalculate the Student Generation Multiplier for every development; as an average for the community is what needs to be used and adopted as part of the plan.

Mr. Cohen inquired what COFTE stands for. Mr. Boles stated it is Capital Outlay Full Time Equivalent, of which is the number of students at a particular school determined by the Department of Education. Mr. Cohen inquired how COFTE differs from the Permanent Program Capacity (PPC). Mr. Boles stated that COFTE is enrollment and the PPC number is the ability of what the school or the District can handle.

**Objective 2.6**

The City shall adopt the School Board's annually updated 5-Year District Facilities Work Program in its Capital Improvements Element by December 1<sup>st</sup> of each year.

**Policy 2.6.1**

The School Board shall annually update and amend the 5-Year District Facilities 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 5-Year District Facilities Work Program ensures that the level of service standards for public schools are achieved and maintained within the period covered by the 5-year schedule of capital improvements. After the first 5-year schedule of capital improvements, annual updates to the schedule shall ensure that the LOS is achieved and maintained within the subsequent 5-year schedules of capital improvements. The City shall have neither obligation nor responsibility for funding the 5-Year District Facilities Work Program by including it in the Capital Improvements Element of the City's Comprehensive Plan.

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**GOAL 3**

**THE CITY SHALL COORDINATE WITH THE SCHOOL BOARD IN THE BOARD'S EFFORTS TO PROVIDE SAFE AND SECURE PUBLIC SCHOOLS IN APPROPRIATE LOCATIONS.**

**Objective 3.1**

Public schools are allowed in the Residential, Mixed-Use, Office and Education land use categories described in Policy 4.1.1 of the Future Land Use Element, and can be a use specified within a given Planned Use District. Public schools should be compatible with surrounding uses.

**Policy 3.1.1**

All new public schools built within Gainesville's municipal boundaries will be coordinated by the School Board with the City to verify consistency between the location of the school and the Comprehensive Plan, ensure that the new schools are proximate to, consistent with and accessible from existing and proposed residential areas, are co-located with other appropriate public facilities when possible, and have the on-site and off-site infrastructure necessary in place to support the new school.

Chair Polshek stated that there is no mention about new school requirements for energy efficiency, LEED certification, green materials, and covered bus shelters if we are going to be relying on public transportation. Mr. Boles stated that the City Plan Board cannot control the way a school builds a school, as it is regulated by the State; and Goal 3 is trying to define what degree of control this Board does have, of which has largely to do with the interface between the school and the community.

Mr. Tougaw stated that the local School Board creates a model facility list, by which all other schools are compared with when they do their 5 Year Facility Plan, that has to be approved by the State. Mr. Tougaw further stated that the trend is to go to smaller schools, but the School Board sets that size.

**Policy 3.1.2**

The City, in conjunction with the School Board, shall promote the neighborhood concept in new developments or redevelopment by encouraging the use of existing schools as neighborhood centers.

Mr. Mimms stated that this is in the Comprehensive Plan.

**Policy 3.1.3**

The City shall consider compatibility of uses adjacent to public schools when it considers land use and zoning proposals, and shall consider input from the School Board concerning compatibility of proposed uses with existing schools and known future school sites.

**Objective 3.2**

The City shall coordinate with the School Board on the reduction of hazardous walking conditions.

Mr. Reiskind stated that it would be nice to add hazardous biking to this policy, as there have been movements to try to get students to bike to school. Mr. Tougaw stated that hazardous walking is defined by State law and should there be hazardous walking conditions then they are bound to provide bus transportation to some of those areas. Mr. Boles stated that they are doing a research study that is focusing on school walkability in 40 different School Districts in Florida; as it is a very complex topic.

**Policy 3.2.1**

To reduce hazardous walking conditions consistent with Florida's Safe Paths School program, the City shall coordinate with the School Board to implement the provisions of Section 1006.23, Florida Statutes, including identification and correction of hazardous conditions along walking routes to schools, and identification of proposed projects to remedy such conditions.

**Objective 3.3**

Potential school sites shall be evaluated consistent with the school site evaluation requirements in the Interlocal Agreement.

**Policy 3.3.1**

The School Board and the City will follow the school site evaluation procedures that are in the Interlocal Agreement when evaluating new school sites within the Gainesville's city limits.

**Objective 3.4**

The City herein establishes development requirements for public school sites within Gainesville's city limits in order to achieve compatibility with the surrounding neighborhoods and with the Comprehensive Plan.

**Policy 3.4.1**

The City shall require the development of school sites to be consistent with the following minimum requirements provided they are not in conflict with the State Requirements for Educational Facilities (SREF).

- a. Playgrounds, playing fields, and athletic courts shall be located and buffered (and if relevant, lighted) so as to minimize impacts to adjacent residential property;

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- b. The following minimum size guidelines have been recommended by the School Board: Elementary School - 25 acres, Middle School - 35 acres, High School - 65 acres. These guidelines shall not preclude smaller sized sites if determined to be acceptable by the School Board.

Mr. Wells stated that 25 acres for a middle school site is unworkable and counter to the Environmental Urban Core Area. Mr. Boles stated that in a development review process there needs to be some point of reference of what is being proposed, of which has been provided.

Eileen Roy stated that in the smaller schools, there are issues of cost for the administration and staff which makes it more difficult to have many smaller schools instead of a few larger schools. Ms. Roy further stated that what is happening now are small learning communities within schools.

- c. Maximum height of the school structure shall adhere to the height requirements established for the zoning district for the school site zoning district;
- d. Building setbacks from property lines for all schools shall adhere to the minimum building setback requirements established for the zoning district for the school site zoning district;
- e. All parking areas on school sites shall adhere to the minimum setback requirements established for the zoning district;
- f. Access to school sites shall be governed by the City's, County's and FDOT's access management regulations as relevant, including installation by the School Board, or other party as determined by the City, of all access-related improvement required by such regulations;
- g. The site shall be required to provide bicycle/pedestrian connections to sidewalks, trails, and bikeways internal or adjacent to residential neighborhoods, including the provision of safe roadway crossings;
- h. Development of the site shall be consistent with applicable policies of the Future Land Use Element, Transportation Mobility Element, and the Conservation, Open Space and Groundwater Recharge Element of this plan.
- i. Development of the site shall be meet the requirements of the City's Surface Waters and Wetlands District (Article VIII. Environmental Management, Subdivision III. Wetlands and Surface Waters District.)

Chair Polshek stated that a great way to preserve our ecologically sensitive land is to build a school there rather than a subdivision as it is a lot more flexible than a plat and that economic driving force for developers is not present to use every square inch. Mr. Mimms stated that a good question would be what are the School Board's realistic prospects in the next 20 years of a new site for a school in the current city limits of Gainesville.

Mr. Cohen suggested changing the language in 3.4.1i., into an Interlocal Agreement with the School Board as it is a very powerful and takes into account the needs that we have without burdening it with excess language. Chair Polshek stated that he would like to encourage Staff to add another piece to 3.4.1i.

**Objective 3.5:**

The City shall coordinate with the School Board plans for supporting infrastructure.

Mr. Boles stated that there is a debate on whether it is required to provide supporting infrastructures and feels that this language is appropriate, as it is not mandated.

**Policy 3.5.1**

As part of the annual review and update of the Capital Improvements Element, the City shall consider infrastructure required to support new school facilities.

**GOAL 4**

**PROMOTE AND OPTIMIZE INTERGOVERNMENTAL COOPERATION FOR EFFECTIVE PLANNING OF PUBLIC SCHOOL FACILITIES.**

**Objective 4.1**

The City shall include representatives of the School Board on the City Plan Board and the Technical Review Committee.

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Mr. Mimms read from the Interlocal Agreement 6.2 regarding the School Board elected representative and recommended the City Plan Board (CPB) and the Technical Review Committee (TRC) be assigned that School Board representative. Mr. Boles stated that he agrees with that. The Board also agreed.

**Policy 4.1.1**

As provided in the Interlocal Agreement, the City shall include a representative appointed by the School Board on the City Plan Board to attend meetings at which the Plan Board considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the proposed plan amendment or rezoning.

**Policy 4.1.2**

As provided in the Interlocal Agreement, the School Board will appoint a representative to advise the Technical Review Committee on development and redevelopment which could have a significant impact on student enrollment or school facilities.

**Objective 4.2**

The City shall participate in meetings and other actions established to promote coordination and the sharing of data and information.

**Policy 4.2.1**

As provided in the Interlocal Agreement, a staff working group of the School Board and of the local governments within Alachua County will meet on an as-needed basis to identify issues and assemble and evaluate information regarding the coordination of land use and school facilities planning.

**Policy 4.2.2**

As provided in the Interlocal Agreement, one or more representatives of the School Board and of the local governments within Alachua County will meet at least annually in joint workshop sessions. The joint workshop sessions will be opportunities for the elected officials to hear reports, discuss policy, set direction, and reach understandings concerning issues of mutual concern regarding coordination of land use and school facilities planning, including population and student growth, development trends, school needs, off-site improvements, and joint use opportunities. The School Board shall be responsible for making meeting arrangements and providing notification to the general public of the annual meeting.

**Objective 4.3**

The School Board will coordinate with the City and with the other local governments within Alachua County to maintain and update student enrollment and population projections.

**Policy 4.3.1**

The School Board will coordinate with the City and the other local governments within Alachua County to base school planning upon consistent projections of the amount, type, and distribution of population growth and student enrollment. Countywide 5-year population and student enrollment projections shall be reviewed and updated annually.

**Policy 4.3.2**

The School Board shall use student population projections based on information produced by the demographic and education estimating conferences pursuant to Section 216.136, F.S., and the Department Of Education Capital Outlay Full-Time Equivalent (COFTE). The School Board may request adjustment to the projections based on actual enrollment and development trends. In formulating such a request, the School Board will coordinate with the other local governments in Alachua County regarding development trends, enrollment projections and future population projections.

**Policy 4.3.3**

As provided in the Interlocal Agreement, the City shall annually provide the School Board a report on growth and development trends within its municipal boundaries for the preceding calendar year. The report is for the School Board's consideration in allocating projected student enrollment into school attendance zones.

**Policy 4.3.4**

No later than August 15th of each year, the School Board shall submit to the City the School Board's tentative Five Year District Facilities Work Program. The program will be consistent with the requirements of Sections 1013.33 and 1013.35, F.S., and will include projected student populations apportioned geographically, an inventory of existing school facilities, projections of facility space needs, information on relocatables, general locations of new schools for the 5-, 10- and 20-year time periods, and options to reduce the need for additional permanent student stations. The Work Program is to be financially feasible for a five-year period. The City shall review the program and provide comments to the School Board within 30 days on the consistency of the program with the local comprehensive plan, including the capital improvements element, and as to whether a comprehensive plan amendment will be necessary for any proposed educational facility within Gainesville's city limits.

**Policy 4.3.5**

At least one year prior to preparation of each Educational Plant Survey, a staff working group established Policy 4.2.1 will assist the School Board in an advisory capacity in preparation of the Survey. The Survey shall be consistent with the requirements of Section 1013.33, F.S., and include an inventory of existing educational facilities, recommendations for new and existing facilities, and the general location of each. A staff working group will evaluate and make recommendations regarding the location and need for new schools, significant expansions of existing schools, closures of existing facilities, and the consistency of such plans with the local government comprehensive plan(s).

**Objective 4.4**

The School Board, in coordination with the City and the other local governments in Alachua County, shall implement an effective process for identification and selection of school sites and for review of significant expansions and school closures.

**Policy 4.4.1**

The School Board will establish a School Planning Advisory Committee (SPAC) for the purpose of reviewing potential sites for new schools, proposals for significant school expansions, and potential closure of existing schools. Based on information gathered during the review, the SPAC will submit recommendations to the Superintendent of Schools. The SPAC will be a standing committee that will meet on an as-needed basis. In addition to

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appropriate representatives of the School Board staff, the SPAC will include staff representatives from each of the local governments within Alachua County, and a diverse group of community members.

Mr. Mimms stated that this committee has already been established and the language for it is in the Interlocal Agreement.

**Policy 4.4.2**

When the need for a new school site is identified in the School Board's 5-Year District Facilities Work Program, the SPAC will develop a list of potential sites. The list will be submitted to the local government(s) with jurisdiction for an informal assessment regarding consistency with this Element. Based on the information gathered during this review, and the evaluation criteria set forth in this Element, the SPAC will make a recommendation to the Superintendent of one or more sites.

**Policy 4.4.3**

For significant expansions and potential closures, the SPAC will make appropriate recommendations to the Superintendent.

**Policy 4.4.4**

At least 60 days prior to acquiring or leasing property that may be used for a new public educational facility within Gainesville's city limits, the School Board shall provide the City written notice of its intent. The City shall notify the School Board within 45 days of receipt of this notice as to the proposed new public education facility site's consistency with the comprehensive plan. This notice does not constitute the local government's determination of consistency of any proposed construction pursuant to Section 1013.33 (12), (13), (14), (15), Florida Statutes.

**GOAL 5**

**THE CITY SHALL MONITOR AND EVALUATE THE PUBLIC SCHOOL FACILITIES ELEMENT.**

**Objective 5.1:**

On an ongoing basis, the City of Gainesville shall evaluate the comprehensive plan with the school facilities plans of the School Board to ensure consistency.

**Policy 5.1.1**

The City of Gainesville and the School Board will coordinate during updates or amendments to the comprehensive plan, during and updates or amendments to long-range plans for School Board facilities. Amendments to the City's comprehensive plan shall be made as needed.

**Policy 5.1.2**

Consistent with the Interlocal Agreement, a staff working group will meet at least once per year to discuss issues related to the effectiveness of implementing this Element and the Interlocal Agreement.

**Policy 5.1.3**

During the EAR process, City staff will review the comprehensive plan and make a recommendation to the City Plan Board regarding the need for plan amendments that would help to support public schools within or proximate to City limits.

Mr. Mimms stated that this policy is Staff's response to concerns raised by a City Commissioner on the Community Development Committee regarding growth patterns and how schools can be kept strong in the city.

<b>Motion By:</b> Jon Reiskind	<b>Seconded By:</b> Bob Cohen
<b>Moved To:</b> Approve with corrections and changes that were agreed to in the record of this meeting; and with scrivener errors to be addressed by Staff.	<b>Upon Vote:</b> 7 - 0.