

A. PUBLIC SCHOOL FACILITIES ELEMENT GOALS, OBJECTIVES AND POLICIES

GOAL 1: PROVIDE QUALITY EDUCATION. As a basic tenet of community life, it is the goal of the City of Sebastian to contribute to a high quality public school environment and diverse education system.

Objective 1.1: LEVEL OF SERVICE STANDARDS. The City shall coordinate with the School Board School District of Indian River County (aka school board) to correct existing deficiencies and address future needs through implementation of adopted level of service standards and appropriate public school facility service area boundaries.

Policy 1.1.1: Adoption of Level of Service Standards (LOS). The City of Sebastian adopts LOS of 100% of FISH capacity for each year of the five year planning period(s) and through the long term planning period for each School Service Area.

Policy 1.1.2: Use of Level of Service Standards. The City shall use its concurrency management system to ensure that the level of service standard that has been established by the school district for each type of school is maintained.

Policy 1.1.3: Adoption of School Service Area Boundaries (SSAB). The City of Sebastian adopts the School Board's current public school attendance boundaries, as the School Service Area Boundaries (SSAB). The SSAB exclude magnet and charter schools.

Policy 1.1.4: Guidelines and Standards for the Modification of Concurrency Service Areas. Any Party to the 2008 Indian River County Interlocal Agreement for Public School Facility Coordinated Planning and School Concurrency (Interlocal Agreement), as adopted February 2008, may propose a change to the SSAB. Prior to adopting any change, the School Board will verify that as a result of the change:

- As future boundary modifications are required for schools programmed in the School District Five-Year Facilities Work Program, school Attendance Boundaries shall be modified to the greatest extent possible to provide that Attendance Boundaries be coterminous with traffic analysis zone boundaries.
- As long as a School Service Area is aligned with a School Attendance Zone, the School Board may unilaterally amend, without the consent or comment of any other Party, the zone's Attendance Boundaries and hence the School Service Area. Any Party may, however, propose a modification to the School Service Area Boundaries that departs from the requirement that each School Service Area be aligned solely with a

School Attendance Zone. In that event, the change may only be made in accordance with ~~Section 12.1 or 12.2 of the Indian River County Interlocal Agreement for Coordinated Planning and School Concurrency, (March 1, 2008),~~ whichever Section is applicable. Prior to adopting any change, whether pursuant to ~~Section 12.1, 12.2 or 12.4 of the Indian River County Interlocal Agreement for Coordinated Planning and School Concurrency, (March 1, 2008),~~ the School District must verify that as a result of the modification:

- o The adopted LOS ~~level of service~~ standards will be achieved and maintained for each year of the five-year planning period; and the utilization of School Capacity will be maximized to the great extent possible, taking into account transportation costs, court approved desegregation plans and other relevant factors.

Policy 1.1.5: Consideration of Adjacent School Service Areas. If the projected student growth from a residential development causes the adopted LOS to be exceeded in the SSAB, an adjacent SSAB which is contiguous with and touches the boundary of the school service area within which the proposed development is located shall be evaluated for available capacity. An adjacency evaluation review shall be conducted as follows:

- o In conducting the adjacency review, the School Board shall first use the adjacent SSAB with the most available capacity to evaluate the projected enrollment impact and, if necessary, shall continue to the next adjacent SSAB with the next most available capacity in order to ensure maximum utilization of school capacity to the greatest extent possible.
- o ~~Consistent with Rule 6A-3.0171, FAC,~~ At no time shall the shift of impact to and adjacent SSAB result in a total morning or afternoon transportation time of either elementary or secondary students to exceed fifty minutes or one hour respectively. The transportation time shall be determined by the School Board transportation routing system and measured from the school the impact is to be assigned, to the center of the parcel/plat in the amendment application, along the most direct improved public roadway free from major hazards.

Policy 1.1.6: Coordination of School District Capital Program. The annual update of the Capital Improvements Schedule will include review of the service area boundaries for the public school system and, if necessary, updates to the concurrency service area map.

Objective 1.2: FUTURE FACILITY PLANNING. The City shall coordinate development permitting with the future siting of schools and capacity needs.

Policy 1.2.1: Coordination of Comprehensive Plan Amendments. ~~The City of Sebastian will manage the timing of comprehensive plan and future land use map amendments with adequate school capacity.~~

Policy 1.2.1 1.2.2: Site Size. The City will coordinate and determine the desired location of new school sites that satisfy the minimum size criteria for the type of school. The City will work with the School Board staff to identify sites for future educational facilities that meet the minimum standards of the School Board where possible and where consistent with the City's Comprehensive Plan. When the size of available sites does not meet the minimum School Board standards, the City will support the School Board in efforts to use standards more appropriate to a built urban environment.

Policy 1.2.2 1.2.3: City's participation in the School Working Group (SWG). The City shall be represented via the various committees created through the Interlocal Agreement to coordinate new school facilities development and population projections.

Policy 1.2.4: Capacity Impact Determination. ~~To determine the capacity impacts of new residential development, the School Board will apply student generation multipliers consistent with those prescribed in the most recently adopted Indian River County School Board and the Department of Education (DOE) student enrollment projections. The City of Sebastian will manage~~
coordinate the timing of comprehensive plan and future land use map amendments with adequate school capacity.

Policy 1.2.5: Notification of Submittal of Residential Applications. ~~The City shall notify the School Board's Planner of the submittal of all residential development pre-applications or formal applications within fifteen (15) days of submittal to the City.~~

Policy 1.2.6: Notification. ~~The City shall continue to provide School Board representatives with proposed residential development agendas for pre-application conference, Development Review Committee, Local Planning Agency and City Council meetings.~~

Objective 1.3: CONCURRENCY. The City will coordinate its development review efforts with the Indian River County School Board, the County and the cities to achieve concurrency in all public school facilities concurrent with the impacts of new residential development consistent with State Statutes.

Policy 1.3.1: Development Review Process. No new residential preliminary plats, site plans, or functional equivalents will be approved by the City of Sebastian

until a School Capacity Availability Letter of Determination (SCADL) has been issued by the School Board verifying available capacity, unless the development is exempt from concurrency. ~~as outlined in Policy 1.3.6. Except for the exclusions allowed, in Policy 1.3.6, no development order shall be approved unless the appropriate SCADL verifying adequate capacity has been issued.~~ The following **Table 1** identifies the type of concurrency certificate required for each development order type.

- A Conditional SCADL is a determination that adequate school capacity is available at the time of evaluation but does not vest school capacity. If applicable, a Conditional SCADL may list feasible mitigation options that would be required of the developer to provide sufficient school capacity to vest the project.
- A Final SCADL vests school capacity. A Final SCADL shall not be required in conjunction with a building permit if the residential unit is already vested through a previously issued Final SCADL.

Table 1: Concurrency Certificate Required

	Development Order	SCADL Required	Vesting Allowed	Vesting Required
1	Comprehensive Plan Land Use Amendments and Rezonings	Conditional	No	No
2	Conceptual Development Plans	Conditional	No	No
3	Preliminary Plats	Conditional	No	No
4	Final Site Plans and Land Development Permits for Roads, Drainage and Utilities	Conditional or Final	Yes	No
5	Building Permits	Final	Yes	Yes

*Vesting is allowed for projects with a proportionate share agreement or an approved developer’s agreement for a major roadway improvement.

Policy 1.3.2. School Concurrency Review Process. The City, through its land development regulations (LDRs), shall establish a school concurrency review process for all non-exempt residential projects. The minimum process requirements are described below:

- a. A School Impact Analysis is submitted to the City in conjunction with any residential development application (such as a land use map amendment, rezoning, site plan or preliminary plat). The School Impact Analysis indicates the location of the development, number of dwelling units and unit types (single-family, multi-family, apartments, etc.), and age restrictions for occupancy, if any.
- b. The City determines if the application is sufficient for processing and, when sufficient, transmits the application to the School District for review.
- c. The School District reviews the application for available capacity and issues either a conditional SCADL or a Final SCADL.
 - 1) If capacity is available within the affected SSA, the School District issues a SCADL verifying available capacity. Issuance of a Conditional SCADL identifying that adequate capacity exists at the time of capacity evaluation does not guarantee that school facilities will be available at the time of any subsequent concurrency review.
 - 2) If capacity is not available within the affect SSA, contiguous SSAs are reviewed for available capacity.
 - 3) If capacity is available in the contiguous SSAs, the School District issues a SCADL verifying available capacity, noting the SSA with capacity.
 - 4) If capacity is not available in the contiguous SSAs, then the School District issues a SCADL indicating that the development is not in compliance with the adopted LOS and offers the developer a 90-day negotiation period for identification of mitigation options acceptable to the School District.
- d. The City and the School District shall review mitigation options during the 90-day negotiation period.
 - 1) Mitigation options may include, but are not limited to:
 - i. Contribution of land in conjunction with the provision of additional school capacity; or
 - ii. Provision of additional Permanent Student Stations through the donation of buildings or use as a primary or alternative learning facility; or
 - iii. Provision of additional Permanent Student Stations through the renovation of existing buildings for use as learning

- facilities; or
 - iv. Construction of Permanent Student Stations or Core Capacity; or
 - v. Construction of a school in advance of the time set forth in the School District Five-Year Facilities Work Program; or
 - vi. Construction of a charter school designed in accordance with School District standards, providing permanent School Capacity to the District's inventory of student stations. Use of a charter school for mitigation must include provisions for its continued existence, including, but not limited to the transfer of ownership of the charter school property and/or operation of the school to the School Board if requested and approved by the School Board.
- 2) For a Conditional SCADL, the School District shall identify the mitigation options that may be acceptable to it. The School District shall not enter into an enforceable and binding agreement with a developer as part of a Conditional SCADL. Such an agreement may be entered into only in conjunction with a Final SCADL.
 - 3) If all mitigation options are denied at the Conditional SCADL stage or if mitigation is denied at the Final SCADL stage, the City must deny the development application based upon no available school capacity.
- e. The City shall not issue a building permit for a non-exempt residential unit unless the unit is vested for school concurrency purposes, and the City shall not vest approval of any Proposed Residential Development for such purposes until (i) confirmation is received from the School District that there is sufficient Available School Capacity to accommodate the development and (ii) impact fees have been paid.
 - f. The City shall be responsible for notifying the School District when a Proposed Residential Development has paid its impact fees and when the Development Order for the Proposed Residential Development expires.
 - g. The School District shall update its School Concurrency Database to reflect the number of students that will be generated from the newly vested residential unit, decreasing the number of available student stations for each school type within the designated school service areas.
 - h. The City, in conjunction with the School District, shall review developer proposed applications for proportionate share mitigation projects to add the school capacity necessary to satisfy the impacts of a proposed residential development.
 - i. The City shall, upon acceptance of a mitigation option enter into an enforceable binding agreement with the School District and the

developer.

- j. The City shall notify the School District within 10 working days of receiving payment of school impact fees and vesting school concurrency for any residential development.
- k. The City shall notify the School District within 10 working days of issuance of a building permit for an exempt residential use and shall notify the School District of each residential certificate if occupancy issued.

Policy 1.3.32: Adoption of School Concurrency Regulations. The City of Sebastian shall adopt school concurrency and proportionate fair share provisions into its Land Development Regulations LDRs or utilize Indian River County's LDRs consistent with the requirements of the Interlocal Agreement.

Policy 1.3.43: Coordination. Coordination between the City and the School District is pursuant to the Interlocal Agreement. ~~for Coordinated Planning and School Concurrency, dated March 1, 2008.~~ Obligations to the City are stated in the Interlocal Agreement.

Policy 1.3.5 ~~1.2.4~~: Capacity Impact Determination. To determine the capacity impacts of new residential development, the School Board will apply student generation multipliers consistent with those prescribed in the most recently adopted Indian River County School Board and the Department of Education (DOE) student enrollment projections. The City of Sebastian will ~~manage~~ coordinate the timing of comprehensive plan and future land use map amendments with adequate school capacity.

Policy 1.3.6 ~~1.3.4~~: Timing of Concurrency Review. The City shall require that all new residential development be reviewed for school concurrency at the time of preliminary subdivision or site plan submittal. The City shall not deny a residential preliminary subdivision plat, site plan, or functional equivalent due to a failure to achieve the adopted level of service for public school facilities, when the following occurs:

- o Adequate school facilities are planned and will be in place or under actual construction within three (3) years of the date of approval of the final subdivision plan.
- o The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities consistent with the methodology in the Interlocal Agreement.

Policy 1.3.7 ~~1.2.5~~: Notification of Submittal of Residential Applications. The City shall notify the School Board's Planner of the submittal of all residential development pre-applications or formal applications within fifteen (15) days of

submittal to the City. The City shall continue to provide School Board representatives with proposed residential development agendas for pre-application conference, Development Review Committee, Local Planning Agency and City Council meetings.

Policy 1.3.5: Result of Concurrency Review. ~~The City shall not deny a residential preliminary subdivision plat, site plan, or functional equivalent due to a failure to achieve the adopted level of service for public school facilities, when the following occurs:~~

- ~~o Adequate school facilities are planned and will be in place or under actual construction within three (3) years of the date of approval of the final subdivision plan.~~
- ~~o The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities consistent with the methodology in the Interlocal Agreement.~~

Policy ~~1.3.8~~ 1.3.6: Exempted Residential Uses. The following residential uses shall be exempt from the requirements of school concurrency:

- o Lots and parcels of record legally created prior to July 1, 2008.
- o Any new multi-family residential development that has a final site plan approval or its functional equivalent granted prior to July 1, 2008.
- o Any amendment to any previously approved residential development, that does not increase the number of dwelling units or otherwise does not increase the estimated number of students generated by the development.
- o Any age restricted community with no permanent residents under the age of 18 (a restrictive covenant limiting the age to 18 an older will be required).

Policy ~~1.3.9~~ 1.3.7: Proportionate Share Mitigation Revenues. Any revenues received for proportionate share school mitigation are to be spent on capital improvement projects to expand capacity for school facilities to enable them to accommodate students.

Policy ~~1.3.10~~ 1.3.8: Acceptable Types of Mitigation. In the event that there is not adequate Available School Capacity to support a development, the Indian River County School Board shall entertain Proportionate Mitigation options, and if accepted, shall enter into an enforceable and binding agreement with the developer and the City of Sebastian to mitigate the impact from the development. Specific guidelines are outlined in ~~Section 14.8 of the Indian River County Interlocal Agreement for Coordinated Planning and School Concurrency, dated March 1, 2008, adopted by reference.~~

Objective 1.4: CAPITAL IMPROVEMENTS. The City will be responsible for ensuring that projects necessary to meet levels of service for existing and future demands are included in the City's adopted capital improvements schedule.

Policy 1.4.1: Annual Update of Capital Improvement Element. The City adopts by reference the 5 Year District Facilities Work Plan 2008—2009 adopted September 23, 2008. The City will rely on the timely development by the school district of subsequent revisions to the district work plan.

Policy 1.4.2: Yearly Addition. Each annual amendment to the 5 year capital improvements schedule will include adding a new financially feasible year to the adopted schedule.

Policy 1.4.3: Compliance with School Board's Five Year Capital Facilities Plan. The City shall amend its Capital Improvements Element yearly to reflect changes to the School District's Five Year Capital Facilities Plan as adopted by the Indian River County School Board and as required by statute.

Objective 1.4 1.5: COMMUNITY FOCAL POINT. The City shall encourage The siting and design of school facilities should to serve as focal points for the community and to ensure should be compatible compatibility with adjacent land uses.

Policy 1.4.1 1.5.1: Co-location and Community Focal Point. The City shall ensure, to the extent feasible, the collocation of new school sites with parks, recreation facilities, community centers, auditoriums, learning centers, museums, performing arts centers, stadiums, libraries and other community facilities to provide access of these facilities to students.

Policy 1.4.2 1.5.2: Co-location Agreement. The City may enter into an agreement with the School Board for each instance of collocation and shared use to address operating and maintenance costs, scheduling, parking, supervision and other liability issues.

Policy 1.4.3 1.5.3: Allowable school site locations and compatibility standards. School sites are allowed within any land use category in the City with the exception of the industrial and conservation category, therefore, compatibility with adjacent land uses will be ensured through the following measures:

- o New school sites should not be adjacent to any noxious industrial uses or other property from which noise, vibration, odors, dust, toxic materials, traffic conditions or other disturbances that would have a negative impact.
- o Schools shall be located in close proximity to existing or anticipated concentrations of residential development with the exception for high schools and specialized schools which are suitable for other locations due

to their characteristics.

- Public utilities, as well as police and fire protection, should be available concurrently with the construction of new school sites.
- New school sites should have suitable ingress and egress for pedestrians, bicycles, cars, buses, service vehicles, and emergency vehicles. (High Schools should be located with frontage or direct access to collector or arterial roads.)

Objective ~~1.5~~ ~~1.6~~: COORDINATING PROVISION OF NECESSARY INFRASTRUCTURE.

The City will work to ensure the provision of infrastructure to support the necessary functions of public school facilities.

Policy ~~1.5.1~~ ~~1.6.1~~: Maximizing Efficiency of Infrastructure. The City will maximize efficiency by taking advantage of existing and planned roads, water, sewer, parks and master drainage systems when planning for new school sites.

Policy ~~1.5.2~~ ~~1.6.2~~: Safe student access. ~~The City~~ Sebastian will encourage safe student access by coordinating the construction of new and expanded neighborhoods with safe road and sidewalk connections to schools.

Policy ~~1.5.3~~ ~~1.6.3~~: Bicycle access and Pedestrian connection. ~~The City~~ Sebastian will coordinate bicycle access to public schools consistent with any existing or proposed bicycle plan in the City or County, see multi-modal policies in Mobile Element of this text.

Policy ~~1.5.4~~ ~~1.6.4~~: Coordination to ensure necessary off-site improvements. New developments adjacent to existing or planned public schools shall be required where feasible to provide right-of-way for pedestrian connections to the schools from the neighborhoods sidewalk network.

- Sebastian will revise its LDR's to specify that performance standards for a new development adjacent to or sharing an access road with an existing school or future school site shall mitigate the traffic impacts of the development based on safe access to the school. Such mitigation efforts may include, but are not limited to: developer striping of crosswalks, developer installation of sidewalks, payment for safe directional/warning signage, and payment for signalization.

Objective ~~1.7~~: INTERGOVERNMENTAL COORDINATION. ~~The City will provide the Indian River County School Board and Indian River County Government with the tools needed to properly plan for current and projected student populations, community growth and public school facilities and emergency preparedness issues.~~

Policy ~~1.7.1~~: Implementation of the Interlocal Agreement. ~~The City of Sebastian~~

will implement the procedures and policies provided in the “2007 Interlocal Agreement for Public School Facility Planning and School Concurrency, as Adopted on 28 February 2008”, and as amended from time to time.

Policy 1.7.2: Providing representation. The City of Sebastian will assign representatives to take part in committees or meetings directed at establishing concurrency between the City, the School Board, the County and adjacent governments as established in the Interlocal Agreement for Public School Facility Planning.

Policy 1.7.3: Advising of proposed changes. Sebastian shall implement the procedures for the annual update process as contained in the Interlocal Agreement.

Policy 1.7.4: School Board Representative. A non-voting member designated and approved by the School Board, may serve on the City's Local Planning Agency to provide comments.

Policy 1.7.5: Emergency Preparedness. The City, through its Emergency Management Division, shall continue to provide information needed by the School Board, County and Cities for emergency preparedness purposes.

Policy 1.7.6: Enrollment Projections. According to state law, the School District is required to project future student enrollment and school capacity. To determine future school capacity needs, the School District will calculate both short and long term student enrollment projections. Student enrollment projections are based on data obtained from the following:

- School District of Indian River County
- University of Florida Bureau of Economic and Business Research (BEBR)
- Local utilities
- U.S. Census Bureau

Student projections based on residential growth trends in the County provide a data-driven profile of the short-term and long-term future conditions driving the demand for new public schools. The projected full time equivalent (FTE) student counts by grade are based on cohort survival history and historic population growth estimates compiled from BEBR. Information on existing residential development and residential development anticipated over both the next five years and the long-term planning period was collected by Indian River County and the local government planning departments to verify the accuracy of student enrollment projections.