PUBLIC SCHOOL FACILITIES ELEMENT
GOALS OBJECTIVES & POLICIES

Goal 12.1: The County shall collaborate with the St. Lucie 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 12.1.1: Land use and school capacity [9J-5.025(3)(b)(4)(5), and (6) F.A.C.] - It is the objective of St Lucie County to coordinate land use decisions [see definition] with school capacity planning. This objective will be accomplished by recognizing the St. Lucie County School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the County's authority for land use, including the authority to approve or deny petitions for future land use, rezoning, and subdivision and site plans for residential development that generate students and impact the St Lucie County school system.

Policy 12.1.1.1 - Coordinated Map Series [9J-5.025(3)(c)(6),(4)(a) and (4)(b) F.A.C.] - The County shall provide the St. Lucie County School Board by October 15th of each year a report of development trends for use in school planning. The St. Lucie County School Board shall coordinate with each local government in the preparation of the annual Educational Facilities plan. Based upon the final adopted Educational Facilities plan, the County, in conjunction with the St. Lucie County School Board and the Municipalities, shall together, develop and annually update and maintain a public school facilities map series as supporting data and analysis. This map series including the planned general location of schools and ancillary facilities for the five-year planning period and the long-range planning period, will be coordinated with the County's Future Land Use Map or Map Series. The Map Series to be developed shall include at a minimum:

(a) A map or maps which identify existing locations 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 for the end of the long range planning period of the county.
(c) A map or map series which depicts School Capacity Planning Areas (SCPAs) for high schools, middle schools and elementary schools
(d) A map or map series which depicts School Concurrency Service Areas (SCSAs) for high schools, middle schools and elementary schools.

Policy 12.1.1.2 - Coordinating School Capacity with Growth - The County shall coordinate land use decisions with the St. Lucie County School Board's Long Range Facilities Plans over the 5-year, 10-year and 20-year periods.

Policy 12.1.1.3 - Geographic Basis for School Capacity Planning - For purposes of coordinating land use decisions with school capacity planning, the School

Concurrency Service Areas (SCSAs) 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. The relationship of high, middle and elementary capacity and students anticipated to be generated as a result of land use decisions shall be assessed in terms of its impact (1) on the school system as a whole and (2) on the applicable SCSA(s). For purposes of this planning assessment, existing or planned capacity in adjacent SCSA(s) shall not be considered.

Policy 12.1.1.4 - Local Government Notice of Development Proposals [ILA Section 9.3] - The County agrees to give the St. Lucie County School Board notification of land use applications and development proposals pending before them that may affect student enrollment, enrollment projections, or school facilities.

Notice to the St. Lucie County School Board will include copies of the meeting agenda and all County staff comments and other attachments related to any pending application or development proposal potentially affecting student enrollment, enrollment projections, or school facilities.

Notice to the St. Lucie County School Board will be provided simultaneously with provision of such materials to the LPA, DRC, or Board of County Commissioners.

This notice requirement applies to any amendment to the comprehensive plan future land use map, rezoning, development of regional impact, or major residential or mixed-use development project that proposes to:

a. increase the density of land with non-age-restricted dwelling units, that will produce more than one (1) student in any grade level.
b. or construct or develop non-age-restricted dwelling units or lots that will produce more then (1) student in any grade level.

Policy 12.1.1.5 - St. Lucie County School Board report to County [ILA Section 9.4] - Within 30 days after notification by the County, the St. Lucie County School Board will advise the local government of the school enrollment impacts anticipated to result from the proposed land use application or development proposal, and whether sufficient school capacity exists or is planned to accommodate the impacts.

Policy 12.1.1.6 - School Capacity Shortfalls [ILA Section 9.5] - If sufficient school capacity is not available or planned to serve the development at the time of impact, the St. Lucie County School Board will specify how it proposes to meet the anticipated student enrollment demand; alternatively, the School Board, the County, and the developer will collaborate to find means to ensure sufficient capacity will exist to accommodate the development, such as, developer contributions, project phasing, or developer provided facility improvements.

Policy 12.1.1.7 - Criteria for Evaluating Land Use and Development Applications [ILA Section 9.6] [Sec 163.3177(6)(a) F.S.] - In reviewing and approving comprehensive plan amendments, developments of regional impact, rezonings, and development proposals, the County will consider the following factors consistent with County codes and ordinances:

a. St. Lucie County School Board comments;

b. Available school capacity or planned improvements to accommodate the enrollment resulting from the land use decision;
c. The provision of school sites and facilities within planned neighborhoods;
d. Compatibility of land uses adjacent to existing schools and reserved school sites;
e. The co-location of parks, recreation and neighborhood facilities with school sites;
f. The linkage of schools, parks, libraries and other public facilities with bikeways, trails, and sidewalks for safe access;
g. Traffic circulation plans which serve schools and the surrounding neighborhood;
h. The provision of off-site signalization, signage, access improvements, and sidewalks to serve schools; and
i. The inclusion of school bus stops and turnarounds.

Policy 12.1.1.8 - Capacity Enhancement Agreements - Where feasible and agreeable to the County, St. Lucie County School Board, affected jurisdictions and the applicant, Capacity Enhancement Agreements shall be used to ensure adequate capacity is available at the time the school impact is created. The St. Lucie County 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.

Objective 12.1.2: Community Development Plans [ILA Section 9.7] - The County shall consider school capacity in the formulation of Community Development Plans.

Policy 12.1.2.1 - Factors Considered in Formulating Community Development Plans - In formulating community development plans and programs, the County will consider the following factors:

a. Scheduling capital improvements that are coordinated with and meet the capital needs identified in the St. Lucie County School Board educational facilities plan;
b. Working with the private sector to identify and implement creative solutions to developing adequate school facilities in residential developments;
c. Targeting community development improvements in older and distressed neighborhoods near schools; and
d. Working to address and resolve multijurisdictional public school issues.

Objective 12.1.3: Evaluation and Appraisal of Comprehensive Plan [ILA Section 9.8] - The County shall consider school needs and school capacity in the Evaluation and Appraisal of Comprehensive Plans.

Policy 12.1.3.1 - Evaluation and Appraisal of Comprehensive Plans [ILA Section 9.8] -

a. In accordance with Section 163.3191, Florida Statutes, the LPA for each Local Government must prepare an EAR on the Comprehensive Plan for its area of jurisdiction at least once every 7 years, or as otherwise scheduled by the Florida Department of Community Affairs.
b. Whenever a meeting of or hearing before the LPA includes consideration of an EAR, the County shall provide to the St. Lucie County School Board, prior to the meeting or hearing, copies of (1) the meeting or hearing agenda, (2)

any draft of the EAR under consideration, and (3) any staff analysis, report, or recommendation prepared with respect to the EAR under consideration.

c. The County shall provide the St. Lucie County School Board a copy of each EAR prepared by the LPA prior to or concurrent with the submission to the Board of County Commissioners.
d. Whenever a meeting of or hearing before the Board of County Commissioners includes consideration of an EAR or proposed amendments to the Comprehensive Plan to implement an EAR, the County shall provide to the St. Lucie County School Board prior to the meeting or hearing, copies of (1) the meeting or hearing agenda, (2) any draft of the EAR or proposed Comprehensive Plan amendments under consideration, and (3) any staff analysis, report, or recommendation prepared with respect to the EAR or proposed Comprehensive Plan amendments under consideration.
e. The St. Lucie County School Board may submit written comments to the County about the possible affect upon the School Board of any EAR or proposed amendments to the Comprehensive Plan that are necessary to implement an EAR, and the County shall give due and appropriate consideration to such comments.
f. The County may request that the St. Lucie County School Board provide technical assistance with respect to any EAR or proposed amendments to the Comprehensive Plan to implement an EAR and the possible affect upon the School Board, and the School Board shall endeavor to provide such assistance as time and resources permit.

GOAL 12.2: Provide adequate public school capacity to accommodate enrollment demand within a financially feasible five-year district facilities work [9J-.025(3)(b)(1)F.A.C.].

Objective 12.2.1: Implementation of school concurrency - The County shall coordinate with the St. Lucie County School Board to assure the future availability of adequate public school facility capacity through its authority to implement school concurrency.

Policy 12.2.1.1 - Amendment of Interlocal Agreement - By September 1, 2008, the County shall amend the Interlocal Agreement for Public School Facility Planning to implement school concurrency in concert with the St. Lucie County School Board and the municipalities. The Interlocal Agreement shall be consistent with the goals, objectives and policies of the Element.

Policy 12.2.1.2 - Ordinance Implementing School Concurrency [9J-5.025(3)(c)(4) F.A.C.] - No later than May 1, 2008 the County shall adopt, or commence proceedings for the adoption of a Comprehensive Plan amendment to address school concurrency.

Objective 12.2.2: Level of service standards - The County shall ensure that the capacity of public schools is sufficient to support new residential subdivisions, plats and/or site plans at the adopted level of service LOS standards within the period covered by the five-year schedule of capital improvements and the long range planning period. After the

first 5-year schedule of capital improvements, capacity shall be maintained within each year of subsequent 5-year schedules of capital improvements.

Policy 12.2.2.1 - Uniform Application of LOS standards - The LOS standards established herein shall be applied consistently by all the local governments within St Lucie County and by the St. Lucie County School Board district-wide to all schools of the same type.

Policy 12.2.2.2 - LOS Standards for High, Middle and Elementary Schools [9J-5.025(3)(c)(7)F.A.C.] - The uniform, district-wide LOS standards shall be 100% of permanent program capacity for elementary, middle, ~~and~~ high schools and for Title 1 schools. The Florida Inventory of School Houses (FISH) capacity shall be adjusted by the St. Lucie County School Board annually to account for measurable programmatic changes. No later than February 1, 2011, the School Board shall develop a permanent program capacity. Until such time as a permanent program capacity is developed, the permanent program capacity shall be designated as FISH.

Policy 12.2.2.3 - Amendment of LOS Standards - If there is agreement to amend the LOS 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 local government comprehensive plans. The amended LOS 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. Changes to 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 first five years of the St. Lucie County School Board Five-Year Work Program. After the first five-year schedule of capital improvements, the capacity shall be maintained within each subsequent five-year schedule~~s~~ of capital improvements.

Objective 12.2.3: School concurrency service areas [9J-5.025(3)(c)(1) F.A.C.] - The County shall, in coordination with the St. Lucie County School Board and municipalities, establish School Concurrency Service Areas (SCSA's), as the areas within which an evaluation is made of whether adequate school capacity is available based on the adopted LOS standards.

Policy 12.2.3.1 - School Concurrency Service Area Maps - SCSAs for high, middle and elementary schools shall be as adopted in the Interlocal Agreement. SCSA boundaries shall be included as a part of the Data and Analysis supporting this Element and included in the PSFE Map Series as part of that supporting data.

Policy 12.2.3.2 - Criteria for School Concurrency Service Areas - SCSAs shall be established to maximize available school capacity and make efficient use of new and existing public schools in accordance with the LOS standards, taking into account minimization of transportation costs, limitations on maximum student travel times, the effect of court approved desegregation plans, and recognition of

the capacity commitments resulting from the local governments within St Lucie County's development approvals within the SCSA and contiguous SCSAs.

Policy 12.2.3.3 - Modifying School Concurrency Service Areas [9J-5.025(3)(c)(1) F.A.C.] - The County, in coordination with the St. Lucie County School Board and the Municipalities, shall require that prior to adopting a modification to SCSAs, the following standards will be met:

a. Potential modifications to the SCSAs may be considered annually. Supporting data & analysis for modified SCSA's shall be included in the annual update to the St. Lucie County School Board's 5-Year Work Program.
b. Modifications to SCSA boundaries shall be based upon the criteria as provided in Policy 12.2.3.2.
c. SCSA boundaries shall be modified based on supporting data and analysis showing that the amended SCSA's are financially feasible within the five year period described by the five year schedule of capital improvements.
d. Any party to the adopted Interlocal Agreement may propose a modification to the SCSA boundary maps.
e. At such time as the St. Lucie County School Board determines that a SCSA boundary change is appropriate considering the above criteria, the St. Lucie County School Board shall transmit the proposed SCSA boundary modification with data and analysis to support the changes to the Elected Officials Group.
f. The Elected Officials Group shall review the proposed SCSA boundary modifications and send its comments to the St. Lucie County School Board.
g. Modifications to a SCSA shall become effective upon final approval by the St. Lucie County School Board and amendment of the Interlocal Agreement for Public School Facility Planning.

Objective 12.2.4: School concurrency review process - In coordination with the St. Lucie County School Board, the County will establish a joint process for implementation of school concurrency which includes applicability, capacity determination, availability standards, and school capacity methodology.

Policy 12.2.4.1 - Development Review - 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 this Element.

Policy 12.2.4.2 - Exemptions - The following residential developments are exempt from the school concurrency requirements:

1. Single-family lots of record that received final plat approval prior to May 1, 2008;
2. Single-family subdivisions or plats that (i) were undergoing active review on May 1, 2008, (ii) had received preliminary subdivision approval prior to such date, and (iii) have had no lapse in the development approval status;
3. Multi-family residential development that received final site plan approval prior to the effective date of the PSFE May 1, 2008, or multi-family site plans

actively being reviewed at the time of adoption of the PSFE that have received preliminary site plan approvals and for which there is no lapse in the development approval status;

4. Multi-family site plans that (i) were undergoing active review on May 1, 2008 (ii) had received preliminary site plan approval prior to such date, and (iii) have had no lapse in the development approval status;
5. An amendment to a residential subdivision plat or site plan that was approved prior to May 1, 2008, so long as the amendment does not increase the number of students generated by the development.
6. Age restricted developments that prohibit permanent occupancy by persons of school age, where enforceable age restrictions are recorded, irrevocable, and unlawful under applicable state and federal housing statutes.
7. Group quarters in public facilities, including residential facilities, that do not generate students 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.
8. Developments of regional impact, as defined in Section 380.06. Florida Statutes that received development orders prior to July 1, 2005 or had files application for development approval prior to May 1, 2005.

Policy - 12.2.4.3 - Student Generation Rates and Costs per Student Station - 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 St. Lucie County School Board in the 5-Year Work Program.

Through the Future land Use Amendment process the County and the St. Lucie County School Board shall work together in exploring methodologies to determine the long term costs of County services associated with public school facilities that they may also be reflected in the 5-Year Work program.

Policy 12.2.4.4 - School Capacity and Enrollment - The uniform methodology for determining if a particular school is meeting adopted LOS standards, shall be determined by the St. Lucie County School Board. The St. Lucie County 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 St. Lucie County School Board to the Department of Education.

Policy 12.2.4.5 - Determination of Adequate Capacity [9J-5.025(3)(c)(8) F.A.C.] - The St. Lucie County School Board [staff] shall conduct a concurrency review for all development plan approval subject to school concurrency. This review shall include findings and recommendations to the County 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 St. Lucie County 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 St. Lucie County School Board shall identify possible mitigation options that may be considered consistent with the policies set forth within Objective 12.2.5.

The County will issue a concurrency determination based on the St. Lucie County School Board written findings and recommendations.

Policy 12.2.4.6 - Concurrency Availability Standard - School concurrency applies only to residential development or a phase of residential 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).

The County 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 County 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 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 SCSA, and when adequate capacity at adopted LOS Standards will be in place or under construction in the adjacent SCSA within three years 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; or
4. In SCSAs that do not have any schools, capacity will be measured in the adjacent SCSAs.

Policy 12.2.4.7 - Reservation of Capacity [9J-5.025(3)(c)(1)] - The County shall not issue a Certificate of Capacity 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 (6) months or until a Final Development Order is issued, whichever occurs first.

(a) Once the County issues a Certificate of Capacity as a part of the Final Development Order, the school capacity necessary to serve the development shall be considered reserved for the life of the Development Order.

(b) The County shall notify the St. Lucie County 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 Capacity, except that any change requires review.

Policy 12.2.4.8 - Subdivision and Site Plan Standards - In the event that the St. Lucie County 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 (i) the site plan or final subdivision must provide capacity enhancement sufficient to meet its impacts through proportionate share mitigation under Objective PSFE 2.5; or (ii) the final site plan or final subdivision must be delayed to a date when capacity enhancement and level of service can be assured; or (iii) 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 12.2.4.9 - Capacity Availability - 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 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 St. Lucie County School Board funding to accelerate the project, into years 2 or 3 through proportionate share mitigation, or some other means of assuring adequate capacity will be available within 3 years. The St. Lucie County School Board may use relocatable classrooms to provide temporary capacity while funded schools or school expansions are being constructed or to accommodate shifts or fluctuations in enrollment.

Objective 12.2.5: Proportionate share mitigation - St Lucie County, in coordination with the St. Lucie County School Board, shall provide for mitigation alternatives that are determined by the St. Lucie County School Board to be financially feasible and will achieve and maintain the adopted LOS standard consistent with the adopted St. Lucie County School Board's financially feasible 5-Year Work Program.

Policy 12.2.5.1 - 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 St. Lucie County School Board assumes responsibility through incorporation in the adopted St. Lucie County School Board's financially feasible Five-Year 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 a school mitigation bank in accordance with an agreement acceptable to the School Board providing for (i) the construction, in accordance with SREF, of a public educational facility at an acceptable location, (ii) the conveyance of such facility to the School Board at no cost, (iii) the grant of appropriate credits against the educations facilities impact fees that will be due as a result of the proposed development, and (iv) to the extent credits are insufficient to recover the reasonable cost to such facility, reimbursement from future educational facilities impact fees received by the School Board from collection within the same CSA or adjacent CSAs;
3. The establishment of a charter school with educational facilities that are both (i) constructed in accordance with the State Requirements for Educational Facilities (SREF) and (ii) subject to enforceable assurances that the facility will be conveyed to the School Board at no cost if the charter school ceases operation;
4. The establishment of an Educational Benefit District and corresponding school facilities to offset the demand for public school facilities created by the proposed development. [Sections 1012.355-357 F.S.] educational facilities benefit district, and the corresponding construction of educational facilities that are sufficient to offset the demand for public educational facilities created by the proposed development at no cost to the School Board, in accordance with Sections 1012.355 through 1012.357, Florida Statutes and other governing law; and
5. At the sole discretion of the School Board, payment of a temporary capacity charge to fund temporary educational facilities until such time as there is sufficient impact, need, and demand to justify or substantiate, in accordance with SREF and other governing requirements, the construction of a new educational facility that is identified in the District facilities work program for a 5-year period.

Policy 12.2.5.2 - Mitigation Must Enhance Permanent Capacity - Mitigation must be directed toward a permanent capacity improvement identified in the St. Lucie County School Board's financially feasible 5-Year Work Program, which satisfies the demands created by the proposed development consistent with the adopted LOS standards. Relocatable classrooms will not be accepted as mitigation.

Policy 12.2.5.3 - Mitigation to Meet Financial Feasibility - Mitigation shall be directed to projects on the St. Lucie County School Board's financially feasible 5-Year Work Plan that the St. Lucie County School Board agrees will satisfy the demand created by that development approval, and shall be assured by a legally binding development agreement between the St. Lucie County School Board the County, and the applicant which shall be executed prior to the County's issuance of the final subdivision plat or the final site plan approval. If the St. Lucie County School Board agrees to the mitigation, the St. Lucie County School Board must commit in the agreement to placing the improvement required for mitigation on its 5-Year Work Program.

Policy 12.2.5.4 - Calculating Proportionate Share - 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 St. Lucie County School Board average cost per student station shall include school facility construction land costs, and costs to build schools to emergency shelter standards when applicable to the anticipated mitigation project.

The applicant's proportionate-share mitigation obligation shall be credited toward any other impact or exaction fee related to the student station cost imposed by local ordinance for the same need, on a dollar-for-dollar basis, at fair market value.

Objective 12.2.6: Adoption of St. Lucie County School Board fiver-year work program [9J-5.025(3)(b)(1) and (3)F.A.C.] - Effective July 1, 2008 and no later than December 1st of each year thereafter, the County shall adopt by reference in its Capital Improvements Element, the St. Lucie County School Board's annually updated 5-Year Work Program.

Policy 12.2.6.1 - Development, Adoption and Amendment of the St. Lucie County School Board 5-Year Work Program - The St. Lucie County School Board 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. 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. The County shall have neither obligation nor responsibility for funding the Five-Year Work Program by adopting the St. Lucie County School Board's Five-Year Work Program into the Capital Improvements Element.

Objective 12.2.7: Adoption of school capacity planning areas - The City shall, in coordination with the St. Lucie County School Board and municipalities, establish School Capacity Planning (SCPA) areas, as the areas within which long range capacity is planned and used for evaluation of comprehensive plan amendments.

Policy 12.2.7.1 - School Capacity Planning Area (SCPA) Maps - SCPA for high, middle and elementary schools shall be as adopted in the Interlocal Agreement. SCPA boundaries shall be included as a part of the Data and Analysis supporting this Element and included in the PSFE Map Series as part of that supporting data.

Policy 12.2.7.2 - Criteria for School Capacity Planning Areas - SCPA shall be established to properly plan the location of schools in proximity of new development. While short or intermediate term school capacity needs may be met by student stations in the SCSA or the adjacent SCSA it is the goal to place schools in proximity of the residential areas that they serve so that student travel times and the necessary infrastructure needed is minimized for each SCPA. The SCPAs should form the basis for evaluating school capacity for all planning and preliminary regulatory review for residential development throughout St Lucie County and serve as the basis for "developer agreements" designed to preserve school sites and assure the timely commitment of school construction.

Policy 12.2.7.3 - Modifying School Concurrency Service Areas [9J-5.025(3)(c)(1) F.A.C.] - The County, in coordination with the St. Lucie County School Board and the Municipalities, shall require that prior to adopting a modification to SCPA, the following standards will be met:

a. Potential modifications to the SCPA may be considered annually. Supporting data and analysis for modified SCPA shall be included in the annual update to the St. Lucie County School Board's 5 -Year Work Program.
b. Modifications to SCPA boundaries shall be based upon the criteria as provided in Policy 12.2.7.2.
c. Any party to the adopted Interlocal Agreement may propose a modification to the SCPA boundary maps.
d. At such time as the St. Lucie County School Board determines that a SCPA boundary change is appropriate considering the above criteria, the St. Lucie County School Board shall transmit the proposed SCPA boundary modification with data and analysis to support the changes to the Elected Officials Group.
e. The Elected Officials Group shall review the proposed SCPA boundary modifications and send its comments to the St. Lucie County School Board.

Modifications to a SCPA shall become effective upon final approval by the St. Lucie County School Board and amendment of the Interlocal Agreement for Public School Facility Planning.

Goal 12.3: Provide safe and secure schools sited within well designed communities.

Objective 12.3.1: School location [FLUE Objective 1.1.17] - The County shall establish standards and criteria to guide the location of future schools within the Urban Service Area or within comprehensive community based land planning projects such as the TVC.

Policy 12.3.1.1 - Future Land Use Map to designate land use classifications where schools are permitted. Future schools shall be allowable uses in all Future Land Use categories within the Urban Service Area except; industrial (IND), Conservation – Public (Cpub), Residential/Conservation (R/C), Historic (H) and any Special District (SD) which is defined to exclude educational facilities. [FLUE Policy 1.1.17.1]

Policy 12.3.1.2 - Future Land Use designation for public schools [FLUE Policy 1.1.17.2] - The Future Land Use designation for land on which a school is constructed or planned to be constructed shall be changed by the County to Public Facilities (P/F) Land use at the earliest opportunity.

Policy 12.3.1.3 - Schools and development shall be discouraged outside the Urban Service Area [FLUE Policy 1.1.17.3] - Schools shall not be located outside the Urban Service Area described in Policy 1.1.5.1 unless:

(a) the school is to be located on property owned by the School Board on or before January 1, 2001, or

(b) it is demonstrated that the projected enrollment is primarily students which live outside of the Urban Service Area and are best served by a school also located outside of the Urban Service Area, or

(c) a school in a planned development where such location has been vetted through a comprehensive, community based land planning process (such as the TVC), or

(d) the school's curriculum focuses on agricultural uses consistent with those.

Objective 12.3.2: Encourage schools as focal points of community planning and neighborhood design [9J-5.025(3)(b)(4), (5) and (6)].

Policy 12.3.2.1 - Enhance community/neighborhood design - The County, in conjunction with the St. Lucie County School Board, shall promote the neighborhood concept in new developments or redevelopment by encouraging the use of existing schools as neighborhood centers or focal points.

Policy 12.3.2.2 - Compatibility of Adjacent Uses - The County shall review development proposals for compatibility of uses adjacent to existing schools and known future school sites.

Policy 12.3.2.3 - School Accessibility - Bicycle and pedestrian facilities should be established around schools, especially areas near schools that are not served by the school bus system. [Transportation Policy 2.3.2.9]

Policy 12.3.2.4 - Bus Stops - The County shall, in cooperation with the St. Lucie County School Board, develop and adopt design standards for school bus stops and turnarounds in new developments and re-development projects.

Policy 12.3.2.5 - Safe Ways to School - To reduce hazardous walking conditions consistent with Florida's safe ways to school program, St Lucie County, in coordination with the St. Lucie County School Board, shall implement the following strategies:

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 County , with input from the St. Lucie County School

Board, shall determine alternative travel corridors for safe passage of students and shall require sidewalks along the property for the corridor that directly serves the school, or qualifies as an acceptable designated walk or bicycle routes to the school;

c. To ensure continuous pedestrian access to public schools, priority will be given to cases of hazardous walking conditions pursuant to Section 1006.23, Florida Statutes, and specific provisions for constructing such facilities will be included in the schedule of capital improvements adopted each fiscal year;

d. Evaluate school zones to consider safe crossing of children along major roadways, including possible speed limit reductions from 25 mph to 15 mph in school zones; and prioritize areas for sidewalk improvements including: 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 schools needing safety improvements.

Objective 12.3.3: School siting standards - The County will establish siting standards for schools.

Policy 12.3.3.1 - Evaluation of potential school sites [ILA Section 6.3] - Potential school sites shall be consistent with the following school siting standards, to the extent practicable:

a. The location of schools proximate to urban residential development and contiguous to existing school sites, and which provide potential focal points for community activities, including opportunities for shared use and co-location with other community facilities.

   New school sites serving students outside the Urban Service Area shall not be considered unless it is shown that the projected enrollment in the 5-year work plan will generate at least 75% of the capacity of the school from students outside the USA. The School Board may enter into an option contract pursuant to the provisions of Section 1012.14, Florida Statutes for the purchase of a site prior to public community planning. The School Board will hold a public hearing to discuss the community planning issues prior to exercising the option for purchase. While the cost of a proposed school site is always an important consideration. The school board should review the long term acquisition, construction and operational cost and select the site with the least expensive total project cost.

b. The location of elementary schools proximate to and, within walking distance of the residential neighborhoods served;

c. Elementary schools should be located on local or collector streets when possible;

d. Middle and high schools should be located near collector or arterial streets;

e. Compatibility of the school site with present and future land uses of adjacent property considering the safety of students or the effective provision of education;

f. Whether existing schools can be expanded or renovated to support community redevelopment and revitalization, efficient use of existing infrastructure, and the discouragement of urban sprawl;
g. Site acquisition and development costs;
h. Safe access to and from the school site by pedestrians, bicyclists, and motor vehicles;
i. Existing or planned availability of adequate public facilities and services to support the School;
j. Environmental constraints that would either preclude or render infeasible the development or significant expansion of a public school on the site;
k. Adverse impacts on archaeological or historic sites listed in the National Register of Historic Places or designated by the affected local government as a locally significant historic or archaeological resource;
l. The proposed location is consistent with the local government comprehensive plan, storm water management plans, or watershed management plans;
m. The proposed location is not within a velocity flood zone or floodway, as delineated on pertinent maps identified or referenced in the applicable comprehensive plan or land development regulations;
n. The proposed site can accommodate the required parking, circulation, and queuing of vehicles; and,
o. The proposed location lies outside the area regulated by Section 333.03, F.S., regarding the construction of public educational facilities in the vicinity of an airport.

Objective 12.3.4: School developments and standards - Coordinate with the St Lucie County School Board and other educational institutions to locate future educational facilities in a manner which provides for their needs without undue negative impact on the proposed school, surrounding land uses, or public facilities. [FLUE Objective 1.1.17]

Policy 12.3.4.1 - School Development Standards - As provided in Chapter 1012, Florida Statutes, the Land Development Code may include reasonable development standards and conditions for school site plans in accordance with Chapter 1012 Florida Statues, so long as those standards and conditions are not in conflict with Chapter 1012, Florida Statutes or the State Building Code. [FLUE Policy 1.1.17.5]

a. The location, arrangement, and lighting of play fields and playgrounds shall be located and buffered as may be necessary to minimize impacts to adjacent residential property.
b. Maximum height of the school structure shall adhere to a height compatible with the surrounding area
c. 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.
d. All parking areas on school sites shall adhere to the minimum setback requirements established for the zoning district.
e. Access to school sites shall be governed by the County's access management regulations, including installation by the St. Lucie County School Board, or other party as determined by St Lucie County, of all access-related improvement

required by such regulations. All school sites shall be connected to the existing network by existing paved roads.

f. 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.

Objective 12.3.5: Coordination of supporting infrastructure [9J.025(3)(c)(5)] - The County shall coordinate with the St. Lucie County School Board plans for supporting infrastructure.

Policy 12.3.5.1 - Coordination of Planned Improvements - The County shall annually update and amend the Capital Improvements Element to include the St. Lucie County School Board's 5-Year Work Program to reflect the infrastructure required to support new school facilities.

Goal 12.4: Promote and optimize intergovernmental cooperation for effective future planning of public school system facilities.

Objective 12.4.1: School Board Representation.

Policy 12.4.1.1 - School Board representation on Local Planning Agencies (LPAs) [Section 163.3174(1) F.S.] [Interlocal Agreement - ILA - Section 9.1] - The County will include a nonvoting representative appointed by the St. Lucie County School Board on the LPA to attend those meetings at which the agencies consider Comprehensive Plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. The appointment of a nonvoting representative for the School Board shall not affect the quorum or voting requirements of the LPA, nor entitle such representative to compensation or expense reimbursement otherwise applicable to the voting members of the LPA.

Policy 12.4.1.2 - Development Review representative [ILA Section 9.2] - The School Board will appoint a representative to serve on the staff Development Review Committee (DRC) of the County. The School Board representative will be provided agendas for review and invited to participate in each meeting of the DRC when development and redevelopment proposals are proposed which could have a significant impact on student enrollment or school facilities.

Objective 12.4.2: Joint meetings - The County shall participate in meetings and other actions established to promote coordination and the sharing of data and information.

Policy 12.4.2.1 - Staff working group [ILA Section 2.1] - A staff working group of the Local Governments and the St. Lucie County School Board will meet on a semiannual basis to discuss issues and formulate recommendations regarding coordination of land use and school facilities planning, including such issues as population and student projections, smart growth development trends, school needs, co-location and joint use opportunities, and ancillary infrastructure improvements needed to support the school and ensure safe student access.

Representatives from the Regional Planning Council will also be invited to attend. The Superintendent shall be responsible for making meeting arrangements and providing notification of meetings. [ILA Section 2.2]

Policy 12.4.2.2 - Joint Workshop Sessions [ILA Section 2.2] - One or more of the elected representatives of the County, each City, and the St. Lucie County School Board will meet at least annually in joint workshop sessions. A representative of the Regional Planning Council will also be invited to attend. The joint workshop sessions will be opportunities for the Local Governments and the School Board 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 Superintendent of Schools, or designee, shall be responsible for making meeting arrangements and providing notification to the general public of the annual meeting. [ILA Section 1.2]

Objective 12.4.3: Student enrollment and population projections [ILA Section 3] - The St. Lucie County School Board will coordinate with the County and the Local Governments to maintain and update student enrollment and population projections.

Policy 12.4.3.1 - Review of projections [ILA Section 3.1] - In fulfillment of their respective planning duties, the St Lucie County School Board, the County and the local governments agree to coordinate and base their plans upon consistent projections of the amount, type, and distribution population growth and student enrollment. Countywide five-year population projections developed by the County and five-year student enrollment projections developed by the School Board shall be revised annually and provided at the first staff working group meeting described in Policy 12.4.2.1.

Policy 12.4.3.2 - Basis of Projections [ILA Section 3.2] - The School Board shall utilize student population projections based on information produced by the demographic, revenue, and education estimating conferences pursuant to Section 216.126, Florida Statutes, where available, as modified by the School Board based on development data and agreement with the local governments and the Office of Educational Facilities and SMART Schools Clearinghouse. The School Board may make adjustments to the estimating conferences' projections to reflect actual enrollment and development trends. In formulating such adjustments the School Board will coordinate with the Local Governments regarding development trends and future population projections.

Policy 12.4.3.3 - Allocation of enrollment [ILA Section 3.3] - The St. Lucie County School Board, working with the Local Governments, will use the information described in Section 4.3 to allocate projected student enrollment into SCPAs so that the District-wide projections are not exceeded. The SCPAs will be established by mutual consent of the School Board and Local Government staff. The allocation of projected student enrollment will be determined at the first joint staff working group meeting described in Policy 12.4.2.1.

Policy 12.4.3.4 - Provision of reports [ILA Section 3.4] - The Local Governments shall provide the St. Lucie County School Board a copy of each population report, count, or projection; residential building permit report, count, or projection; and demographic study or analysis prepared or received by any of them within thirty (30) days of preparation or receipt. The School Board shall provide the Local Governments a copy of each student enrollment report, count, or projection and demographic study or analysis prepared or received by the School Board within thirty (30) days of preparation or receipt. Alternatively, the parties may comply with the requirements of this subsection by making each such report available at the next semiannual staff working group meeting that follows preparation or receipt of the report.

Policy 12.4.3.5 - The School District's Five-Year Facilities Work Program [ILA Section 4.1] - On August 1st of each year, the School Board shall submit to the Local Governments the tentative District educational facilities plan prior to adoption by the Board. The plan will be consistent with the requirements of Section 1012.35, Florida Statutes, and 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 plan will also include a financially feasible District facilities work program for a 5-year period. The Local Governments shall review the plan and comment to the School Board within 30 days on the consistency of the plan with the local Comprehensive Plan, whether a Comprehensive Plan amendment will be necessary for any proposed educational facility, and whether the Local Government supports a necessary Comprehensive Plan amendment. If the Local Government does not support a Comprehensive Plan amendment, the matter shall be resolved pursuant to procedures established in the Interlocal Agreement for Public School Facility Planning.

Policy 12.4.3.6 - Educational Plant survey [ILA Section 4.2] - Annually and prior to preparation of the Educational Plant Survey update, the staff working group established in Policy 12.4.2.1 will assist the School Board in an advisory capacity in the preparation of the update. The Educational Plant Survey shall be consistent with the requirements of Section 1012.31, Florida Statutes, and include at least an inventory of existing educational facilities, recommendations for new and existing facilities, and the general location of each in coordination with the land use plan. The staff working group will evaluate and make recommendations regarding the location and need for new, or significant renovation and expansion of existing educational facilities with the Comprehensive Plan, and relevant issues established in this Element.

Policy 12.4.3.7 - Growth and development trends [ILA Section 4.3] - By October 15th of each year, the Local Governments will provide the School Board with a report on growth and development trends within their respective jurisdictions. This report will be in tabular, graphic, and textual formats (in electronic form using the respective

Local Government's geographic information system data base) and will include the following:

a. The type, number, and location of residential units which have received zoning or site plan approval;
b. Information regarding comprehensive land use amendments which have an impact on school facilities;
c. Residential building permits and / or certificates of occupancy issued for the preceding year and their location;
d. Information regarding the conversion or redevelopment of housing or other structures into residential units which are likely to generate new students; and
e. The identification of any development orders issued which contain a requirement for the provision of a school site as a condition of development

Objective 12.4.4: School site selection, expansions and closures [ILA Section 6] - The County, in conjunction with the St. Lucie County School Board, shall implement an effective process for identification and selection of school sites and for the review of significant expansions and closures.

Policy 12.4.4.1 - Public Schools Advisory Committee [ILA Section 6.1] - The School Board will establish a Public Schools Advisory Committee for the purpose of reviewing potential sites for new schools and proposals for significant renovation and potential closure of existing schools. The School Board and each Local Government shall appoint a citizen member to serve on the Committee. Based on information gathered during the review, the Committee will submit recommendations to the Superintendent. The Public Schools Advisory Committee will be a standing committee and will meet on an as needed basis. In addition to citizen members, the Committee will include appropriate members of School Board staff and at least one staff member from each of the Local Governments.

Policy 12.4.4.2 - Committee Review of Proposed Sites, Renovations, and Closures [ILA Section 6.2] - When the need for a new school is identified in the District educational facilities plan, the Public Schools Advisory Committee will develop a list of potential sites in the area of need. The list of potential sites for new schools and the list of schools identified in the District educational facilities plan for significant renovation and potential closure will be submitted to the County for an informal assessment regarding consistency with the Comprehensive Plan, including, as applicable: environmental suitability, transportation and pedestrian access, availability of infrastructure and services, safety concerns, land use compatibility, consistency with community vision, and other relevant issues. In addition, the issues identified in Policy 12.4.4.3 of this Agreement will be considered by both the County and Public Schools Advisory Committee as each site or school is evaluated. Based on the information gathered during this review, for new schools the Committee will make a recommendation to the Superintendent of one or more sites in order of preference. For significant renovations and potential closures, the Committee will make appropriate recommendations.

Policy 12.4.4.3 - Factors considered [ILA Section 6.3] - The Public Schools Advisory committee, the School Board, and the County will consider the factors established in Policy 12.3.3.1 when evaluating new school sites and significant renovations and potential closure of existing schools.

Objective 12.4.5: Capital funding management - The County will support St. Lucie County School Board efforts to effectively and efficiently manage capital funds and resources.

Policy 12.4.5.1 - Alternative funding strategies - The County shall support the St. Lucie County School Board in its efforts to research and support alternative funding for school capital needs, including, but not limited to, educational benefit units, and Community Development Districts. The County will also support the St. Lucie County School Board in the effort to identify and quantify long term operational costs of services provided by the County in the support and maintenance of public school facilities.

Policy 12.4.5.2 - Private Partnering - The County shall coordinate with the St. Lucie County School Board to encourage the private sector to identify and implement creative solutions, such as joint use facilities and alternative design, as well as requiring land dedication and requiring adequate school facilities in residential developments.

Policy 12.4.5.3 - Support for Creative Partnerships - The County shall support the St. Lucie County School Board by giving priority consideration for development approvals when property owners provide donation of site(s), reservation or sale of school sites at pre-development prices, construction of new facilities or renovations to existing facilities, and provide transportation alternatives.

Objective 12.4.6: Maximize co-location and shared use opportunities - The County shall maximize co-location and shared use opportunities between the County, the St. Lucie County School Board, and the local governments.

Policy 12.4.6.1 - Co-location and shared use of facilities [ILA Section 10.1] - Collocation and shared use of facilities are important to both the School Board and the County. The School Board will look for opportunities to collocate and share use of school facilities and civic facilities when preparing the District Educational Facilities Plan. Likewise, collocation and shared use opportunities will be considered by the County when preparing the annual update to the Comprehensive Plan's schedule of capital improvements and when planning and designing new, or renovating existing, community facilities. For example, opportunities for collocation and shared use with public schools will be considered for libraries, parks, recreation facilities, community centers, auditoriums, learning centers, museums, performing arts centers, and stadiums. In addition, collocation and shared use of school and governmental facilities for health care and social services will be considered.

Policy 12.4.6.2 - Separate agreement [ILA Section 10.2] - A separate agreement will be developed for each instance of collocation and shared use which addresses legal liability, operating and maintenance costs, scheduling of use, and facility supervision or any other issues that may arise from collocation and shared use.

Policy 12.4.6.3 - Emergency preparedness - New school facilities, and rehabilitation of existing facilities and expansions, may be designed to serve as and provide emergency shelters as required by Section 1012.372, Florida Statutes. St. Lucie County will coordinate with the St. Lucie County School Board on requirements for such efforts.

Objective 12.4.7: School site identification - The County, in conjunction with the St. Lucie County School Board, shall implement an effective process for identification of school sites.

Policy 12.4.7.1 - School Site Identification - The County shall coordinate with the St. Lucie County School Board to identify and acquire future school sites prior to or concurrent with changes in urban service lines, land use, zoning or approval of projects generating new students.

Policy 12.4.7.2 - Use of dedicated property - Require within any developer agreement, zoning condition, or development order condition that any property required to be conveyed for public services to the County may be transferred to the St. Lucie County School Board, with or without consideration except that, as applicable, to develop educational facilities, and conversely, if the St. Lucie County School Board deems any donated property through a developer agreement, zoning condition or development order condition unsuitable for a school site, then it may transfer or lease said property to the County for any public use with or without consideration, as applicable. Said agreements and conditions may provide that any such properties may be transferred directly to the St. Lucie County School Board.

Policy 12.4.7.3 - Use of Surplus Property - Before disposing of surplus property, the County shall notify the St. Lucie County School Board and conversely, the St. Lucie County School Board shall notify the County.

Policy 12.4.7.4 - Conveyance of School Sites - The County shall facilitate the conveyance of land, as required by the St. Lucie County School Board and consistent with this Element, to address the impact of new residential development on the school system.

Policy 12.4.7.5 - Density Transfer - The County shall, consistent with this Comprehensive Plan, allow for the transfer of the entitled density of a school site, onto existing developable areas of the parent site proposed for residential development or redevelopment.

Goal 12.5: Monitoring and evaluation of the public school facilities element.

Objective 12.5.1: Coordinate the Comprehensive Plan with school facilities plans - On an ongoing basis, St Lucie County shall evaluate the comprehensive plan with the school facilities plans of the St. Lucie County School Board to ensure consistency with the comprehensive plan.

> Policy 12.5.1.1 - Coordination of plan amendments - St Lucie County and the St. Lucie County School Board will coordinate during updates or amendments to the County's Comprehensive Plan and updates or amendments for long-range plans for School Board facilities. Amendments to the Public School Facilities Element will be initiated following the procedures of the Interlocal Agreement and amendments to the Capital Improvements Element to incorporate the School Board's adopted Work Program shall occur prior to December 1st of each year
>
> Policy 12.5.1.2 - Annual Meeting of the School Working Group - Consistent with the Interlocal Agreement, the School Working Group will meet at least once per year to discuss issues related to the effectiveness of implementing the Public School Facilities Element and Interlocal Agreement and discuss recommendations for change.
>
> Policy 12.5.1.3 - St. Lucie County School Board to Report to the Elected Officials Group - The St. Lucie County School Board will annually provide a cumulative report of land use decisions, based upon the data provided by the County and local governments, and the effect of these decisions on public school capacity.

Definitions. The terms used in this element shall be defined as follows [ILA Section 1]:

1. Adequate school capacity - the circumstance where there is sufficient school capacity by school type, based on adopted Level of Service (LOS) standards, to accommodate the demand created by a proposed residential development.

2. Affected Jurisdictions – Local governments that are parties to the Interlocal Agreement for Public School Facilities Planning and are physically located within the same SCSA(s) as the area affected by a land use decision that may increase public school enrollment.

3. Ancillary facilities / plant - the buildings, sites, and site improvements necessary to provide such facilities as vehicle maintenance, warehouses, maintenance, or administrative buildings necessary to provide support services to an educational program of the School Board. [ILA Section 1.1]

4. Applicable LDRs - the LDRs adopted by the Local Government with jurisdiction to the extent that (a) the regulations are not in conflict with or the subject regulated is not specifically addressed by Chapter 1012, Florida Statutes, or the State Uniform Building Code for Public Educational Facilities Construction adopted as provided in Section 1012.37, Florida Statutes, including the State Requirements for Educational

Facilities, and (b) such regulations are specified in this Agreement as applicable to ancillary or educational facilities of the School Board. [ILA Section 1.2]

5. Auxiliary facilities - the spaces located at educational plants of the School Board that are not designed for student occupant stations. [ILA Section 1.3]

6. Capacity - "capacity" as defined in the FISH Manual.

7. Capacity Enhancement Agreement – An agreement between the St. Lucie County School Board, affected jurisdictions and a private entity (land owner, developer, applicant, etc) for the mitigation of school capacity deficiencies that are anticipated to result from a land use decision.

8. Concurrency Management System - the requirements relating to the availability of public facilities and services to serve new development adopted by a Local Government in the manner provided in Section 163.3180, Florida Statutes. [ILA Section 1.6]

9. Development regulatory action - action by the County upon any proposal, application, or request to enact, adopt, approve, amend, or rescind a comprehensive plan, land use classification, zoning ordinance, zoning classification, land development rule or regulation, conditional use, special exception, site plan, mining permit, condemnation, or other development order, permit, or approval, but not including action upon an application for a building permit. [ILA Section 1.7]

10. DRC - the staff development review committee, site plan technical review committee, or equivalent body, for the County. [ILA Section 1.8]

11. Educational facilities - shall mean the buildings and equipment, structures and special educational use areas that are built, installed, or established to serve primarily the educational purposes and secondarily the social and park and recreational purposes of the community and that may lawfully be used as authorized by the Florida K-20 Education Code (Chapters 1000-1012, Florida Statutes) and approved by the School Board. [ILA Section 1.10]

12. Educational plant - the educational facilities, site, and site improvements necessary to accommodate students, faculty, administrators, staff, and the activities of the educational program of each educational plant of the School Board. [ILA Section 1.11]

13. Existing school facilities - school facilities constructed and operational at the time a completed application for residential development is submitted to the County and Cities.

14. Final Subdivision or Plat / Final Site Plan – The stage in residential development where permits or development orders are approved authorizing actual construction of infrastructure, the recording of a final plat or the issuance of building permits.

15. FISH Manual - the document entitled "Florida Inventory of School Houses (FISH)," current edition, that is published by the Florida Department of Education, Office of Educational Facilities (hereinafter the "FISH Manual").

16. Land Use Decisions – future land use amendments, developments of regional impact, rezonings and other residential development approvals under the Land Development Code.

17. LDRs - the land development regulations adopted by the Local Government with its jurisdiction, including but not limited to (a) for the County, the St. Lucie County Land Development Code, (b) for Fort Pierce, the Zoning Ordinance of the City of Fort Pierce, and (c) for Port St. Lucie, the Port St. Lucie Zoning Code. [ILA Section 1.12]

18. Long-range planning - shall mean devising a systematic method based on educational information and needs, carefully analyzed, to provide the facilities to meet the goals and objectives of the School Board. [ILA Section 1.12]

19. LPA - the local planning agency, planning and zoning commission, zoning board, or equivalent body, designated (a) to prepare the Comprehensive Plan for a Local Government in accordance with the Florida Local Government Comprehensive Planning and Land Development Regulation Act, Part II of Chapter 163, Florida Statutes, and/or (b) to review and recommend approval or disapproval of applications to rezone property within the jurisdiction of, or to amend the LDRs of, a Local Government. [ILA Section 1.14]

20. Measurable programmatic change - means a change to the operation of a school that has consistent and measurable capacity impacts, including but not limited to the use of classrooms for special education or other special purposes.

21. New construction - shall mean any construction of a building or unit of a building in which the entire work is new or an entirely new addition connected to an existing building. [ILA Section 1.15]

22. Permanent FISH Capacity - capacity that is provided by "permanent buildings," as defined in the FISH Manual.

23. Permanent Program Capacity – shall mean the maximum number of students that may be housed in structures that are permanent to the campus, using FISH Capacity that is adjusted by the School Board annually to account for measurable programmatic changes in order to create permanent program capacity, as set forth in the District facilities work program for a 5-year period.

24. Planned school facilities - school facility capacity that will be in place or under actual construction within three (3) years after the issuance of final subdivision or site plan approval, pursuant to the School Board’s adopted Five Year Facilities Work Program.

25. Preliminary Subdivision or Plat / Preliminary Site Plan – Any conceptual approval in residential that precedes the review of detailed engineering plans and/or the commencement of actual construction of infrastructure.

26. Regional Planning Council - the Treasure Coast Regional Planning Council, a regional planning council created as provided in Section 186.504, Florida Statutes. [ILA Section 1.16]

27. School facilities - any or all ancillary, auxiliary, and educational facilities of the School Board. [ILA Section 1.17]

28. School Type - Elementary Schools are grades Pre Kindergarten Exceptional Student Education (PK- ESE) through 5; Middle Schools are grades 6 through 8; and High School are grades 9 through 12.

29. Site - a space of ground occupied or to be occupied by an ancillary or educational facility or program. [ILA Section 1.18]

30. Site development - work that must be performed on an unimproved site in order to make it usable for the desired purpose; or, work incidental to new construction or to make an addition usable. [ILA Section 1.19]

31. Site improvement - work that must be performed on an existing site to improve its utilization, correct health and safety deficiencies, meet special program needs, or provide additional service areas. [ILA Section 1.20]

32. SREF - State Requirements for Educational Facilities, as adopted by the Florida State Board of Education in accordance with Florida Administrative Code Rule 6A-2.0010

33. Superintendent - the Superintendent of Schools for St. Lucie County, Florida. [ILA Section 1.21]

34. Utilization of capacity - current enrollment at the time of a completed application for residential development.

Work Program - the financially feasible School District's Five Year Facilities Work Program adopted pursuant to section 1012.35, F.S