

## Public Schools Facilities

### *Goals, Objectives, and Policies*

#### *Coordinate and Maintain High Quality Education*

**PSF GOAL 1: HILLSBOROUGH COUNTY (THE COUNTY) SHALL COORDINATE WITH THE SCHOOL BOARD OF HILLSBOROUGH COUNTY (THE SCHOOL BOARD) TO ENSURE PUBLIC SCHOOL FACILITIES ARE OF THE HIGHEST QUALITY AND MEET THE NEEDS OF THE COUNTY’S EXISTING AND FUTURE POPULATION.**

#### *Population Projections*

**PSF OBJECTIVE 1.1: HILLSBOROUGH, TOGETHER WITH STAFF MEMBERS OF THE PLANNING COMMISSION AND THE CITIES OF TAMPA, TEMPLE TERRACE, AND PLANT CITY, SHALL MEET ANNUALLY TO COORDINATE AND BASE THEIR LOCAL GOVERNMENT COMPREHENSIVE PLANS AND SCHOOL FACILITY PLANS ON CONSISTENT PROJECTIONS.**

**PSF Policy 1.1.1:** The County and the School Board shall coordinate and base their plans on consistent projections, including population projections that are developed in coordination with the Planning Commission, and student enrollment projections (district- wide and by concurrency service areas) that are developed by the School Board with the agreement of the Florida Office of Educational Facilities. The School Board’s student enrollment projections shall consider the impacts of development trends and data required to be reported

by Section 1.3.3 of the Interlocal Agreement for School Facilities Planning and Siting (*Interlocal Agreement*). To accomplish this policy the County, the Planning Commission and the School Board agree to provide the information and follow the procedures specified in Sections 1.3.1 and 1.3.2 of the Interlocal Agreement.

#### *Growth and Development Trends*

**PSF OBJECTIVE 1.2: HILLSBOROUGH COUNTY, TOGETHER WITH STAFF MEMBERS OF THE PLANNING COMMISSION AND THE CITIES OF TAMPA, TEMPLE TERRACE, AND PLANT CITY, SHALL MEET ANNUALLY IN A JOINT WORKSHOP TO REPORT GROWTH AND DEVELOPMENT TRENDS.**

**PSF Policy 1.2.1:** The County, with the assistance of the Planning Commission, shall report on growth and development trends within the County to the School Board. The County and the Planning Commission shall provide the information and follow the procedures specified in Section 1.3.3 of the Interlocal Agreement. The School Board will use the information to distribute student enrollment by concurrency service area to make the most efficient use of public school facilities.

#### *School Facility Siting and Availability*

**PSF OBJECTIVE 1.3: THE COUNTY SHALL SUPPORT THE SCHOOL DISTRICT IN ITS EFFORT TO PROVIDE FOR, LOCATE AND EXPAND SCHOOLS IN A COORDINATED MANNER AND SHALL SUPPORT THE SCHOOL DISTRICT’S EFFORTS TO ENSURE THE PLANNING, CONSTRUCTION, AND OPENING OF EDUCATIONAL FACILITIES ARE COORDINATED IN TIME AND PLACE, CONCURRENT WITH NECESSARY SERVICES AND INFRASTRUCTURE, AND ENSURING**



**COMPATIBILITY AND CONSISTENCY WITH THE COMPREHENSIVE PLAN.**

**PSF Policy 1.3.1:** The County shall coordinate with the School Board to assure that proposed public school facility sites are consistent with the applicable land use categories and policies of the comprehensive plan and consistent with the plan’s implementing regulations. Pursuant to Section 1013.33, Florida Statutes, the County will consider each site plan as it relates to environmental, health, safety and welfare concerns, as well as the effects on adjacent property. The adopted Interlocal Agreement includes procedures and guidelines for the selection of future school sites related to:

1. Acquisition of school sites which allow for future expansions to accommodate future enrollment and other facility needs which promote the County’s development and redevelopment objectives deemed beneficial for joint-uses, as identified by the School Board and the County; and
2. Coordination of the location, phasing, and development of future school sites to ensure that site development occurs in conjunction with the provision of required infrastructure to serve the school facility.

**PSF Policy 1.3.2:** The County and School Board will jointly determine the need for and timing of on-site and off-site improvements necessary to support each new school or the proposed renovation, expansion or closure of an existing school, and will enter into a written agreement as to the timing, location, and the party or parties responsible for constructing, operating and maintaining the required improvements.

**PSF Policy 1.3.3:** The County shall afford the School Board representatives the opportunity to review and comment on developments adjacent to schools.

**PSF Policy 1.3.4:** The preferred locations for public schools, whether elementary, middle or high schools are within the Urban Service Area (USA), and shall be allowed in all future land use categories, with the exception of heavy industrial and natural preservation as delineated on the Future Land Use Map, consistent with the siting criteria in Policy 1.3.5. However, residential development will continue to occur at approved levels within areas designated Rural Service Area and public schools will be necessary under certain circumstances within these areas as provided in Policy 1.3.6.

**PSF Policy 1.3.5:** Schools are an allowable land use in all future land use plan categories within the Urban Service Area, except heavy industrial and natural preservation, subject to the following criteria:

In the planning, siting, land acquisition and development of the facility, for new school sites, significant renovations, expansions, and potential closures, evaluation of factors should include consideration of:

- a. expected student population density of the area;
- b. technical aspects of the facility including overall costs and design;
- c. sufficiently sized school sites to accommodate the required parking and circulation of vehicles;
- d. impacts on the environment and significant environmental constraints that would preclude a school on the site;



- e. impacts on archaeological or historic sites listed in the National Register of Historic Places or designated by the County as locally significant;
- f. location of school site within a velocity flood zone or floodway, or the coastal high hazard area as delineated by the County;
- g. location of school site within the area regulated by Section 333.03(3), F.S., regarding the location of schools within the vicinity of an airport;
- h. location of elementary school sites proximate to and within walking distance of the residential neighborhoods they are intended to serve, encouraging the use of elementary schools as focal points for neighborhoods;
- i. middle and high schools should be conveniently located to the residential neighborhoods they are intended to be served, with access to major roads;
- j. safe access from neighborhoods to schools, including the implementation of the Safe Paths to Schools (FDOT) program;
- k. to the extent possible, existing schools shall be expanded or renovated to support community redevelopment and revitalization;
- l. school sites shall not be acquired, reserved or accepted by donation immediately adjacent to water treatment or wastewater treatment plants unless intended as joint use and where adequate separation can be achieved, or within ¼ mile of active landfills;
- m. availability of public facilities and services, including transportation facilities concurrent to support the proposed school;

- n. public buildings and grounds (especially for purposes of collocating parks, libraries, community centers, public safety facilities and other appropriate related facilities) and their impacts; and
- o. the School Board’s assessment of current and projected levels of service within the Concurrency Service Area, including anticipated development in contiguous Concurrency Service Areas.

The facility shall be of a design, intensity, and scale to serve the surrounding neighborhood or the non-residential development in which it occurs, and be compatible with the surrounding land uses and zoning.

**PSF Policy 1.3.6:** The location of schools may be considered in all rural land use plan categories within the Rural Service Area, except heavy industrial and natural preservation, only upon demonstrated need, subject to the following criteria:

- a. The school board has demonstrated that the location and design of the proposed school is intended to predominately accommodate the student population living within the rural service area and that approval will not create the need for extension of centralized water and wastewater facilities outside the urban service area other than service lines designed to accommodate solely the service demands of the school or the need for roadway improvements not already contemplated in the County’s Capital Improvements Plan.

In the planning, siting, land acquisition and development of the facility, for new school sites, significant renovations,



expansions, and potential closures, evaluation of factors should include consideration of the factors included in Policy 1.3.5.

**PSF Policy 1.3.7:** The location and construction of new public educational facilities or the expansion of an existing site shall only be allowed upon a determination by the local government that the proposed site is consistent with the adopted Comprehensive Plan and consistent with the Plan’s implementing regulations. The procedures for determining consistency are outlined in the adopted Interlocal Agreement developed pursuant to Ch 1013.33 FS (Educational Facilities - Coordination of Planning with Local Governing Bodies).

**PSF Policy 1.3.8:** Hillsborough County will continue to participate in the School District’s Site Acquisition Oversight Committee to review and consider new school sites.

*Enhance Community Design*

**PSF OBJECTIVE 1.4: THE COUNTY SHALL ENHANCE COMMUNITY AND NEIGHBORHOOD DESIGN THROUGH EFFECTIVE SCHOOL FACILITY DESIGN AND SITING STANDARDS AND ENCOURAGE THE SITING OF SCHOOL FACILITIES SO THEY SERVE AS COMMUNITY FOCAL POINTS AND SO THEY ARE COMPATIBLE WITH SURROUNDING LAND USES.**

**PSF Policy 1.4.1:** The County shall coordinate with the School Board in order to provide consistency between the County’s comprehensive plan and public school facilities programs, such as:

- a. Greater efficiency for the School Board and the County by placing schools to take advantage of existing and planned roads, water, sewer, parks, and drainage systems;
- b. Improved student access and safety by coordinating the construction of new and expanded schools with road and sidewalk construction programs;
- c. The location and design of schools with parks, ball fields, libraries, and other community facilities to take advantage of shared use opportunities; and,
- d. The expansion and rehabilitation of existing schools so as to support neighborhoods and redevelopment.

**PSF Policy 1.4.2:** The County and School Board shall provide for the shared-use and co-location of school sites and County facilities with similar facility needs, such as libraries, parks and recreation facilities, and health care facilities. The County will look for opportunities to collocate and share use of County facilities when preparing updates to the Comprehensive plan’s schedule of capital improvements and when planning and designing new or renovating existing community facilities.

**PSF Policy 1.4.3:** The School Board, as one of the largest holders of historic resources within the County, shall be encouraged to preserve, maintain and continue the use of historic schools. Where continued use is not feasible, every effort should be made to provide for the adaptive reuse of these locally significant historic buildings.

**PSF Policy 1.4.4:** The policy of the County is to reduce hazardous walking conditions consistent with Florida’s safe

ways to school program. The County, in coordination with the 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 shall require sidewalks (complete, unobstructed, continuous with a minimum width of 5 feet) along the property for the corridor that directly serves the school, or qualifies as an acceptable designated walk or bicycle route to the school;
- c. In order 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 needed safety improvements; and

Coordination with the MPO Long Range Transportation Plans to ensure funding for safe access to schools including:

development of sidewalk inventories and list of priority projects coordinated with the School Board recommendations.

**PSF Policy 1.4.5:** The County will coordinate with the School Board and adjacent municipalities on efforts to build new school facilities, and facility rehabilitation and expansions, to be designed to serve as and provide emergency shelters as required by Section 1013.372, Florida Statutes.

*Land Use and School Facility Coordination*

**PSF OBJECTIVE 1.5: MANAGE THE TIMING OF NEW DEVELOPMENT TO COORDINATE WITH ADEQUATE SCHOOL CAPACITY, AS DETERMINED BY THE SCHOOL BOARD.**

**PSF Policy 1.5.1:** The County shall coordinate anticipated students growth based on future land use map projections of housing units with the School Board’s long range facilities needs over the 5-year, 10-year and 20-year periods.

**PSF Policy 1.5.2:** The County shall take into consideration the School Board comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments as provided for in s. 163.3177(6)(a), F.S, and developments of regional impact as provided in 380.06, F.S.

**PSF Policy 1.5.3:** Where capacity will not be available to serve students from the property seeking a land use change or development of regional impact approval, the County will coordinate with the School Board to ensure adequate capacity is planned and funded to accommodate the future students or



that the applicant has provided adequate mitigation to offset inadequacies in anticipated school capacity. Where feasible, in conjunction with the plan amendment early dedications of school sites shall be encouraged. To ensure adequate capacity is planned and funded, the School Board’s long range facilities plans over the 5-year, 10-year and 20-year periods shall be amended to reflect the needs created by the land use plan amendment.

*Implement Public School Concurrency*

**PSF GOAL 2: THE COUNTY SHALL COORDINATE THE APPROVAL OF NEW DEVELOPMENT WITH THE FUTURE AVAILABILITY OF PUBLIC SCHOOL FACILITIES CONSISTENT WITH THE ADOPTED LEVEL OF SERVICE STANDARDS. THIS GOAL WILL BE ACCOMPLISHED RECOGNIZING THE SCHOOL BOARD’S STATUTORY AND CONSTITUTIONAL RESPONSIBILITY TO PROVIDE A**

| TYPE OF SCHOOL  | LEVEL OF SERVICE STANDARD        |
|-----------------|----------------------------------|
| Elementary      | 100% of permanent FISH capacity* |
| Middle          | 100% of permanent FISH capacity* |
| K-8             | 100% of permanent FISH capacity* |
| High            | 100% of permanent FISH capacity* |
| Special purpose | 100% of permanent FISH capacity* |

**UNIFORM SYSTEM OF FREE AND ADEQUATE PUBLIC SCHOOLS, AND THE COUNTY’S AUTHORITY FOR LAND USE, INCLUDING THE AUTHORITY TO APPROVE OR**

**DENY COMPREHENSIVE PLAN AMENDMENTS, RE-ZONINGS OR OTHER DEVELOPMENT ORDERS THAT GENERATE STUDENTS AND IMPACT THE COUNTY’S SCHOOL SYSTEM.**

*Level of Service Standards*

**PSF OBJECTIVE 2.1: THE COUNTY, THROUGH ITS IMPLEMENTATION OF THE CONCURRENCY MANAGEMENT SYSTEM, SHALL ENSURE THAT THE CAPACITY OF SCHOOLS IS SUFFICIENT TO SUPPORT RESIDENTIAL SUBDIVISIONS AND SITE DEVELOPMENT PLANS AT THE ADOPTED LEVEL OF SERVICE (LOS) STANDARDS WITHIN THE PERIOD COVERED BY THE 5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS AND THE LONG RANGE PLANNING PERIOD. THESE STANDARDS SHALL BE CONSISTENT WITH THE INTERLOCAL AGREEMENT BETWEEN THE SCHOOL BOARD AND THE COUNTY.**

**PSF Policy 2.1.1:** The LOS standards set forth herein shall be applied consistently by all the local governments within Hillsborough County and by the School Board district-wide to all schools of the same type.

**PSF Policy 2.1.2:** Consistent with the Interlocal Agreement, the uniform, district-wide level-of service standards are initially set utilizing the Florida Inventory of School Houses (FISH) capacity formulas identified in the Capital Improvements Element, at the following levels:

\*As adjusted by the school board annually to account for measurable programmatic changes. “Measurable programmatic changes” mean changes to the operation of a school that has consistent and measurable capacity impact including, but not



limited to, double sessions, floating teachers, year-long schools and special educational programs.

**PSF Policy 2.1.3:** If there is a consensus to amend any level of service, it shall be accomplished by the execution of an amendment to the Interlocal Agreements by all parties and the adoption of amendments to the County’s and each City’s comprehensive plan. The amended level of service shall not be effective until all plan amendments are effective and the amended Interlocal Agreements are fully executed. No level of service shall be amended without a showing that the amended level of service is financially feasible, supported by adequate data and analysis, and can be achieved and maintained within the period covered by the 5-year schedule of capital improvements.

**PSF Policy 2.1.4:** In the event that a designated concurrency service areas (CSA) cannot meet the adopted level of service within the 5-year period covered in the Facilities Work Plan as specified in Policy 2.1.2, that CSA will be identified through a plan amendment as a backlog facilities and an interim standards will be developed and will apply. The level of service standard within these designated areas, over the period covered by the 10-year schedule of improvements, will be improved to the district-wide standard.

*School Concurrency Service Areas*

**PSF OBJECTIVE 2.2: THE COUNTY SHALL ESTABLISH SCHOOL CONCURRENCY SERVICE AREAS, AS THE AREA WITHIN WHICH AN EVALUATION IS MADE OF WHETHER ADEQUATE SCHOOL CAPACITY**

**IS AVAILABLE BASED ON THE ADOPTED LEVEL OF SERVICE STANDARDS.**

**PSF Policy 2.2.1:** The School Concurrency Service Areas (CSAs) for the County, as agreed in the Interlocal Agreement, shall be coterminous with the school attendance zones for elementary, middle and high schools as shown on Maps 7, 8, and 9 incorporated in the data and analysis of the PSFE. For special schools and charter schools the concurrency service area shall be district-wide.

**PSF Policy 2.2.2:** Future amendments to the CSAs, other than periodic adjustments to school attendance zones, may be accomplished by the School Board only after review and comment by the local governments within Hillsborough County, as provided for in the Interlocal Agreement. However, if there is agreement to amend the CSA to establish boundaries other than those that are coterminous with school attendance zones, it shall be accomplished by the execution of an amendment to the Interlocal Agreement by all parties and by an amendment to the comprehensive plan. The amended CSA shall not be effective until the amended Interlocal Agreement is fully executed and comprehensive plan amendments are in effect. No CSA shall be amended without a showing that the amended CSA boundaries are financially feasible.

**PSF Policy 2.2.3:** CSAs shall be established and subsequently modified to maximize available school capacity and make efficient use of new and existing public schools in accordance with the level of service standards, taking into account minimizing transportation costs, limiting maximum student



travel times, the effect of desegregation plans, achieving socio-economic, racial and cultural diversity objectives, and recognizing the capacity commitments resulting from development approvals for the CSA and for contiguous CSAs.

**PSF Policy 2.2.4:** Concurrency service areas shall be designed so that the adopted level of service will be able to be achieved and maintained within the five years of the capital facilities plan, and so that the 5-year schedule of capital improvements is financially feasible. Plan amendments are required for changes to the concurrency service area other than modifications to school attendance zones.

Local school capacity will be protected, by limiting new development from adjacent concurrency service areas from taking capacity if the school’s enrollment plus capacity reserved through school concurrency agreements/certificates is 95% or greater of FISH capacity. Capacity improvements within the first 3 years of the School District’s Work Plan as described in this element must also be included when determining the actual capacity of a school.

*Process for School Concurrency Implementation*

**PSF OBJECTIVE 2.3: IN COORDINATION WITH THE SCHOOL BOARD, THE COUNTY WILL ESTABLISH A JOINT PROCESS FOR IMPLEMENTATION OF SCHOOL CONCURRENCY WHICH INCLUDES APPLICABILITY AND CAPACITY DETERMINATION AND AVAILABILITY STANDARDS, AND SCHOOL CAPACITY METHODS. THE COUNTY SHALL MANAGE THE TIMING OF RESIDENTIAL SUBDIVISION APPROVALS AND SITE DEVELOPMENT PLAN APPROVALS TO ENSURE ADEQUATE SCHOOL CAPACITY IS**

**AVAILABLE CONSISTENT WITH ADOPTED LEVEL OF SERVICE STANDARDS FOR PUBLIC SCHOOL CONCURRENCY.**

**PSF Policy 2.3.1:** The issuance of final subdivision and site development plan approvals for residential development shall be subject to the availability of adequate school capacity required by Section 163.3180(13)(e) and the maintenance of adopted Level of Service (LOS) standards.

*Applicability Standards*

**PSF Policy 2.3.2:** School concurrency applies only to residential development or a phase of residential development requiring a subdivision plat approval, site development plan approval, or its functional equivalent, proposed or established after the effective date of the Public School Facilities Element (PSFE).

**PSF Policy 2.3.3:** The following residential development shall be considered exempt from the school concurrency requirements;

- a. Single family lots of record having received final subdivision plat approval prior to the effective date of the PSFE, or single family subdivision plats actively being reviewed at the time of adoption of the PSFE that have received preliminary subdivision approval and/or subdivision construction plan approval and there is no lapse in the development approval status.
- b. Multi-family residential development having received final site development plan approval prior to the effective date of the PSFE, or multi-family site development plans actively being reviewed at the time of adoption of the PSFE that



have received preliminary site development plan approval and/or site development construction plan approval and there is no lapse in the development approval status.

- c. Amendments to residential development approvals, which were previously approved prior to the effective date of the PSFE, and which do not increase the number of students generated by the development-based on the student generation rates for each school type.
- d. Age restricted 55 plus developments that are subject to deed restrictions prohibiting the permanent occupancy of a resident under the age of fifty five (55). Such deed restrictions must be recorded and must be irrevocable for a period of at least thirty (30) years.
- e. Group quarters that do not generate students, including residential facilities such as local jails, prisons, hospitals, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse dorms, college dorms exclusive of married student housing, and religious non-youth facilities.

**Capacity Determination Standards**

**PSF Policy 2.3.4:** The County will adopt a School Concurrency Ordinance which establishes the application procedures and process for evaluating school capacity and making concurrency determinations consistent the Interlocal Agreement and the policies established herein.

**PSF Policy 2.3.5:** The County may approve a concurrency determination application earlier in the approval process, such as at the time of preliminary subdivision, preliminary site plan approval or development agreement authorized by s. 163.3220

– 163.3243, if requested by the applicant. The County shall consider the School Board’s findings and recommendations on concurrency determinations, allocations of capacity, and appropriate mitigation including proportionate share mitigation commitments.

**PSF Policy 2.3.6:** The School Board shall conduct a concurrency review that includes findings and recommendations of whether there is adequate school capacity to accommodate the proposed development for each type of school within the affected CSA consistent with the adopted LOS standard.

- a. Adequate school capacity is the circumstance where there is sufficient school capacity, based on adopted LOS standards, to accommodate the demand created by a proposed development.
- b. The School Board’s findings and recommendations shall address whether adequate capacity exists for each level of school, based on the level of service standards, or if adequate capacity does not exist, whether appropriate mitigation can be accepted.
- c. If mitigation can be accepted, the School Board’s findings shall identify the accepted form of mitigation that is consistent with the policies set forth herein.

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

**PSF Policy 2.3.7:** The School Board shall determine whether there is adequate capacity to accommodate a proposed



development based on the level of service standards according to the procedures established in the Interlocal Agreement.

*Availability Standard*

**PSF Policy 2.3.8:** The County shall approve a subdivision plat or site development plan for residential development when:

- a. The School Board’s findings indicate adequate school facilities will be in place or under actual construction within three (3) years after the issuance of the subdivision plat or site development plan for each level of school;
- b. Adequate school facilities are available in an adjacent CSA and the impacts of development shall be shifted to that area, and when reviewing development, new development from adjacent CSA’s cannot take capacity if the school’s enrollment is 95% or greater of FISH capacity; or
- c. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property subject to the final plat or site development plan, as provided in Objective 2.4 and supporting policies.

**PSF Policy 2.3.9:** In evaluating a subdivision plat or site development plan for concurrency, programmed improvements in years 1-3 of the 5-year schedule of improvements shall be considered available capacity for the project and factored into the level of service analysis provided that the School District has identified a suitable site (pursuant to the terms of the Interlocal Agreement) to construct the project and that the programmed improvement will be in place or under actual construction within three (3) years after the issuance of the subdivision plat or site

development plan. Any relevant programmed improvements for which a suitable site has not been identified by the School District (pursuant to the terms of the Interlocal Agreement) or will not be in place or under construction within the first 3 years of the 5-year schedule of improvements shall not be considered available capacity for the project unless funding for the improvement is assured through School Board funding to accelerate the project, through proportionate share mitigation, or some other means of assuring adequate capacity will be available within 3 years. The School Board may use relocatable classrooms to provide temporary capacity while funded schools or school expansions are being constructed.

*Proportionate Share Mitigation*

**PSF OBJECTIVE 2.4: THE COUNTY SHALL PROVIDE FOR MITIGATION ALTERNATIVES THAT ARE FINANCIALLY FEASIBLE AND WILL ACHIEVE AND MAINTAIN THE ADOPTED LEVEL OF SERVICE STANDARD CONSISTENT WITH THE ADOPTED SCHOOL BOARD’S FINANCIALLY FEASIBLE WORK PROGRAM. MITIGATION PROPOSALS MUST BE ACCEPTABLE TO THE SCHOOL BOARD.**

**PSF Policy 2.4.1:** Mitigation shall be allowed for those developments that cannot meet the adopted level of service standards. Mitigation options shall include options listed below for which the School District assumes operational responsibility through incorporation into the adopted School Board’s financially feasible Work Program and which will maintain adopted level of service standards.



- a. The donation, construction, or funding of school facilities sufficient to offset the demand for public school facilities created by the proposed development;
- b. The creation of mitigation banking within designated areas based on the construction of a public school facility in exchange for the right to sell capacity credits. Capacity credits shall be sold only to developments within the same concurrency service area or an adjacent concurrency service area;
- c. Establishment of a Charter School with facilities constructed in accordance with the State Requirements for Educational Facilities (SREF) and consistent with the School District of Hillsborough County’s Prototype Educational Specifications in use at the time of construction; and
- d. Establishment of an Educational Benefit District.

**PSF Policy 2.4.2:** Mitigation must be directed toward a permanent capacity improvement identified in the School Board’s financially feasible Work Program, which satisfies the deficiencies created by the proposed development consistent with the adopted level of service standards. Relocatable classrooms will not be accepted as mitigation. In no event shall an improvement be smaller in size than a single classroom. Type 2 Modular Units shall not be considered relocatables for the purpose of proportionate share mitigation.

**PSF Policy 2.4.3:** Mitigation shall not be required when the adopted level of service cannot be met in a particular concurrency service area if the needed capacity for the development is available in one or more contiguous concurrency

service areas and the impacts of the development shall be shifted to that concurrency service area provided that impacts may not be shifted if the adjacent school’s enrollment plus capacity reserved through school concurrency agreements/certificates is 95% or greater of FISH capacity. Capacity improvements within the first 3 years of the School District’s Work Plan as described in this element must also be included when determining the actual capacity of a school. Where more than one concurrency service area is available to accommodate student impacts, the School Board shall evaluate how the impacts of that development shall be shifted. Measures to maximize capacity including modifications to concurrency service areas in lieu of shifting development impacts can be considered.

**PSF Policy 2.4.4:** CSAs which are not adjacent to each other in any physical location but are separated by a major water body (e.g. Tampa Bay, Hillsborough Bay) are not considered to be “adjacent” or “contiguous” for the purpose of “shifting” the impacts of new development pursuant to this Element and the Interlocal Agreement.

**PSF Policy 2.4.5:** Mitigation shall be directed to projects on the School Board’s financially feasible Work Plan that the School Board agrees will satisfy the demand created by that development approval, and shall be assured by a legally binding development agreement between the School Board, the County, and the applicant which shall be executed prior to the County’s issuance of the final subdivision plat or the final site development plan approval. If the School Board agrees to the mitigation, the School Board must commit in the agreement to



placing the improvement required for mitigation on its Work Program during the next scheduled update to the Facilities Work Program.

**PSF Policy 2.4.6:** The applicant's total proportionate share obligation to resolve a capacity deficiency shall be based on the following: multiplying the number of deficient student stations needed to serve the development by the State average costs per student station at the time of construction (as adopted in Ch. 1013.64 FS) for each school type. The State average cost per student station includes school facility construction costs contract costs, legal and administrative costs, fees of architects and engineers, furniture and equipment and site improvement costs. It does not include the cost of land purchase or lease, extraordinary site preparation costs, hurricane hardening of structures and off-site infrastructure costs that are typically borne by the school district that may be necessary to serve the school. Costs for these items shall be included as part of the proportionate share calculations as appropriate. Pursuant to Section 163.3180(13)(e)(2), F.S., the applicant's proportionate-share mitigation obligation shall be credited toward any other impact or exaction fee imposed by local ordinance for the same need, on a dollar-for-dollar basis, at fair market value.

**PSF Policy 2.4.7:** At the time of initial adoption of this element, the student generation rates are those found in the Comprehensive Impact Fee Study June 2004. The student generation rates shall be reviewed periodically in conjunction with a review of the School Impact Fee in order to maintain consistency when calculating the impacts of new residential developments on school facilities. Professionally accepted

methodologies and current housing and population data will be used to review the generation rates.

**PSF Policy 2.4.8:** The provision that limits shifting the impacts of developments to adjacent concurrency service areas (CSA) in cases where the receiving CSA is at or exceeds 95% of capacity shall be reviewed within 2 years of the effective date of school concurrency within all jurisdictions. A committee that includes the various stakeholders will be included in this review process to determine the impacts of the provision.

#### *School Capital Facilities Planning*

**PSF OBJECTIVE 2.5: THE COUNTY SHALL COOPERATE WITH THE SCHOOL BOARD TO ENSURE EXISTING DEFICIENCIES AND FUTURE NEEDS ARE ADDRESSED CONSISTENT WITH THE ADOPTED LEVEL OF SERVICE STANDARDS FOR PUBLIC SCHOOLS.**

**PSF Policy 2.5.1:** The County's strategy, in coordination with the School Board, for correcting existing deficiencies and addressing future needs includes:

- a. The School Board's commitment to continue the re-boundary process to reallocate school capacity to reduce school overcrowding within concurrency service areas;
- b. Implementation of a financially feasible 5-Year Work Program identifying capital improvements that are necessary to ensure level of service standards are achieved and maintained;
- c. Identification of adequate sites for funded schools; and
- d. The expansion of revenues for school construction from updated impact fees.



**PSF Policy 2.5.2:** The County shall cooperate with the School Board to ensure that future development provides mitigation proportionate to the demand for public school facilities needed to accommodate new development and to assist in maintaining adopted level of service standards.

**PSF Policy 2.5.3:** Funding for the construction and acquisition of sites for new schools adequate to meet identified needs is included in the financially feasible 5-year schedule of improvements. However, sites have not been identified for all schools included in years 4 and 5 of the schedule. Priority will be given to locating adequate sites within the first 3 years.

**PSF Policy 2.5.4:** By December 1st of each year, the County, in coordination with the School District, shall update by reference the School District 5-year Work Program to ensure maintenance of a financially feasible capital improvements program and to ensure level of service standards will continue to be achieved and maintained within the subsequent 5-year schedule of capital improvements.

**PSF Policy 2.5.5:** To provide an adequate and reliable source of funding for the communities of Hillsborough County experiencing rapid growth, the County will update impact fees and at a minimum include in its fee structure a school construction component for capital facilities.

*Monitoring and Evaluation of Public School Facilities Element*

**PSF GOAL 3: HILLSBOROUGH COUNTY SHALL STRIVE TO CONTINUALLY MONITOR AND EVALUATE THE PUBLIC SCHOOLS FACILITIES ELEMENT IN ORDER TO**

**ASSURE THE BEST PRACTICES OF THE JOINT PLANNING PROCESSES AND PROCEDURES FOR COORDINATION OF PLANNING AND DECISION-MAKING.**

**PSF OBJECTIVE 3.1: ON AN ONGOING BASIS, THE PLANNING COMMISSION SHALL EVALUATE THE COMPREHENSIVE PLAN WITH THE SCHOOL FACILITIES PLANS OF THE SCHOOL BOARDS IN AN EFFORT TO ENSURE CONSISTENCY WITH THE COMPREHENSIVE PLAN.**

**PSF Policy 3.1.1:** Hillsborough County and the Hillsborough County School Board will coordinate during updates or amendments to the Hillsborough 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 5.1.1 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 1 of each year.

**PSF Policy 3.1.2:** The Planning Commission is the lead agency responsible for monitoring and evaluation of the comprehensive plan. Consistent with the Interlocal Agreement, staff of the Planning Commission, the School Board, the County and municipalities will meet annually to discuss issues related to the effectiveness of implementing the Public School Facilities Element and Interlocal Agreement and discuss recommendations for change.

**PSF Policy 3.1.3:** As a result of the annual meeting described in Policy 3.1.2, the School Board staff will lead the preparation



of a report which will summarize the effectiveness of the Interlocal Agreement and summarize any recommendations regarding amendment to the Agreement or related documents proposed in the Joint Meeting. The School Board staff will be responsible for the final preparation of the report and distribution to the elected Chair and/or Mayor of each local government, the Chair of the Planning Commission and the Chair of the School Board. The report may also be presented to any of the local government bodies and the Council of Governments (COG) as requested.

**Policy 3.1.4:** If the annual report identifies the need for any amendments to the Interlocal Agreements or if there are recommendations for other changes related to the coordination of land use and school facilities planning, a meeting with the Council of Governments (COG) shall be requested by the Superintendent of Schools or designee through the appropriate coordinating staff at Hillsborough County. The proposed amendments will be presented to the COG for input and allow the opportunity for public comment on the proposed amendments before they proceed to each elected or appointed body for review and processing.

#### *Future Conditions Maps*

Consistent with Section 163.3177(12)(g), Florida Statutes, the Public School Facilities Element shall include future conditions maps showing existing and anticipated schools over the five-year and long-term planning periods. The maps of necessity may be general over the long-term planning period and do not prescribe a land use on a particular parcel of land. Figures 1 through 3 depict existing and anticipated elementary, middle

and high schools over the five-year planning timeframe. Figures 4 through 6 depict existing and anticipated elementary, middle and high schools over the ten-year planning timeframe. Figures 7 through 9 depict elementary, middle and high schools over the twenty-year planning timeframe.

