

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 4D

From: Staff

Date: April 18, 2008 Council Meeting

Subject: Local Government Comprehensive Plan Review  
Draft Amendments to the Town of Indian River Shores Comprehensive Plan  
DCA Reference No. 08-PEFE1

Introduction

The Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, *Florida Statutes*, requires that Council review local government comprehensive plan amendments prior to their adoption. Under the provisions of this law, the Department of Community Affairs (DCA) prepares an Objections, Recommendations, and Comments (ORC) Report on a proposed amendment only if requested to do so by the local government, the regional planning council, an affected person, or if an ORC Report is otherwise deemed necessary by the DCA. If an ORC Report is to be prepared, then Council must provide DCA with its findings of consistency or inconsistency with the Strategic Regional Policy Plan (SRPP), and provide any comments and recommendations for modification on the proposed amendments within 30 days of its receipt.

Background

The Town of Indian River Shores is proposing text amendments to the Intergovernmental Coordination and Capital Improvements Elements of the Town Comprehensive Plan. The Town is also proposing a new element entitled Public School Facilities Element (PSFE).

In 2005, the Florida Legislature amended Section 163.3180, Florida Statutes, to require the implementation of public school concurrency. Each local government is required to adopt a PSFE as part of its comprehensive plan and amend its Intergovernmental Coordination and Capital Improvements Elements to be consistent. The PSFE must address school level of service, school utilization, school proximity and compatibility with residential development, availability of public infrastructure, co-location opportunities and financial feasibility. Rule 9J-5, Florida Administrative Code, contains the minimum requirements for the PSFE.

Section 163.3177, F.S. requires that “the county and municipalities located within the geographical area of a school district shall enter into an interlocal agreement with the district school board which jointly establishes the specific ways in which the plans and processes of the district school board and the local governments are to be coordinated.” The Interlocal Agreement for Coordinated Planning and School Concurrency for Indian River County was adopted and became effective on March 1, 2008.

## Evaluation

### 1. **Public School Facility Element**

This is an entirely new element of the Town Comprehensive Plan. It closely resembles the PSFE adopted by Indian River County, with some minor modifications to set forth the Town’s role in coordinated school planning and school concurrency. Policy 11-3.1 commits the Town to participate in the Indian River County School Planning Technical Advisory Committee and School Working Group regarding planning for on and off site improvements. Policy 11-3.2 commits the Town to participate in the same groups to address the timing, location, operation, and maintenance of off-site improvements.

### 2. **Intergovernmental Coordination Element**

Noteworthy changes to the goals, objectives, and policies of this element include:

- Revisions to Objective 8-1.1 and Policies 8-1.1.1 and 8-1.1.3 committing the Town to participation in the Public School Planning Technical Advisory Committee and the Staff Working Group as established in the Public School Interlocal Agreement.
- Revisions to Policy 8-1.3.3 addressing participation in resolving issues regarding annual updates to the School District Capital Improvements Program.
- New Policy 8-1.3.4 formally adopts Public School level of service standards.
- New Policy 8-1.3.5 regarding implementing a PSFE and capital improvements program; and coordinated planning and the school concurrency interlocal agreement.
- New Objective 8-1.4 and supporting policies regarding cooperation between the Town and the School District.

### 3. **Capital Improvements Element**

Revisions to the text of this element include a detailed summary of the newly proposed Concurrency Management System; not only for public schools, but for all facilities for which level of service standards are required. These include sections on purpose and intent, level of service standards and procedures, available capacity determination and criteria for concurrency and final development orders.

Revisions to the goals, objectives, and policies include:

- Revised Policy 9-1.3.2 regarding adoption of a 5-year, financially feasible capital improvements program.
- New Policy 9-1.3.8 regarding the annual adoption of the School District Five Year Capital Improvements Schedule.
- New Objective 9-1.5 and supporting policies adopting a Concurrency Management System.
- New Appendix A that includes the School District Capital Improvement Schedule and Capital Improvements Program Revenue Summary.

#### Extrajurisdictional Impacts

Under the informal agreement established by the Treasure Coast Regional Planning Council, local governments in the northern three counties of the region are to provide copies of amendment materials to other local governments that have expressed an interest in receiving such materials. The Town provided copies of the proposed amendments to Indian River County, the City of Vero Beach, and the Indian River County School District. In correspondence dated March 12, 2008, Council requested comments from those jurisdictions/agencies regarding the proposed amendments. As of the date of the preparation of this report, no comments had been received.

#### Effects on Significant Regional Resources or Facilities

Analysis of the proposed amendments indicates that they would not have adverse effects on significant regional resources or facilities.

#### Analysis of Consistency with Strategic Regional Policy Plan

Council has no comments or recommendations for modification to the proposed amendments. The amendments are considered to be consistent with the SRPP.

#### Consistency with Strategic Regional Policy Plan

The contract agreement between the DCA and the Treasure Coast Regional Planning Council requires Council to include a determination of consistency with the SRPP as part of the written report to be submitted to the DCA. Council finds the proposed amendments to be CONSISTENT with the SRPP.

#### Recommendation

Council should adopt the above comments and instruct staff to transmit the report to the Department of Community Affairs.

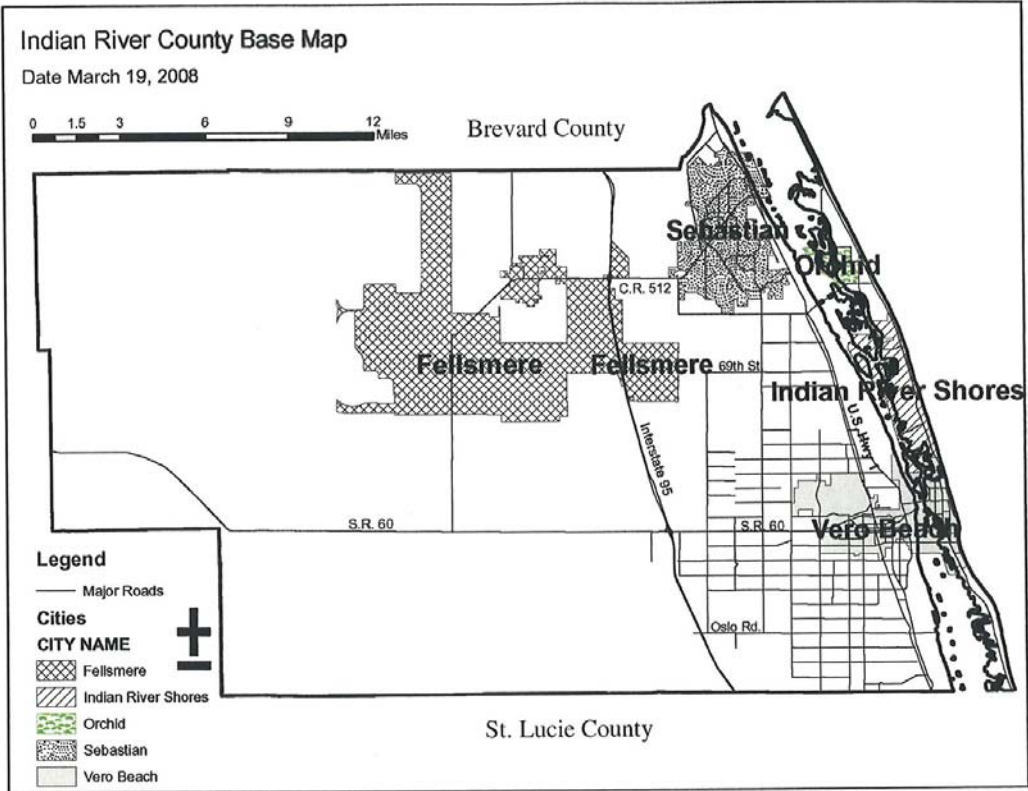
Attachments

## **List of Exhibits**

### **Exhibit**

- 1 General Location Map
- 2 Indian River County Existing and Programmed School Locations

**Exhibit 1  
General Location Map  
Town of Indian River Shores**



## Exhibit 2 Indian River County Existing and Programmed School Locations

