TREASURE COAST REGIONAL PLANNING COUNCIL

M E M O R A N D U M

To: Council Members

From: Staff

Date: June 20, 2008 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the City of Stuart Comprehensive Plan
DCA Reference No. 08PEFE1

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 City of Stuart is proposing text amendments to the Intergovernmental Coordination and Capital Improvements Elements of the City Comprehensive Plan. The City is also proposing a new element entitled Public School Facilities Element (PSFE). The City has requested that the amendments be formally reviewed by the DCA.

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, Florida Statutes 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 Martin County was adopted and became effective on March 11, 2008.

Evaluation

The City indicates the intent to: 1) participate in school location decisions; 2) routinely share residential development data and projections; and 3) through its concurrency management system, confirm with School Board officials that adequate school facilities exist before permitting residential development.

1. Public School Facility Element

This is an entirely new element of the City Comprehensive Plan. The objectives of the element are to ensure that:

- Public school facilities are maintained at the highest quality.
- Adequate capacity is available to accommodate project development at the adopted level of service.
- All new public schools will be consistent with the Future Land Use Map designation, will have needed supporting infrastructure; and to encourage that new public schools will be co-located with other appropriate service facilities where possible.
- The Five-Year Capital Improvements Plan will include all necessary projects to address current and future needs.

2. Intergovernmental Coordination Element

A number of policy revisions are proposed. Noteworthy revisions include policies that address:

- implementation of school concurrency in accordance with the Florida Statutes;
- coordination of a biennial review of the School Impact Fee Ordinance between the City and the School Board;
- requiring applicants requesting City approval for site plans, plats, development plans, planned unit development or other development approvals involving residential units obtain a statement of no objections from the School Board prior to final City approval;
- ensuring close coordination on issues of joint concern for the City and the School Board;
- prohibiting the City from imposing design standards, site plan standards or other development conditions;
• coordination of planning, location and review of proposed educational facilities site plans and off-site impacts between the City, County and School Board as well as the adoption and maintenance of an interlocal agreement detailing joint processes for collaborative planning and decision making between the City, County and School Board;
• provision of a standardized process for determining site availability to meet the education facility needs indentified by the School Board;
• City participation on the Boundary Advisory Committee to provide timely input in the planning process for public school development and expansion;
• coordination with the School Board on updates to their respective Capital Improvement plans;
• the free flow of information between the City and School Board staffs; and
• coordination between the City and School Board with respect to construction of sidewalks/bike paths in order to facilitate travel to/from school/recreational facilities.

Revised Policy A8.27(b), which addresses the redevelopment of schools, removes the language “those which are more than 20 years old and”, which could have allowed the City and School Board to only consider redevelopment of older schools and not all schools.

3. Capital Improvements Element

Revisions to this element include new Policy A2.14 which incorporates by reference the Martin County School District’s Five-Year Capital Improvements Plan. This document ensures capacity of schools is sufficient to support anticipated demands projected by the City and County at the adopted level of service standards; the level of service standards for public schools are achieved and maintained within the 5-Year schedule; and that all projects and plans will not impose design standards, site plan standards of other development conditions that are in conflict with maintaining a balanced, financially feasible district facilities work plan. Additionally, level of service standards for elementary, middle and high schools are established.

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. In correspondence dated May 23, 2008, Council provided the amendment materials and requested comments from Martin County, the Town of Sewall’s Point and the City of Port St. Lucie 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/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

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Exhibit 1
General Location Map
City of Stuart
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Elementary Schools with Elementary and Middle Schools CSAs
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