

TREASURE COAST REGIONAL PLANNING COUNCIL

MEMORANDUM

To: Council Members AGENDA ITEM 4D

From: Staff

Date: May 16, 2008 Council Meeting

Subject: Local Government Comprehensive Plan Review
Draft Amendments to the City of Fellsmere 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.

Back ground

The City of Fellsmere is proposing amendments to the Future Land Use Map and to the Intergovernmental Coordination and Capital Improvements Element of the City Comprehensive Plan. The City also proposes a new Public School Facilities Element (PSFE). The City requested that the DCA not carry out a formal review of the amendments.

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 to the City Comprehensive Plan. It is very similar to the PSFE prepared by Indian River County. It includes objectives and policies that address: 1) adequate school facilities, 2) school concurrency review, 3) coordination, and 4) five-year capital improvements.

2. Intergovernmental Coordination Element

Minor revisions are proposed to several policies to address school concurrency. New Policy A.1.8 requires the City to review site plans for school development projects within the City limits.

3. Capital Improvements Element (CIE)

Minor revisions are made to several policies, including reference to the School District Five-Year capital facilities plan. Level of service standards are established for public schools. Revised Policy B-1.10 makes reference to the Interlocal Agreement for School Concurrency. The CIE tables now include the School District Capital Improvements Schedule. Appendix 8-A (Concurrency Management) is also revised to reflect implementation of school concurrency and the interlocal agreement.

4. Future Land Use Map

This map is revised to show the location of the existing Fellsmere Elementary School and the proposed school site on the Ansin Property, near I-95.

Extrajurisdictional Impacts

Under the informal agreement coordinated 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 City provided copies of the proposed amendments to Indian River County and the City of Vero Beach. In correspondence dated April 11, 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/recommendations for modification to the proposed amendments. The amendments are considered to be consistent with the SRPP.

Conclusion

Due to the lack of detrimental extrajurisdictional impacts or effects on significant regional resources and facilities, Council does not recommend that the DCA formally review the proposed amendments.

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.

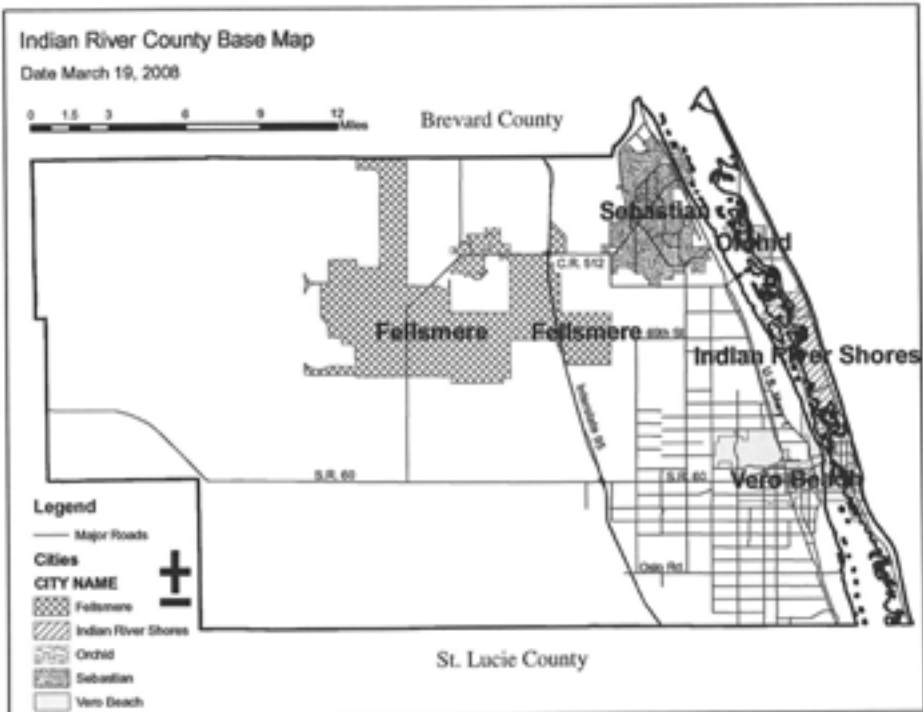
Attachments

List of Exhibits

Exhibit

- 1 General Location Map
- 2 Existing and Proposed Public School Facilities Within the City

Exhibit 1
General Location Map
City of Fellsmere



**Exhibit 2
Existing and Proposed Public School
Facilities Within the City**

