

CHAPTER 17

PUBLIC SCHOOL FACILITIES ELEMENT

Goal 17.A - Collaborate and coordinate with the Okaloosa County School Board (School Board) to ensure high quality public school facilities, which meet the needs of the City of Niceville's (City) existing and future population.

Objective 17.A.1 - Consistent with the Interlocal Agreement for Public School Facility Planning, the City shall implement and maintain mechanisms designed to closely coordinate with the School Board in order to provide consistency between the City's comprehensive plan and public school facilities programs, such as:

1. Greater efficiency for the School Board and the City by the placement of schools to take advantage of existing and planned roads, water, sewer, parks, and drainage systems;
2. Improved student access and safety by coordinating the construction of new and expanded schools with road and sidewalk construction programs;
3. The location and design of schools with parks, ball fields, libraries, and other community facilities to take advantage of shared use opportunities; and,
4. The expansion and rehabilitation of existing schools so as to support neighborhoods.

Policy 17.A.1.1 - Manage the timing of new development to coordinate with adequate school capacity. The City may use the lack of school capacity as a basis for denial of applications for final subdivision plats or site plans for residential development. Adequate school capacity shall be considered as part of the plan amendment and rezoning processes.

Policy 17.A.1.2 - In cooperation with the School Board, Okaloosa County and the municipalities of Cinco Bayou, Crestview, Destin, Fort Walton Beach, Laurel Hill, Mary Esther, Shalimar and Valparaiso, the City of Niceville will implement the Interlocal Agreement for Public School Facility Planning for Okaloosa County, Florida between the County, School Board, and all legislative bodies of the municipalities, as required by Section 1013.33, Florida Statutes. The Interlocal Agreement includes procedures for:

1. Joint meetings;
2. Student enrollment and population projections;
3. Coordinating and sharing of information;

4. School site analysis;
5. Supporting infrastructure;
6. Comprehensive plan amendments, rezoning, and development approvals;
7. Education Plant Survey and Five-Year District Facilities Work program;
8. Co-location and shared use;
9. Implementation of school concurrency, including levels of service standards, concurrency service areas, and proportionate-share mitigation;
10. Oversight process; and,
11. Resolution of disputes.

Policy 17.A.1.3 - The City shall include a representative of the School District, appointed by the School Board, as a nonvoting member of the local planning agency, as required by Section 163.3174, Florida Statutes.

Policy 17.A.1.4 - The City shall coordinate with the School Board and all applicable municipalities regarding annual review of school enrollment projections and procedures for annual update and review of school board and local government plans consistent with policies under Policy 13.B.2.3 of the Intergovernmental Coordination Element of the Comprehensive Plan.

Policy 17.A.1.5 - The City's strategy, in coordination with the School Board, for correcting existing deficiencies and addressing future needs includes:

1. Implementation of a financially feasible 5-year schedule of capital improvements to ensure level of service standards are achieved and maintained and to address any existing deficiencies and future needs.
2. Identification of adequate sites for funded and planned schools.
3. The establishment of an impact fee ordinance in order to generate additional revenue to help fund school improvements.
4. For potential amendments to the level of service standards shall be considered at least annually at the staff working group meeting to take place no later than April 15th of each year. If the School Board proposes an amendment, it shall be accomplished by the execution of an amendment to the Interlocal Agreement by all parties and the

adoption of amendments to the comprehensive plans. Impact to adjacent communities shall be considered in the recommendations of the working group. The amended level of service shall not be effective until all plan amendments are effective and the amended Interlocal Agreement is 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 first five-years of the Capital Facilities Plan. After the first 5-year schedule of capital improvements, capacity shall be maintained in subsequent 5-year schedules of capital improvements.

Objective 17.A.2 - Enhance community/neighborhood design through effective school facility design and siting standards. Encourage the siting of school facilities so they serve as community focal points and so that they are compatible with surrounding land uses by siting schools near urban residential areas and in accordance with local land development regulations to assure compatibility.

Policy 17.A.2.1 - The City will continue to coordinate with the School Board to assure that proposed public school facility sites are consistent with the land use categories and policies of the City Comprehensive Plan, pursuant to the Interlocal Agreement for Public School Facility Planning.

Policy 17.A.2.2 - Consistent with Policy 7.A.11.1 of the City of Niceville Future Land Use Element, “the City shall encourage the location of schools proximate to urban residential areas to the extent possible”. Policy 7.A.11.3 provides that the public schools are an allowable use in the following land use categories shown on the Future Land Use Maps (reference Section 7.05);

- a) Residential (low density and medium density);
- b) Commercial use;
- c) Industrial use;
- d) Mixed use; and
- e) Public lands.

Policy 17.A.2.3 - Consistent with Policy 7.A.11.4 of the City of Niceville Future Land Use Element, “The City will cooperate with officials of the Okaloosa County School Board and other local governments in order to establish school location criteria and identify areas where schools will be needed in the future. The Okaloosa County Comprehensive Plan Committee shall be the vehicle used to facilitate the cooperation herein described.”

Policy 17.A.2.4 - Consistent with Policy 7.A.11.2 of the City of Niceville Future Land Use Element, “The City shall seek to collocate public facilities such as parks, libraries and community centers with schools to the extent possible.”

Policy 17.A.2.5 - Consistent with Section 163.3177, Florida Statutes, the City will include sufficient allowable land use designations for schools approximate to residential development to meet the projected needs for schools.

Policy 17.A.2.6 - It is the policy of the School Board, the County and all municipalities to reduce hazardous walking conditions consistent with Florida’s Safe Ways to School program. The City, in coordination with the School Board, shall coordinate with the Okaloosa-Walton TPO’s Long Range Transportation Plan to ensure funding for safe access to schools. This includes development of sidewalk inventories and a list of priority projects coordinated with the School Board recommendations and ensuring these recommendations are addressed over the planning period.

Policy 17.A.2.7 - The City and School Board will jointly determine the need for and timing of on-site and off-site improvements (including water, sewer, roads and drainage) 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.

Policy 17.A.2.8 - The City and the School Board will work to find opportunities to collaborate on transit and bus routes to better serve citizens and students including providing bus stops near proposed school sites during the final approval process.

Objective 17.A.3 - Encourage sustainable design and development for educational facilities.

Policy 17.A.3.1 - Coordinate with the School Board to continue to permit the shared-use and co-location of school sites and City facilities with similar facility needs, according to the Interlocal Agreement for Public School Facility Planning for the City of Niceville, Florida, as it may be amended. Coordinate in the location, phasing, and design of future school sites to enhance the potential of schools as public recreation areas.

Policy 17.A.3.2 - Encourage the School Board to use sustainable design and performance standards, such as using energy efficient and recycled materials, to reduce lifetime costs.

Policy 17.A.3.3 - The City will continue to coordinate 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 163.3177, Florida Statutes. The City will continue to fulfill the requirements of Section 1013.372, Florida Statutes, such that appropriate new educational facilities will serve as public shelters for emergency management purposes, and shall coordinate with the School Board regarding emergency preparedness issues and plans.

Objective 17.A.4 - It is the objective of the City of Niceville to coordinate petitions for changes to future land use, zoning, subdivision plats and site plans for residential development with adequate school capacity, to correct any deficiencies and provide for anticipated needs, and ensure adopted LOS standards are met in conjunction with the 5 year capital improvement schedule. This goal will be accomplished recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the City's authority for land use, including the authority to approve or deny petitions for comprehensive plan amendments, re-zonings or final subdivision plats and site plans that generate students and impact the Okaloosa County School District.

Policy 17.A.4.1 - The City shall coordinate anticipated student 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 and ensure adequate provision of available land in coordination with the adopted future land use map.

Policy 17.A.4.2 - The City shall consider the School Board comments and findings on the availability of adequate school capacity when approving comprehensive plan amendments and other land use decisions, as provided for in Section 163.3177(6)(a), Florida Statutes, during the public hearing process of the LPA, through the ex-officio participation of the School Board, and during the technical coordinating committee approval process for final subdivision plat and site plan approval, as appropriate.

Policy 17.A.4.3 - The City shall give priority consideration to petitions for land use and zoning changes and final subdivision plats and site plans for residential development approvals in areas with adequate school capacity or where school sites are adequate to serve potential growth or have had potential sites donated to or set aside for purchase by the School Board at raw land (pre-development approval) prices as reflected in a written agreement approved by the School Board.

Policy 17.A.4.4 - Where capacity will not be available to serve students from the property seeking a land use change, the City will coordinate with the School Board to ensure adequate capacity is planned and funded in the Concurrency Service Area (CSA) of the assigned school or in an adjacent Concurrency Service Area. 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 plan over the 5-year, 10-year and 20-year periods shall be amended to reflect the needs created by the land use plan amendment.

Policy 17.A.4.5 - In reviewing petitions for future land use, rezoning, or final subdivision plats and site plans for residential development, which may affect student enrollment or school facilities, the City will consider the following issues:

1. Providing school sites and facilities within planned neighborhoods;

2. Ensuring the compatibility of land uses adjacent to existing schools and reserved school sites;
3. The co-location of parks, recreation and community facilities with school sites (consistent with Policy 7.A.11.2 of the Future Land Use Element of the City of Niceville's Comprehensive Plan);
4. The linkage of schools, parks, libraries and other public facilities with bikeways, trails, and sidewalks;
5. Ensuring the development of traffic circulation plans to serve schools and the surrounding neighborhood;
6. Developer provided off-site signalization, signage, access improvements and sidewalks to serve affected school facilities;
7. The inclusion of school bus stops and turnarounds in new developments;
8. Encouraging the private sector to identify and implement creative solutions to developing adequate school facilities in residential developments;
9. School Board comments and findings of available school capacity;
10. Available school capacity or planned improvements to increase school capacity; and,
11. Whether the proposed location is consistent with accepted policies of the School Board and as set forth in the State requirements for Educational Facilities regarding standards for siting, design and planning for school facilities.

Objective 17.A.5 - Manage the timing of residential and mixed use developments that are probable to generate public school students so as to assure adequate school capacity is available consistent with adopted level of service standards for public school facilities.

Policy 17.A.5.1 - Consistent with the Interlocal Agreement, the City and School Board agree to the following standards for school concurrency in the City of Niceville:

1. Level of Service Standard: Consistent with the Interlocal Agreement, the uniform, district-wide level-of-service standards are initially set as follows, and are hereby adopted in the City's Public School Facilities Element and Capital Improvements Element:

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

Potential amendments to the level of service standards shall be considered at least annually at the staff working group meeting to take place no later than April 15th of each year. If the School Board proposes an amendment, it shall be accomplished by the execution of an amendment to the Interlocal Agreement by all parties and the adoption of amendments to the comprehensive plans. The amended level of service shall not be effective until all plan amendments are effective and the amended Interlocal Agreement is 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 first five-years of the Work Plan. After the first 5-year schedule of capital improvements, capacity shall be maintained for subsequent 5-year schedules of capital improvements and add a new fifth year, updating the public schools facility program to coordinate with the 5- year district work plan (October 1) and the financial feasibility of the capital improvements program (Dec 1). Level of Service Standards shall be achieved by the end of the 5-year planning timeframe.

2. **Concurrency Service Areas:** The concurrency service areas shall be as shown in Map PSFE A and align with the high school attendance zones. Potential amendments to the concurrency service areas shall be considered annually at the staff working group meeting to take place each year no later than April 15th. If the School Board proposes an amendment, it shall be accomplished by the execution of an amendment to the Interlocal Agreement by all parties and the adoption of amendments to the comprehensive plan. The amended concurrency service area shall not be effective until all plan amendments and the amended Interlocal Agreement is fully executed. No concurrency service area shall be amended without a showing that the amended concurrency service area boundaries are financially feasible and that the LOS will be achieved and maintained for each year of 5-year period.

3. **Maximizing Concurrency Service Areas:** Concurrency service areas shall maximize capacity utilization, taking into account transportation costs, limiting maximum student travel times, the effect of court-approved desegregation plans, achieving social-economic, racial and cultural diversity objectives, and other relevant factors as determined by the School Board's policy on maximization of capacity. Other considerations for amending concurrency service areas may include safe access (including factors such as the presence of sidewalks, bicycle paths, turn lanes and signalization, general walkability), diversity and geographic or man-made constraints to travel. The types of adjustments to school operations that will be considered in the City shall be determined by the School Board's

policies on maximization of capacity.

4. Student Generation Rates: Consistent with the Interlocal Agreement, the School Board staff, working with the City staff, will develop and apply student generation multipliers for residential units by type and projected price for schools of each type, considering past trends in student enrollment in order to project school enrollment. The student generation rates shall be determined by the School Board in accordance with professionally accepted methodologies, shall be reviewed at least every two years and changed, as necessary. These changes shall be adopted into the City Comprehensive Plan.
5. School Capacity and Enrollment: The Department of Education permanent capacity as stated in the Florida Inventory of School Houses (FISH) for Okaloosa County is adopted as the uniform methodology to determine the capacity of each school. Relocatables are not considered permanent capacity. School enrollment shall be based on the annual enrollment of each school based on actual counts reported to the Department of Education in October of each year.
6. Concurrency Availability Standard: The City shall amend the concurrency management systems in its land development regulations to require that all proposed residential units be reviewed for school concurrency at the time of final subdivision plat or site plan review. The City shall not deny a final subdivision plat or site plan for residential development approvals due to a failure to achieve and maintain the adopted level of service for public school capacity where:
 - a. Adequate school facilities will be in place or under actual construction within three years after the issuance of the final subdivision plat or site plan approval; or,
 - b. Adequate school facilities are available in an adjacent concurrency service area and the impacts of development can be shifted to that area; or,
 - c. The developer executes a legally binding development agreement to provide mitigation proportionate to the demand for public school facilities to be created by the actual impact of the proposed development application subject to the final subdivision plat or site plan approval (or the functional equivalent) as provided in the Interlocal Agreement.

In evaluating a subdivision plat or site plan for concurrency, any relevant programmed improvements in the current year and year 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 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. Relocatable classrooms may provide temporary capacity while funded schools or school expansions are being constructed.

7. Subdivision and Site Plan Standards: In the event that the School Board comments that there is not sufficient capacity in the affected 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; or (ii) the 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. The amount of mitigation required shall be determined by the Department of Education's most current cost per student station applicable to the City of Niceville.

Policy 17.A.5.2 - Options for providing proportionate share mitigation for any approval of additional residential dwelling units that triggers a failure of level of service for public school capacity shall include the following:

1. Contribution of, or payment for, acquisition of new or expanded school sites; and/or
2. Construction or expansion of permanent school facilities; and/or
3. Creation of a mitigation bank serving the designated areas based on the construction of a public school facility.

Mitigation shall be directed to projects on the School Board's Five-Year Capital Facilities 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 City, and the applicant executed prior to the issuance of the final subdivision plat, site plan approval or the functional equivalent. 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 Five-Year Capital Facilities Plan. This development agreement shall include the landowner's commitment to continuing renewal of the development agreement for required mitigation, until all impacts for public school facilities created by the actual development of the property are mitigated.

Policy 17.A.5.3 - The amount of mitigation required shall be determined by calculating the number of student stations for each school type for which there is not sufficient capacity using the student generation rates applicable to a particular type of development and multiplying by the local costs per student station for each school type applicable to the City of Niceville, as determined by the School Board.

Objective 17.A.6 - The School Board with cooperation from the City will study the feasibility for the possible use of school impact fees as a way to realize the cost of new development and its impact on land use in regards to the ability of the School Board to provide adequate facilities, as needed.

Policy 17.A.6.1 - In cooperation with the School Board, the City of Niceville shall make decisions regarding the use and amount (if applicable) of school impact fees.

Objective 17.A.7 - The City of Niceville 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.

Policy 17.A.7.1 - The City of Niceville and the School Board will coordinate during updates or amendments to the City of Niceville's Comprehensive Plan and updates or amendments for long-range plans for School Board facilities.

Existing and Future Conditions Maps

Consistent with Section 163.3177(12)(g), Florida Statutes, the Public School Facilities element includes future conditions maps showing existing and anticipated schools over the five-year planning period. Maps for the long-term planning period will be included after their adoption. These maps are general over the long-term planning period and do not prescribe a land use on a particular parcel of land.