

## Public Schools Facilities Element

**GOAL:** To establish plans, regulations and programs, in conjunction with Orange County Public Schools (OCPS), to facilitate the future availability of public school facilities to serve City residents, consistent with the adopted level of service for public schools and with State of Florida concurrency statutes and regulations; and maintain a high quality educational system for the current and future residents of the City of Maitland through coordinated efforts with Orange County Public Schools.



PERKINS  
WILL

OBJECTIVE 1: The City of Maitland shall coordinate with OCPS to implement a School Concurrency Management System that ensures adequate classroom capacity to accommodate the impacts of new residential development throughout the planning period.

POLICY 1.1: The School Concurrency Management System shall include standards and procedures to ensure that new residential development complies with the Level of Service (LOS) standards provided in the adopted Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency, between the City of Maitland and OCPS as may be amended from time to time; (Interlocal Agreement) and as provided in the City's adopted Capital Improvements Element. The adopted LOS shall be used to determine the available capacity of Elementary, Middle and High Schools within the designated Concurrency Service Area (CSA) where the development is proposed. In accordance with 9J-5.025(3) (C) F.A.C., the adopted LOS by school type for all cities and the unincorporated areas of Orange County, except for backlogged facilities as provided in CIE Policy 5.3, shall be as follows:

Elementary School LOS - 110% of Adjusted FISH Capacity using Modified Middle School Attendance Zones as CSAs.

K through 8: 110% of Adjusted FISH Capacity using K through 8 School Attendance Zones as CSA

Middle School LOS - 100% of Adjusted FISH Capacity using Middle School Attendance Zones as CSAs.

High School LOS, including ninth grade centers: - 100% of Adjusted FISH Capacity High School Attendance Zones as CSAs (Note: Adjusted permanent FISH for High Schools does not include in-slots).

POLICY 1.2: The adopted LOS must be achieved in all CSAs by April 1, 2012, except for deficient CSAs, except where improvements needed to achieve adequate classroom capacity are specifically identified in the OCPS ten (10) year District Capital Outlay Plan (DCOP) for funding by April 1, 2017.

POLICY 1.3: The City and OCPS shall collaborate and cooperate in efforts to initiate the following strategies to ensure compliance with adopted LOS standards.

- a) Build new schools to relieve over-capacity schools in CSA's that exceed the adopted LOS;
- b) Renovate over-capacity schools to add permanent capacity and replace on-campus portables;
- c) Rezone students from over-capacity schools to under-capacity schools;
- d) Move special programs from over-capacity schools to under-capacity schools to utilize excess permanent capacity where it exists.

POLICY 1.4: The City shall utilize the OCPS calculation of school capacity, which is annually determined by OCPS using the Adjusted FISH Capacity for each school and CSA within the school district. Adjusted FISH Capacity shall be defined as the number of students who can be served in a permanent public school facility as provided in FISH adjusted to account for the design capacity of Modular or In-Slot Classrooms on the campuses designed as Modular or In-Slot schools, but not to exceed Core Capacity.

The number of elementary, middle and high school students generated by a residential development, shall be calculated by multiplying the number of dwelling units, by the student

generation rates, by school type, as set forth in Table 12. OCPS Facilities Element Data, Inventory and Analysis dated May 2, 2008.

POLICY 1.6: The City and OCPS shall mutually cooperate with OCPS in its efforts to meet adopted LOS standards through the adoption of a ten (10) year, financially feasible District Capital Outlay Plan (DCOP). Where the LOS cannot be achieved through the construction of new school capacity as provided in the five (5) year DCOP, the City shall cooperate with OCPS in its efforts to adopt a long range ten (10) year DCOP as part of the School District's annual capital planning process.

POLICY 1.7: Where adequate school facilities will be in place or under actual construction within three (3) years after the issuance of final subdivision or site plan approval, or the functional equivalent, the City shall not deny an application for site plan approval, final subdivision approval, or the functional equivalent thereof, for any development, or phase of a development, that includes residential uses, based solely on failure to achieve and maintain the adopted LOS in a CSA.

POLICY 1.8: The City, in conjunction with OCPS, shall review LOS standards for public school facilities annually; and any changes to those standards shall be processed as Comprehensive Development Plan amendments as necessary.

OBJECTIVE 2: OCPS, in conjunction with the City, shall establish and annually review school Concurrency Service Areas (CSAs), which will be used to evaluate capacity of schools available to accommodate students generated by proposed development.

POLICY 2.1: CSAs are depicted in the OCPS Facilities Element Data, Inventory and Analysis dated May 2, 2008.

POLICY 2.2: CSAs shall be reviewed annually in conjunction with the OCPS adoption of a ten (10) year District Capital Outlay Plan (DCOP). CSA boundaries may be adjusted to ensure that the utilization of school capacity is maximized to the greatest extent possible, taking into account transportation costs, court approved desegregation plans, and other factors.

POLICY 2.3: Changes or modifications to the adopted CSAs shall follow the process and guidelines as outlined in the Interlocal Agreement.

OBJECTIVE 3: The City and OCPS shall develop and maintain throughout the planning period, a joint process for the implementation of School Concurrency as provided for in the Interlocal Agreement.

POLICY 3.1: The City shall not adopt a developer-initiated Comprehensive Plan amendment or rezoning that would increase residential density on property that is not otherwise vested, until such time as OCPS has determined whether sufficient capacity will exist concurrent with the development or a capacity enhancement agreement is executed that provides for the needed capacity to accommodate the proposed development.

POLICY 3.2: The City will determine if a development is vested or exempt from school concurrency. Unless the development is determined to be vested or exempt from concurrency, the City shall not approve a residential site plan, final subdivision plat, or its functional equivalent, until a school concurrency determination has been conducted by OCPS and a Concurrency Certificate (or similar instrument) has been issued for the development consistent with the provisions of the Interlocal Agreement. Vested rights and concurrency exemptions shall be in accordance with applicable law.

POLICY 3.3: School concurrency shall not apply to property within a Development of Regional Impact (DRI) for which a Development Order was issued prior to July 1, 2005, or for which a DRI application was submitted prior to May 1, 2005, unless the developer elects otherwise or unless the developer files a Notice of Proposed Change (NOPC) and/or Substantial Deviation to increase the total number of residential dwelling units.

POLICY 3.4: For DRIs, that include residential development and are submitted after July 1, 2005, the City shall include OCPS planning staff on the review team for the DRI, and shall ensure that DRI Development Orders, and DRI Development Order amendments that increase the total number of residential dwelling units, address the issue of school capacity. Where existing school capacity is exceeded, mitigation for school impacts shall be included in any mitigation agreements, Development Orders and agreements.

POLICY 3.5: Any residential development that creates an impact of less than one student shall be exempt from concurrency. Exemptions from school concurrency shall include the list of exemptions in **Section 16.2 Exemptions** of the Interlocal Agreement.

OBJECTIVE 4: Upon completion of an OCPS Concurrency Review, a development that fails to meet LOS requirements as set forth in Policies 4.1, 4.2, 4.3, and 4.4 may be postponed until adequate public school capacity is created.

POLICY 4.1: A development shall be deemed to meet concurrency if there is sufficient capacity in the CSA where the development is located or where available capacity exists in one or more contiguous CSAs, so long as the LOS in the adjacent zone does not exceed 95% of the LOS and the School District does not exceed 100% of capacity on a district-wide basis for the school type, and approval of the development does not result in a violation of a court ordered desegregation order.

POLICY 4.2: Proportionate share, when used for mitigation, shall be calculated based on the number of elementary, middle and high school students generated by the development at build-out. As provided for in the Interlocal Agreement, proportionate share shall be calculated based on reasonable methods of estimating cost of school construction, including, but not limited to the cost of land, equipment, and school buses.

POLICY 4.3: Proportionate Share Mitigation may include payments of money, construction of schools, donations of land, expansion of permanent capacity of existing school campuses, payment of funds necessary to advance schools contained in the ten (10) year DCOP, establishment of charter schools that meet State Requirements for Educational Facilities (SREF) standards, payments into mitigation banks, establishment of an Educational Facilities Benefit District, Community Development District, or other methods as may be negotiated between the developer and OCPS and, as appropriate, to the City.

POLICY 4.4: Any of the Proportionate Share options set forth in Policy 4.3 that are utilized by developers as mitigation are eligible for school impact fee credits as provided for in Florida law.

OBJECTIVE 5: The City shall coordinate with OCPS throughout the planning period to review and maintain procedures and policies to ensure consistency with the adopted Comprehensive Development Plan.

POLICY 5.1: Pursuant to the Interlocal Agreement, a Technical Advisory Committee comprised of representatives from the City, other Orange County Municipalities, OCPS and the Regional Planning Council shall be established to discuss issues of mutual concern. OCPS shall be

responsible for making meeting arrangements, providing notification and maintaining a written summary of meeting actions.

POLICY 5.2: The Technical Advisory Committee shall meet quarterly, or as needed, to discuss issues and formulate recommendations regarding coordination of land use and school facilities. Specific areas addressed by the committee shall include, but shall not be limited to:

- a. Short and long-range planning, population and student projections, and future development trends;
- b. Co-location and joint-use opportunities, and ancillary infrastructure improvements needed to support the school facilities and ensure safe student access to schools;
- c. Planning for needed supporting infrastructure for schools such as utilities, roads, sidewalks, etc.;
- d. The need for new schools to meet the adopted LOS within the adopted CSAs and the coordination of annual revisions to the ten (10) year District Capital Outlay Plan and
- e. Update of the Capital Improvements Element for inclusion in the Comprehensive Plan.

POLICY 5.3: The City shall provide an update of approved developments, anticipated timing of development phases, and estimated build-out by phase to the OCPS Planning Department on an annual basis.

POLICY 5.4: The City shall review OCPS generated future enrollment and growth projections on an annual basis and provide input to the OCPS Planning Department.

OBJECTIVE 6: Throughout the planning period, the City and OCPS shall coordinate the siting of new public schools to ensure public school facilities are located to address the needs of future residential development, are coordinated with necessary services and infrastructure development, provide for safe learning environments, are consistent with the City's adopted Future Land Use Map, Future Land Use Element and with the other provisions of the Comprehensive Plan.

POLICY 6.1: Applications for Future Land Use Map amendments, rezonings, conditional use, and site plans for schools shall be given priority status. OCPS is not subject to payment of application or impact fees for the development of public school facilities, provided, however, OCPS shall not be exempt from payment of connection fees for water and wastewater.

POLICY 6.2: The City shall protect existing schools from the intrusion of incompatible land uses through the development review process. Likewise, the City shall provide protection to existing residential neighborhoods through a development review/site plan review process as new schools or school renovations and/or expansions are proposed.

POLICY 6.3: In an effort to enhance local communities and neighborhoods, the City shall work with OCPS in the school siting, design and development process so that the school serves as a focal point for the community and is compatible with the Future Land Use Map and with land uses and neighborhoods surrounding proposed school sites.

POLICY 6.4: Where feasible, OCPS and the City shall work jointly to co-locate public facilities such as parks, libraries, and community centers with public schools. Where such co-location occurs, both entities shall establish an ongoing management relationship via written agreement that permits the school's use of the public facilities and the public's use of school facilities such as for community meetings and sports activities.

POLICY 6.5: In accordance with Section 1006.23, Florida Statutes, Hazardous walking conditions, and as funding permits, the City shall ensure construction of sidewalks along roadways and trails connecting neighborhoods that are within two miles of schools to the school facility. OCPS shall be responsible for the construction of sidewalks and trails on school property and shall provide connections to existing and future sidewalks and trails identified by the City.

POLICY 6.6: Turn lanes and signalization shall be provided at school entrances and at other locations near schools, where warranted, to provide safe access to students and the public. Responsibility for construction of school-related signalization and road construction at school entrances shall be the responsibility of OCPS.

POLICY 6.7: OCPS shall coordinate with the City in the construction of new public school facilities and in rehabilitation of existing public school facilities to serve as emergency shelters as required by Section 1013.372, Florida Statutes.

**Orange County Public School Figures Attached Include:**

Figures 4, 7 and 9 - Orange County Public School 2007-08 Elementary, Middle and High School Attendance Zones and School Locations

Ancillary Facilities, 2007-2008

**Orange County Public School Figures 13, 14, 15, 16, 17 and 18 are provided within the CIE and are listed herein for cross-reference purposes:**

Figure 13: Orange County Public Schools, 2011-12 -Projected LOS for Elementary and K-8 Schools, Medium Elementary and K-8 District CSAs, Adjusted FISH Capacity (Includes backlogged schools)

Figure 14: Orange County Public School, 2011-12 -Projected LOS for Middle Schools, Middle School CSAs, Adjusted FISH Capacity (Includes Backlogged Schools)

Figure 15: Orange County Public Schools, 2011-12 – Projected LOS for High Schools, High School CSAs, Adjusted FISH Capacity (Includes Backlogged schools)

Figure 16: Orange County Public Schools, 2016-17 -Projected LOS for Elementary and K-8 Schools, Medium Elementary and K-8 District CSAs, Adjusted FISH Capacity. Includes Future Schools

Figure 17: Orange County Public Schools, 2016-17 -Projected LOS for Middle Schools, Middle School CSAs, Adjusted FISH Capacity. Includes Future Schools

Figure 18: Orange County Public Schools, 2016-17 – Projected LOS for High Schools, High School CSAs, Adjusted FISH Capacity. Includes Future Schools





Figure 4: Orange County Public Schools, 2007-08  
Elementary School Attendance Zones and School Locations

Legend

- Elementary School & K-8 Locations
- Elementary School Attendance Zones

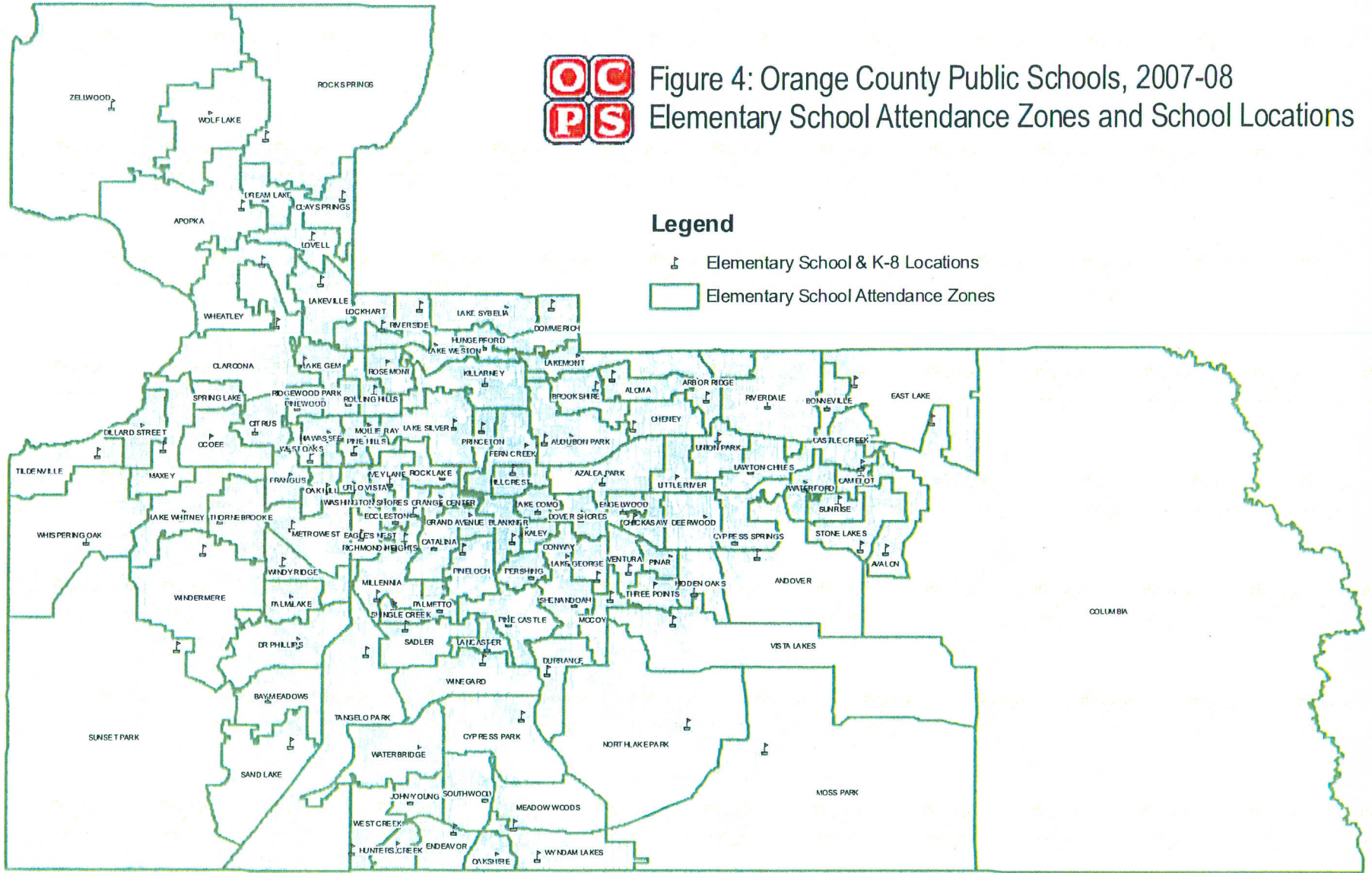






Figure 7: Orange County Public Schools, 2007-08  
Middle School Attendance Zones and School Locations

**Legend**

- Middle School Locations
- Middle School Attendance Zones

