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CLERK OF STATE
TALLAHASSEE, FLORIDA

ORDINANCE # 07-59

AN ORDINANCE OF THE COUNTY OF PINELLAS ADOPTING THE GOALS, OBJECTIVES AND POLICIES AND FIGURES 1, 2, 3, AND 12 OF THE PUBLIC SCHOOL FACILITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN CONSISTENT WITH THE REQUIREMENTS OF SEC. 163.3177, F.S.; AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN TO DELETE POLICY 1.1.3 AND TO INCLUDE AN OBJECTIVE AND POLICIES REGARDING COORDINATION BETWEEN PINELLAS COUNTY, THE PINELLAS COUNTY SCHOOL BOARD AND THE MUNICIPALITIES; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN TO INCLUDE AN ADOPTED LEVEL OF SERVICE STANDARD FOR PUBLIC SCHOOL FACILITIES, TO PROVIDE FOR THE ANNUAL ADOPTION BY REFERENCE OF THE SCHOOL DISTRICT'S FIVE YEAR WORK PROGRAM, AND TO INCLUDE A SUPPORTING OBJECTIVE AND POLICIES FOR COORDINATING PUBLIC SCHOOL CAPACITY WITH ANTICIPATED STUDENT DEMAND; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH OTHER RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 163, Part II, Florida Statutes, establishes the Local Government Comprehensive Planning and Land Development Act; and

WHEREAS, Pinellas County adopted its Comprehensive Plan on August 8, 1989, and significantly updated the Plan in 1998; and

WHEREAS, Section 163.3187, Florida Statutes, as amended, provides for procedures to amend the adopted Comprehensive Plan; and

WHEREAS, Section 163.3177(12), Florida Statutes, was amended in 2005 to require all nonexempt counties and each nonexempt municipality within those counties to adopt and implement a public school facilities element and a school concurrency program; and

WHEREAS, Pinellas County is not exempt from the requirements of Section 163.3177(12), Florida Statutes, and must, along with the 12 nonexempt municipalities within the County, adopt a public school facilities element and implement school concurrency; and

WHEREAS, Pinellas County, the Pinellas County School District, and the 12 nonexempt municipalities in the County cooperated over a period of one and one half years to update

the Public Schools Interlocal Agreement, to prepare a new Public School Facilities Element to be adopted as part of each local government comprehensive plan; and

WHEREAS, Pinellas County, the Pinellas County School District, and the 12 nonexempt municipalities in the County have cooperated in developing amendments to the Capital Improvements Element and the Intergovernmental Coordination Element of the local comprehensive plans to support implementation of a school concurrency program and the goals, objectives and policies in the Public School Facilities Element; and

WHEREAS, Section 163.3174, Florida Statutes, states that the Local Planning Agency shall monitor and oversee the effectiveness and status of the Comprehensive Plan and recommend to the governing body such changes in the Comprehensive Plan as may from time to time be required; and

WHEREAS, the Pinellas County Local Planning Agency conducted a public hearing on the proposed Public School Facility Element and associated amendments to the Pinellas County Comprehensive Plan on July 16, 2007; and

WHEREAS, duly advertised public hearings were held by the Pinellas County Board of County Commissioners as required by Chapter 163.3181, Florida Statutes; and

WHEREAS, the recommendation from the Pinellas County Local Planning Agency has been received and considered; and

WHEREAS, recommendations and comments from the State of Florida Department of Community Affairs have been received and considered regarding this amendment;

NOW THEREFORE BE IT ORDAINED, by the Board of County Commissioners of Pinellas County, Florida, in its regular meeting duly assembled on this 18th day of December, 2007, that:

SECTION I: PURPOSE AND INTENT

The goals, objectives and policies and Figures 1, 2, 3, and 12 of the Public School Facilities Element are being incorporated as part of the Pinellas County Comprehensive Plan in compliance with the requirements of Section 163.3177 of the Florida Statutes, and will establish the basis for implementation of school concurrency within Pinellas County. The proposed amendments to the Capital Improvements Element and the Intergovernmental Coordination Element strengthen coordination between Pinellas County, the School Board, and the municipalities within the County on a range of subjects in support of state and local planning programs.

SECTION II: The following goals, objectives, and policies of the Public School Facilities Element are adopted and included as part of the Pinellas County Comprehensive Plan:

GOAL 1: THROUGH PARTNERSHIPS AND EFFECTIVE COLLABORATION AMONG LOCAL GOVERNMENTS AND THE PINELLAS COUNTY SCHOOL DISTRICT, AND BECAUSE OF A SHARED COMMITMENT TO EDUCATIONAL EXCELLENCE, ALL STUDENTS OF THE PINELLAS COUNTY SCHOOL DISTRICT SHALL BE PROVIDED THE OPPORTUNITY FOR HIGH STUDENT ACHIEVEMENT THROUGH THE AVAILABILITY OF HIGH QUALITY PUBLIC EDUCATIONAL FACILITIES.

OBJECTIVE 1.1: Pinellas County, its partner local governments, and the School District agree to coordinate and base their plans upon consistent projections of population growth and student enrollment, and will coordinate in sharing of information on proposed school facility changes, certain planned infrastructure improvements, and proposed land use plan amendments and/or rezonings that increase or decrease residential densities.

Policy 1.1.1: Pinellas County its partner local governments, and the School District, will utilize population growth projections prepared by the Pinellas County Metropolitan Planning Organization's Technical Coordinating Committee, when developing their plans and student enrollment projections, consistent with Section 2 of the Public Schools Interlocal Agreement.

Policy 1.1.2: To ensure that land use and zoning decisions are adequately coordinated with public school facility planning, Pinellas County shall continue to notify the School District of all Local Planning Agency hearings where land use plan amendments and/or rezonings will be considered that increase or decrease residential densities.

Policy 1.1.3: Pinellas County shall inform the School District in advance of infrastructure projects that will restrict vehicular or pedestrian accessibility to public schools with sufficient time for School District review and comment, in compliance with Section 3(b) of the Public Schools Interlocal Agreement. An example would be infrastructure projects that would disrupt the use of sidewalks that are utilized by students accessing public school facilities.

Policy 1.1.4: The School District shall notify Pinellas County of the need for on site or off-site improvements to support new, proposed expansion, or redevelopment of existing schools within the jurisdiction of Pinellas County. Thereafter, representatives of the School District and Pinellas County will meet and determine the responsibility for making such improvements and identify other agencies that should be involved. The School District and Pinellas County will then meet with the other

agencies to coordinate the completion of the on-site and off-site improvements, in accordance with Section 5 of the Public Schools Interlocal Agreement.

OBJECTIVE 1.2: Pinellas County, through implementation of its concurrency management system for public school facilities, and in coordination with the School District, shall ensure that there is available public school capacity to support the anticipated students from residential site plans and final residential subdivision approvals (“Residential Approvals”) consistent with the adopted level-of-service standard for public school concurrency throughout the five years covered by the Five-Year Work Program, as amended, and the period of the long-range planning program contained in the Public School Facilities Element.

Policy 1.2.1: Pinellas County hereby adopts, consistent with Section 11 of the Public Schools Interlocal Agreement, the following level-of-service standard, which shall be applied consistently district-wide by all partner local governments within Pinellas County and by the School District.

District-wide Level-of-Service Standard: Student enrollment plus vested students divided by *Florida Inventory of School Houses* (FISH) School Capacity plus additional capacity does not exceed 100 percent. This level-of-service standard shall apply to each type of public school facility.

Policy 1.2.2: If the utilization rate established by the State Requirements for Educational Facilities (SREF) is changed and it will impact how the School District determines school capacity, the School District will notify all partner local governments of the change.

Policy 1.2.3: Amendments to the adopted level-of-service standard shall be accomplished using the procedure contained in Section 10 of the Public Schools Interlocal Agreement.

Policy 1.2.4: School concurrency shall be measured and applied on the basis of Concurrency Service Areas, as established by the School Board and as documented in the data and analysis support section of the Public School Facilities Element.

Policy 1.2.5: The School Board shall maximize school capacity through program adjustments and/or through adjustments to Concurrency Service Area boundaries, consistent with Section 12 of the Public Schools Interlocal Agreement, to ensure that each Concurrency Service Area will, in the aggregate, operate at the adopted level-of-service standard throughout

the five-year period covered by the Five-Year Work Program, as amended.

- Policy 1.2.6:** When adjusting Concurrency Service Area boundaries, the School Board shall take into consideration the factors identified in Section 12 of the Public Schools Interlocal Agreement.
- Policy 1.2.7:** Consistent with Sections 1002.33(1) and 1002.33(2), F.S., Pinellas County and the School District shall recognize charter schools as public school facilities. Such facilities shall serve to expand the school capacity of the School District and are a potential option for mitigating the impact that new Residential Approvals may have on public school facilities.
- Policy 1.2.8:** Pinellas County, its partner local governments, and the School District shall utilize the uniform, district-wide procedure in Section 13 of the Public Schools Interlocal Agreement to implement school concurrency within their respective jurisdictions.
- Policy 1.2.9:** Pinellas County and the School District shall utilize the *School Capacity and Level of Service Report*, prepared by the School District, approved by the School Board, and delivered to Pinellas County, no later than November 30th of each year, and as adjusted throughout the year based on the official student enrollment count of the fall semester and the estimated number of vested students, as the basis for assessing the existing level of service conditions and the available capacity within each Concurrency Service Area.
- Policy: 1.2.10:** In order to facilitate the accurate annual assessment of projected public school facility capacity, Pinellas County shall, throughout the year, notify the Pinellas County Planning Department of development permits, including certificates of occupancy issued for new dwelling units and expired school concurrency Residential Approvals, that affect the availability of school capacity, consistent with Section 13 of the Public Schools Interlocal Agreement, so that an estimate of the number of vested students can be maintained for school concurrency purposes.
- Policy 1.2.11:** A school concurrency Residential Approval shall be valid for purposes of the issuance of development orders or permits for 12 months from the date of issuance.
- Policy 1.2.12:** In accordance with Section 13 of the Public Schools Interlocal Agreement, if the School District determines that there is not Available Capacity within an affected Concurrency Service Area to accommodate the estimated number of students that would be

generated by a proposed Residential Approval and maintain the adopted level-of-service standard, then the School District shall consider whether there is Available Capacity in the contiguous Concurrency Service Area(s).

- Policy: 1.2.13:** If the School District determines that, in the aggregate, there is Available Capacity in the affected Concurrency Service Area and in the contiguous Concurrency Service Area(s) to accommodate the estimated number of students from the proposed Residential Approval, then an adequate level of service would be provided and the Residential Approval shall be issued a School Concurrency Approval by Pinellas County.
- Policy 1.2.14:** If the School District determines that, in the aggregate, there is not Available Capacity within an affected Concurrency Service Area and the adjacent Concurrency Service Area(s) to accommodate the estimated number of students from the proposed Residential Approval, a proposed Residential Approval will not proceed without execution of a legally binding development mitigation agreement between the applicant, the School Board, and Pinellas County designed to mitigate the impacts anticipated to be caused by the proposed Residential Approval on public school facilities, consistent with Section 163.3180, F.S., and Section 13 of the Public Schools Interlocal Agreement. The applicant and the School Board shall attempt to negotiate a development mitigation agreement. If the applicant and the School Board are unable to agree on an acceptable form of mitigation, Pinellas County may utilize the conflict resolution provision in Section 14 of the Public Schools Interlocal Agreement to attempt to resolve the impasse.
- Policy 1.2.15:** A development mitigation agreement shall include the applicant's commitment to continue to renew the development agreement until the mitigation is completed as determined by the School Board or as determined through the conflict resolution procedures provided for in Section 14 of the Public Schools Interlocal Agreement, if applicable.
- Policy 1.2.16:** Acceptable forms of proportionate share mitigation that may be allowed by the School Board and the standards that determine the appropriate use of any mitigation funds required by the School District are identified in Section 13 h. of the Public Schools Interlocal Agreement.
- Policy 1.2.17:** Pinellas County and the School District shall utilize student generation rates developed by the School District for purposes of calculating the anticipated number of public school students that would be generated

by Residential Approvals and for developing student enrollment projections.

Policy 1.2.18: Prior to the utilization of new student generation rates, Pinellas County, through its participation on the School Planning Workgroup, will have the opportunity to review and comment on the proposed student generation rates developed by the School District before they are finalized by the District.

OBJECTIVE 1.3: The Pinellas County five-year schedule of capital improvements shall include those projects necessary to address any existing public school facility deficiencies and future public school facility needs consistent with the adopted level-of-service standard.

Policy 1.3.1: By December 1st of each year, Pinellas County shall amend its Capital Improvements Element to incorporate, by reference, the updated School District Five-Year Work Program adding a new fifth year to maintain a financially feasible capital improvements program and to ensure the level-of-service standard will continue to be achieved and maintained throughout the subsequent five-year planning period.

OBJECTIVE 1.4.: Pinellas County shall practice effective intergovernmental coordination with its partner local governments and the School District to ensure that land use plans, development approvals, and capital facilities planning are coordinated with the availability of public school facilities.

Policy 1.4.1: Pinellas County shall appoint one elected official to represent Pinellas County's interest to the Pinellas Schools Collaborative, to provide for collaborative oversight and to provide coordination and direction regarding the conduct of the school concurrency process and implementation of the Public Schools Interlocal Agreement.

Policy 1.4.2: Pinellas County, the School District, and partner local governments shall coordinate annually in preparing a staff report on the effectiveness of school concurrency that will be presented at the annual meeting of the Collaborative, with the annual *School Capacity and Level of Service Report* forming the basis for the staff report.

Policy 1.4.3: Pinellas County shall coordinate with the Pinellas County Planning Department in the maintenance of a countywide residential development tracking system, by providing necessary and timely development data, including demolitions and vested development data, required to accurately assess the impact of Residential Approvals on available school capacity.

Policy 1.4.4: Amendment of the Public School Facilities Element shall occur according to the procedure in Section 10 of the Public Schools Interlocal Agreement to ensure that the Element within the local government comprehensive plans remains coordinated and consistent with one another and with the plans of the School Board.

Policy 1.4.5: Pinellas County, its partner local governments, and the School District shall coordinate in establishing a procedural manual for implementation of school concurrency. This manual and any subsequent changes to the manual will be developed by the School Planning Workgroup and approved by the Pinellas Schools Collaborative.

GOAL 2: PINELLAS COUNTY SHALL COORDINATE WITH ITS PARTNER LOCAL GOVERNMENTS AND THE SCHOOL DISTRICT ON PROJECTS THAT ENCOURAGE COHESIVE NEIGHBORHOODS, THAT CONTRIBUTE TO COMMUNITY BUILDING, AND THAT PROVIDE FOR LONG-TERM SUSTAINABILITY.

OBJECTIVE 2.1: Pinellas County shall support efforts that facilitate coordination of planning between Pinellas County and the School District for the location and development of public educational facilities.

Policy 2.1.1: Pinellas County shall participate with the School District in the process of evaluating potential school closures, significant renovations to existing schools, and school site selection before land acquisition in accordance with Section 4 of the existing Public Schools Interlocal Agreement filed on April 24, 2007.

Policy 2.1.2: For purposes of Objective 2.1, public educational facilities are defined as elementary schools, special education facilities, alternative education facilities, middle schools, high schools, and area vocational-technical schools of the Pinellas County School District.

Policy 2.1.3: Public educational facilities of the School District are an allowable use within the following future land use categories:

- Residential Rural
- Residential Estate
- Residential Suburban
- Residential Low
- Residential Urban
- Residential Low Medium
- Residential Medium
- Residential/Office General
- Residential/Office Limited

Institutional

- Policy 2.1.4:** The location and construction of new public educational facilities, or the expansion of an existing site, within one of the future land use categories listed in Policy 2.1.3 shall only be allowed upon a determination by Pinellas County that the proposed site is consistent with the Pinellas County Comprehensive Plan.
- Policy 2.1.5:** In addition to consistency with the Pinellas County Comprehensive Plan, the proposed location of a new or expanded public educational facility of the School Board within one of the land use categories listed in Policy 2.1.3 shall be reviewed and considered with the following general criteria:
1. The proposed location is compatible with present and projected uses of adjacent property.
 2. The site area of the proposed location is adequate for its intended use based on the State Requirements for Educational Facilities and provides sufficient area to accommodate all needed utilities and support facilities and allow for adequate buffering of surrounding land uses.
 3. Based on the Five-Year Work Program of the School Board and the Pinellas County Comprehensive Plan, there will be adequate public services and facilities to support the public educational facility.
 4. There are no significant environmental constraints that would preclude development of a public educational facility on the site.
 5. There will be no adverse impact on archaeological or historic sites listed in the National Register of Historic Places or designated by a local government as locally significant historic or archaeological resources.
 6. The proposed location is well drained and soils are suitable for development or are adaptable for development and outdoor educational purposes with drainage improvements.
 7. The proposed location is not in conflict with the Pinellas County Stormwater Management Plan and any watershed management plans adopted by Pinellas County, if applicable.
 8. The proposed location is not in a velocity flood zone or a floodway.
 9. The proposed location can accommodate the required parking and anticipated queuing of vehicles onsite.

10. The proposed location lies outside the area regulated by Section 333.03(3), F.S., regarding the construction of public educational facilities in the vicinity of an airport.

Policy 2.1.6: The following criteria shall also be used to evaluate whether proposed locations of specific types of schools are consistent with the Pinellas County Comprehensive Plan:

Elementary Schools, Special Education Facilities, and Alternative Education Facilities

1. The proposed location shall have direct access to at least a collector road or as otherwise approved by the local government after determination of acceptable traffic impacts on adjacent roads of lesser classification.

Middle Schools

1. The proposed location shall have direct access to at least a collector road or as otherwise approved by the local government after determination of acceptable traffic impacts on adjacent roads of lesser classification.
2. Outdoor recreational facilities and similar support facilities shall be located and buffered on the proposed site to minimize impacts on adjacent properties.

High Schools

1. The proposed location shall have direct access to at least a collector road, or as otherwise approved by the local government after determination of acceptable traffic impacts on adjacent roads of lesser classification.
2. Stadiums, outdoor recreational facilities, and similar support facilities shall be located and buffered on the proposed site to minimize impacts on adjacent properties.

Vocational-Technical Schools

1. The proposed location shall have direct access to at least a collector road, or as otherwise approved by the local government after determination of acceptable traffic impacts on adjacent roads of lesser classification.

2. Industrial education facilities shall be located and buffered on the proposed site to minimize impacts on adjacent properties.

Policy 2.1.7: Proposed locations that are less than the standard site acreage as prescribed in the Florida Department of Education State Requirements of Educational Facilities may be determined to be consistent with the Pinellas County Comprehensive Plan provided the requirements of Section 1013.36, F.S., are met and off-site impacts can be adequately mitigated.

Policy 2.1.8: A consistency determination for a proposed new site or additional property with the Pinellas County Comprehensive Plan may be conditioned with references to specific types of public educational facilities.

Policy 2.1.9: At the time of consistency determination, Pinellas County may impose reasonable conditions for development of the site as it relates to any of the criteria in Policies 2.1.5 and 2.1.6. Conditions may not be imposed which conflict with those established in Chapter 1013 of the Florida Statutes or the State Uniform Building Code, unless mutually agreed to by Pinellas County and the School District.

Policy 2.1.10: Before a significant change of program at a public educational facility is implemented, the School District and Pinellas County shall require a review of the facility's onsite and offsite impacts. The School District and Pinellas County will work cooperatively to mitigate onsite and offsite impacts, including impacts to public facilities, identified through the review.

Policy 2.1.11: The policies in Objective 2.1 are intended to be consistent with, and not conflict with, the provisions in Chapter 1013, F.S.

OBJECTIVE 2.2: Consistent with Section 163.3177(6)(a), F.S., and consistent with the Pinellas County future land use policies, Pinellas County shall explore those opportunities where co-location of public facilities and public schools provides a mutual benefit, serves a desirable community purpose, or represents an efficient use of finances and staff resources.

Policy 2.2.1: As the opportunity arises, Pinellas County and the School Board, shall evaluate the ability to enter into an agreement to co-locate existing or planned school sites with other public facilities, including but not limited to: bike and pedestrian pathways, libraries, parks, community and recreational centers and facilities, museums, performing arts centers, auditoriums, stadiums, healthcare and social services and other uses as may be determined appropriate.

Policy 2.2.2: Should Pinellas County and the School Board determine that the co-location of public facilities is mutually advantageous and desirable, the appropriate method of agreement will be decided upon, and could include such options as, but not be limited to, interlocal agreement, Pinellas County resolution, or memorandum of understanding.

Objective 2.3: Pinellas County will support the School District's commitment to sustainable design and operations, as public schools are integral contributors to the quality of the surrounding community.

Policy 2.3.1: Pinellas County and the School District will share information on sustainable design and green building practices, and take advantage of opportunities to incorporate demonstration projects and technologies onsite, so that local schools can serve as community models of environmental efficiency.

GOAL 3: PINELLAS COUNTY WILL COORDINATE WITH THE SCHOOL DISTRICT AND OTHER LOCAL GOVERNMENTS TO IMPROVE THE SAFETY OF STUDENTS AS THEY ACCESS PUBLIC SCHOOL FACILITIES.

OBJECTIVE 3.1: Pinellas County shall collaborate with the School District and other local governments to promote safe access for students to public school facilities.

Policy 3.1.1: Pinellas County shall participate on the School Transportation Safety Committee (STSC) of the Pinellas County Metropolitan Planning Organization (MPO) to identify locations within the County where student safety is a concern, and to develop recommendations in response to student safety issues raised by the School District, local governments, the School Transportation and Enhanced Pedestrian Safety (STEPS) Committee, or the community to enhance the safety of students accessing public school facilities.

Policy 3.1.2: Pinellas County shall consider implementation of recommendations from the STSC that affect its jurisdiction, in coordination with the School District and any agencies that have some involvement in the identified action, to support student access to public schools in a manner that both improves student safety and is compatible with the surrounding community.

Policy 3.1.3: Pinellas County shall cooperate with School District initiatives that implement STSC recommendations for modifications to a school campus.

Policy 3.1.4: Pinellas County shall, in its capital improvement program, give priority to the construction of those sidewalks, crosswalks, bicycle

paths, and other improvements that help to provide continuous access to public schools for pedestrians and bicyclists.

Policy 3.1.5: Pinellas County shall annually update its Capital Improvements Element to identify the School District's capital needs in the Comprehensive Plan, enabling the coordination of existing and planned public school facilities with the required local capital projects needed to provide support services for the safety of public school students.

Policy 3.1.6: For new development or redevelopment within a two-mile radius of any existing or planned public school facility, Pinellas County shall require the developer to construct sidewalks along the corridor contiguous to the property being developed that directly serves the public school facility, in support of Section 1013.36 (5), F.S. and the MPO 2025 Transportation Plan.

GOAL 4: OPPORTUNITIES ARE MAXIMIZED FOR PUBLIC SCHOOLS TO BE DESIGNED SUCH THAT THEY CAN SERVE A VITAL EMERGENCY MANAGEMENT PURPOSE IN TIMES OF DISASTER.

OBJECTIVE 4.1: The safety of the public shall be a high priority when designing future public school facilities and renovating existing facilities.

Policy 4.1.1: Pinellas County shall coordinate with the School District on emergency preparedness issues, including the use of public school facilities for emergency shelters.

Policy 4.1.2: Future public school facilities that are not located within category 1, 2 or 3 evacuation zones, shall be designed to serve the public as emergency shelters, consistent with Section 1013.372 F.S. These public school facilities shall be designed according to the public shelter criteria outlined in the Florida Building Code.

Policy 4.1.3: Pinellas County shall annually update its Capital Improvements Element to ensure that the School District's capital needs are reflected in the Comprehensive Plan, enabling the coordination of existing and planned public school facilities with the required local capital projects needed to provide emergency shelter spaces, as identified by the Tampa Bay Regional Hurricane Evacuation Study, developed by the Tampa Bay Regional Planning Council.

SECTION III: Figures 1, 2, 3, and 12 from the Public School Facilities Element, as depicted in Exhibits 1, 2, 3, and 4 of this Ordinance, are adopted and included as part of the Pinellas County Comprehensive Plan.

SECTION IV: The Capital Improvements Element of the Pinellas County Comprehensive Plan is amended by adding the following objective and policies:

OBJECTIVE 1.6: Pinellas County, in coordination with the School District, shall ensure that the capacity of public schools is sufficient to support the anticipated students from residential site plans and final residential subdivision approvals consistent with the adopted level-of-service standard for public schools.

Policy 1.6.1: Pinellas County shall utilize the following level-of-service standard for public school facilities, which shall be applied consistently district-wide by the School District and by the local governments within Pinellas County that signed the Public Schools Interlocal Agreement (the partner local governments).

District-wide Level of Service Standard: Student enrollment plus vested students divided by *Florida Inventory of School Houses* (FISH) School Capacity plus additional capacity does not exceed 100 percent. This level-of-service standard shall apply to each type of public school facility.

Policy 1.6.2: Amendments to the adopted level-of-service standard shall be accomplished using the procedure contained in Section 10 of the Public School Facilities Interlocal Agreement.

Policy 1.6.3: The *School Capacity and Level of Service Report*, prepared by the School District, approved by the School Board, and delivered to Pinellas County no later than November 30th of each year, and as adjusted throughout the year based on the official student enrollment count of the fall semester and the estimated number of vested students, shall be utilized by Pinellas County as the basis for assessing the existing level of service conditions and the available capacity within each Concurrency Service Area.

Policy 1.6.4: By December 1st of each year, Pinellas County shall adopt by reference the School District's Five-Year Work Program to ensure the level of service standard is achieved and maintained during the period covered by the five-year schedule within the Capital Improvements Element.

Policy 1.6.5: The School Board, in coordination with the partner local governments, will use the procedure in Section 3(a) of the Public Schools Interlocal

Agreement to annually update the District's Five-Year Work Program to maintain a financially-feasible capital improvements program that is able to achieve and maintain the adopted level of service standard within the period covered by the five-year schedule.

Policy 1.6.6: Pinellas County hereby adopts by reference the School District's Five-Year Work Program for FY 2007/08 through 2011/12, as adopted by the School Board on September 11, 2007.

SECTION V: The Intergovernmental Coordination Element of the Pinellas County Comprehensive Plan is amended by deleting Policy 1.1.3 and adding the following objective and policies:

OBJECTIVE 1.13: Pinellas County shall continue to coordinate its Comprehensive Plan with plans of the School Board of Pinellas County and other local governments through participation in joint planning processes and procedures.

Policy 1.13.1: Pinellas County shall implement the Public Schools Interlocal Agreement in coordination with the School District and the other local governments that are signatories to the Agreement (the partner local governments).

Policy 1.13.2: In fulfillment of Section 8 of the Public Schools Interlocal Agreement, Pinellas County shall continue its participation on the Pinellas Schools Collaborative, which shall meet at least once a year to evaluate implementation of the Public Schools Interlocal Agreement and school concurrency, and propose amendments for improvement if deemed necessary.

Policy 1.13.3: Pinellas County, the School District, and the partner local governments shall coordinate annually in preparing a staff report on the effectiveness of school concurrency that will be presented at the annual meeting of the Pinellas Schools Collaborative, with the annual *School Capacity and Level of Service Report* forming the basis for the staff report.

Policy 1.13.4: Pinellas County, the School District, and the partner local governments shall coordinate in amending the Public School Facilities Element according to the procedures in Section 10 of the Public Schools Interlocal Agreement, to ensure that the Public School Facilities Element within the local government comprehensive plans remains coordinated and consistent with one another and with the plans of the School Board.

- Policy 1.13.5:** Pinellas County, through the implementation of its concurrency management system and the Public Schools Interlocal Agreement, shall coordinate and share information with the School District and the Pinellas County Planning Department to determine whether there is available public school capacity to support the anticipated students from residential site plans and final residential subdivision approvals.
- Policy 1.13.6:** Pinellas County, its partner local governments, and the School District shall cooperate in establishing a procedural manual for implementation of school concurrency. This manual and any subsequent changes to the manual will be developed by the School Planning Workgroup and approved by the Pinellas Schools Collaborative.
- Policy 1.13.7:** Pinellas County shall coordinate with the School Board of Pinellas County to implement the public educational facilities siting requirements of Chapter 163 and Chapter 1013, F.S., as stipulated in Section 4 of the Public Schools Interlocal Agreement filed on April 24, 2007.

SECTION VI: SEVERABILITY

If any section, paragraph, clause, sentence, or provision of the Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect therefore shall be confined to the section, paragraph, clause, sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

SECTION VII: LOCATION OF RECORDS

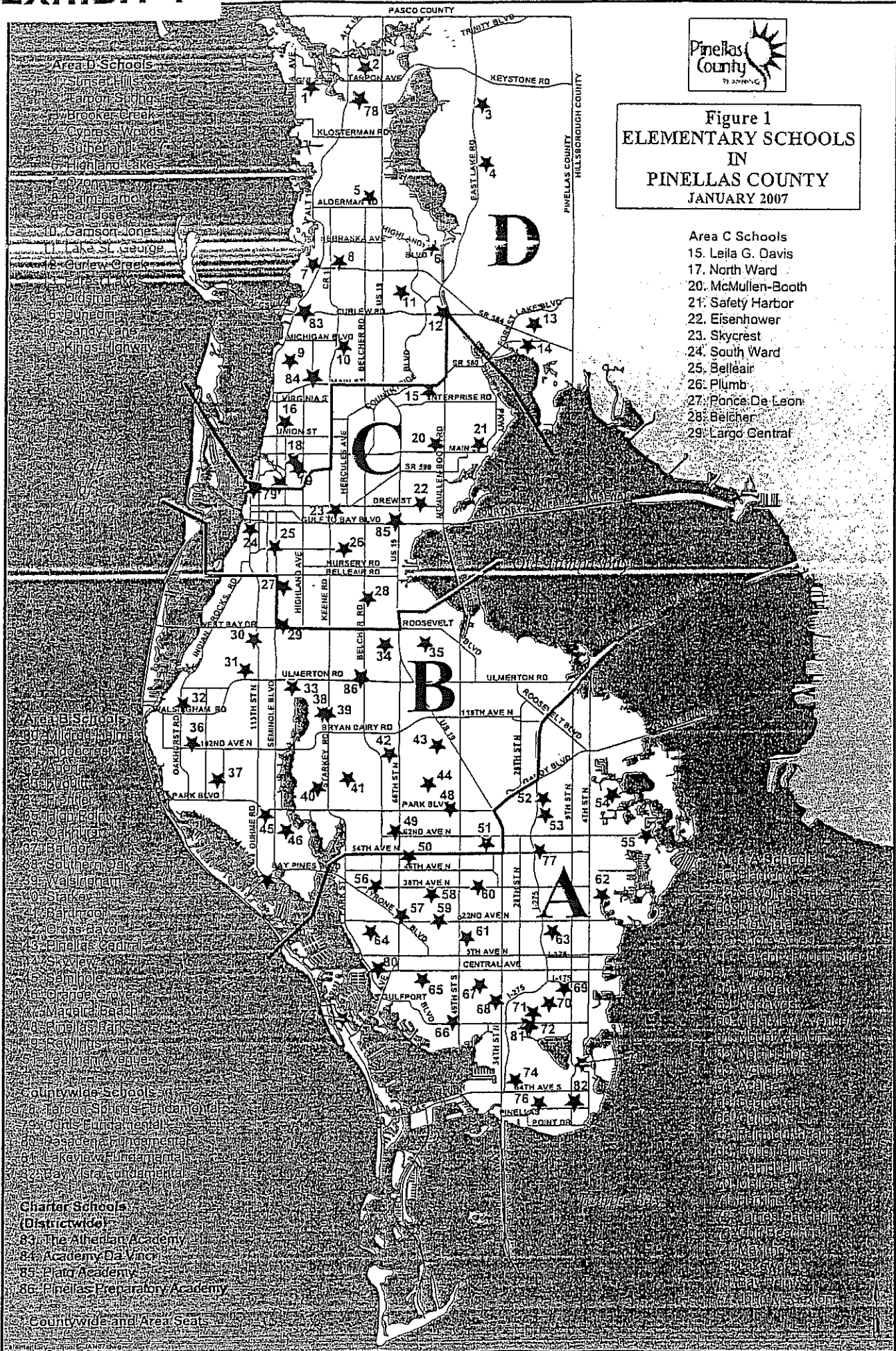
Pursuant to requirements of Section 125.68, Florida Statutes, this Ordinance to amend the Pinellas County Comprehensive Plan is incorporated into copies of the individual Comprehensive Plan Elements, and the Compendium, of the Pinellas County Comprehensive Plan. These copies are located at, and maintained by, the Clerk of the Pinellas County Board of County Commissioners.

SECTION VIII: FILING OF ORDINANCE: ESTABLISHING AN EFFECTIVE DATE

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184 (1) (b), Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses

dependent on this amendment may be issued or commence before it has become effective. If a final order of non-compliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolutions shall be sent to the Department of Community Affairs, Division of Community Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100.

EXHIBIT 1



**Figure 1
ELEMENTARY SCHOOLS
IN
PINELLAS COUNTY
JANUARY 2007**

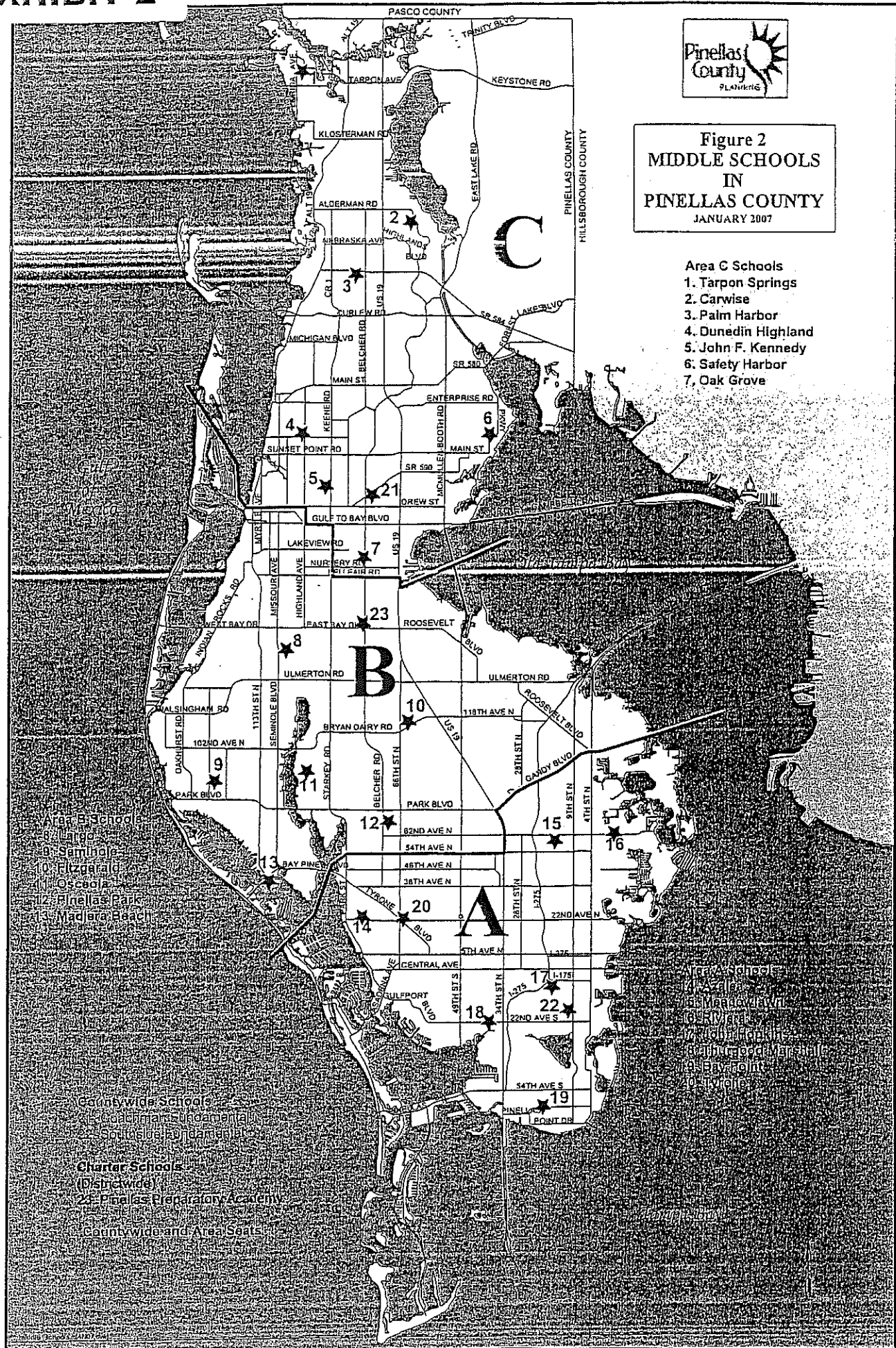
- Area C Schools**
- 15. Leila G. Davis
 - 17. North Ward
 - 20. McMullen-Booth
 - 21. Safety Harbor
 - 22. Eisenhower
 - 23. Skycrest
 - 24. South Ward
 - 25. Belleair
 - 26. Plumb
 - 27. Ronce De Leon
 - 28. Belcher
 - 29. Largo Central

EXHIBIT 2



**Figure 2
MIDDLE SCHOOLS
IN
PINELLAS COUNTY
JANUARY 2007**

- Area C Schools**
1. Tarpon Springs
 2. Carwise
 3. Palm Harbor
 4. Dunedin Highland
 5. John F. Kennedy
 6. Safety Harbor
 7. Oak Grove

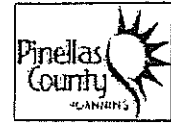


Area B Schools
 8. Largo
 9. Seminole
 10. Fitzgerald
 11. Osceola
 12. Pinellas Park
 13. Madeira Beach

Countywide Schools
 21. Pinellas Preparatory Academy
 22. Pinellas Preparatory Academy
 Countywide and Area Seats

Area A Schools
 14. Clearwater
 15. Madeira Beach
 16. Clearwater
 17. Clearwater
 18. Clearwater
 19. Clearwater
 20. Clearwater

EXHIBIT 3



**Figure 3
HIGH SCHOOLS
IN
PINELLAS COUNTY
JANUARY 2007**

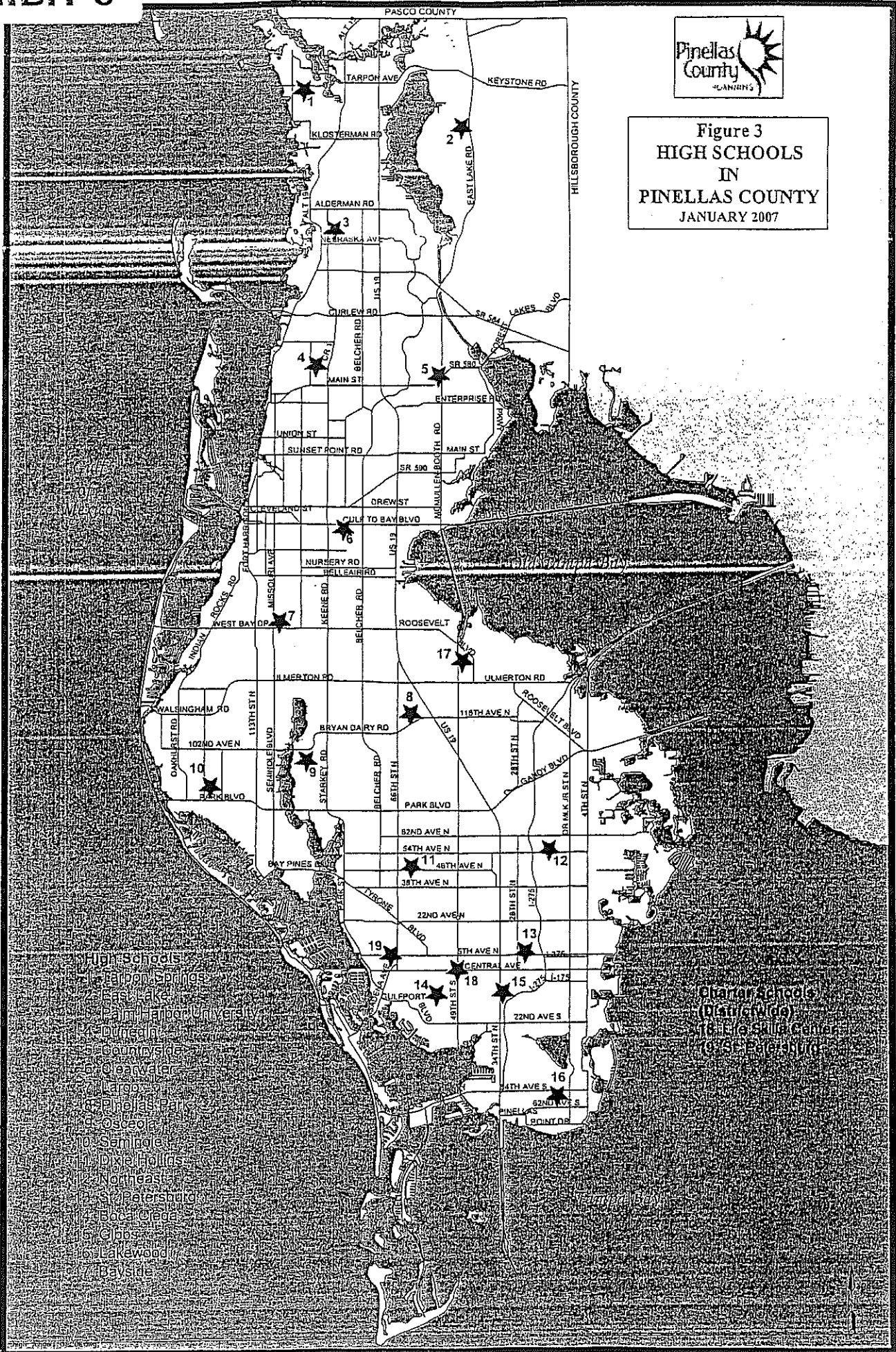
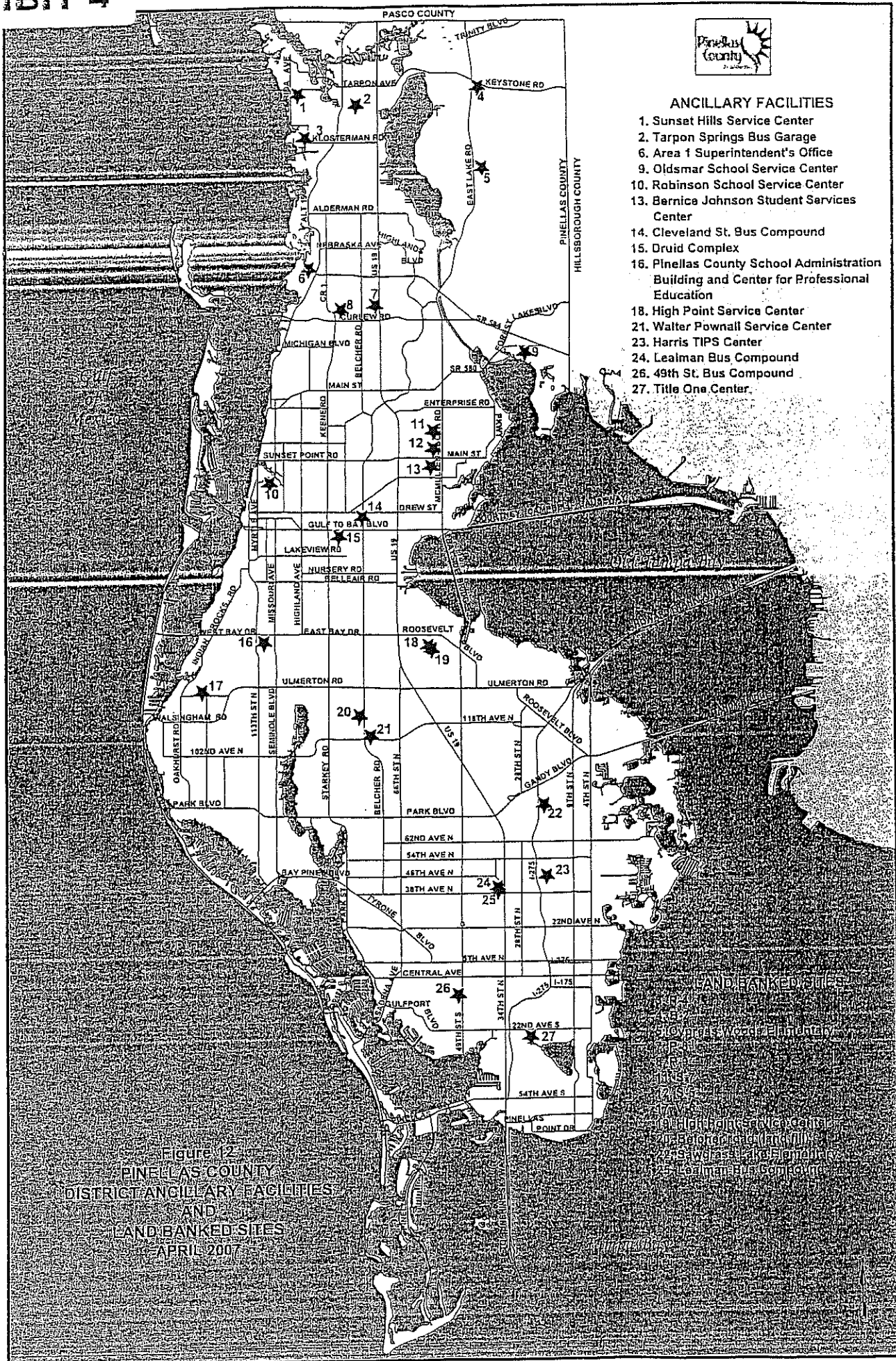


EXHIBIT 4



STATE OF FLORIDA

COUNTY OF PINELLAS

I, KEN BURKE, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on December 18, 2007 relative to:

ORDINANCE # 07-59

AN ORDINANCE OF THE COUNTY OF PINELLAS ADOPTING THE GOALS, OBJECTIVES AND POLICIES AND FIGURES 1, 2, 3, AND 12 OF THE PUBLIC SCHOOL FACILITIES ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN CONSISTENT WITH THE REQUIREMENTS OF SEC. 163.3177, F.S.; AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN TO DELETE POLICY 1.1.3 AND TO INCLUDE AN OBJECTIVE AND POLICIES REGARDING COORDINATION BETWEEN PINELLAS COUNTY, THE PINELLAS COUNTY SCHOOL BOARD AND THE MUNICIPALITIES; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE PINELLAS COUNTY COMPREHENSIVE PLAN TO INCLUDE AN ADOPTED LEVEL OF SERVICE STANDARD FOR PUBLIC SCHOOL FACILITIES, TO PROVIDE FOR THE ANNUAL ADOPTION BY REFERENCE OF THE SCHOOL DISTRICT'S FIVE YEAR WORK PROGRAM, AND TO INCLUDE A SUPPORTING OBJECTIVE AND POLICIES FOR COORDINATING PUBLIC SCHOOL CAPACITY WITH ANTICIPATED STUDENT DEMAND; PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH OTHER RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR LOCATION OF RECORDS; AND ESTABLISHING AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I hereunto set my hand and official seal this December 20, 2007.

KEN BURKE
Clerk of the Circuit Court
and Ex-officio Clerk to the
Board of County Commissioners

By: 
Linda R. Reed, Deputy Clerk

