



MEMORANDUM

AGENDA ITEM #6a

DATE: NOVEMBER 8, 2010

TO: COUNCIL MEMBERS

FROM: STAFF

SUBJECT: PROPOSED PUBLIC EDUCATION FACILITIES ELEMENT/CAPITAL IMPROVEMENTS
ELEMENT UPDATE COMPREHENSIVE PLAN AMENDMENTS

Introduction

Council staff has received a proposed plan amendment from the City of Hialeah to amend its Comprehensive Plan to update its Public Education Facilities Element for review of consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. Staff review is undertaken pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes (F.S.), and Rules 9J-5 and 9J-11, Florida Administrative Code (F.A.C.).

The South Florida Regional Planning Council (SFRPC) review of proposed Comprehensive Plan amendments for consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)* primarily addresses the effects on regional resources or facilities identified in the *SRPP* and extra jurisdictional impacts that would be inconsistent with the Comprehensive Plan of the affected local government (§163.3184(5), Fla. Stat.). The Council's review of amendments is conducted in two stages: (1) proposed or transmittal and (2) adoption. Council staff reviews the contents of the amendment package once the Department of Community Affairs certifies its completeness.

Objections and Comments relate to specific inconsistencies with relevant portions of the *SRPP*, which was adopted pursuant to Rule 29J-2.009, Fla. Administrative Code. Council staff will work with local governments to address Objections and Comments identified during the review of a proposed amendment between the transmittal and the adoption of the amendment.

No proposed Capital Improvements Element Update Comprehensive Plan Amendments were received for review this month.

Background

In 2005, Growth Management legislation required local governments to adopt a Public Education Facilities Element. The legislation required that local governments and school boards adopt a school concurrency program, update existing public schools interlocal agreements, establish level of service standards to define school capacity, and adopt a Public School Facilities Element into their comprehensive plan to implement a school concurrency program. The school concurrency program must ensure that adequate school capacity to support new development either exists or will be in place or under actual construction within three years after the issuance of final subdivision or site plan approval, or the functional equivalent. The interlocal agreement establishes procedures that will be followed in coordinating land use and public school planning.

Since the legislation was passed, working groups have been formed in both Miami-Dade and Broward Counties to develop the proposed amendments. Each working group included representatives from the applicable County Public Schools, all affected local governments and the development community. Because of the efforts of the Working Groups, within each county the amendments have been coordinated and each local government is adopting similar amendments.

Summary of Staff Analysis for Miami-Dade County Amendments

Miami-Dade County and the 27 non-exempt municipalities in the county must have adopted the Public Education Facilities Element, related comprehensive plan text amendments and the *Amended and Restated Interlocal Agreement for Public School Facility Planning in Miami-Dade County (ILA)* by January 1, 2008, in order to meet statutory requirements.

Proposed Public Educational Facilities Element amendments would add new goals, objectives, and supporting policies to coordinate new residential development with future availability of public school facilities consistent with the adopted level of service (LOS) standards for public school concurrency. The initially proposed LOS standard for public school facilities is 100% utilization of Florida Inventory of School Houses (FISH) capacity beginning January 1, 2008. This standard would allow for the use of relocatable classrooms and provides that when public school facilities achieve 100% utilization of Permanent FISH (no relocatable classrooms) they should no longer rely on relocatable classrooms except in temporary “operational” situations such as remodeling, renovation or expansion of a facility. The proposed amendments would include an additional policy, which establishes a goal of achieving 100% Permanent FISH capacity in all public school facilities in the county by January 1, 2018.

Proposed Capital Improvement Element amendments would allow the applicable local government to prepare and adopt a five-year capital improvements program that includes school facilities. A copy of the executed Interlocal Agreement would specify coordination activities to occur on a regular basis.

This month the City of Hialeah is the only local government in Miami-Dade County proposing a Public Education Facilities Element and related text amendments. A table with information regarding the municipality’s vote on the amendment follows.

Local Government	Plan Amendment Number	Local Government Meeting	Governing Body Transmittal Vote
Hialeah	10-PEFE1	9/14/10	Unanimous (6-0)

Staff analysis confirms that the proposed text amendments are compatible with and supportive of the Goals and Policies of the *Strategic Regional Policy Plan for South Florida*.

Recommendation of Consistency with Strategic Regional Policy Plan (SRPP)

Find the City of Hialeah proposed amendments related to the Public Education Facilities Element generally consistent with the *Strategic Regional Policy Plan for South Florida*. Approve this staff report for transmittal to the Florida Department of Community Affairs.