



MEMORANDUM

AGENDA ITEM #7a

DATE: JUNE 1, 2009

TO: COUNCIL MEMBERS

FROM: STAFF

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

Introduction

Council staff has received adopted plan amendments from Miami-Dade County for review of consistency with the *Strategic Regional Policy Plan for South Florida (SRPP)*. The adopted amendments are to include a new Public Education Facilities Element. 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.).

No adopted Capital Improvements Element Update Amendments were received for review this month.

Public Education Facilities Element and Related Amendments

The adopted Public Education Facilities Element and related text amendments have been transmitted pursuant to the 2005 Growth Management legislation. The legislation requires 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 passed, working groups were formed in both Miami-Dade and Broward Counties to develop the adopted 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 were required to adopt 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. The adopted Public Educational Facilities Element amendments 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 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.

Amendments to the Intergovernmental Coordination Element provide a formal process for intergovernmental coordination and establish specific coordination activities to occur on a regular basis. Capital Improvement Element amendments allow the applicable local government to prepare and adopt a five year capital improvements program that includes school facilities.

The only local government in Miami-Dade County adopting a Public Education Facilities Element for review this month is Miami-Dade County. A table with information regarding the vote on the amendment follows.

Local Government And Plan Amendment Number	Proposed Amendment Council Review Date	Proposed Amendment Council Decision	Local Government Adoption Public Hearing and Meeting	Governing Body Adoption Vote
Miami-Dade County #08-PEFE1	August 6, 2007	Generally Consistent	July 1, 2008	9-1

Comment

Since review of the proposed amendment, Miami-Dade County and Miami-Dade County Public Schools have reached consensus on outstanding issues to transmit a jointly executed ILA at their respective Board meetings of April 21 and April 22, 2009. The School Board will notify subject municipalities of any required amendments as a result of the consensus ILA.

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

Recommendation

Find the adopted plan amendments from Miami-Dade County related to public school planning, generally consistent with the *Strategic Regional Policy Plan for South Florida*. Approve this staff report for transmittal to the Florida Department of Community Affairs.