

ORDINANCE NO. 1238

AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE COMPREHENSIVE PLAN, SAID AMENDMENT BEING KNOWN AS “AMENDMENT 08-01-PSF”; SPECIFICALLY, ADDING A PUBLIC SCHOOL FACILITIES ELEMENT, AND CONCURRENTLY REVISING THE ADOPTED INTERGOVERNMENTAL COORDINATION ELEMENT AND THE CAPITAL IMPROVEMENTS ELEMENTS; TRANSMITTING SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR REVIEW AND A FINDING OF COMPLIANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and mandates the City of Polk City, Florida, to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the Town; and,

WHEREAS, the Florida Legislature amended Chapter 163, Florida Statutes, to require all local governments, except where specifically exempted, to create and adopt a public school facilities element to implement a school concurrency program which establish minimum levels of service and a financially feasible plan to ensure that public school facilities do not fall below adopted levels of service; and,

WHEREAS, the City Commission (the “Commission”) of the City has determined that it would be in the best interest of the health, safety and welfare of the City and its residents to amend the Comprehensive Plan (the “Plan”) to establish a Public School Facilities Element (“PSFE”) consistent with the requirements of Section 163.3177(12), Florida Statutes, and amend the Intergovernmental Coordination Element and the Capital Improvements Element of the Plan consistent with PSFE; and,

WHEREAS, in exercise of its authority the City Council has determined it necessary to adopt this amendment, which is shown in Exhibit “A”, attached hereto and made a part hereof, to insure that the Plan is in full compliance with the Laws of the State of Florida; and,

WHEREAS, the Council of the City of Polk City, Florida, amends its Comprehensive Plan for the purpose of complying with requirements of Chapter 163, F.S. by adopting a new Public Schools Facility Element and amending the Town’s Intergovernmental Coordination Element and Capital Improvements Element, per Exhibit “A”; and,

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Commission held a meeting and hearings on the proposed amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents.

**NOW, THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF
POLK CITY, FLORIDA:**

Section 1. The Comprehensive Plan of the City of Polk City is hereby amended as shown in Exhibit "A", attached and made a part hereof.

Section 2. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 3. The effective date of this Comprehensive Plan amendment shall be: The date a final order is issued by the Department of Community Affairs finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S., or the date a final order is issued by the Administration Council finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S.

Section 4. A certified copy of this enacting ordinance and certified copy of the City of Polk City Comprehensive Plan shall be located in the Office of the City Clerk of Fort Meade. The City Clerk shall also make copies available to the public for a reasonable publication charge.

INTRODUCED AND PASSED on First Reading this 12th day of February, 2008.

PASSED AND DULY ADOPTED, on Second Reading with a quorum present and voting, by the City Council of Polk City, Florida, this _____ day of _____, 2008.

CITY OF POLK CITY

Mayor

Attest with Seal:

City Clerk

Approved as to Form:

City Attorney

ORDINANCE 1238 EXHIBIT "A"

CITY OF POLK CITY COMPREHENSIVE PLAN AMENDMENTS

- I. NEW PUBLIC SCHOOLS FACILITIES ELEMENT**
- II. REVISED INTERGOVERNMENTAL COORDINATION ELEMENT**
- III. CAPITAL IMPROVEMENTS ELEMENT**

EXHIBIT “A”. PART I

**PUBLIC SCHOOL FACILITIES ELEMENT (NEW)
Goal, Objectives and Policies**

GOAL 1: COORDINATE WITH THE POLK COUNTY SCHOOL BOARD (SCHOOL BOARD) AND OTHER JURISDICTIONS TO ENSURE QUALITY EDUCATIONAL FACILITIES AND SUPERIOR EDUCATIONAL OPPORTUNITIES WHICH IN TURN ENCOURAGES ECONOMIC GROWTH FOR INDIVIDUALS, FAMILIES AND COMMUNITIES IN POLK COUNTY.

OBJECTIVE 1.1: *The City shall implement the approved Interlocal Agreement for Public School Facility Planning (hereafter referred to as the Interlocal Agreement) as amended to maximize opportunities to share information.*

Policy 1.1.1: Elected Officials Annual Meeting (aka “Schools Summit”). The City shall meet at least annually with the School Board and other jurisdictions to review issues related to the Public School Facilities Element and the Interlocal Agreement and to determine the need to revise these documents.

Policy 1.1.2: Planners Working Group Annual Meetings. The Planners Working Group as established in the Interlocal Agreement shall meet at least twice a year to set direction, plan for the annual meeting as described in Policy 1-A1, formulate recommendations and discuss issues related to this element and the Interlocal Agreement as well as ancillary infrastructure improvements needed to support schools and ensure safe access to school facilities.

Policy 1.1.3: The City shall coordinate with the School Board and other jurisdictions to base plans on consistent projections, including population projections that are developed in coordination with the School Board, and student enrollment projections district-wide and by planning areas which are agreed upon by the Planners Working Group. The School Board’s student enrollment projections shall consider the impacts of development trends and data required to be reported in accordance with the Interlocal Agreement.

Policy 1.1.4: The City shall at least annually report on growth and development trends within its jurisdiction to the School Board. The City shall provide the information as specified in the Interlocal Agreement. The School Board will use the information to distribute student enrollment by concurrency service area to make the most efficient use of public school facilities.

Policy 1.1.5: Support School Board efforts to identify long-range school site needs and select sites based on the criteria established in this element and the Interlocal Agreement.

Policy 1.1.6: The City shall seek and consider School Board comments on relevant comprehensive plan amendments and other land use decisions which may impact schools, as provided for in Florida Statute.

Policy 1.1.7: The City shall review their annually updated copy of the Polk County School Board's Five Year Program of Work and other reports from the School Board including a general educational facilities report with information outlined in the Interlocal Agreement.

Policy 1.1.8: The City shall appoint a representative selected by the School Board to serve at a minimum as an ex-officio member of their local planning agency but could be a full member with voting rights.

OBJECTIVE 1.2: *Encourage partnerships that will ensure adequate educational facilities that which in turn will encourage economic growth and provide for a trained and stable labor force, resulting in a higher quality of life.*

Policy 1.2.1: Support and encourage community and business partnerships for educational support services, to include, but not be limited to, magnet programs, work training, and job placement in order to improve productivity, earning potential, standard of living, and retention of labor force.

Policy 1.2.3: Consider the economic impact of school locations on neighborhoods such as, but not limited to the following factors: infrastructure, property and housing values, as well as surrounding land uses.

Policy 1.2.4: Encourage public/private partnerships between schools, business community, and other employers through mentoring programs, and Adopt-A-School programs with employees.

OBJECTIVE 1.3: *The City shall establish new and review existing coordination mechanisms relating to school facility planning that evaluate and address the comprehensive plan's effects on adjacent local governments, the school board, and other units of local government providing services but not having regulatory authority over use of land and the State.*

Policy 1.3.1: The City shall cooperate with the School Board and other local jurisdictions to implement the Interlocal Agreement, as required by Section 1013.33, Florida Statutes, which includes procedures for:

- a. Coordination and Sharing of Information
- b. Planning Processes
- c. School Siting Procedures
- d. Site Design and Development Plan Review
- e. School Concurrency Implementation
- f. Implementation and Amendments
- g. Resolution of Disputes

Policy 1.3.2: The coordination of school siting shall be conducted in accordance with the Interlocal Agreement taking into consideration the needs identified in the current School Board Five Year Program of Work and the annual general education facilities report.

Policy 1.3.3: In order to coordinate the effective and efficient provision and siting of public educational facilities with associated infrastructure and services within the Polk County School District, the Board of County Commissioners, School Board, and Commissions from other jurisdictions shall meet jointly to develop mechanisms for coordination. Such efforts may include:

- a. Coordinated submittal and review of the annual capital improvement program of the City, the annual educational facilities report and Five Year Program of Work of the School Board.
- b. Coordinated review and assessment of the associated costs and expenditures of siting and developing schools with needed public infrastructure.
- c. Coordinated review of residential planned developments or mixed use planned developments involving residential development.
- d. Use of a unified data base including population (forecasts of student population), land use and facilities.
- e. Assistance from Polk Leisure Services (with representatives from each of the entities) to review coordinated siting of schools with parks for multi-functional use. Directives resulting from the joint meeting shall be incorporated into the Comprehensive Plan, Land Development Regulations, and other appropriate mechanisms as deemed necessary.

GOAL 2: THE CITY WILL IMPLEMENT PUBLIC SCHOOL FACILITIES CONCURRENCY UNIFORMLY WITH OTHER LOCAL JURISDICTIONS IN ORDER TO ENSURE THE AVAILABILITY OF PUBLIC SCHOOL FACILITIES CONSISTENT WITH AN ADOPTED LEVEL OF SERVICE PROVIDING ADEQUATE SCHOOL CAPACITY AND ELIMINATING OVERCROWDED CONDITIONS IN EXISTING AND FUTURE SCHOOLS.

OBJECTIVE 2.1: *Establish a minimum level of service for schools and consider school capacity within development impact reviews, e.g. for Planned Developments, re-zoning requests, site plans, DRIs, or where there are specific development plans proposed.*

Policy 2.1.1: The City shall establish development plan review procedures with an effective date of March 1, 2008, for all residential and mixed use development proposals in order to implement school concurrency.

Policy 2.1.2: The long term target for Polk County Schools, based upon State Requirements for Educational Facilities (SREF) is 100% of Permanent Student Station Capacity.

An annual Utilization Analysis will be conducted by the Polk County School Board Facilities Division to determine the operation and efficiency of each school as compared to the Department of Education’s standards determined by the Florida Inventory of School Houses (FISH).

Policy 2.1.3: The City shall collaborate with the School Board to identify methods to achieve targeted utilization that include:

- a. Improvements to existing school facilities (shared facilities, redistricting, expansion or remodeling, etc.).
- b. Retrofitting of existing structures.
- c. New school construction.
- d. Encouraging multi-story school facilities in an urban environment.
- e. Exploring re-use of former non-residential centers as potential urban school sites.

OBJECTIVE 2.2: *The City shall ensure that the capacity of schools is sufficient to support students at the adopted level of service (LOS) standards within the period covered by the Five Year Program of Work. These standards shall be consistent with the Interlocal Agreement.*

Policy 2.2.1: The City shall apply the LOS standards set forth herein consistently with all local jurisdictions and the School Board on a district-wide basis within the adopted concurrency service areas for each school type.

Policy 2.2.2: Consistent with the Interlocal Agreement, the uniform district-wide level-of service standards are established as a percent of permanent Florida Inventory of School Houses (FISH) capacity. Permanent capacity cannot be increased by adding relocatables.

The LOS standards are set as follows:

TIERED LEVEL OF SERVICE – SCHOOL YEAR 2008-2013
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Facility Type	Year	Year	Year	Year	Year
	2008-09	2009-10	2010-11	2011-12	2012-13
Elementary	122%	122%	115%	100%	100%
Middle	113%	113%	110%	100%	100%
High School	110%	110%	105%	100%	100%

- a. Magnet and School of Choice: One hundred percent (100%) of enrollment quota as established by the School Board or court ordered agreements and as adjusted by the school board annually.
- b. Other: K-8, 6th grade centers, 9th grade centers, 6-12th grade schools are at one hundred percent (100%) of permanent DOE FISH capacity.
- c. Special Facilities: Including alternative education or special programmatic facilities are designed to serve the specific population on a countywide basis or for temporary need and are not zoned to any specific area. Therefore, they are not available or used for concurrency determinations.
- d. Conversion Charter Schools: The capacity is set during contract negotiations and the School Board has limited control over how many students the schools enroll.

Policy 2.2.3: Where schools operate below their respective LOS standard, their facility needs should be addressed in the School Board’s Five Year Program of Work. Facility needs which cannot be addressed by the Five Year Program of Work would require a long term concurrency management program to be adopted by the School Board.

Policy 2.2.4: The City shall coordinate with the School Board to achieve an acceptable LOS at all applicable schools as part of the School Board’s financially feasible Five Year Program of Work concurrency management program. The student population shall not exceed the core dining capacity at any time.

OBJECTIVE 2.3: *The City, in coordination with other jurisdictions and the School Board, shall establish School Concurrency Service Areas within which a determination is made of whether adequate school capacity is available based on the adopted level of service standards.*

Policy 2.3.1: The School Concurrency Service Areas (CSAs) for the Polk County School District, as agreed in the Interlocal Agreement, shall be school attendance zones (excluding attendance “spot zones”). When a proposed adjustment to the established school attendance zones is to be considered by the School Board, The City shall coordinate with the School Board to provide technical and public input prior to an official public hearing. The school attendance CSAs are hereby adopted by reference and included in the Public Schools Facility Element data and analysis.

Policy 2.3.2: Concurrency service areas shall be established and subsequently modified to maximize available school capacity and make efficient use of new and existing public schools in accordance with the level of service standards, taking into account minimizing transportation costs, limiting maximum student travel times, the effect of desegregation plans, achieving socioeconomic and diversity objectives as required by the Florida Department of Education, and recognizing

the capacity commitments resulting from the local governments' within Polk County's [City's] development approvals for the CSA and for contiguous CSA's.

Policy 2.3.3: Concurrency service areas shall be designed so that the adopted level of service will be able to be achieved and maintained within the bounds of the School Board's requirement for a financially feasible five year capital facilities plan.

OBJECTIVE 2.4: *In coordination with the School Board, the City will establish a process for implementation of school concurrency which includes capacity determinations and availability standards. The City shall manage the timing of residential subdivision approvals and site plans to ensure adequate school capacity is available consistent with adopted level of service standards for public school concurrency.*

Policy 2.4.1: Final subdivision and site plan approvals for residential development shall be conditioned upon the availability of adequate school capacity as per the adopted level of service standards (LOS) of this element and as required by Section 163.3180(13) F.S.

Policy 2.4.2: School concurrency shall apply only to residential development or a phase of residential development that generate students requiring a final development approval including subdivision plat approval, site plan, or its functional equivalent, proposed or established after the effective date of this element.

Policy 2.4.3: The City shall prepare a report on the development projects not subject to school concurrency at the time of the adoption of the Public School Facilities Element.

Policy 2.4.4: The City, in consultation with Polk County School Board staff, will develop and adopt land development regulations which establish application procedures and processes for evaluating school capacity and making concurrency determinations consistent with the Interlocal Agreement.

Policy 2.4.5: The City may provide a non-binding schools concurrency decision earlier in the approval process, such as at the time of preliminary plan approvals, if requested by the applicant. The School Board must approve the concurrency determination, allocations of capacity, and school concurrency mitigation commitments, as provided herein.

Policy 2.4.6: School concurrency decisions should support and not be in conflict with the local goals and objectives of the comprehensive plan regarding growth management, as articulated in the other elements of the local comprehensive plan.

Policy 2.4.7: The City will issue a concurrency determination based on the School Board's concurrency review findings and recommendations consistent with the Interlocal Agreement. The School Board's findings and recommendations shall address whether adequate capacity exists for elementary, middle, and high schools, based on the level of service standards, or if adequate capacity does not exist, whether

appropriate mitigation can be accepted, and if so, acceptable options for mitigation consistent with the policies set forth herein.

Policy 2.4.8: The City shall only issue a concurrency approval for a subdivision plat or site plan for residential development where:

- a. The School Board's findings indicate adequate school facilities will be in place or under actual construction within three (3) years after the issuance of the subdivision plat or site plan for each level of school;
- b. Adequate school facilities are available in the relevant CSA or adjacent CSA where the impacts of development can be shifted to that area; or
- c. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property subject to the final plat or site plan.

Policy 2.4.9: In the event that there is not sufficient capacity in the affected concurrency service area based on the adopted level of service standard to address the impacts of a proposed development, and the availability standard for school concurrency cannot be met, one of the following shall apply:

- a. The project shall provide capacity enhancement(s) sufficient to meet its impact through proportionate share or other school board approved mitigation; or,
- b. The project shall be delayed to a date when the level of service can be ensured through capital enhancement(s) or planned capacity increases; or,
- c. A condition of approval of the subdivision or site plan shall be that the project's impact shall be phased and each phase shall be delayed to a time when capacity enhancement and level of service can be ensured; or,
- d. The project shall not be approved.

Policy 2.4.10: If the impact of the project will not occur until years 2 or 3 of the School Board's financially feasible Five Year Program of Work, then any relevant programmed improvements in those years shall be considered available capacity for the project and factored into the level of service analysis. If the impact of the project will not be felt until years 4 or 5 of the Five Year Program of Work, then any relevant programmed improvements shall not be considered available capacity for the project unless funding of the improvement is ensured through School Board funding to accelerate the project, through school concurrency mitigation, or some other means.

OBJECTIVE 2.5: *The City shall allow for mitigation alternatives that are financially feasible and will achieve and maintain the adopted level of service standard consistent with the adopted School Board's financially feasible Five Year Program of Work.*

Policy 2.5.1: Mitigation shall be allowed where the adopted level of service standards cannot be met. Mitigation options shall include options listed below for which the School District assumes operational responsibility through incorporation in the adopted School Board's financially feasible Five Year Program of Work and which will maintain adopted level of service standards.

- a. The donation, construction, or funding of school facilities sufficient to offset the demand for public school facilities created by the proposed development; and,
- b. The creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits.

Policy 2.5.2: Mitigation shall not be required if the needed capacity for the development is available in one or more contiguous concurrency service areas and the impacts of the development can be shifted to that concurrency service area and where such is consistent with the other provisions of this Element.

Policy 2.5.3: Mitigation shall be directed to permanent capacity improvement projects on the School Board's financially feasible Five Year Program of Work that will satisfy the demand created by that development approval consistent with the adopted level of service standards, 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 subdivision plat or the site plan as required by the local government. If the School Board agrees to the mitigation, the School Board must commit in the agreement to placing the improvement required for mitigation in its Five Year Program of Work in a timely manner. However, if a new development triggers the need for additional capacity which can only be met by a new school and such new school would not otherwise be needed for more than five years, the mitigation agreement shall not trigger concurrency nor a change to the Five Year Program of Work Plan until the time at which conditions for the agreement are acceptable to the School Board. The development agreement shall include the landowner's commitment to continuing renewal of the development agreement upon its expiration. Relocatable classrooms will not be accepted as mitigation.

Policy 2.5.4: The amount of mitigation required for each school level shall be determined by multiplying the number of new student stations required to serve the new development by the average costs per student station applicable to the Polk County School District. The average cost per student station shall include school facility development costs and land costs.

Policy 2.5.5: As provided in the Interlocal Agreement, the student generation rates used to

determine the impact of a particular development application on public schools, shall be reviewed and updated as apparent and necessary in accordance with professionally accepted methodologies at a minimum of five (5) years.

OBJECTIVE 2.6: *The City, in coordination with other jurisdictions, shall ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standards for public schools.*

Policy 2.6.1: The City, in coordination with other jurisdictions, shall ensure that future development pays a proportionate share of the costs of the capital facility capacity needed to accommodate new development and to assist in maintaining adopted level of service standards, via impact fees and other legally available and appropriate methods in development conditions.

Policy 2.6.2: The City hereby incorporates by reference the School Board's financially feasible Five Year Program of Work

Policy 2.6.3: The City shall continue to investigate the feasibility of additional funding sources for additional public schools.

GOAL 3: PARTNER WITH THE SCHOOL BOARD AND OTHER JURISDICTIONS TO PROMOTE SCHOOLS AS FOCAL POINTS OF EXISTING AND FUTURE NEIGHBORHOODS THROUGH SITING FOR NEW SCHOOLS, REDEVELOPMENT OF EXISTING SCHOOL FACILITIES, AND CO-LOCATION AND SHARED USE OF FACILITIES AND SERVICES.

OBJECTIVE 3.1: *The City, in collaboration with the School Board and other jurisdictions, shall provide for the location and expansion of existing schools in a coordinated manner ensuring the planning, construction, and opening of educational facilities are coordinated in time and place, concurrent with necessary services and infrastructure, and to ensure compatibility and consistency with the Comprehensive Plan.*

Policy 3.1.1: The City will provide the School Board with potential sites for consideration when notified by the School Board of the need for new school facilities in accordance with the Interlocal Agreement.

Policy 3.1.2: The City will coordinate with the School Board to ensure that proposed public school facility sites are consistent with the applicable land use categories and policies of the comprehensive plan and will consider each site as it relates to environmental, health, safety and welfare concerns, effects on adjacent property and other guidelines as outlined in the Interlocal Agreement.

Policy 3.1.3: The City shall coordinate with the School Board and other jurisdictions on the

planning and siting of new schools facilities to ensure appropriate timing of necessary services and infrastructure and are compatible and consistent with the Comprehensive Plan.

- Policy 3.1.4: The City will include sufficient allowable land use designations for schools approximate to residential development to meet the projected needs for schools. Schools are an allowable land use in all current and future land use plan categories, except heavy industrial and conservation or preservation type land uses designating environmentally sensitive areas. The City shall clearly identify in the Future Land Use Element and Land Development Regulations the land use and zoning categories in which schools are allowable uses.
- Policy 3.1.5: The siting of new schools, location of new schools within the Green Swamp Area of Critical State Concern (ACSC), by definition an environmentally sensitive area for all of Central Florida, shall be prohibited in unincorporated Polk County except in the Urban Development and Urban Growth Areas (UDA and UGA respectively) within the Polk City and Ridge Special Protection Areas.
- Policy 3.1.6: The City will collaborate with the School Board and other jurisdictions to jointly determine the need for and timing of on-site and off-site improvements necessary to support each new school or the proposed renovation, expansion or closure of an existing school, and will enter into a written agreement, if necessary, as to the timing, location, and the party or parties responsible for constructing, operating and maintaining the required improvements as referenced in F.S. 1013.51.
- Policy 3.1.7: The City shall protect schools from the intrusion of incompatible land uses by providing the School Board representatives the opportunity to participate in the review process for all proposed developments adjacent and in proximity to schools.
- Policy 3.1.8: The preferred locations for public schools, whether elementary, middle or high School, are within the Urban Service Areas for utility services and expansions.
- Policy 3.1.9: The City shall automatically process amendments to the Future Land Use Map upon the approval of a new school site, where necessary. The processing of any amendments shall be at no cost to the School Board.
- Policy 3.1.10: The City shall participate in the School Site Selection process following the terms and limitations established in the Interlocal Agreement.
- Policy 3.1.11: The City shall collaborate with the School Board and other jurisdictions to ensure the provision of supporting infrastructure as required by the Interlocal Agreement and applicable Florida Statutes.
- Policy 3.1.12: The City shall establish an effective process for reserving, with conceptual School Board staff approval, school sites which could include:

- a. Consideration of school siting during the completion of area wide studies,
- b. Encouragement to developers to contribute towards the provision of school facilities.

OBJECTIVE 3.2 *Enhance community and neighborhood design through effective school educational facility design, school siting standards, compatibility with surrounding land uses, schools as focal points for community planning, and making schools a central component, geographically or otherwise, to neighborhood-level planning.*

Policy 3.2.1: Work with the School Board to identify new school sites that would be in locations to provide logical focal points for community activities and serve as the cornerstone for innovative urban design standards.

Policy 3.2.2: Provide school sites and facilities within planned neighborhoods, unless precluded by existing development patterns.

Policy 3.2.3: Support and encourage the location of new elementary and middle schools internal to residential neighborhoods and/or near other civic land uses, within the limits of School Board mandated desegregation.

Policy 3.2.4: Coordinate with the School Board to identify locations for new high schools based upon need and availability of viable properties within the search area identified by the School Board.

Policy 3.2.5: Support and coordinate with School Board efforts to locate new elementary schools within reasonable walking distance to residential neighborhoods.

Policy 3.2.6: In cooperation with the School Board, develop and adopt design standards for school bus stops and turnarounds in new developments.

Policy 3.2.7: Support the School Board in its efforts to locate appropriate school services, such as administrative offices, night classes and adult education on-site or in alternative locations, such as but not limited to commercial plazas, shopping malls, and community centers.

Policy 3.2.8: The City shall coordinate closely with School Board staff on preliminary design plans for new schools, generally seeking to maximize land via multi-story facilities, incorporating design elements which are community-friendly such as allowing for a shared media and/or meeting center and/or play fields on campus, respecting environmental features of a site, respecting the need to provide noise or visual buffers from adjacent owners, providing connectivity for pedestrians at multi-school properties, pedestrian, bicycle and other connectivity to the surrounding residential community.

Policy 3.2.9: Reduce capital expenditures for The City and the School Board via cost-effective design criteria and shared facilities.

OBJECTIVE 3.3: *Plan for the expansion and/or rehabilitation of existing school facilities to maintain and improve neighborhoods and communities.*

Policy 3.3.1: Where existing schools are proposed to be expanded, substantially renovated or new schools are proposed to be built, The City shall request that school board staff, local school-based faculty, and advisory councils coordinate with County staff and relevant neighborhood groups/leaders, and residents to integrate school facilities and activities with neighborhood planning and community development activities.

Policy 3.3.2: Coordinate with the School Board, Florida Department of Transportation (FDOT), the Transportation Planning Organization (TPO), and other jurisdictions to ensure that both existing educational facilities and proposed public school sites are accessible from, and integrated into, a planned system of sidewalks, trails, and bikeways and observe adopted local access management principles. Seek or assist the School Board in seeking grant funding to enhance access and inter-modal connectivity to and between schools, their co-located facilities, neighborhoods, and proximate community facilities such as parks.

OBJECTIVE 3.4: *Implement provisions of the Interlocal Agreement by coordinating the location of educational facilities and the co-location of other public facilities.*

Policy 3.4.1: The City will review future school and ancillary facility plans and identify opportunities for future co-location or joint use projects. The School Board will be notified of potential projects in a timely manner.

Policy 3.4.2: Encourage the location of parks, recreation and community or civic facilities in new and existing communities in conjunction with school sites. Seek out other co-location and joint use opportunities as outlined in the Interlocal Agreement that will benefit existing neighborhoods or redevelopment efforts.

Policy 3.4.3: The City will provide funding within their Capital Improvements Element to allow for identified and potential co-location projects.

OBJECTIVE 3.5: *Strengthen existing neighborhoods and enhance community and neighborhood design through the co-location and joint use of educational facilities.*

Policy 3.5.1: The City, in cooperation with the School Board and other jurisdictions, shall whenever possible coordinate the co-location and shared use of school facilities, parks, community facilities, and other facilities compatible with schools.

Policy 3.5.2: The City and other jurisdictions in cooperation with the School Board shall jointly

plan jurisdictional co-location or joint use projects which overlap boundaries within areas defined for civic purposes. Civic uses near or adjacent to schools shall be a preferred land use in regard to land use decision making.

Policy 3.5.3: Continue to exercise joint use agreements between the School Board, The City, and other relevant agencies regarding shared use of facilities, including schools, community centers, libraries, parks, and other compatible facilities. Agreements shall include shared costs where feasible.

Policy 3.5.4: Support and encourage community-based programs for children's athletics, performing arts, and after-school enrichment in conjunction with school facilities. This may include exploring and supporting economically feasible multi-modal transportation system options that will enhance such opportunities.

Policy 3.5.5: Each year upon adoption of the School Board's Five Year Program of Work, County staff shall assist the School Board as needed in bringing together relevant agencies to discuss planning and budgeting for possible co-located facilities. The coordination may include staff from the affected County and/or City planning, parks and recreation, library, police/law enforcement, civic groups, and other government agencies as necessary. The coordination meeting should occur several years prior to commencement of school construction in order to achieve maximum co-location opportunities.

Policy 3.5.6: Encourage the business community, developers, and other private organizations to coordinate with the City and the School Board to jointly fund and design community-based services and facilities in conjunction with existing and proposed school sites.

GOAL 4: MAINTAIN AND ENHANCE INTERGOVERNMENTAL COORDINATION AND JOINT PLANNING EFFORTS WITH THE SCHOOL BOARD AND OTHER JURISDICTIONS TO ENSURE PUBLIC INFRASTRUCTURE AND OTHER NECESSARY SERVICES ARE AVAILABLE IN A MULTI-JURISDICTIONAL ENVIRONMENT FOR PUBLIC SCHOOL FACILITIES.

OBJECTIVE 4.1: *Integrate land use and school facility planning in Polk County through a series of planning, coordination and implementation activities which ensure capital facilities and infrastructure necessary for school facilities are available to public schools.*

Policy 4.1.1: Through development review processes, consider the possible need for expansion of existing school facilities or the provision of new facilities with land use planning.

Policy 4.1.2: Develop a process for an annual joint review of the capital plans for the school board and the local government.

Policy 4.1.3: Plan and locate new school facilities in areas where student population growth is expected due to new development approvals and/or agreed-upon area specific population projections.

Policy 4.1.4: The City shall coordinate with the efforts of the School Board to provide emergency shelter, in accordance with Florida Statutes, when the construction of new facilities or rehabilitation or expansion of existing facilities are being considered.

OBJECTIVE 4.2: *Support School Board programs to effectively and efficiently manage existing capital and operational funds and resources.*

Policy 4.2.1: The City shall cooperate with the School Board and other local jurisdictions and agencies to address and resolve multi-jurisdictional public school issues.

Policy 4.2.2: Support School Board efforts to ensure sufficient capacity and operational resources for current and future school enrollment by partnering in the identification of capital needs, operational needs, and available funding sources for various campuses and school programs.

Policy 4.2.3: Support the School Board and encourage the State Legislature to allow flexibility in state, local and private sector participation in capital and operational funding of public school facilities.

Policy 4.2.4: Give priority in scheduling County programs and capital improvements which are consistent with and which meet the capital needs identified in the school facility planning program(s).

Policy 4.2.5: Coordinate with the School Board to ensure the appropriate methodology (i.e. student generation rates) is utilized to evaluate the impact of different types of residential units on student populations, school facilities, and fiscal impacts to schools.

Policy 4.2.6: Consider joint funding for expanding appropriate school facilities to function as community service centers.

Policy 4.2.7: Encourage the private sector to identify and implement creative solutions in developing adequate school facilities in residential developments. Creative solutions may include combining mitigation needs of several developments, creating or enhancing co-location opportunities, and/or conversion of structures to a school setting as long as they meet State Requirements for Educational Standards (SREF).

Policy 4.2.8: The City in consultation with the School Board on a case-by-case basis shall

consider incentives such as, but not limited to, density bonus points, tax credits, waiver of fees or other innovative means to encourage developers to contribute to the provision of school facilities by:

- a. donating school site(s)
- b. reserving or selling sites at pre-development prices
- c. constructing new facilities or renovating existing facilities
- d. providing access to public transit

Policy 4.2.9: Support School Board efforts to allow the private sector to construct school facilities and/or lease land or facilities to the School Board.

Policy 4.2.10: The City shall identify infrastructure projects within Polk County's [City's] Capital Improvement Program which will permanently or temporarily impact an existing campus due to proximity or serviceability to a campus.

GOAL 5: MONITORING, EVALUATION, AND IMPLEMENTATION

OBJECTIVE 5.1: *The City shall implement the objectives and policies of the Public School Facilities Element in coordination with the School Board and local municipalities.*

Policy 5.1.1: The City Administrator, or designee, shall be responsible for implementing the educational facilities objectives and policies included in The City Comprehensive Plan.

Policy 5.1.2: The City shall adopt development regulations as necessary to implement the objectives and policies of the Public School Facilities Element.

Policy 5.1.3: The City shall maintain intergovernmental agreements with other local governments in order to attain common objectives within the Public School Facilities Element.

Policy 5.1.4: The City shall establish contact with other governmental agencies and private organizations, as needed, to carry out Public School Facilities Element objectives and policies.

Policy 5.1.5: The City shall revise permitting or permit-related procedures, as necessary, to carry out the objectives and policies of the Public School Facilities Element.

Policy 5.1.6: The City shall develop and implement programs or methodology, and conduct any studies required by the Public School Facilities Element.

Policy 5.1.7: The City shall determine from the School Board the inventories required by the Public School Facilities Element.

Policy 5.1.8: The City shall continue to enforce existing regulations where specified within the

Public School Facilities Element.

Policy 5.1.9: Any conflicts related to issues covered by the Public School Facilities Element and Interlocal Agreement shall be resolved in accordance with governmental conflict resolution procedures specified in Florida Statute.

Exhibit “A”. Part II

**Proposed Amendment to Intergovernmental Coordination Element
Objectives 1 and 4**

(New language **underlined**; removed language **~~stricken striken~~**)

POLK CITY COMPREHENSIVE PLAN
INTERGOVERNMENTAL COORDINATION ELEMENT
GOAL, OBJECTIVES & POLICIES

Adopted 1989

Adopted Amendment April 2000, Ord. 99-11

OBJECTIVE 1: Coordination With Other Units of Government, Agencies and Special Districts

The City of Polk City shall establish a mechanism to coordinate its Comprehensive Plan with the plans of the Auburndale, Lake Alfred, Lakeland, Polk County, the Polk County School Board, the Central Florida Regional Planning Council, and other relevant entities that provide essential services, but do not have regulatory authority over land use. This shall be done to ensure consistency between plans and to provide for adequate public facilities.

Measurable Targets: Number of conflicts identified and resolved; number of times a particular type or form of resolution was utilized.

Policy 1.1: The City shall continue its memorandum of understanding with Polk County regarding the coordination of relevant planning activities.

Policy 1.2: The City will formally request Lake Alfred and Auburndale and Polk County to provide current copies of all adopted and proposed comprehensive plans or plan amendments affecting land use in Polk City prior to any public meeting or hearing on an amendment.

Policy 1.3: The City shall provide a formal notification of any proposed comprehensive plans or plan amendments that could affect land use, including locally undesirable land uses, in an adjoining jurisdiction by providing a detailed description of the proposed amendment and sending a map showing the location of the amendment. Where conflict arise, the following guidelines and procedures shall be followed to resolve them.

- a. City staff at the department head level will initially work with contemporary staff of other governmental entities in an informal manner to resolve conflicts. If conflicts cannot be resolved in this manner, the

department head will confer with the City Manager to pursue resolution of the conflict with his or her counterpart.

- b. Where the City has existing agreements with other governments or agencies that address the resolution of conflicts, the City will use the procedures set forth in those agreements. Where there is no existing agreement, the City Manager will, at the direction of the City Council, form a committee of elected officials and staff to meet with a like body from the other government or agency to meet and pursue a resolution to the conflict.
- c. If the process established in this policy fails to produce a resolution, the City Manager will request that the Central Florida Regional Planning Council's informal mediation process be used.

Policy 1.4: The City will resolve land use and other planning conflicts with other local governments through the informal mediation process established by the Central Florida Regional Planning Council.

Policy 1.5: The City shall ~~establish a mechanism~~ adhere to an executed Interlocal Agreement with the Polk County School Board to coordinate the planning of future land use and facility needs.

OBJECTIVE 2: Joint Planning Areas [NO CHANGE]

OBJECTIVE 3: Joint Processes for Population Projections [NO CHANGE]

OBJECTIVE 4: Joint Processes for School Siting

Identify and describe joint processes for collaborative planning on school siting.

Measurable Targets: Number of plans reviewed; number of meetings held; number of school sitings negotiated during the planning period.

Policy 4.1 ~~The City will annually review Polk County School Board's plans for the siting of public schools within its jurisdiction for consistency with the comprehensive plan, both at the staff level and through public hearings for specific site plans. This will include the review of the 5, 10, and 20 year facility plans of the School Board, as well as responding as needed to site specific plans to locate new schools or expand existing schools. The City will review the School Board's annually updated 5-year School Plant Survey (5-year facility work program), 10, and 20-year facility work programs and coordinate those plans with the comprehensive plan.~~

The City shall cooperate with the School Board and other local jurisdictions to implement the Interlocal Agreement, as required by Section 1013.33, Florida Statutes, which includes procedures for school siting.

Policy 4.2 ~~As per Chapter 235, F.S., at least 60 days prior to the purchase or leasing of property that may be used for a new or expanded public educational facility, and where the proposed site is in or adjacent to the City of Polk City, the Polk County School Board shall notify the City of the location of the site. The City shall review the site as it relates to consistency with the *Polk City Comprehensive Plan*, Future Land Use Element, including a preliminary analysis of the potential impacts to public facilities. The City's review shall be given to the School Board within 45 days after receipt of their initial notification to the City.~~

~~Where additional time is required for a complete public facilities impact analysis as it relates to issues of concurrency for transportation, water, wastewater, parks, stormwater management and/or solid waste, the City shall request that the School Board delay the purchase or lease of a site for a new or expanded school site until such an analysis may be completed and reviewed by the City Commission and School Board respectively.~~

The coordination of school siting shall be conducted in accordance with the Interlocal Agreement taking into consideration the needs identified in the current School Board Five Year Program of Work and the annual general education facilities report.

Policy 4.3 ~~As per Chapter 235, F.S.,~~ The planning for new or expanded educational facilities must consider the effects of the location of public education facilities, including the feasibility of keeping central city facilities viable, in order to encourage central city redevelopment and the efficient use of infrastructure while discouraging urban sprawl. The City will encourage the collocation of public facilities of any kind, including parks, libraries, recreation opportunities and schools, when planning and reviewing a proposed site for a new or expanded educational facility.

Policy 4.4 ~~As per Chapter 235, F.S.,~~ If the proposed site for a new or expanded educational facility is consistent with the future land use policies and categories of the *Polk City Comprehensive Plan*, the City may not deny an application for such a facility but may impose reasonable development standards and conditions which consider the site plan and its adequacy related to environmental concerns, health, safety and welfare, and effects on adjacent property.

OBJECTIVE 5: Joint Processes for Facilities Subject to Concurrency [NO CHANGE]

OBJECTIVE 6: Joint Processes for Facilities with Regional Significance [NO CHANGE]

OBJECTIVE 7: *Joint Processes for Problematic Land Uses* [NO CHANGE]

OBJECTIVE 8: *Voluntary Dispute Resolution Processes* [NO CHANGE]

Exhibit “A” Part III

**Proposed Amendment to Capital Improvements Element:
Objective 1, Policy 1.6 (new); and Objective 2, Policy 2.3
(New language underlined)**

POLK CITY COMPREHENSIVE PLAN
CAPITAL IMPROVEMENTS ELEMENT
GOALS, OBJECTIVES AND POLICIES
Adopted May 7, 1991
Amendments Adopted July 26, 2005

GOAL

Ensure that public facility and public service needs of the citizens of Polk City are met in a timely and efficient manner while maintaining the financial health of the community.

OBJECTIVE 1:

The Capital Improvements Element shall be used to meet the City’s needs for public facilities and services throughout the planning time frame, including correction of existing deficiencies, replacement of obsolete facilities and provision to accommodate future growth.*

Policy 1.1: Capital improvements projects shall be budgeted and programmed after evaluation that measures the need for the project against recommendations in all appropriate elements of the Polk City Comprehensive Plan. In order to carry out this policy an evaluation system will be established as part of the land development regulations by the statutory deadline, to include such items as local budget impact and financial feasibility, other agency plans, locational needs based on projected growth patterns, the accommodation of new development and redevelopment facility demands, existing capital deficiencies, and public safety.

Policy 1.2: The annual budget process shall have a capital budget component, including provisions for renewal and replacement of capital facilities under control of Polk City. Provisions to be included may include, but are not limited to, the following: impact fees, user fees, and/or stormwater utility fees.

Policy 1.3: The City’s annual budget process shall include consideration of policies in the Polk City Comprehensive plan in order to ensure that capital expenditures further the objectives of the plan.

*No obsolete facilities have been identified at this time. No deficiencies have been identified for inclusion in the 5-year capital improvement plan for the fiscal years 1992-1996. Further, Polk City is not in a coastal high hazard area; therefore, limitation of public expenditures does not need to be addressed.

Policy 1.4: By May 1, 1992, the City shall amend the comprehensive plan by including data, analysis and policies which:

- a. allocate funding for completion of the tasks necessary to assist the County in completing the NPDES co-application to EPA, including the ordinance and management plan requirements; and
- b. allocate funding for stormwater deficiencies identified as a result of the inventory and recommendations of the EPA NPDES permitting process; and
- c. designate funding either through a stormwater utility or other source; data and analysis of the plan amendment shall assess the City's ability to finance stormwater management improvements based upon anticipated revenues and include cost estimates.

Policy 1.5: The City shall require that all development within the Green Swamp Area of Critical State Concern shall be on paved roads and shall be served by potable water and sanitary sewer systems and the 5-Year Capital Improvements Plan (CIP) shall list the capital projects needed to serve new areas of development.

Policy 1.6: The City of Polk City shall adopt, by reference, the Polk County School District Five-Year Facilities Work Program, as approved by the Polk County School Board for the years 2007/08 through 2011/12, and subsequent annual updates thereto, as part of its Schedule of Capital Improvements.

OBJECTIVE 2:

Land use decisions shall be coordinated with the availability of fiscal resources to ensure the schedule of capital improvements can meet existing and future facility needs which maintain adopted level of service standards.

Policy 2.1: The City's fiscal planning shall include appropriate management of debt, based upon the City's modest revenue and ability to finance borrowing.

Policy 2.2: The City shall include in the annual monitoring and evaluation program for the Capital Improvements Element provisions to ensure adequate public facilities continue to be available.

Policy 2.3: The City shall utilize the adopted level of service standards to determine whether existing facilities are adequate to meet future land use proposals; these standards shall provide the basis for the replacement and renewal of capital facilities:

Level of Service for Polk City Public Facilities

Solid Waste:	Disposal of 3.2 pounds per person per day
Sanitary Sewer: Private onsite disposal	Shall meet or exceed all the requirements set by the Florida Dept. of Children and Families, Chapter 10D-6, F.A.C..
New Central Facilities Residential Uses	100 gpcpd
Non-residential Uses	Minimum service shall be consistent with Table II, 10D-6, F.A.C.
Potable Water: Non Residential Uses	110 gpcpd 315 gallons per day per 2,000 square foot of building [Gpcpd = gallons per capita per day]

Stormwater Management
Facilities

Quantity:	25-year duration, 24-hour design storm frequency.
Quality:	Stormwater Management Systems – Stormwater management systems shall be designed to either retain on-site the runoff generated by the 25-year, 24-hour storm at peak discharge rates which do not exceed pre-development rates.

Water quality treatment shall be provided for a volume equivalent to ½ inch of depth over the entire site or the runoff from the first 1 inch of rainfall on the entire site, consistent with Chapter 17-25, F.A.C. All stormwater discharge facilities shall be designed so as to not degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-302, F.A.C.

Site-specific conditions may require other design criteria to be satisfied in order to obtain Water Management District construction permits. To ensure compliance with those requirements, a copy of a valid Water Management District permit or exemption letter shall be presented before building permits or development approvals are granted.

Note: Single family development on infill lots of existing single

family residential subdivisions shall not be required to manage stormwater onsite, as long as stormwater runoff is accommodated by regional facilities, and does not cause degradation in surface water quality.

Transportation: SR 33 LOS Standard: D
CR 655 LOS Standard: C
SR 559 LOS Standard: D

Public Schools: Level of service for public school facilities shall be consistent with Policy 2.2.2 of the City’s Public Schools Facilities Element.

Policy 2.4: The Polk City Land Development Code shall contain provisions to ensure that development orders are not issued for development activities after November 1, 1991 which will degrade the level of service below the adopted standard as identified in each comprehensive plan element. Development orders for new development shall not be issued unless the following conditions are met:

- (a) Demonstration that the adopted levels of service are provided. Facilities and services shall be in place to provide the adopted levels of service. Otherwise the development order shall be issued subject to the condition that necessary facilities and services will be in place when needed by the development. For recreation facilities, the condition is met if facilities will be in place within one year following need by the development. For transportation facilities, the condition is met if the facilities are to be provided by the third year.
- (b) A determination of concurrency shall occur prior to the approval of an application for a development order that contains a specific plan for development, including densities and intensities of use.
- (c) For purposes of the issuance of development orders, the concurrency requirement is met if a required facility or service is under contract, or guaranteed in an enforceable development agreement.

OBJECTIVE 3: [NO CHANGE]

OBJECTIVE 4: [NO CHANGE]