

## **Public School Facilities Element EAR Statements**

Section 163.31777(7), Florida Statutes says that:

*At the time of the evaluation and appraisal report, each exempt municipality shall assess the extent to which it continues to meet the criteria for exemption under s. 163.3177(12). If the municipality continues to meet these criteria, the municipality, it shall continue to be exempt from the interlocal agreement requirement.*

### **EXEMPTIONS**

What cities or towns are exempt from the public school facilities element (PSFE) requirement of the 2005 growth management updates?

You are exempt if you meet all of the following tests. Your municipality:

- a. Has no public schools within its boundaries;
- b. Has not annexed any lands during the preceding five years (2001-2005) that allow residential development; and
- c. Has issued development orders for fewer than 50 residential units during the preceding five years, or has generated fewer than 25 additional public school students during the preceding five years.

The Pinellas County Planning Department in cooperation with the Pinellas County School Board are preparing the public school facilities element exemption application form for municipalities to be used by your community if you meet the above criteria. The department and school board are also developing an exemption letter verifying that no schools will be needed in your jurisdiction in either the five or ten-year planning timeframes. The letter from the school board may be attached to the EAR as documentation.

### **I. EAR STATEMENT FOR PUBLIC SCHOOL FACILITIES ELEMENT EXEMPTION**

Include this statement in your EAR if the exemption criteria are met and attach the exemption form and a letter from the Pinellas County School Board to your EAR document.

The [City/Town of \_\_\_\_\_] is exempt from preparing a public school facilities element because it meets the criteria of Chapter 163.3177(12), F.S., for each of the following requirements:

- a. Has issued development orders for fewer than 50 residential units during the preceding five years, or has generated fewer than 25 additional public school students since 2001;
- b. Has had no annexation of new land during the preceding five years that would permit residential uses that affect school attendance rates; and,
- c. Has no public schools within its boundaries.

## **II. EAR STATEMENT FOR PUBLIC SCHOOL FACILITIES INTERLOCAL AGREEMENT EXEMPTION**

Include this statement in your EAR if exemption criteria are met.

The [City/Town of \_\_\_\_\_] is exempt from participating in the interlocal agreement related to school concurrency because it meets the criteria of Chapter 163.3177(12), F.S., for each of the following requirements:

- a. Has issued development orders for fewer than 50 residential units during the preceding five years, or has generated fewer than 25 additional public school students since 2001;
- b. Has had no annexation of new land during the preceding five years that would permit residential uses that affect school attendance rates; and
- c. Has no public schools within its boundaries.

## **III. EAR STATEMENT FOR MUNICIPALITIES REQUIRED TO PREPARE A PUBLIC SCHOOL FACILITIES ELEMENT (PSFE)**

If your jurisdiction cannot meet the three tests listed for exemption, you will need to include a recommendation in the EAR for an amendment, such as the following:

During the update of its comprehensive plan, the [City/Town of \_\_\_\_\_] will adopt the goals, objectives, and policies of the Public School Facilities Element prepared by Pinellas County and the Pinellas County School Board. If the anticipated adoption date for the EAR-based amendments to update the comprehensive plan is later than March 1, 2008, the [city/town] will adopt the PSFE by the statutory deadline.

Note: During the plan amendment (due within 18 months following adoption of the EAR), your jurisdiction must do the following which should be contained in one or more EAR recommendations:

- a. Adopt a PSFE by March 1, 2008
- b. Participate in the update to the interlocal agreement

- c. Amend the Capital Improvements Element to set forth a financially feasible school facilities capital program as provided by the Pinellas County School Board.
- d. Amend the Intergovernmental Coordination Element to include the school interlocal agreement