

APS Research Question: How do other jurisdictions integrate school facilities needs in land use studies, such as sector plans, which often increase permitted residential densities?

Our commission approached the discussion of this question in three parts:

- 1) How does ACG/APS planning currently work in regards to schools being included in sector plans?
- 2) What did we learn from looking at examples from other jurisdictions?
- 3) What changes would need to occur for ACG/APS to include schools in sector plans?

1) CURRENT PROCESS

We approached the research this question in these three parts because we wanted to examine the question, look at other jurisdictions and to make potential recommendations based on an understanding of the process that both APS and ACG currently have in place.

When it comes to identifying the need for a site for new school APS and ACG have separate planning processes that have in the past years taken positive steps to being more integrated. For APS as capacity grows a need for a new school becomes defined when enrollment reaches a level that can no longer be accommodated with operational changes such as boundary changes and relocatable classrooms. That need is defined in the AFSAP. The AFSAP and the CIP occur in alternating years with the CIP stipulating the plan for the solution for the needs defined in the AFSAP. Once a new school or project is included in the CIP the process is started to find sites fulfill need.

We discussed what the current process is for ACG process is for including schools in a sector plan.

We found that it is not defined and while there are examples of schools being included in a sector plan it was primarily as a result of APS already owning property in the area being studied. If a sector or area is being studied there is not a clear process for a school to automatically be considered or included within that planning study. It takes members of working groups to advocate for a school. A school may be easier to make part of a conversation when the need is defined by AFSAP or part of a CIP.

We discussed the Comprehensive Plan and the point that when something is part of the CP, such as parks, transportation, and historic preservation there is a process built in for these to be included in sector plan. Since schools are not part of CP it is not so systemic. CP guides top level items but there isn't a good plan to point to.

An example of a school that was considered as part of a sector plan is the Wilson School (now HB Woodlawn/The Heights). It was considered as part of the WRAPS process. It was part of the

sector plan was because APS already owned the property and had defined the need for a school in that part of the county. APS going to be at the table if it owns property already in the area.

APS/ACG need to speak the same language. If the school need isn't identified in a plan the County isn't seeing that need. Processes do happen to find a site. Movement toward trying to speak the same language.

2)EXAMPLES FROM OTHER JURISDICTIONS

Alexandria Long Range Educational Facilities Plan

We first examined and discussed the Alexandria "Long Range Educational Facilities Plan"¹ which we found to have been created under many relevant and parallel conditions to Arlington. APS and ACPS experiencing same challenges of growth and space. Alexandria was looking for a true partnership between school system and city government and needed to reach some consensus on the problem in order to identify solutions. Alexandria, like Arlington was facing enrollment growth, some aging buildings within their division, very limited school sites and until recently, no need to connect school and land use planning.

ACPS plan recommends that schools be included in new area plans in order to establish place holders for future schools. The plan also recommends guidelines for more urban school models and 21st century educational facilities and open spaces.

The Commission found this example to be an apt one for APS/ACG to consider. We discussed how sector plans are 30 year long range plans and including schools in these plans, as the ACPS plan stipulated, would prepare APS/ACG with identified sites. As creating additional density is created we are going to need sites for public facilities.

Concurrency/ Adequate Public Facilities Ordinance (AFPO)

Commission discussion of concurrency in Florida and a Montgomery County, Maryland Subdivision Staging Policy (SSP) began with the understanding that because of the Dillon Rule in Virginia it does not enable any jurisdiction to have an Adequate Public Facilities Ordinance (AFPO).

The Commission examined the idea of concurrency and a law that was adopted in Florida in 2005 which added schools to the list of public facilities that were subject to the statewide concurrency system.

¹ https://arlingtonva.s3.amazonaws.com/wp-content/uploads/sites/5/2019/07/Alexandria_LREFP_2015.pdf

Simply put, concurrency requires that in order for development to be allowed to occur, the developer must demonstrate that sufficient capacity for the mandated public services exists or will be in place to serve their project. In the case of roads, for example, the developer must demonstrate that there are or will be sufficient trips available, within the time frame prescribed by both Florida Statutes and the Florida Administrative Code, on the affected road network to accommodate their development. Likewise, in the instance of potable water, it must be clearly shown that there is sufficient water available to meet the development's needs.

For the purpose of school concurrency, a "developer," which can range from one family building a home to a professional developer constructing hundreds of homes in one subdivision, will be required to demonstrate sufficient capacity at the appropriate public schools to accommodate the number of school children that are reasonably anticipated to attend school. It is important to note that school concurrency only applies to residential development and as such, commercial development is not affected by school concurrency issues.²

The Commission also discussed the Montgomery County, Maryland Subdivision Staging Policy (SSP) which was established as a response to student enrollment growth. The SSP "defines the Annual School Test for development application review – it provides the thresholds for moratoria and determines whether adequate school facilities exist in a project area."³ This policy would create a moratorium on development in areas that did not have available capacity in schools.

While there was some support from Commissioners for the concept of concurrency and of tying some kind of process which would respond to the impacts of increased density many expressed concern beyond the fact that it would take changing Virginia legislation to put such a process in place for Arlington. Concern was expressed for the idea of limiting housing development in Arlington because of housing shortage in Arlington, especially an affordable housing shortage. Concurrency may work in other jurisdictions such as Montgomery County where they have available land where there is a requirement in place for a developer to build a school in exchange for so many housing units because a certain amount can more easily be set aside for a school or a park. This doesn't work in Arlington because no one owns that much land and the developer would have to have the land in order to build a school on it.

The discussion of the Montgomery County also centered on the premise that while such a policy might work there it would not work in Arlington because Montgomery County has land and we don't. If Arlington created a process which would put a moratorium on development because of school growth it could mean we wouldn't be able to achieve many of our established goals already within our comprehensive plan. Energy efficiency was an example

² <https://www.floridabar.org/the-florida-bar-journal/implementing-school-concurrency-the-challenges-of-adopting-a-united-vision/>

³ <https://montgomeryplanning.org/planning/countywide/growth-and-infrastructure-policy/schools/>

which often comes with development. As we replace existing units with new units they are built with increased energy efficiency and higher LEED standards. As Arlington looks to find a process which responds to growth and generating density a balance must be sought because the truth is development is what helps us stay an attractive economic place.

Our investigation of the work of other jurisdictions found appealing aspects of Florida's concurrency or the Montgomery County moratorium but found that they were "heavy hammers" that would not be a good tool for Arlington. It was clear, however, that Arlington needs to pull additional levers to tie increased density to the need for additional public facilities. It has to be built into the planning process that looks both short term and long term. This kind of integrated planning needs to be a part of each and every process in order to make sure that we are holding ourselves, our commissions and the developers accountable.

Recommendations:

- 1) **Arlington County should include schools and public facilities in the Comprehensive Plan** and create a process by which schools are automatically included in sector plans. In questions what changes would need to occur to include APS in sector plans the clearest answer would be to include APS and other public facilities as an element in the Comprehensive Plan. It currently takes effort to get schools to be considered as part of any long range planning or sector planning. It is not automatic in the same way parks or transportation or other element of the Comprehensive Plan.
- 2) **A process should be created so that every development project shall include a feasibility plan for short-term and long-term infrastructure requirements, including school capacity, energy, water, stormwater and transportation, etc.** An established process would codify and ensure sure that all future sector and land use studies incorporate schools. One of the benefits of Concurrency/APFOs is that they create a method which quantifies the impact from new development on things like transportation, infrastructure, run off water. When school capacity is included in the process of quantifying impacts it can be better understood when there is a tipping point of when overcrowding becomes such a burden that new a new facility is needed. Because of the limits of the Dillon Rule in Virginia we might not be able to demand x amount of facilities or money for facilities but it is a way of understanding the impacts of increasing density and informing all planning processes.
- 3) **The County should have a needs assessment process that parallels the APS AFSAP and is transparent.** As APS does the AFSAP biannually it is made clear how schools are utilized and what the future needs are based on AFSAP. Without a parallel assessment on County public facilities the Commission found that a certain transparency was lacking. We discussed how a County needs assessment was planned as part of the beginning of PFAC and it was put on hold. An initial step was taken and was the inventory and which is now part of the GLUP

map. Commissioner did not come to any conclusions regarding how comprehensive a needs assessment should be or the exact public that should be included.

- 4) Arlington should consider creating a Schools Committee as part of the Planning Commission.** The Commission briefly discussed Fairfax County, which does include schools as an element of the Comprehensive Plan and it was noted that there is a specific Schools Committee as part of the Planning Commission. The Commission supports this idea.
- 5) APS/ACG should consider exploring in and/or investing in technology that examines what impacts be when sector plans are built to planned full density.** Commissioners think this could be a valuable tool to understand impacts to capacity of storm water, transportation, schools and public facilities.