

Sec. 270-050 School Capacity Standards

Part 1. Purpose.

The purpose of this section is to ensure that, to the maximum extent practical, approval of new residential development will be granted by the Commission only when it can reasonably be expected that adequate public school facilities will be available to accommodate such new development.

Part 2. School Capacity Consideration

As part of the consideration ~~of any request to~~ subdivide land for zone property for residential purposes that creates more than two housing units per year, available public school capacity shall be considered. Available school capacity inadequate to accommodate the number of students generated by a project or proposal may be considered grounds for denial of a subdivision plat as not being in compliance with these regulations.

Part 3. School Capacity defined/applied

School capacity shall be quantified using figures, data, or other information provided by the Oldham County ~~School~~ Board of Education, those figures, data, or other information in a form mutually agreed upon by the Commission and the Oldham County ~~School~~ Board of Education. The form and method of arriving at the figures, data, or other information relating to school capacity shall be periodically reviewed (at least once per calendar year) for accuracy and relevancy by the staff of the Commission. As part of this review, the Commission may request from the Oldham County ~~School~~ Board of Education its raw data and formula used to determine school capacity. The Commission through its staff may review this information to determine its accuracy, fairness, and comprehensiveness as well as review for other pertinent factors. The Commission may, based on this review and its results, decide to alter, amend, or substitute school capacity figures to be considered but must have a reasonable or generally accepted statistical basis upon which to do so.

Part 4. Students Generated defined/applied

The Oldham County ~~School~~ Board of Education shall provide the Commission such data as necessary to determine the average number of students generated per dwelling unit in a new development. This average shall be applied by the Commission to development proposals in order to determine the number of students on average to be generated by a development. That figure will be compared to school capacity or planned school capacity available to identify inadequacies. The form and method of arriving at the figures, data, or other information relating to students generated per dwelling shall be ~~annually~~ periodically reviewed ~~(at least once per calendar year)~~ by the staff of the Commission at a Planning Commission meeting by the end of each calendar year. As part of this review, the Commission may request from the Oldham County ~~School~~ Board of Education its raw data and formula used to determine average students generated per dwelling. The Commission through its staff may review this information to determine its accuracy, fairness, and comprehensiveness as well as

review for other pertinent factors. ~~The Commission may, based on this review and its results, decide to alter, amend, or substitute the average students generated per dwelling to be considered but must have a statistical basis upon which to do so.~~

Part 5. Mitigation

The Commission as part of its consideration of school capacity when evaluating a request to subdivide land for residential purposes may also consider the following mitigating factors potentially altering the overall impact of the proposed development on school capacity:

- a. The unique makeup of the residents occupying developments of the type proposed (e.g. a development targeted at retired individuals typically without resident school age children)
- b. Provision within the proposed development of a school site or other capital improvements as desired by the Oldham County ~~School~~ Board of Education.
- c. Failure of the Oldham County ~~School~~ Board of Education to provide any or all of the data necessary to administer this ordinance may suspend consideration of school capacity as a factor affecting the subdivision of property for residential purposes.
- d. Phasing: Oldham County Board of Education has adopted the Campus Capacity Worksheet which is a chart that averages the combined school capacity of the serving campus (campus being the elementary, middle and high school serving the proposed development) and applies a multiplier to calculate the number of building permits allowed per calendar year for the proposed development.

The form and method of arriving at the figures, data, or other information relating to the Campus Capacity Worksheet shall be annually reviewed for accuracy and relevancy at a Planning Commission meeting by the end of each calendar year. As part of this review, the Commission may request from the Oldham County Board of Education its raw data and formula used to determine the multiplier. The Commission through its staff may review this information to determine its accuracy, fairness, and comprehensiveness as well as review for other pertinent factors.

- The number of building permits allowed are cumulative on an annual basis per calendar year.
- The allowable number of building permits will not be reduced as established by the binding element.
- The applicant can petition the Planning Commission for revision of the binding element if additional capacity becomes available.