



School Concurrency: Implementation and Impacts

***Growth Management and Environmental
Permitting Short Course***

February 21, 2008

The background of the slide is a photograph of a green chalkboard. Two pieces of pink chalk are lying on the board, one standing upright and the other lying horizontally. There are some faint, white chalk markings on the board, including a large 'V' shape and some curved lines. The lighting is soft, creating a slight shadow for the chalk pieces.

Session Overview

Reggie Bouthillier

Greenberg Traurig, P.A.

A green chalkboard with two pieces of pink chalk and some white chalk markings. The chalkboard is the background for the text.

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Florida Department of Community Affairs

Tracy Suber
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Consultant to Morris-Depew and Associates

Lorraine Duffy Suarez
Hillsborough County Public Schools



Session Overview

- Overview of Requirements
- School Facilities Funding
- Implementation Issues:
 - Level of Service
 - Concurrency Service Areas and Adjacency
 - Proportionate Share Mitigation
 - Coordination of Infrastructure
 - Concurrency Management System
- Panel and audience discussion

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School Concurrency Overview

Mike McDaniel

Department of Community Affairs



Public School Concurrency

- Signed into law June 24, 2005; Effective July 1, 2005
- Requires all local governments and school boards not eligible for a waiver or exemption to adopt school concurrency by December 1, 2008.
- Directs the Department of Community Affairs to establish a phased schedule for the adoption of the public school facilities element and required updates to the interlocal agreement

General Requirements

- All local governments must adopt consistent public school facilities elements (PSFE) in compliance with the requirements of paragraph 163.3177(12), F.S.
- All local governments and the school board must update the interlocal agreement (ILA) consistent with the requirements of paragraphs 163.31777 and 163.3180(13)(g), F.S.





General Requirements

- All local governments must adopt amendments to their capital improvements element setting forth a financially feasible public school capital facilities program
- All local governments must amend their intergovernmental coordination element consistent with requirements of s.163.3177(6)(h)1 & 2



General Requirements

- Certain counties are eligible for a waiver and certain municipalities are eligible for an exemption
- School concurrency must be established on a district wide basis and include all public schools
- It must be a uniform system in terms of level of service standards, implementation requirements, and proportionate share mitigation

Statutes and Rules

- Section 163.3177(12), F.S. – Public School Facilities Element; waivers and exemptions; schedule; penalties
- Sections 163.31777 and 163.3180(13)(g), F.S. – Interlocal agreement
- Section 163.3180(13) – General school concurrency requirements
- Rule 9J-5.025, F.A.C. – Minimum criteria for Public School Facilities Element





Waivers

- Waivers available only on a districtwide basis
- Approved by DCA with DOE concurrence
- Criteria:
 - capacity rate for all schools cannot exceed 100%, and
 - the projected 5-year student growth rate is less than 10%.
 - A waiver may still be granted if only a single school exceeds 100%, if certain other conditions are met



Waivers

- Waiver application forms available from DCA and on the DCA school page web site
- Waivers are good for 2 years, unless the data and analysis support a longer or shorter time frame
- Waiver requests must be submitted jointly by the county and school board, with notice given to municipalities
- Waiver requests must be approved by the elected bodies



Exemptions

- Municipalities in districts not eligible for a waiver may qualify for an exemption
- Exemption criteria:
 - Development orders issued for fewer than 50 dwelling units during preceding 5 years, or fewer than 25 additional students generated during preceding 5 years; and
 - No land annexed during preceding five years that permits residential uses affecting school attendance rates
 - No public schools within jurisdiction



Exemptions

- Submit exemption request along with data and analysis to DCA as early in process as possible, but no later than transmittal of public school facilities element and interlocal agreement
- School Board verification required
- Must reassess exemption status at time of Evaluation and Appraisal Report
- Must comply within 1 year of School Board proposing school within jurisdiction



Adoption Schedule

- DCA directed to establish phased adoption schedule
- Schedule begins Jan 1, 2008 – Dec 1, 2008
- Published in Florida Administrative Weekly on August 5, 2005; mailed to each Local Government and School Board; and at DCA web site:
<http://www.dca.state.fl.us/fdcp/dcp/SchoolPlanning/>
- Schedule is **adoption** due date, not transmittal
- Land development regulations – important note!

Adoption Schedule

- Schedule for both plan amendments and updated interlocal agreement
- All local governments within county are due at the same time





Penalties

- Local government precluded from adopting plan amendments which increase residential density
- School Board subject to sanctions imposed by Administration Commission involving the withholding of construction funds



Interlocal Agreement

- Purpose of agreement is to assure a uniform school concurrency system and to serve as starting point for the development of the PSFE
- Requires consensus on level of service standards, concurrency service areas, maximum utilization of capacity, annual adoption of public schools capital facilities program, options for proportionate-share mitigation, and implementation procedures

Interlocal Agreement

- Interlocal agreement must meet criteria of sections 163.31777 and 163.3180(13)(g), F.S.
- A single interlocal agreement is encouraged
- To be submitted to DCA prior to or at same time as comprehensive plan amendments
- Subject to compliance review





Public School Facilities Element

- All non-exempt local governments must adopt a public school facilities element which are consistent with one another and meet the criteria of s.163.3177(12), F.S., and Rule 9J-5.025, FAC
- Purpose is to ensure that public school concurrency system is based on appropriate data and analysis, consistent goals, objectives, and policies are adopted, and level of service standards are achieved and maintained



Public School Facilities Element

- Element must address correction of existing deficiencies, ensure adequate school capacity for the 5-year and long term planning periods, coordinate school location with residential development, ensure necessary supporting infrastructure, include options for proportionate-share mitigation, and procedures for school site selection
- Must include maps of the general locations of schools for 5-year and long term periods
- Exempt from the twice per year limitation



Capital Improvements Element

- Must incorporate a financially feasible public school capital facilities program established in conjunction with school board
- Must incorporate level of service standards
- Must update public school capital facilities program annually
- Level of Service Standard must be achieved by the end of the five-year planning period



Intergovernmental Coordination Element

- Must satisfy requirements for intergovernmental coordination set forth at s. 163.3177(6)(h)1, 2, and 4.
 - Comprehensive plan must be coordinated with plans of school board
 - Must establish joint processes for population projections and school siting

Level of Service Standards

- Established in conjunction with school board
- Must be districtwide and apply to all schools of the same type; can have different level of service standards for different types of schools
- Incorporate into capital improvements element
- Applies to Concurrency Service Areas





Concurrency Service Areas

- Area within which level of service is measured
- Examples: district, sub-district, school attendance zones
- Encouraged to initially adopt a districtwide concurrency service area
- Within 5 years of adoption of school concurrency, must adopt less than districtwide service areas



Concurrency Service Areas

- For less than districtwide service areas
 - Identify service area boundaries and include as data and analysis to public school element
 - Adopt criteria for establishing and modifying boundaries in interlocal agreement
 - Demonstrate that utilization of school capacity is maximized to greatest extent possible
 - When applying concurrency test, must consider capacity in adjacent service areas and shift development impacts as needed to meet level of service standard



Availability standard

- School concurrency applied to residential development
- Applied at time of site plan, final subdivision approval, or the functional equivalent, for a development or phase of development
- Adequate capacity must be in place or under actual construction within 3 years
- Developer can satisfy school concurrency through mitigation proportionate to the demand



Future Land Use Map Amendments

- After school concurrency is effective, land use map changes increasing densities must assess impacts to schools
 - Not a concurrency provision
 - Must demonstrate coordination with school board

Proportionate Share Mitigation

- Developer must execute legally binding development agreement with local government and school board
- Mitigation must be proportionate to demand from actual development





Proportionate Share Mitigation

- Options include:
 - Contribution of land
 - Payment for construction or land acquisition
 - Actual construction
 - Creation of mitigation banking based on construction of a school facility in exchange for right to sell capacity credits
- Amount must be credited toward any other impact fee or exaction for the same need
- Must be directed by the school board to a school capacity improvement identified within the first three years of the 5-year district work plan and which satisfies the demands created by that development



Technical Assistance

■ Pilot Communities -- 6 communities have prepared examples for other communities:

- Walton
- Indian River
- Sarasota
- Hillsborough
- St. Johns
- Lake Counties



Technical Assistance

■ Planning Documents

- Proportionate-share Mitigation for School Concurrency
- Establishing Level of Service Standards for Public School Concurrency
- Model School Concurrency Management Ordinance
- Model Proportionate Share Mitigation Development Agreement
- Best Practices Guide for Coordinated School Planning



Technical Assistance

- Department of Community Affairs website

<http://www.dca.state.fl.us/fdcp/dcp/>

Panel Discussion



Questions



School Facilities Funding

Tracy Suber

Department of Education



Overview

- Role of Department of Education
- School Facilities Capital Funding
- Enrollment Demographics
- Implementation Status
- Implementation Issues



Role of Department of Education

- **Administer School Capital Outlay Funding**
- **Joint reviews with DCA**
- **SB 2800 (2007) Line Item 134A**
 - Work with the three educational consortia to cooperatively prepare district 5-year educational plant surveys
 - Assist the districts with the following:
 - meeting growth management requirements,
 - maintaining the 5-year work plan, and
 - ensuring that FISH data base is accurate and current.



School Concurrency

- Technical support:
 - DOE-DCA partnership created technical assistance framework
 - District facilities planners created a peer support network
 - DOE growth management liaison
 - DOE Website:
<http://www.fldoe.org/edfacil/concurrency.asp>

- DCA-DOE continues implementation partnership
 - Joint reviews of documents
 - Refinements to legal requirements
 - Continuing technical support



Enrollment Demographics

- “COFTE” – what is it?
- Districts required to use COFTE in their facilities planning
- District required to coordinate school planning with local government population estimates
- Recommendation is to use:
 - COFTE for 5-yr and 10-yr timeframes
 - Student generation rate/multipliers for longer term



Enrollment Demographics

- Statewide, enrollment level @ 2.5 million
 - 2005-06 actual -- 2,501,258
 - 2007-08 estimate -- 2,476,993
 - 2008-09 estimate – 2,483,590

- District trends will differ:
 - Some will grow
 - Some will decline in growth
 - Some will decline in enrollment



Enrollment Demographics

■ District Trends – Growth

- Baker
- Citrus
- Clay
- Flagler
- Gilchrist
- Hernando
- Indian River
- Lake
- Lee
- Marion
- Martin
- Nassau
- Osceola
- Pasco
- Polk
- St. Johns
- St. Lucie
- Santa Rosa



Enrollment Demographics

■ District Trends – level or slight growth

- | | |
|---------------------------------------|-----------------------------------|
| <input type="checkbox"/> Collier | <input type="checkbox"/> Orange |
| <input type="checkbox"/> Columbia | <input type="checkbox"/> Polk |
| <input type="checkbox"/> Hillsborough | <input type="checkbox"/> Seminole |
| <input type="checkbox"/> Manatee | <input type="checkbox"/> Volusia |



Enrollment Demographics

■ District Trends – Declining Enrollment

- Bradford
- Brevard
- Miami-Dade County
- Duval
- Escambia
- Franklin
- Madison
- Monroe
- Palm Beach
- Pinellas
- Okaloosa



School Facilities Funding

■ State sources:

- PECO
- CO and DS
- General Revenue
- Classrooms for Kids
- High Growth



School Facilities Funding

■ Local sources:

- Ad valorem/millage
 - Discretionary
 - Voter approved
- Bond referendum
- Sales Surtax
- Certificates of Participation
- Impact Fees
- Contributions



School Facilities Funding

■ Cost per student station (see s.1013.64(6)(d)2., F.S.)

□ includes:

- *contract costs,*
- *legal and administrative costs,*
- *fees of architects and engineers,*
- *furniture and equipment,*
- *and site improvement costs.*

□ excludes:

- *purchasing or leasing the site and*
- *cost of related offsite improvements*

□ Prepared by Florida Legislature, Economic & Demographic Research (Updated annually; projected monthly through 2017)

□ <http://edr.state.fl.us/conferences/peco/station.htm>



School Facilities Funding

How much does a school cost?

■ Elementary School ~ \$11,344,800*

- Assume 600 students
- February 2008 Cost of Construction \$18,908
- Minimum 8-acre site

■ Middle School ~ \$24,502,800*

- Assume 1200 students
- February 2008 Cost of Construction \$20,419
- Minimum 15-acre site

■ High School ~ \$47,739,600*

- Assume 1800 students
- February 2008 Cost of Construction \$26,522
- Minimum 29-acre site

*Costs do NOT include land

School Facilities Funding

State vs. Local Investment

Total State	2002-03	2003-04	2004-05	2005-06	2006-07
State					
Appropriation:					
PECO	349,871,040	314,033,634	269,315,189	347,150,363	955,921,702
CO&DS*	15,464,383	14,241,993	16,322,051	16,322,051	21,100,000
Lottery		600,000,000			658,366,994
Gen Revenue		0	128,145,900	83,400,000	
Total	366,050,788	928,275,627	413,782,240	446,872,414	1,635,388,696
	715,365 18%				0 35%
Local					
Local 2-Mill Revenue**	1,630,925,291	1,815,638,054	2,029,603,141	2,407,777,515	2,991,334,113
	82%	66%	82%	81%	65%
Total	1,996,976,079	2,743,913,681	2,443,385,381	2,854,649,929	4,626,722,809

*CO&DS for 2006-07 is estimated

**Local Revenue does not include bond referenda, sales surtax, impact fees, COPs, etc.



School Facilities Funding

K-12 Local Source Projections

- Bond Referenda
 - 1 District for \$60.0 Million
- Sales Surtax – ½ & 1 cent intergovernmental
 - ½ Cent = 15 Districts for \$1.5 Billion*
 - 1 Cent = 7 Districts for \$330 Million*
 - Total \$1.8 Billion
- Impact Fees
 - 31 Districts for \$1 Billion*

*Projected - 2007-08 thru 2009-10

School Facilities Funding

PECO Revenue Projections

(in millions)

	Appropriated <u>2007-2008</u>	<u>2008-09</u>	<u>2009-10</u>	<u>2010-11</u>
Remodel/Renovation*	\$ 341.1	\$ 252.6	\$ 226.4	\$ 212.1
Construction	<u>1,458.2</u>	<u>998.9</u>	<u>241.5</u>	<u>381.8</u>
	\$ 1,799.3	\$ 1,251.5	\$ 467.9	\$ 593.9

* Includes an allocation for Charter School capital outlay purposes.

School Facilities Funding

Class Size Reduction by 2010-11

Total Operating and Capital Costs (Millions)

	Appropriations					Estimates			8-year Total
	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	
2003/04	468.2	468.2	468.2	468.2	468.2	468.2	468.2	468.2	3,746
2004/05		504.0	504.0	504.0	504.0	504.0	504.0	504.0	3,528
2005/06			535.0	535.0	535.0	535.0	535.0	535.0	3,210
2006/07				601.3	601.3	601.3	601.3	601.3	3,007
2007/08					567.9	567.9	567.9	567.9	2,272
2008/09						606.3	606.3	606.3	1,819
2009/10							686.7	686.7	1,373
2010/11								618.0	618
Operating Cc	468.2	972.2	1,507.2	2,108.5	2,676.4	3,282.7	3,969.4	4,587.4	19,572
FCO Costs*	600.0	100.0	83.4	1,100.0	650.0	314.4	0.0	0.0	2,848
TOTAL	1,068.2	1,072.2	1,590.6	3,208.5	3,326.4	3,597.1	3,969.4	4,587.4	22,420

*Fixed Capital Outlay Costs reflect remaining need if fully funded and proportionately directed to need at the district level; appropriations are allocated among the districts by statutory formula.

School Facilities Funding

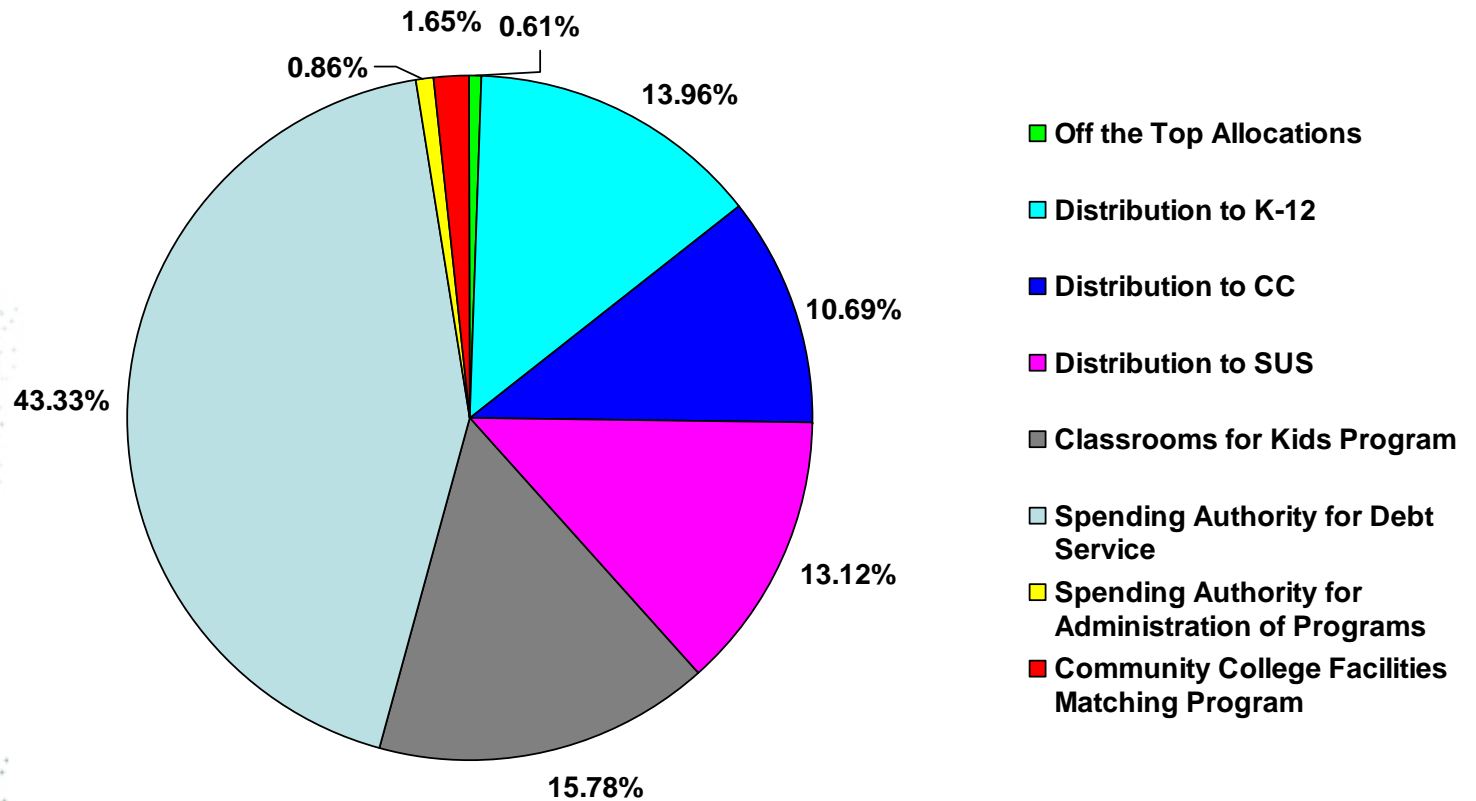
- DOE Capital Outlay Request: \$ 2,477,182,498
 - 7% reduction from last year

- Excerpts related to local districts

	FY 2007-08 Appropriation	FY 2008-09 Request
Maintenance, Repair, Renovation, and Remodeling	341,100,000	252,600,000
Special Facility Construction Account	24,994,701	14,946,948
Vocational-Technical Facilities	2,700,000	4,500,000
Survey Recommended Needs - Public Schools	292,209,668	225,619,583
Public School Class-Size Reduction Construction	650,000,000	314,377,246
Debt Service	1,041,400,000	1,117,403,317
Classrooms First - 1997 School CO Bond Programs	166,892,742	166,934,217
Class Size Reduction - Debt Service - Lottery Capital Outlay	125,310,506	152,618,706
School District and Community College	28,000,000	28,000,000

School Facilities Funding

FDOE 2008-09 Capital Outlay Request





School Facilities Funding

- Federal Programs Administered by the Office of Educational Facilities
 - Qualified Public Educational Facilities Private Bond Allocation Program
 - Qualified Zone Academy Bond Allocation Program



Implementation Status

- About **440** plans expected
 - About **150** submitted
 - About **330** should have been submitted (after counting waivers/exemptions)
- Waivers and exemptions
 - Three counties applied for waivers (includes cities)
 - one approved -- Jefferson
 - two pending – Monroe, Calhoun
 - one is considering making application
 - 31 cities have approved exemptions



Implementation Status

■ Compliance Decisions

□ Public School Facilities Elements

- Hernando County
- Oldsmar (Pinellas County)
- Polk County/Lakeland
- Holly Hill (Volusia County)

□ Interlocal Agreements

- Pinellas County (and cities)
- Polk County and Lakeland
- Sarasota County (and cities)
- Wakulla County
- Hernando County (and cities)
- Seminole County (and cities)



ILA Implementation Status

■ Notice of Intent Issued -- Consistent	3
■ Notice of Intent Issued -- Not Consistent	2
■ Consistency review pending --	2
■ Executed submitted for review	11
■ Draft submitted for review	12
■ Exempted from requirements	1
■ Grant work product, executed	17
■ Grant work product, not executed	7
■ Status Unknown	9
■ Waiver Requested	3



State Review–Early Findings

■ Revised Interlocal Agreements

- Failure to submit with proposed element
- Failure to document approved city exemptions
- Inclusion of provisions to defer implementation past scheduled date

■ Data and Analysis

- lack of adequate analysis of vested development on LOS
- lack of adequate data and analysis of infrastructure needed to support future schools
- Failure to include educational plant survey
- Failure to include **current** district's 5-year facilities work plan (updated every September)



State Review—Early Findings

■ Public Educational Facilities Element

□ Level of Service Standards

- failure to adopt uniform LOS standards by facility type
- Consideration of limits of core facilities (dining)
- Treatment of relocatables

□ Concurrency Service Areas

□ Failure to demonstrate financially-feasible plan

- 5-year
- long-term planning period
- backlogged facilities and correcting deficiencies
- Link to concurrency service areas

□ Failure to match planning periods of local government plans and school district plans



State Review–Early Findings

- Public Educational Facilities Element (cont.)
 - development exemptions not supported by data and analysis (also an ILA issue)
 - weak policies related for provision of off-site infrastructure needed to support the school infrastructure
 - inclusion of policies that apply site design standards that may be preempted by State Requirements for Educational Facilities
 - failure to include policies that specify types of mitigation of school capacity impacts that will be accepted

Panel Discussion



Questions



Implementation Issues

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Implementation Issues

- Level of Service
- Concurrency Service Areas & Adjacency
- Proportionate Share Mitigation
- Coordination of Infrastructure
- Concurrency Management System
- Panel and audience discussion



Communities

Hillsborough

Sarasota

Orange

Case Studies

Financial Feasibility

Level of Service

Concurrency Service Areas

Adjacency



Hillsborough County

- One of 6 Pilot Communities selected to prepare concurrency components
- Over 190,000 (K-12) students, 200 schools
- 8th largest School District in the USA, 3rd in Florida
- Total of 4 local governments
 - 3 cities and County



Sarasota County

- One of 6 DCA Pilot Communities
- Over 40,000 (K-12) students, 42 Public Schools
- Total of 5 local governments
 - 4 Cities and County
- Average Teacher Salary - Over \$52K/Yr
- 74% of Schools are rated “A Schools”



Orange County

- Over 175,000 (K-12) students, 172 Schools
- 4th Largest School District in Florida
- Over 34,000 students whose primary language is other than English
- Nearly half (83,000) receive reduced or free lunch
- Average Teacher Salary - Over \$44K/Yr
- 58% of Schools are rated “A Schools”

Financial Feasibility

DILBERT • By Scott Adams





Financial Feasibility

- The combination of capacity, CSA and LOS must be something the District can afford
- Capacity
 - Program vs. FISH
- Concurrency Service Areas
 - Small, Medium or Large
- Level of Service
 - Can we achieve?
- Financially Feasible Plan
 - Can we afford our plan?



Financial Feasibility

■ Options for Attaining Feasibility

- Expand current building program
- Add capacity to existing schools
- Add/move programs from over-capacity schools to under-capacity schools
- Rezone Student Attendance Areas
- Revise LOS Standard
- Reconfigure concurrency service areas (make larger)



Level of Service

- Enrollment projections
 - COFTE
 - Coordination with local population estimates
- Capacity measurement
 - FISH Capacity – stations and core
 - Modified FISH
 - Program Capacity

Level of Service Standards

FISH

- Florida Inventory of School Houses

SREF

- State Requirements for Educational Facilities

Capacity

- Based on a utilization percentage of the total number of existing satisfactory student stations

<u>Type School</u>	<u>Utilization Factor Percentage</u>	<u>Satisfactory Student Stations</u>
Elementary	100%	All
Middle & Junior High	90%	All
Senior High	70%	300 or less
	75%	301 - 600
	80%	601 - 900
	85%	901 - 1,200
	90%	1,201 - 1,500
	95%	1,501+
Combination Schools	90%	All
Exceptional Student Centers	100%	All
Alternative Education Centers	100%	All
Designated Area Vocational Centers	120%	All
Designated Adult Centers	150%	All



Level of Service Standards

~ ~ Hillsborough County

- Considerations in defining LOS for schools
 - Physical constraints of buildings
 - Class size amendment (loss of 20% capacity)
 - Core facilities (lunch, gyms, etc.)
 - Portables
 - Operational changes (i.e., dual sessions)
 - Stability over time
 - Ability to explain and understand
- **Recommendation** – Use permanent classroom capacity from Florida Inventory of School Houses (FISH) as standard for LOS



Level of Service Standards

~ ~ Sarasota County

- Based on *Program Capacity* in permanent facilities rather than FISH Capacity
- Permanent facilities reflect the School Board policy to phase out portables
- The exception to permanent facilities is Special Purpose Schools
- *Program Capacity* better reflects the capacity of schools based on actual use of the schools space
- Utilization studies confirm that actual capacity of a school is 80-90% of FISH capacity



Level of Service Standards ~ ~ Sarasota County

- Comparison of FISH to Program Capacity

Type	FISH	Program	% FISH
Elementary	1040	863	83%
Middle	1080	1026	95%
High	2818	2536	90%

- Utilization adjustment by FISH for middle and high schools make shortfall less
- Impact of FISH capacity makes shortfall greater at the elementary level



Level of Service Standards

~ ~ Sarasota County

- Uses Tiered Standard and Long Term Concurrency
 - Tiers include:
 - Initial Standard
 - 5 Yr Standard
 - Long Term Concurrency includes:
 - Interim Standards for Backlogged Facilities
 - Backlogged facilities meet adopted standards by Yr 10

Level of Service Standards

~ ~ Sarasota County

SARASOTA COUNTY			
PROPOSED LEVEL OF SERVICE STANDARDS			
TYPE OF CAPACITY	TYPE OF SCHOOL	INITIAL	5 YR STANDARD
Permanent Program	Elementary	115%	105%
Permanent Program	Middle	100%	100%
Permanent Program	High	105%	100%
Program	Special Purpose	100%	100%

Level of Service Standards

~ ~ Sarasota County

- Interim standards for backlogged facilities

TYPE OF SCHOOL	BACKLOGGED FACILITIES	
Elementary School	Facility	Interim Standard
	Ashton Elementary	130%
	Cranberry Elementary	140%
	Fruitville Elementary	120%
	Garden Elementary	160%
	Glenallen Elementary	175%
	Gocio Elementary	185%
	Lakeview Elementary	160%
	Lamarque Elementary	150%
	Tatum Ridge Elementary	130%
	Taylor Ranch Elementary	130%
	Toledo Blade Elementary	120%
	Tuttle Elementary	130%
Elementary "I"	120%	
Middle School	Facility	Interim Standard
	Heron Creek	140%



Level of Service Standards

~ ~ Orange County

- Program Capacity is currently being used in the review of plan amendments
- Proposes to adopt “Adjusted FISH Capacity”
- Defined as “FISH Capacity in permanent facilities plus in-slot (modular buildings), not to exceed Core Capacity” (e.g. school capacity=800--Core dining =770)
- Could not attain financial feasibility using Program Capacity



Level of Service Standards

~ ~ Orange County

- Elementary – 110% of Adjusted FISH Capacity
- Middle – 100% of Adjusted FISH Capacity
- High Schools – 100% of Adjusted FISH Capacity



Concurrency Service Areas

~ ~ Hillsborough County

■ districtwide vs. Less than districtwide

□ districtwide (countywide districts)

- Statute encourages districtwide for first 5 years
- Easier to manage – fewer service areas
- Could result in prohibitive travel distances if capacity is reached and overcrowding at schools

□ Less than districtwide (sub-area districts)

- More complex system to manage – more service areas
- Reduces overcrowding at individual schools
- Less impact on travel distances if capacity is reached at a facility

■ **Recommendation** – Use less than districtwide



Concurrency Service Areas

~ ~ Hillsborough County

- Individual Service Areas vs. Feeder Concept
 - Individual Service Areas for each school
 - Only considers capacity of adjacent school zones
 - Less flexibility to shift demands from new development
 - Feeder Concept – schools “feed-into” each other
 - Aligns concurrency to high school attendance areas
 - Provides greater flexibility to shift students from areas where capacity is low
- **Recommendation** – Use attendance zones for each school level. Establish a limit on shifting to contiguous CSAs.



Concurrency Service Areas

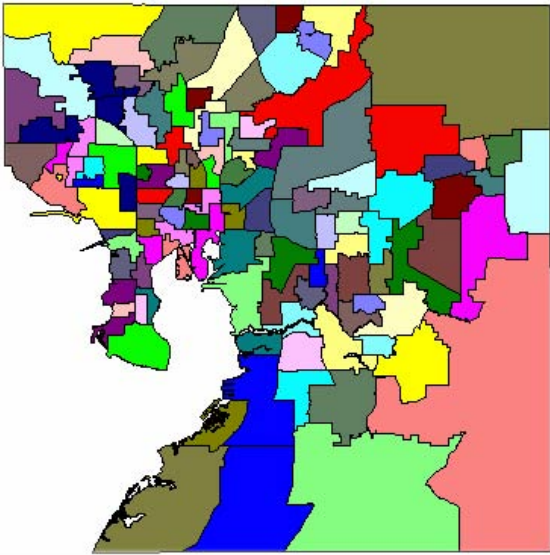
~ ~ Hillsborough County

■ Concurrency Service Areas (CSA)

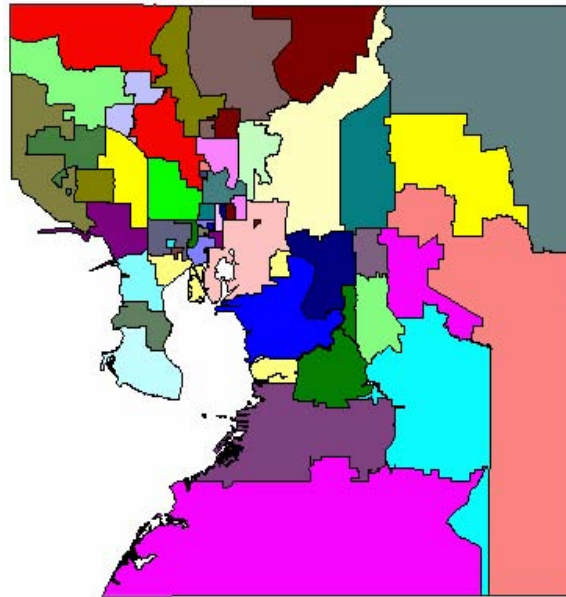
- Attendance zone for each school
- Separate CSA's for each level of school
- Concurrency **MUST** look at impacted CSA and adjacent CSA's
 - Limit shifting to adjacent CSA when receiving CSA is already at 95% capacity.
- Re-boundary to balance enrollment

Concurrency Service Areas

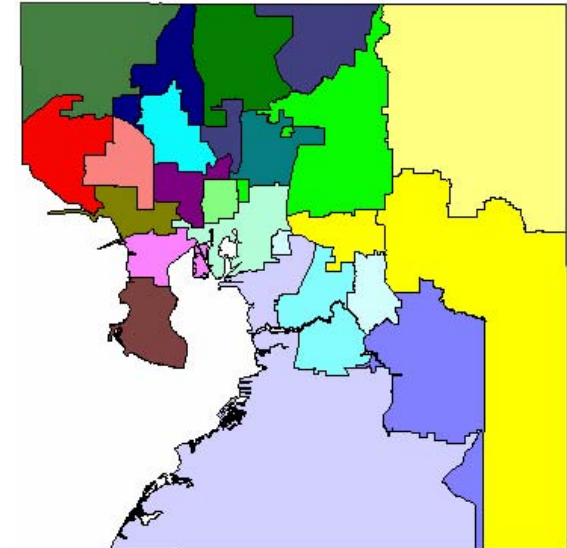
~ ~ Hillsborough County



Elementary



Middle School

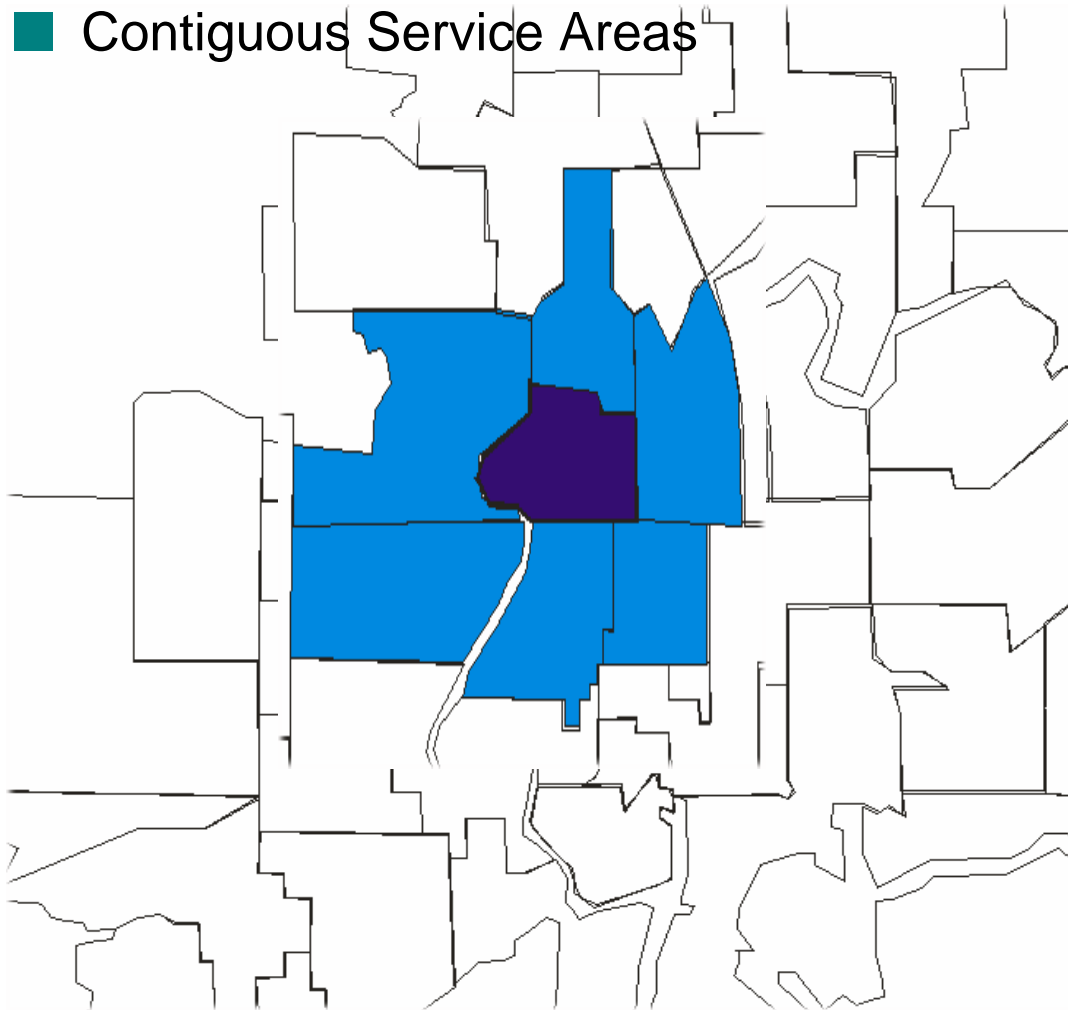


High School

Concurrency Service Areas

~ ~ Hillsborough County

■ Contiguous Service Areas





Concurrency Service Areas

~ ~ Sarasota County

- Based on student attendance zones for school elementary, middle and high
- For *Special-Purpose Schools* attendance zones are districtwide and draw students from anywhere in the county
- Adjustments to student attendance boundaries generally occur only with the addition of new schools



Concurrency Service Areas

~ ~ Orange County

- Separate CSA for each level of school
- Based on school attendance zones
- For elementary schools aggregate schools based on the middle school attendance boundaries
- For middle schools use middle school attendance zones
- For high schools use the high school attendance zones



Concurrency Service Areas

~ ~ Adjacency Issues

- If more than one CSA has capacity School Board, through evaluation, determines which is selected.
- To reserve capacity within each CSA for “local” growth.
- Constraints to shifting:
 - Student travel time & distance and costs
 - Geographic barriers, e.g. water bodies etc.
 - Desegregation plans



Concurrency Service Areas

~ ~ Adjacency Issues

- If the School District is over 100% of ES capacity districtwide (LOS is 110%) for ES and that adjacency would not apply to the ES level.
 - Orange School District estimates that they won't be to 100% capacity districtwide in ES capacity until the end of 5 years.



Concurrency Service Areas

~ ~ Adjacency Issues

- s. 163.3180(13)(c)3. **Where school capacity is available on a district wide basis but school concurrency is applied on a less than district wide basis** in the form of concurrency service areas, **if the adopted level-of-service standard cannot be met in a particular service area** as applied to an application for a development permit and if the needed capacity for the particular service area is available in one or more contiguous service areas, as adopted by the local government, then the local government may not deny an application for site plan or final subdivision approval or the functional equivalent for a development or phase of a development on the basis of school concurrency, and if issued, development impacts shall be shifted to contiguous service areas with schools having available capacity. *(emphasis added)*



Financial Feasibility

■ Sarasota County

“Program Capacity” -- 10 years to achieve financially feasible adopted LOS standards

■ Hillsborough County

“FISH Capacity” -- 5 years to achieve financially feasible adopted LOS standards

■ Orange County

“Adjusted FISH Capacity” -- 10 years to achieve financially feasible adopted LOS standards

Panel Discussion



Questions



Implementation Issues

Concurrency Management System

Proportionate Share Mitigation



Concurrency Management System

■ Concurrency Procedures

- Timing of Review – when is concurrency applied?
 - NOT at plan amendment, zoning, or building permit
 - Final site plan Development proposals
- Applicability/exemptions (what is vested?)
- Impacts on LOS
- Mitigation options (relate to permanent capacity)
- Procedures for school comments
- School concurrency monitoring and evaluation



Concurrency Management System

- What if no capacity exists?
 - Options for local governments
 - Options for school districts
 - Options for developers



Concurrency Management System

■ Options for local governments/district:

- Deny project approval
- Work school district to resolve capacity issues in a financially feasible way:
 - Expand current building program
 - Add capacity to existing schools
 - Add/move programs from over-capacity schools to under-capacity schools
 - Rezone Student Attendance Zones
 - Revise LOSS
 - Make larger CSA



Concurrency Management System

■ Options for developers:

- Modify project to reduce impacts to level that can be accommodated with available capacity
- Phase to match planned capacity projects
- Delay project until capacity is available
- Provide mitigation



Proportionate Share Mitigation

■ Cost components

- Student Station Costs
- Land Costs
- Financing Costs
- Emergency Shelter Hardening Costs
- Others costs?



Proportionate Share Mitigation

- Must address improvement identified in the 5-year work plan
- Payment subject to development agreement
- Allow for mitigation in the form of donation, construction or funding of school facilities on 5 year plan now must be accelerated in first 3 years
- Process proposed -- how to negotiate



Proportionate Share Mitigation

■ Cost Considerations

- What is the cost of existing facilities?
- How were they financed?
- How much have owners already paid?
- What future payments are required?
- What credits are due?
- What extraordinary costs are required to serve new development?



Proportionate Share Mitigation

~ ~ Orange County

- Mitigation required for the deficit in student stations
- Prop Share = [(Development students – Available Capacity) X Total Cost] – impact fee credit
- Development students include students generated by the development (Residential Units X SGR by housing type)
- Total costs include actual costs per student station including land, core, ancillary facilities and supporting infrastructure



Proportionate Share Mitigation

~ ~ Orange County

- Includes a reservation fee that equals the impact fees
- Impact Fee Credit calculation for proportionate share mitigation is based on the full credit of the fee by housing type as established in the Impact Fee Study
- The full credit is applied to the equivalent number of units for which mitigation is being provided
- The methodology uses student generation rates and costs per student station established in the Impact Fee Study

Panel Discussion



Questions



Implementation Issues

*Coordination of Infrastructure
Capacity Enhancement Agreements*



Coordination of Infrastructure

- School District of Hillsborough County v. Hillsborough County
 - Filed in August 2007
 - Mediation December 2007
 - Anticipate Hearing March/April



Capacity Enhancement Agreements

~ ~ Orange County

- Authority: 163.3177(6)(a)--FLUE and 163.31777(2)(e)--School Interlocal Agreement; Article VII, Section 704B.2 Orange County Charter
- Different than concurrency review
- Review of increase in density proposed in plan amendments and rezoning



Capacity Enhancement Agreements

~ ~ Orange County

- Applied at the individual school level to determine whether the increase in density increases school overcrowding
- Objective is to maintain the same ratio of enrollment to capacity (does not require the correction of existing backlog)
- Applied as a credit toward school concurrency proportionate share impacts, if any
- CEA review may be deferred from plan amendment to rezoning with option to undergo concurrency evaluation at the same time

Panel Discussion



Questions

The background of the slide is a photograph of a green chalkboard. Two pieces of pink chalk are lying on the board, one standing upright and the other lying horizontally. There are some faint, white chalk markings on the board, including a large 'V' shape and some curved lines. The text is overlaid on the right side of the board.

Implementation Issues

Concurrency Management System



Concurrency Management System

■ Concurrency Determination

- Determined by the final plat/final site plan stage unless otherwise defined
- School facilities must be in place or under construction within 3 years



Concurrency Management System

~ ~ Orange County

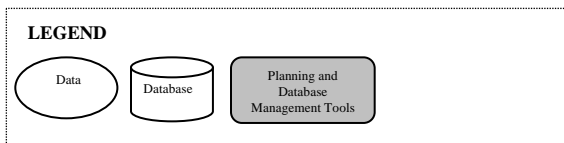
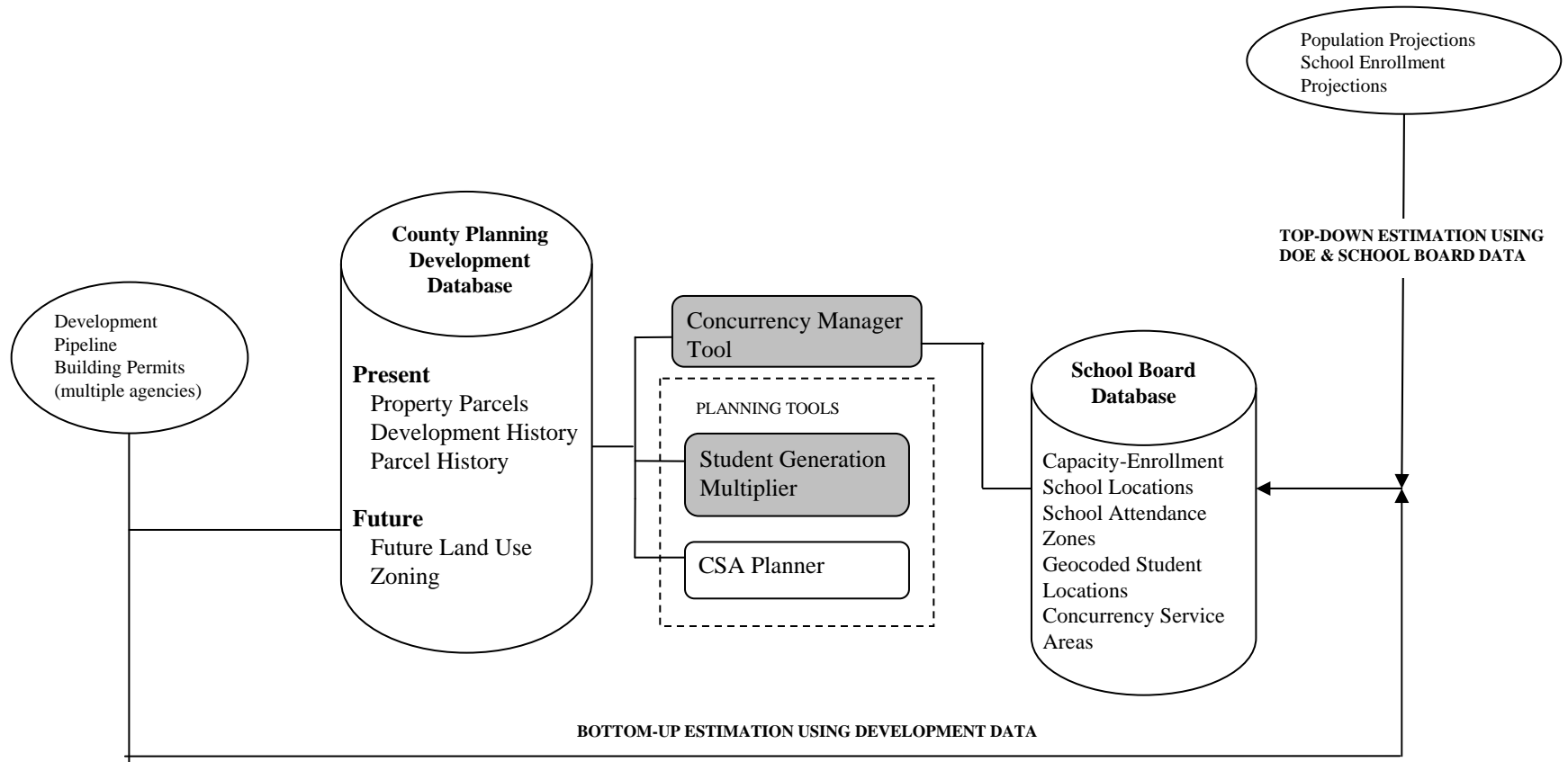
- Available School Capacity = (School Capacity X Adopted LOSS) – (Enrollment + Exempt Development)
- School Capacity= Adjusted FISH (as programmed in first 3 years of District Work Program)
- Enrollment = October counts
- Exempt = Students anticipated in next 3 years from exempt and encumbered or reserved capacity



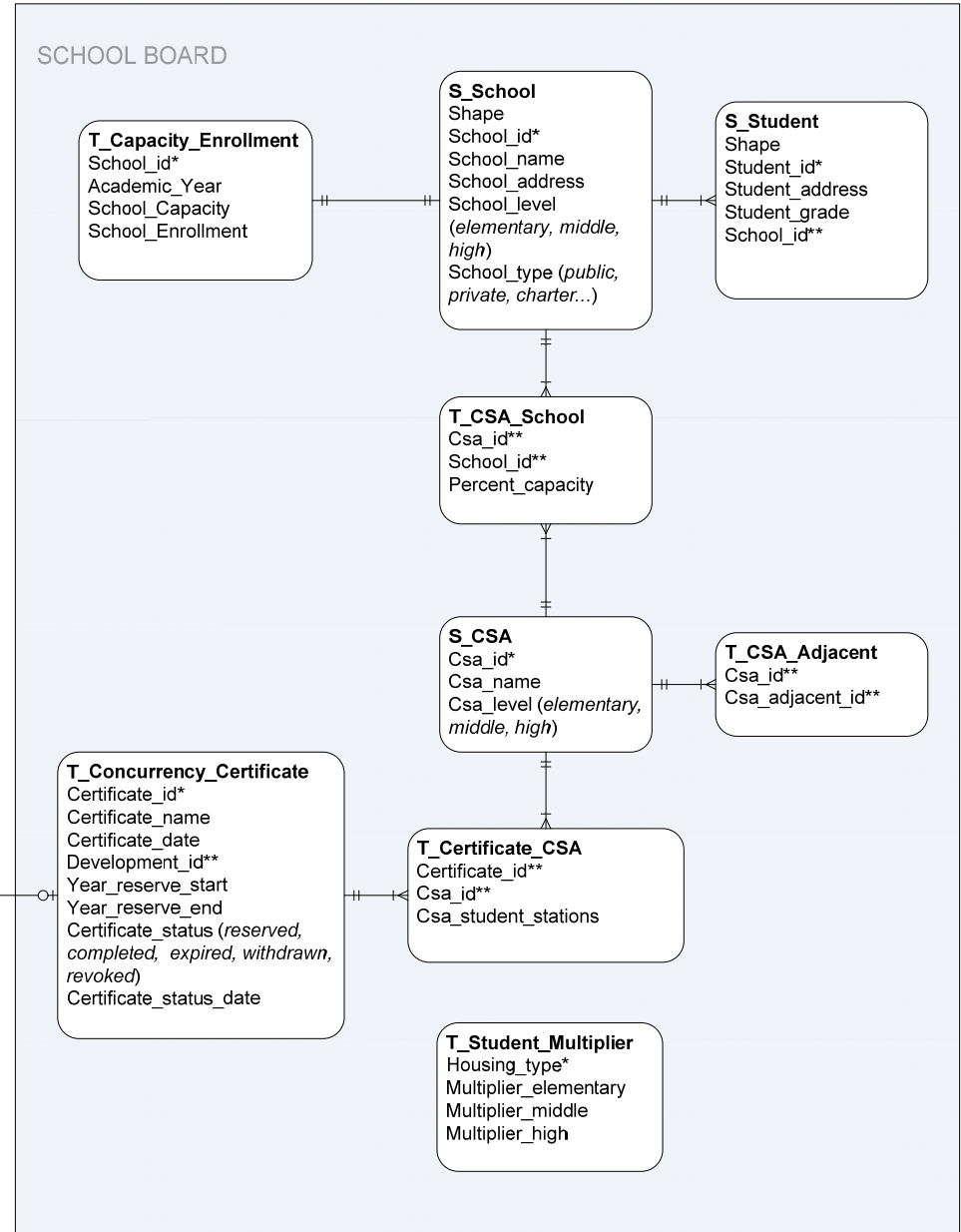
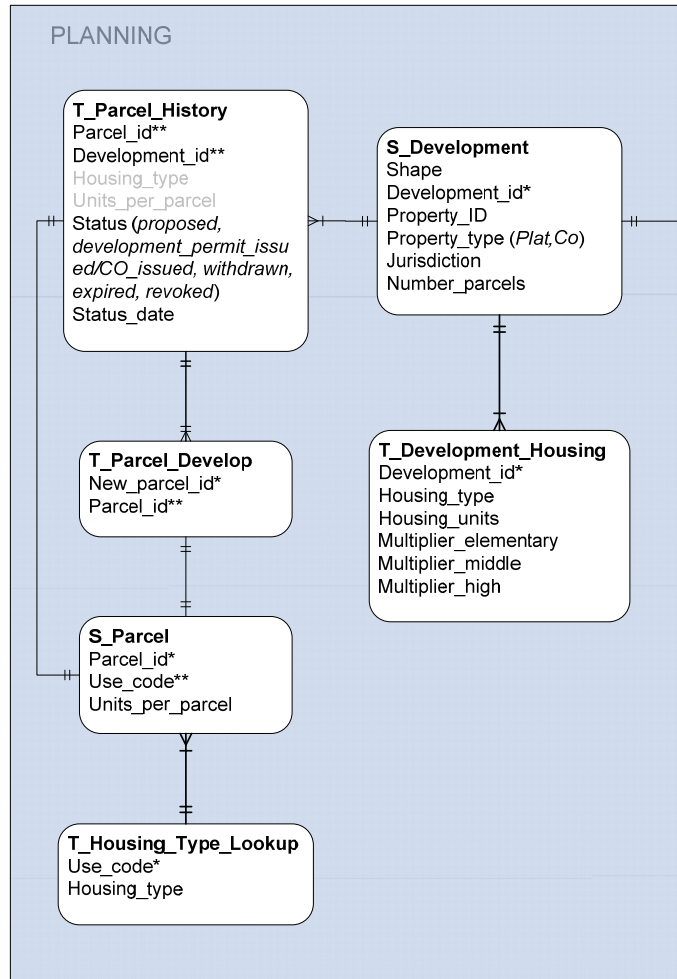
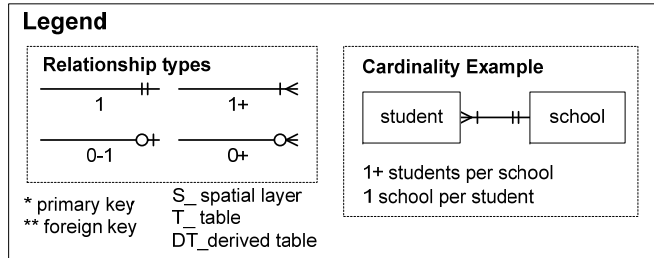
Concurrency Management System

- Student Generation Multiplier
- Concurrency Manager (CSA LOS Calculator)
- Enhancements

Database Integration & Tools



School Concurrency Data Model (12-14-2007)



demo.mxd - ArcMap - ArcInfo

File Edit View Insert Selection Tools Window Help

1:257,187 School Concurrency Tools

Collier_Multiplier_Demo

- s_schools
- s_students
- s_elementary_csa
- s_csa
- s_development
- s_parcels
- s_high_csa
- s_middle_csa
- s_multiplier_adopted
- s_multiplier_planning

Sarasota_Check_Demo

- s_schools
- s_students
- s_development
- s_csa
- s_parcels
- s_county_boundary
- s_multiplier_adopted
- s_multiplier_planning

Concurrency Checker Results

Select CSAs

Year	CSA Name	CSA Type	Capacity	LOS Capacity	Enrollment	Reserved Stations	Available Stations	Impact
2007	BOOKER HIGH SCHOOL	high	1700	1,870	1862	50	158	146
2008	BOOKER HIGH SCHOOL	high	1700	1,870	1885	50	135	146
2009	BOOKER HIGH SCHOOL	high	1750	1,925	1700	50	175	146
2007	BOOKER MIDDLE SCHOOL	middle	1100	1,210	1015	44	151	154
2008	BOOKER MIDDLE SCHOOL	middle	1200	1,320	1100	44	176	154
2009	BOOKER MIDDLE SCHOOL	middle	1200	1,320	1150	44	126	154
2007	EMMA E. BOOKER ELEMENTARY SCHOOL	elementary	1300	1,430	1218	0	212	186
2008	EMMA E. BOOKER ELEMENTARY SCHOOL	elementary	1300	1,430	1218	0	212	186
2009	EMMA E. BOOKER ELEMENTARY SCHOOL	elementary	1300	1,430	1218	0	212	186

Adjacent CSAs

Year	CSA Name	CSA Type	Capacity	LOS Capacity	Enrollment	Reserved Stations	Available Stations	Impact
2008	RIVERVIEW HIGH SCHOOL	high	2700	2,970	2687	60	223	146
2008	SARASOTA HIGH SCHOOL	high	3400	3,740	3058	0	682	146

OK

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Panel Discussion



Questions



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