

2013

School Board of Alachua County

THE COMMUNITY PLANNING ACT

Proposed School Concurrency Response: January 2013

THE COMMUNITY PLANNING ACT

The *Community Planning Act* was enacted by the 2011 Florida Legislature and became effective on July 2, 2011. This act significantly modified the statutory requirements governing school concurrency in particular and school planning in general.

The *Community Planning Act* ends the state mandate that all development approvals be dependent upon a showing that adequate public school capacity will be available “concurrent” with the impacts of new residential development. Local governments and school districts have the discretion to retain school concurrency but must meet minimum state requirements. The Community Planning Act also removed the “financially feasible” standard that applied generally to concurrency programs.

The *Community Planning Act* retains requirements for intergovernmental cooperation related to public schools and their relationship to the comprehensive planning process. While the Public School Facilities Element (PSFE) is no longer mandated, the Future Land Use, Intergovernmental Coordination and Capital Improvements Element are nonetheless required to address school capacity. In addition, the requirements for a Public School Interlocal Agreement and the link to the Five Year District Facilities Plan mandated by the Department of Education remain intact.

Enactment of the *Community Planning Act* does not automatically amend the various Public School Facilities Elements nor does it remove the school concurrency provisions now in place. Rather each local government must amend their comprehensive plans. Amendments to the Interlocal Agreement would also be necessary for consistency.

School Concurrency has produced very beneficial results. The concurrency program has allowed the School District and the local governments to better plan for new facilities and to make adjustments for capacity and programs to accommodate the current growth situations in each community and to ensure that educational facilities and services are available to existing and future residences. The interlocal agreements adopted in the early 2000’s established a joint planning process between school districts and local governments as a first step to effectively integrate school planning into comprehensive planning. School concurrency proved to be the implementation tool that made it work.

The Staff Working Group, consisting of staff representatives from the School Board and each local government in Alachua County, has reviewed the Community Planning Act with respect to its implications for Alachua County. The following conclusions are offered for consideration by the School Board, the County and the municipalities:

1. School concurrency should be retained but simplified based on experience gained since its adoption in 2008.
2. The Public School Facilities Element (PSFE) should be retained. These elements are in place and currently satisfy all statutory requirements pertaining to public schools. Modest amendments to each PSFE are recommended to ensure compliance and to simplify the school concurrency process based on experience.
3. The Interlocal Agreement should be modified to reflect the compliance amendments to the PSFEs and the amendments intended to simplify and streamline the approval process.

Analysis

School Concurrency is Optional. Under the *Community Planning Act*, school concurrency is now optional. Should the School Board and the local governments elect to retain school concurrency, the following conditions must be satisfied:

1. The comprehensive plans must establish a uniform level of service;
2. Demonstrate that the level of service can be reasonably met; and
3. Provide a proportionate share mitigation option.

School Capacity and Levels of Service. The currently adopted Level of Service (LOS) Standard is defined as “permanent program capacity”. The Community Planning Act requires that relocatables be included as available capacity if they are included in the inventory of capacity reported by the School Board to the Department of Education. Generally these relocatables meet building code standards prescribed for the State for public school facilities.

The School Board has adjusted its “program capacity” to include eligible relocatables resulting in a modest increase in the available capacity reported in the 2012-13 Five Year District Facilities Plan. The capacity numbers included in this report reflect this adjustment.

Adequacy of Public School Facilities in Alachua County. The term “school concurrency” refers to only a part of the school planning process and is applied to new residential development only at the stage of site plan or final development plan approval or the functional equivalent. Concurrency review does not apply at the stage of comprehensive plan amendments or rezonings.

By all measures, the school concurrency program in Alachua County has been successful. The structure of the program, coupled with the strategic investment by the School Board in new capacity, has resulted in adequate capacity at the high, middle and elementary levels both districtwide and within each of the concurrency service areas. Since the implementation of the school concurrency program in 2009, no residential development has been denied a permit nor required to mitigate. Current projections indicate that existing and planned public school capacity will be adequate for the next ten years as illustrated by the following summaries.

High Schools. High school capacity from 2012 through 2022 is summarized as follows:

High Schools			
Districtwide	2012-13	2016-17	2021-22
Capacity ¹	9,711	9,711	9,711
Enrollment ²	6,986	6,484	6,199
% Utilization	71.9%	66.8%	63.8%
Available Capacity	2,725	3,227	3,512
Single Family Equivalent ³	24,330	28,814	31,357

High school capacity for the 2016-17 school year (Five Year Plan) by Concurrency Service Area (CSA) is shown by the following table.

High Schools		2016-17			
CSA	Capacity¹	Enrollment⁴	% Utilization	Available Capacity	Single Family Equivalent³
Buchholz	2,434	1,921	78.9%	513	4,580
Eastside	2,231	1,171	52.5%	1,060	9,464
Gainesville	2,182	1,729	79.2%	454	4,054
Hawthorne	526	155	29.5%	371	3,313
Newberry	751	579	77.0%	172	1,536
Santa Fe	1,586	930	58.6%	656	5,857

As illustrated by the above projections, high school capacity utilization districtwide is below 72% throughout the ten year planning period. At the CSA level, with no CSAs exceeding 80%.

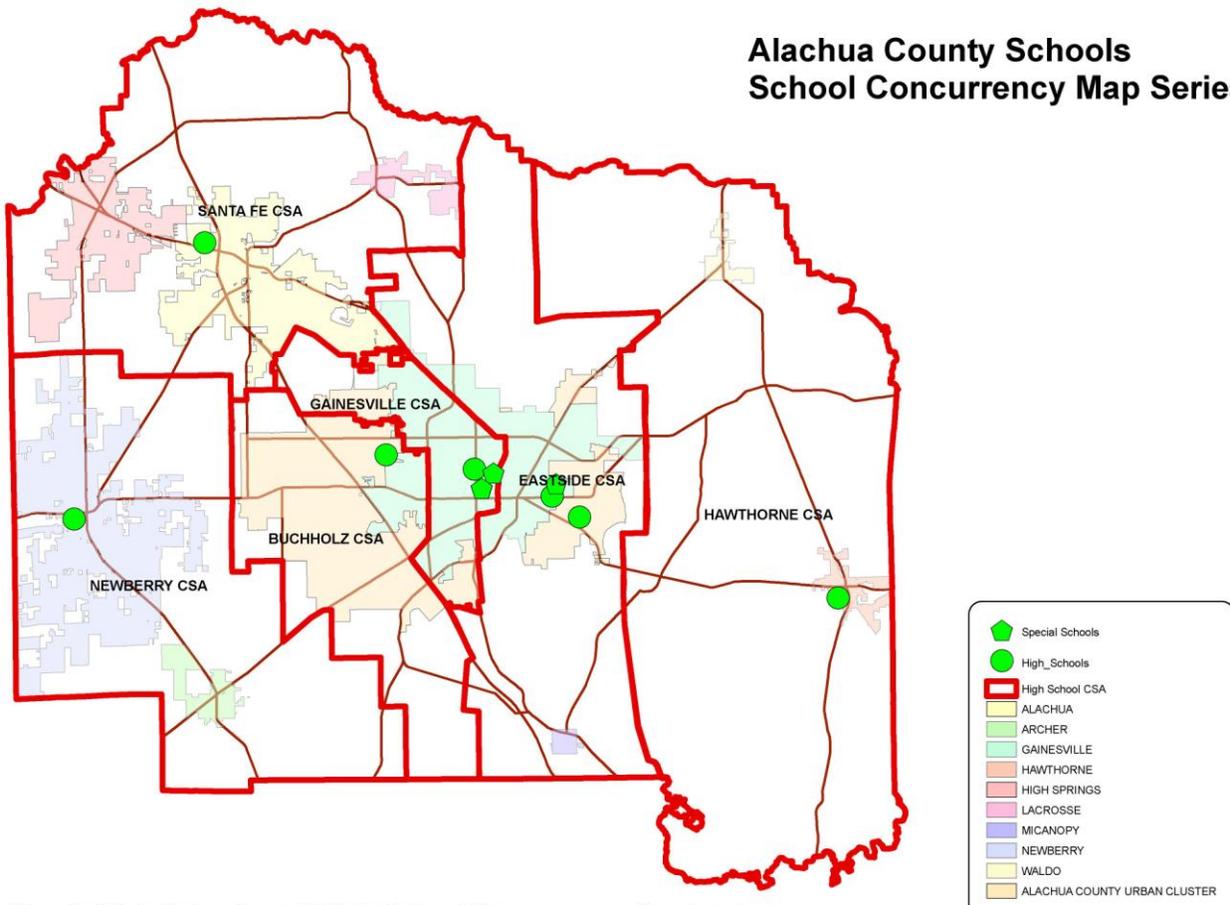
¹ 2012-13 Five Year District Facilities Plan

² Based on actual enrollment reported by the SBAC and projections by the Florida Department of Education 2012

³ Based on adopted Student Generation Multipliers (SGM) for SBAC. Single family SGM for high schools is .112 students per dwelling unit.

⁴ 2012-13 Five Year District Facilities Plan – Allocation to CSA by SBAC

Alachua County Schools School Concurrency Map Series



Map 1: High Schools and High School Concurrency Service Areas

Middle Schools. Middle school capacity from 2012 through 2022 is summarized as follows:

Middle Schools			
Districtwide	2012-13	2016-17	2021-22
Capacity ⁵	7,595	7,595	7,595
Enrollment ⁶	5,750	5,160	5,518
% Use	75.7%	67.9%	72.7%
Available Capacity	1,845	2,435	2,077
Single Family Equivalent ⁷	23,062	30,439	26,962

Middle school capacity for the 2016-17 school year (Five Year District Facilities Plan) by Concurrency Service Area is shown by the following table.

Middle Schools	2016-17				
	Capacity⁸	Enrollment⁹	% Utilization	Available Capacity	Single Family Equivalent¹⁰
Bishop	1,100	618	56.2%	482	6,025
Fort Clarke	917	754	82.3%	163	2,038
Kanapaha	1,125	869	77.2%	257	3,213
Hawthorne	167	138	82.6%	29	363
High Springs	407	296	72.7%	111	1,388
Lincoln	1,105	628	56.8%	477	5,963
Mebane	799	346	43.3%	453	5,663
Oak View	770	612	79.4%	159	1,988
Westwood	1,204	900	74.7%	305	3,813

Middle school capacity utilization districtwide is adequate throughout the ten year planning period. Districtwide utilization does not exceed 76% during this period. At the CSA level, only the Fort Clarke and Hawthorne CSAs exceed 80% in the 2016-17 (Five Year Plan) and none exceed 85%.

⁵ 2012-13 Five Year District Facilities Plan

⁶ Based on actual enrollment reported by the SBAC and projections by the Florida Department of Education 2011

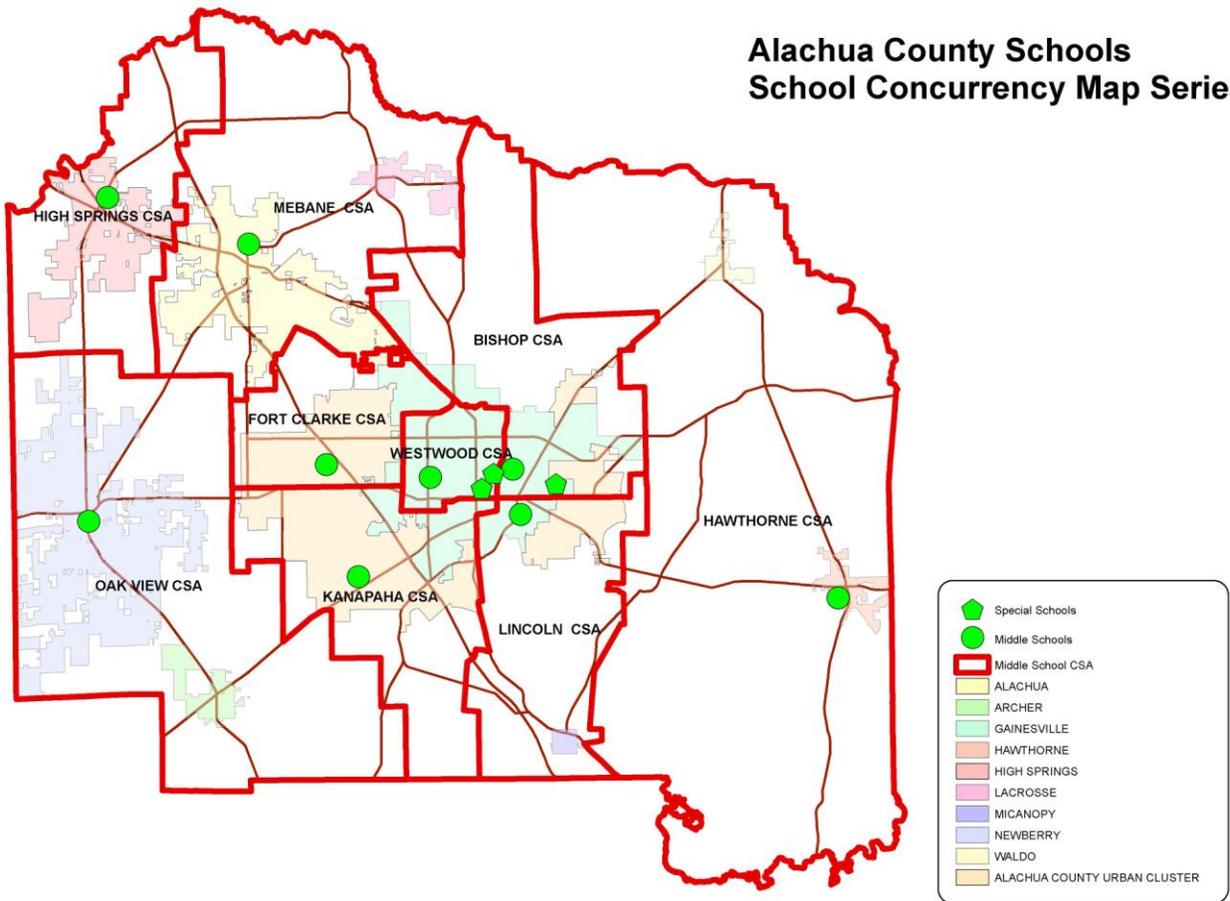
⁷ Based on adopted Student Generation Multipliers (SGM) for SBAC. Single family SGM for middle schools is .080 students per dwelling unit.

⁸ 2012-13 Five Year District Facilities Plan

⁹ 2012-13 Five Year District Facilities Plan – Allocation to CSA by SBAC

¹⁰ Based on adopted Student Generation Multipliers (SGM) for SBAC. Single family SGM for middle schools is .080 students per dwelling unit.

Alachua County Schools School Concurrency Map Series



Map 2: Middle Schools and Middle School Concurrency Service Areas

Elementary Schools. Elementary school capacity from 2012 through 2022 is summarized as follows:

Elementary Schools			
Districtwide	2012-13	2016-17	2021-22
Capacity ¹¹	14,565	14,565	14,565
Enrollment ¹²	11,466	11,833	11,300
% Use	78.7%	81.2%	77.6%
Available Capacity	3,099	2,732	3,265
Single Family Equivalent ¹³	19,491	17,185	20,535

Elementary school capacity for the 2016-17 school year (Five Year Plan) by Concurrency Service Area is shown by the following table.

Elementary Schools	2016-17				
	Capacity¹⁴	Enrollment¹⁵	% Utilization	Available Capacity	Single Family Equivalent¹⁶
Alachua	1,197	833	69.6%	364	2,289
Archer	536	476	88.9%	59	371
Hawthorne	401	183	45.7%	217	1,365
High Springs	630	561	89.0%	69	434
Newberry	568	493	86.7%	76	478
Northwest Gainesville	2,574	2,210	85.9%	363	2,283
East Gainesville	2,800	1,810	64.7%	990	6,226
South Gainesville	2,532	2,355	93.0%	177	1,113
Waldo	259	215	83.1%	44	277
West Urban	3,069	2,696	87.9%	373	2,346

During the ten year planning period, approximately 80% of the elementary school capacity is utilized. On a CSA level, one of the ten elementary CSAs exceeds 90% utilization in the 2016-17 school year although none exceed 95%. The Archer, High Springs, Newberry and Waldo CSAs each has fewer than 100 available seats and justify special attention should projections prove to be low.

¹¹ 2012-13 Five Year District Facilities Plan

¹² Based on actual enrollment reported by the SBAC and projections by the Florida Department of Education 2012

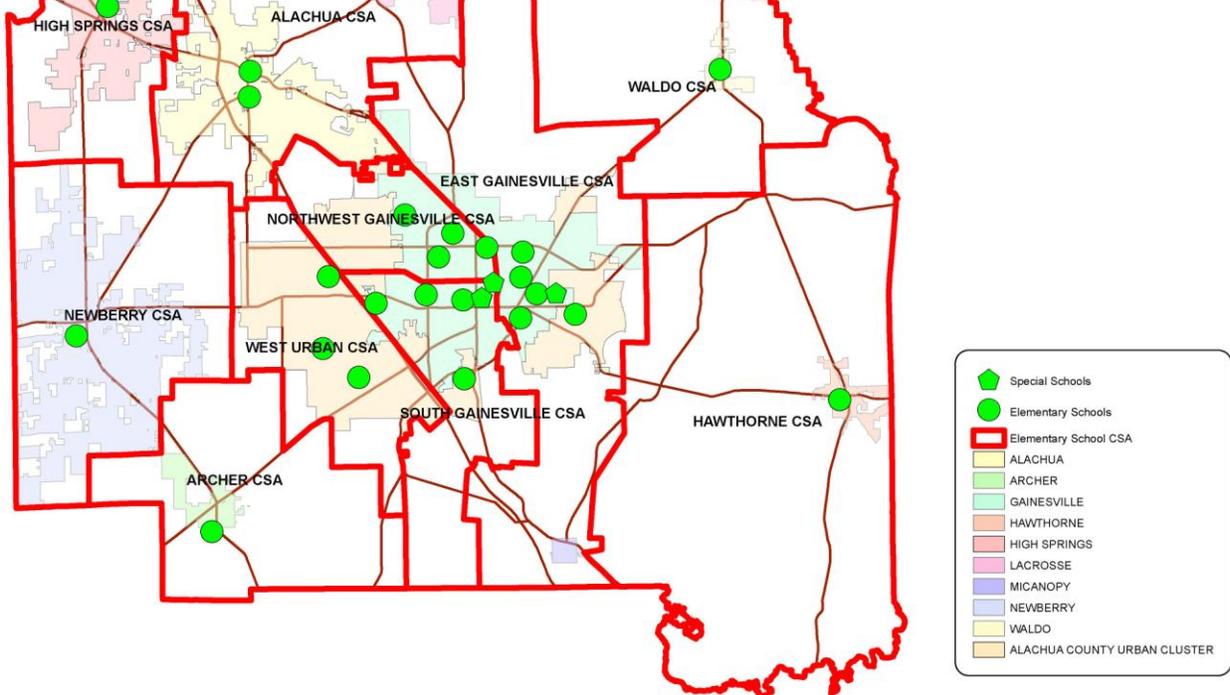
¹³ Based on adopted Student Generation Multipliers (SGM) for SBAC. Single family SGM for elementary schools is .159 students per dwelling unit.

¹⁴ 2012-13 Five Year District Facilities Plan

¹⁵ 2012-13 Five Year District Facilities Plan – Allocation to CSA by SBAC

¹⁶ Based on adopted Student Generation Multipliers (SGM) for SBAC. Single family SGM for elementary schools is .159 students per dwelling unit.

Alachua County Schools School Concurrency Map Series



Map 3: Elementary Schools and Elementary School Concurrency Service Areas

Financial Feasibility. The *Community Planning Act* removed “financial feasibility” as a general standard for concurrency. While this amendment applies to school concurrency, the affect may be diminished because of the required link to the Five Year District Facilities Plan. Effectively, school concurrency continues to be based on a Five Year District Facilities Plan that is inherently “financially feasible” by compliance with the statutory authority and rules of the Department of Education.

The *Community Planning Act* also continues to recognize proportionate share mitigation as a potential means of addressing concurrency if adequate public school capacity is not available or planned for construction and calls for options for proportionate share mitigation to be established in the comprehensive plan and interlocal agreement.

Simplification. Under previous legislation, many details relating to comprehensive plans including school concurrency programs were outlined in great detail in the Florida Administrative Code and both the Public School Facilities Element and related Interlocal Agreements were subject to review for compliance by state agencies for compliance with those rules. The new law repealed the Florida Administrative Code rules and provided more discretion to local governments in how their comprehensive plan addresses the statutory requirements and no longer requires state agency review of the implementing Interlocal Agreement thus allowing greater administrative latitude regarding procedure.

Conclusion

The application of school concurrency in Alachua County has successfully integrated school planning and comprehensive planning without delaying development and without additional costs to development. The program has also provided an important tool that allows the SBAC to plan for construction and use of facilities in a manner that supports existing and future development. The projections summarized in this report indicate that school capacity will be aligned with growth in Alachua County on a long term basis. With annual reviews and updates, the program also provides a means to predict and effectively respond to deviations from these projections should they occur.

Only modest revisions of the Public School Facilities Element(s) and the Interlocal Agreement are required to comply with *the Community Planning Act*. Perhaps more importantly, the statutory restrictions have been significantly altered giving the SBAC and the local governments greater latitude in the application of school concurrency and an opportunity to simplify the procedures.

Recommendations

The Staff Working Group recommends the following actions in response to the Community Planning Act.

1. All local governments should retain their respective *Public School Facilities Elements* with necessary amendments to achieve compliance with the Community Planning Act and to simplify the school concurrency process based on experience and circumstances unique to Alachua County.
2. The School Board and the Local Governments should jointly amend the *Interlocal Agreement for Public School Facility Planning* to comply with the Community Planning Act and for consistency with the Public School Facilities Elements.
3. The term “permanent program capacity” is replaced by “program capacity” as the basis for levels of service. This amendment reflects the requirements that some relocatables must now be included in the inventory. The adjusted “program capacity” is reflected in the 2012-13 Five Year District Facilities Plan.
4. The Community Planning Act removes the state mandate for school concurrency along with much of the detailed requirements related to the application of school concurrency. Consequently, school boards and local governments have greater flexibility and discretion regarding how school concurrency may be structured and administered. The recommendation is to take advantage of this flexibility to simplify the procedures consistent with local experience: School Board staff would be authorized to establish— in cooperation with each local government – a threshold below which the local government may certify that school concurrency is satisfied for a development without needing separate review by the School Board, based on an annual review of capacity and demand by the School Board.
5. References to “financial feasibility” are removed from the Public School Facilities Element and the Interlocal Agreement.
6. “Proportionate share mitigation” established as a mandate but with the authority of the School Board and the Local Government to determine that the mitigation maintains the established levels of service. The Public School Facilities Elements(s) and the Interlocal Agreement should be revised to be consistent with the Community Planning Act.