

STORAGE NAME: h4377.ca
DATE: March 29, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
COMMUNITY AFFAIRS
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 4377
RELATING TO: Comprehensive Planning/Schools
SPONSOR(S): Representative Pruitt
COMPANION BILL(S): SB 2474 (s); HB 3985 (c)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) COMMUNITY AFFAIRS
- (2) EDUCATION APPROPRIATIONS
- (3)
- (4)
- (5)

I. SUMMARY:

This bill requires that the future land use element of a local government's comprehensive plan include certain criteria relating to location of schools and specifies the date by which such plans must comply. This bill provides requirements for the following: data and analyses on which a public school facilities element should be based; goals, objectives, and policies; a future conditions map; and certain reciprocal agreements.

This bill revises the requirements for the imposition of a school concurrency requirement by a local government and requires a public schools facilities element. This bill provides requirements for the following: level of service standards; designation of service areas; financial feasibility standards; and specifies an availability standard. In addition, this bill requires that intergovernmental coordination requirements be satisfied, but allows certain municipalities not to be a signatory of the agreements.

This bill directs the state land planning agency to adopt minimum criteria for the review and determination of compliance of a public schools facilities element and for the associated interlocal agreements. In addition, it requires the local planning agency's periodic report on the comprehensive plan to assess the coordination of the plan with public schools.

This bill directs school boards to adopt annually, 10-year and 20-year work programs, in addition to the currently required 5-year district facilities work program. This bill permits additional expenditures in a district's planned basic capital outlay expenditures that may be eligible for an effort index grant. This bill provides that, under certain circumstances, districts that have adopted a public school facilities element in districts may be granted priority consideration for such grants.

This bill provides a directive to school boards with respect to school siting and location and provides requirements for the 5-year district facilities work. In addition, this bill precludes the siting of new schools in certain jurisdictions.

This bill specifies additional savings by school districts which the SIT Program is designed to reward and provides that the SMART Schools Clearinghouse favorably consider districts where local governments have adopted a public school facilities element.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

The Local Government Comprehensive Planning and Land Development Regulation Act:

In 1985, the Legislature passed the Local Government Comprehensive Planning and Land Development Regulation Act (Act), found in chapter 163, part II, Florida Statutes. The Act has been amended numerous times. The Act, as amended, requires all local governments to prepare comprehensive plans that are reviewed by the state land planning agency. These plans must contain data, analyses, policies, goals, and objectives relating to eight mandatory elements on the following issues:

- Capital improvements;
- Future land use;
- Traffic circulation;
- General sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge;
- Conservation;
- Recreation and open space;
- Housing; and
- Intergovernmental coordination.

The plans are reviewed by Department of Community Affairs (DCA), in its role as the state land planning agency.

Future Land Use Element

Subsection 163.3177(6), Florida Statutes, requires the Future Land Use Element (FLUE), of each comprehensive plan to clearly identify the land use categories in which public schools are an allowable use. Local government must include sufficient land proximate to residential development to meet the projected needs for schools. This must be done in coordination with public school boards. However, the most recent data indicates that only 24 local governments have submitted plan amendments to comply with this requirement.

Concurrency

Section 163.3180, Florida Statutes, provide the statewide concurrency requirements for local government comprehensive plans. These standards do not include educational facilities. However, local governments may include such facilities in their plans if they so choose. If a local government chooses to extend the concurrency requirement to public schools, paragraph 163.3180(1)(b), Florida Statutes, indicates that the local government should first conduct a study to determine how the requirement would be met and shared by all affected parties. In addition, a local government must adopt level-of-service standards for public schools with the agreement of the school board, and must satisfy the requirements for intergovernmental coordination set forth in subparagraphs 163.3177(6)(b)1. and 2., Florida Statutes.

During its 1997 Regular Session, the Legislature established the Public Schools Construction Study Commission and directed it to "study in detail and recommend appropriate reforms related to the planning, and siting, of public schools, and reforms related to school concurrency." See Chapter 97-152, § 6, Laws of Florida (Specific Appropriation 1628). The Commission was directed to submit its final report no later than January 1, 1998. In connection with the Commission's study, the Legislature suspended the authority of local governments, other than in Broward County, to impose school concurrency until July 1, 1998. See Chapter 97-265, § 13, Laws of Florida.

[Note: The final report of the Public Schools Construction Study Commission can be found on the Internet at: <http://www.state.fl.us/commaff/dca.html>]

Evaluation and Appraisal of Comprehensive Plans

Section 163.3191, Florida Statutes, requires each local government to prepare an evaluation and appraisal report (EAR) on their local government comprehensive plan. The EAR is the principal process for updating local comprehensive plans to reflect changes in state policy on planning and growth management. The EAR must include statements of the effect of future changes to growth management plans and rules on the local comprehensive plan, actions necessary to meet planning issues, anticipated plan amendments necessary to implement changes, and public participation processes.

Educational Facilities Act:

Ch. 235, Florida Statutes, authorizes state and local officials to cooperate in establishing and maintaining public educational facilities to provide for public educational needs.

School District Facilities Work Program

Section. 235.185, Florida Statutes, requires each district school board to adopt a 5-year work program and update this work program annually for the next five years. The five year facilities work program is the financially feasible list of capital outlay projects and maintenance needs identified within their 5-year school plant survey, as prioritized and approved by the school board. The Department of Education provides 5-year student enrollment and Capital Outlay Full Time Equivalent (COFTE), projections for facilities surveys and facilities work programs.

The Department of Education has not yet begun making projections to 2020. The reason is that the University of Florida (UF) will not be calculating age-group population projections beyond 2010 until after the results of the 2000 census are out (probably not until 2002). Without the "official projections" of UF as backup, the enrollment numbers developed by DOE might be different from later UF projections.

Effort Index Grants for School District Facilities Work Program Projects

Section. 235.186, Florida Statutes., provides the Effort Index Grants for district facilities work program projects which schools may include as evidence of "self-help." Currently, eligible expenditures include the following: bonds; certificates of participation; PECO; CO&DS bonds; sales surtax authorized in subsection 212.055(7), Florida Statutes; infrastructure sales surtax authorized in subsection 212.055(2), Florida Statutes; direct

proceeds from 2-mill discretionary capital outlay levy; direct proceeds from district voted millage, School Infrastructure Thrift program awards; Classroom First Program proceeds; private donations; and grants from local government or private organizations. If there are insufficient funds to award all recommended grants, the legislature would consider awards based on the extent the district exceeded the district effort index, and the extent to which the district maximized their revenue for capital projects.

Site Planning and Selection

Section 235.19, Florida Statutes, provides requirements for site planning and selection of public school facilities, and grants the Commissioner of Education rulemaking authority to prescribe recommended sizes for new sites according to various categories of students.

In general, school districts select and purchase land which is identified as appropriate in the local government comprehensive plan. Many urban school districts work with local government to provide shared recreational space by locating schools adjacent to parks. Collocation of programs within single facilities has occurred but is not common. Joint use facilities, sharing of libraries, and other programs are currently dependent upon local initiative.

Coordination of Planning with Local Governmental Bodies

Section 235.193, Florida Statutes, describes the process and provides guidelines for the coordination of planning for educational facilities between the school board and the local governing body.

The school boards may or may not be providing the local governments within their district boundaries a copy of their annual capital outlay plan and a copy of their 5-year facilities survey. There is no penalty for noncompliance. Some schools plan for their growth needs without consideration of the growth and development plans of local government. Some local governments plan for their growth needs without consideration of the growth requirements of the schools. A local government may or may not be aware of a school board's intention to develop an owned site or to purchase a school site within their jurisdiction, although the comprehensive plan should (although many do not) identify land use categories generally available for school facilities.

School Infrastructure Thrift Program Act

Section 235.2155, Florida Statutes, provides the requirements for the School Infrastructure Thrift (SIT) program. SIT awards are based on facilities program construction cost savings realized through functional, frugal school construction, and through the operation of charter schools to avoid the capital outlay investment in facilities for the school board.

B. EFFECT OF PROPOSED CHANGES:

The bill, as introduced, has the following effects:

- Expand the minimum criteria of the future land use element to include criteria to encourage the location of schools proximate to urban residential areas, to require

that local governments seek to collocate public facilities with public educational facilities; and to comply with these requirements no later than October 1, 1999, or the deadline for their EAR (whichever comes first).

- Create a public schools facilities element of comprehensive plans based on, in part, the data and analysis that addresses level-of-service, the 5-year school district facilities work program, the educational plant survey, the existing educational and ancillary plan map or series, information based on existing and anticipated 5-year development, and analysis of problems and opportunities for existing and anticipated schools.
- Create concurrency requirements for local governments that chose to adopt a public schools facilities element in the comprehensive plan.
- Create intergovernment coordination requirements for local governments that chose to adopt a public schools facilities element in the comprehensive plan.
- Create an EAR requirement for the assessment of the coordination between a local comprehensive plan and the school district's 5-year school district facilities work program.
- Requires school districts to create 10-year and 20-year school facilities programs, including proposed funding amounts and sources.
- Encourages intergovernmental agreements and partnerships between school boards and local governments by providing Effort Index Grant program rewards to school districts who apply and qualify.
- Requires school districts "to seek" collocation facilities with local governments with or close to residential areas.
- Encourages coordination of planning efforts between local governments and school boards by requiring evidence of such efforts as part of the SIT program application.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

Yes. Though voluntarily entered intergovernmental coordination agreements between local governments and school boards.

- (2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes.

School boards *must* develop 5-year and 10-year work plans.

Local governments *must* include assessment of coordination of the comprehensive plan with the 5-year school district facilities work program in their EAR. Local government *must* include in their future land use element, criteria to encourage the location of schools proximate to urban residential areas and to seek opportunities to collocate public facilities with schools. Local governments *may* adopt a public schools facilities element.

DCA *must* develop minimum criteria for review and determination of compliance of a public schools facilities element. DCA *must* develop minimum criteria and guidelines for interlocal agreements required for school concurrency.

- (3) any entitlement to a government service or benefit?

No.

- b. If an agency or program is eliminated or reduced:

- (1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

- (2) what is the cost of such responsibility at the new level/agency?

N/A

- (3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

N/A

b. Does the bill require or authorize an increase in any fees?

N/A

c. Does the bill reduce total taxes, both rates and revenues?

N/A

d. Does the bill reduce total fees, both rates and revenues?

N/A

e. Does the bill authorize any fee or tax increase by any local government?

N/A

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

N/A

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/A

5. Family Empowerment:

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

N/A

(2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Ch. 163, Florida Statutes and ch. 235, Florida Statutes.

E. SECTION-BY-SECTION RESEARCH:

Section 1: Amends paragraph 163.3177(6)(a), Florida Statutes, amending the future land use element (a required element) of local comprehensive plans to include criteria to encourage the location of schools proximate to urban residential areas. Also, requiring local governments to seek to collocate public facilities (parks, libraries, and community centers), with schools, to the extent possible. Provides a deadline of October 1, 1991 or the deadline for the local government EAR, whichever comes first. Prohibits local governments who fail to comply with this section to amend their local government comprehensive plans in accordance with the twice a year amendment procedure.

Creates section 163.3177(12), creating a public school facilities element of the comprehensive plan, which includes the following:

- Criteria for the element include: data and analysis that address, but are not limited to how levels of service will be met and achieved based upon: the 5-year school district facilities work program; the educational plant survey; existing education and ancillary plan map or map series; information based on existing development and 5-year anticipated development; information base on anticipated development during the long-term planning period; analysis of problems and opportunities for existing and anticipated schools; analysis of opportunities to collocate future schools with other public facilities; analysis for infrastructure needs (sidewalks, bus stops, etc.); analysis of opportunities to locate schools to serve as community focal points; projected future population and associated demographics (demographic patterns by year, by 5-year increments, and for long-term planning periods); and anticipated educational and ancillary plant requirements (including land area requirements).
- Adopted goal(s) to establish long-term ends which direct public school programs and activities.
- Adopted objectives setting specific, measurable, intermediate objective for each goal and that are achievable and mark progress toward the goal.
- Adopted policies establishing, for each objective, ways in which the programs and activities are to be conducted to achieve identified goals.

[Note: Objectives and polices must address, but are not limited to, the following: the procedure for annual updates; the procedure for school site selections; the procedure for school permitting; the provision of supporting infrastructure; the location of future school sites to serve as community focal points; measures to ensure compatibility of school sites and surrounding land uses; coordination with adjacent local governments and the school district on emergency preparedness; and coordination of future land use map (FLUM).]

- Adopted "Future Conditions Map" (FCM) to depict the anticipated location of educational and ancillary plans.
- Required reciprocal requirements to the plan's FLUE and intergovernmental coordination element (ICE).

Section 2: Amends section 163.3180, Florida Statutes, by deleting the current requirement for local governments to conduct a study to determine how a public school concurrency requirement would be met and shared by all affected parties, prior to extending concurrency requirements to include public schools; and eliminates the existing requirement for coordination of public school concurrency with the ICE.

Creates section 163.3177(12), authorizing, by local option, school concurrency, as follows:

- School concurrency must be established districtwide and include all public schools, all portions of the district (whether located in a municipality or unincorporated area), and be based on the adopted comprehensive plan, as amended.

[Note: As a plan amendment, the school concurrency requirements must be adopted and transmitted for compliance review pursuant to subsection 163.3184(7) and (8), Florida Statutes.]

- School Concurrency must be adopted in a “Public school facilities element” (PSFE) subject to the adoption and transmittal requirements of subsection 163.3184, Florida Statutes, and be determined by DCA to be in compliance as defined in subsections 163.318(1)(b) and (9), Florida Statutes.
- Level of service standards are recognized as being “the level of service at which a public facility is expected to operate.”
- Standards must be established jointly by local governments and school boards, as defined by rule 9J-5, F.A.C., and must be based on data and analysis. In addition:
 - ▶ Public school level of service standards must be included and adopted in the capital improvements element of the comprehensive plan and must apply districtwide to same type schools. Types of schools may include elementary, middle, and high schools, as well as, special purpose facilities (magnet schools).
 - ▶ Tiered levels of service are permitted to allow time to achieve adequate and desirable levels of service.
- Service areas are recognized as an essential requirement of concurrency and local governments are encouraged to include, as a requirement of concurrency, the following:
 - ▶ Local governments are encouraged to apply school concurrency on a districtwide basis.
 - ▶ Local governments which establish less-than-districtwide concurrency service areas have the burden to demonstrate that utilization of school capacity is maximized to the greatest extent possible (taking into account transportation costs, court-approved desegregation plans, and other factors).
 - ▶ Development orders issued where school capacity exists on a districtwide basis, but is not being met in a particular service area must be issued and mitigation

measures must not be exact if the needed capacity is available in one or more contiguous service areas, as adopted by the local government.

- Financial feasibility is recognized as an important issue of concurrency and local governments are required, to do the following when imposing school concurrency:
 - ▶ Adopt appropriate amendments to the capital improvements element, consistent with section 163.3177(3), Florida Statutes, and rule 9J-5.016, Florida Administrative Code.
 - ▶ The capital improvements element must include a financially feasible public school capital facilities program, that in conjunction with the school board, will demonstrate that the adopted level of service standards will be achieved and maintained.
 - ▶ Amendments to the capital improvements element must demonstrate that the program meets all of the financial feasibility standards of this part and chapter 9J-5, Florida Administrative Code (that apply to capital programs of mandatory concurrency of public facilities and services).
 - ▶ Evaluation of the financial feasibility of a public school capital facilities program is to be done by DCA for the purposes of compliance determination and the evaluation must be based on the service areas selected by the local governments and school boards.
- Public school facilities that are to serve new developments must be in place or under actual construction at least 3 years after the issuance of a local development order authorizing the residential development.
- Intergovernmental coordination requirements for local governments adopting a public school facilities element require the following:
 - ▶ The local government must adopt the requirements for intergovernmental coordination pursuant to subparagraphs 163.3177(6)(h) 1. And 2., Florida Statutes, except that a municipality is not required, as a prerequisite for school concurrency, to be a signatory to the interlocal agreement if:
 - ◆ The municipality has issued development orders for fewer than 50 residential dwelling units during the past 5 years or generated fewer than 25 additional public school students during the preceding 5 years; and
 - ◆ The municipality has not annexed new land during the preceding 5 years in land use categories which will affect school attendance rates; and
 - ◆ The municipality has no public schools located within its boundaries; and
 - ◆ At least 80 percent of the developable land within the boundaries of the municipality has been built upon.

Exempted municipalities must review and determine, at the time of its EAR, whether it continues to meet the eligibility criteria. In the event the municipality no longer

meets the criteria, it must adopt appropriate school concurrency goals, objectives, and policies in plan amendments, based on the EAR, and enter into the existing interlocal agreement. The municipality is subject to the enforcement provisions of the EAR requirement if it fails to adopt the plan amendments and enter into the existing interlocal agreements for school concurrency.

DCA is authorized to adopt a rule establishing minimum criteria for the review and determination of compliance of a public schools facilities element. The rule must be adopted by October 1, 1998.

DCA is authorized to adopt a rule establishing the guidelines and criteria for the concurrency interlocal agreement. The criteria and guidelines must be consistent with *The Proposed Consensus Text* by the Department of Community Affairs Public School Construction Working Group, dated February 18, 1998.

[Note: This report is posted on the Internet at: <http://www.state.fl.us/comaff/dca.html>]

Section 3: Adding paragraph 163.3191(2)(i), adding a requirement to the required statements of the EAR, an assessment of the coordination of the comprehensive plan with the existing and recommended public schools identified in the applicable 5-year school districts facilities work program. The assessment must contain, when relevant, the success or failure of the coordination of the future land use map and associated planned residential development with existing and recommended schools and their capacities. The assessment must also contain, when relevant, the joint decisionmaking process used by the local government and the school board in establishing appropriate population projections, and in the planning and siting of public school facilities. The local government must demonstrate why issues are not relevant.

Section 4: Adding subsection 235.185(4), Florida Statutes, requiring, in addition to the 5-year facilities work program, the school boards must annually adopt a 10-year and a 20-year work program.

Section 5: Amends section 235.186, Florida Statutes, expanding the list of facilities program expenditures which a school district may include as evidence of "self-help" in order to qualify for effort index grants which are approved by the Smart Schools Clearinghouse. The additional categories include the following:

- Long-term leases with local governments;
- Collocation of programs with local governments in common facilities; and
- Joint use facilities with local government.

If, after the clearinghouse has recommended a grant to the legislature, and if there are insufficient funds to award all recommended grants, then if a district has not adopted a public school facilities element the district will have less priority.

Section 6: Amends section 235.19, Florida Statutes, to require school boards to locate schools proximate to urban residential areas where possible, and to collocate schools with other public facilities such as parks, libraries, and community centers.

Section 7: Amends section 235.193, Florida Statutes, to require the school board to use Department of Education (DOE), enrollment projections and to also consider applicable local government growth and development projections. A school board would be prohibited from siting a school in a jurisdiction where the school board has failed to provide the annual educational facilities reports as required by section 234.194, Florida Statutes.

Section 8: Amends section 235.2155, Florida Statutes, to include additional incentives for School Infrastructure Thrift (SIT) Program rewards: facilities cost avoidance realized by long term leases with local governments; collocation of facilities with compatible local government programs; and development of joint use facilities with local governments. School boards must submit evidence of cooperative facilities initiatives reports as required by section 235.194, Florida Statutes, as a part of the SIT rewards program application. The Smart Schools Clearinghouse would consider this in prioritization of SIT awards.

Section 9: Requires DCA to utilize the minimum criteria and guideline contained in the *Proposed Consensus Text* by the Department of Community Affairs Public School Construction Working Group, dated February 18, 1998.

Section 10: Provides an effective date of July 1 of the year enacted.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

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2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

N/A

V. COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

A “strike everything” amendment is offered by the sponsor. The Community Affairs committee meets on April 7, 1998, and will consider the bill and the strike everything amendment. The amendment makes the following changes:

The following changes are made **Section 2** of the bill as introduced:

- Changes newly created s. 163.3191(12), requiring all local governments within a county to adopt and simultaneously transmit to DCA the necessary plan amendments and interlocal agreement for compliance review.
- Changes newly created s. 163.3191(12)(a), requiring all local government public school facilities plan elements, within a county, must be consistent with each other, as well as consistent with ch. 163, Florida Statutes.
- Changes newly created s. 163.3191(13), removing the requirement for DCA to adopt, by rule, guidelines and criteria for the interlocal agreement required for school concurrency.

The following changes are made to **Section 3** of the bill as introduced:

- Adds s. 163.3191(2)(g), requiring the interlocal agreement satisfy the requirements of section 163.3177(6)(h)1. and 2., Florida Statutes.
- Adds s. 163.3191(2)(g)1. - 8., requiring the interlocal agreement to be submitted to DCA by the local government as a part of the compliance review, along with any necessary amendments to the comprehensive plan. In addition, the interlocal agreement must meet the following requirements:
 - ▶ To ensure districtwide school concurrency, establish mechanisms for coordination of the development, adoption, and amendment of each local government’s public schools facilities element with each of the other local government’s public schools facilities elements and the plans of the school board.
 - ▶ Establish a process for local governments and the school board to agree and base plans on consistent population projections and coordinate and distribute information relating to existing and planned public school facilities projects and proposals.
 - ▶ Establish a process for development of siting criteria to locate public schools proximate to urban residential areas and collocating schools with other public facilities.
 - ▶ Specify uniform, district-wide level of service standards for public schools and specify the process and schedule for modification of the adopted level of service.
 - ▶ Establish a process for the preparation, amendment, and joint approval by each local government and school board of a capital facilities plan.

- ▶ Establish a schedule for annual incorporation of the public school capital facilities plan into the local government comprehensive plan.
- ▶ For districtwide concurrency, define the geographical application of school concurrency.
- ▶ For less than districtwide concurrency, define the geographic application of school concurrency in the form of school concurrency service areas; define the interlocal agreement must establish a process and schedule for the mandatory incorporation of school concurrency service areas and the criteria and standards for the establishment of the service into local government comprehensive plans.

Establish a uniform districtwide procedure for implementing school concurrency providing for all of the following:

- ▶ Evaluation of development applications for compliance with school concurrency requirements.
- ▶ Provide an opportunity for the school board to review and comment on the effect of comprehensive plan amendments and rezonings on the public school facilities plan.
- ▶ Provide a method of monitoring and evaluating the school concurrency system.

Include provisions related to the termination, suspension, and amendment of the interlocal agreement and, in the event of termination of the agreement, provide that the application of school concurrency must be terminated or suspended.

VII. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Legislative Research Director:

Tonya Sue Chavis, Esq.

Joan Highsmith-Smith