



# **Florida's New Growth Management Laws Impact Leon County**

**Facilitator:**

**Wayne Tedder,  
Director of the Tallahassee-Leon County  
Planning Department**

# Panelists:

**Cari Roth, Attorney**  
**Bryant Miller Olive, Tallahassee**

**Val Hubbard, Director**  
**Division of Community Planning**  
**Florida Department of Community Affairs**

**Nancy Linnan, Environmental/Land Use Attorney**  
**Carlton Fields, Tallahassee**

**Tom Pelham, Attorney**  
**Fowler White Boggs Banker, Tallahassee**

**Jon Cramer, Executive Director of Planning and Policy**  
**Leon County School Board**

**Eric Poole, Growth and Environmental Lobbyist**  
**Florida Association of Counties**



A scenic landscape painting of a mountain valley. In the foreground, a stone bridge crosses a river. The river flows through a lush green valley, surrounded by dense forests of tall trees. In the background, rolling mountains are visible under a bright blue sky with scattered white clouds. The overall style is that of a classic landscape painting.

# Senate Bill (SB) 360

What is it?

## CONCURRENCY DEFINED (Rule 9J-5.0055(1))

Each local government shall adopt, as a component of the comprehensive plan, objectives, policies and standards for the establishment of a concurrency management system. The concurrency management system will ensure that issuance of a development order or development permit is conditioned upon the availability of public facilities and services necessary to serve new development ...



# State Mandated Concurrency Services

- Water
- Sewer
- Transportation
- Parks and Recreation
- Stormwater
- Solid Waste
- And now... Schools

# Senate Bill 360 (SB 360) Targets...

- Transportation Concurrency
- School Concurrency
- Water Concurrency







# Concurrency Today

**Transportation Concurrency – Allows Diminimus  
(Every project can add trips to a deficient  
roadway)**

**School Concurrency – Not Required**

**Water Concurrency – Not a Problem for Leon  
County**

The background of the slide is a scenic landscape photograph of a mountain range with a lake in the foreground. The image is presented as if it were a piece of paper with irregular, torn edges, set against a dark grey background. The text is overlaid on this image.

# Concurrency in the Future

**Transportation Concurrency – No Diminimus  
(No trips can be added to a deficient street)**

**School Concurrency – Mandatory (By School  
Zones)**

**Water Concurrency – Not a Problem for Leon  
County**



# How does SB 360 affect Leon County?

- Comprehensive Plan Amendments
- Rezonings
- Site and Development Plans



# How does SB 360 affect Leon County?

## Comprehensive Plan Amendments

- Reviewed individually and cumulatively to determine their impacts to public schools and roadways.
- If an amendment exceeds the adopted level of service, then a capital improvement to address the deficiency must be included in the 5-year CIP (and Comp Plan) before it can be approved.



# How does SB 360 affect Leon County?

## Rezoning

- **Currently – Concurrency review is not required.**
- **In the Future – Concurrency review will probably be required.**

# How does SB 360 affect Leon County?

## Rezoning

- Will the rezoning result in an impact to a road or school that is not programmed for improvement in the 3-year CIP?

Yes – May not obtain approval.

If approved - The County will likely see pressure to add the public services in the next budget cycle, thus reprioritizing existing funding.

- Will the rezoning result in an impact to a road or school that is programmed for improvement in the 3-year CIP?

Yes – Free Pass!

....If improvement is in the 4th or 5th year of the CIP, then developer must pay proportionate share.



# How does SB 360 affect Leon County?

## Site and Development Plans

- Will the development result in an impact to a road or school that is not programmed for improvement in the 3-year CIP?

Yes – Development must be scaled down to no impacts or government agrees to add an improvement to their CIP.

- Will the development result in an impact to a road or school that is programmed for improvement in the 3-year CIP?

Yes – Free Pass!

....If improvement is in the 4<sup>th</sup> or 5<sup>th</sup> year of the CIP, then developer must pay proportionate share.

A scenic landscape painting of a valley. In the foreground, a stone bridge crosses a river. The river flows through a lush green valley, surrounded by dense trees and rolling hills. In the distance, mountains are visible under a bright blue sky with scattered white clouds. The overall style is that of a classic landscape painting.

*More about School Concurrency...*



# Student Generation Rates

## Estimating Student Generation

- Student generation tables developed by School District
- Based on location and type of development
- Formulated on actual experience in Leon County

# Costs Per Student Station

Cost per student station includes all costs associated with:

- Construction
- Furnishing and equipping a school
- Site improvement costs

Does not include land costs or offsite improvements



# Mitigation Options

- **Contribution of Land**
- **Payment for land acquisition**
- **Construction of new or expansion of existing public school facility**
- **Portables meeting current code standards where core capacity available**
- **Developer-established mitigation banks**
- **Code Compliant Charter School construction**

# Use of Proportionate Share Mitigation

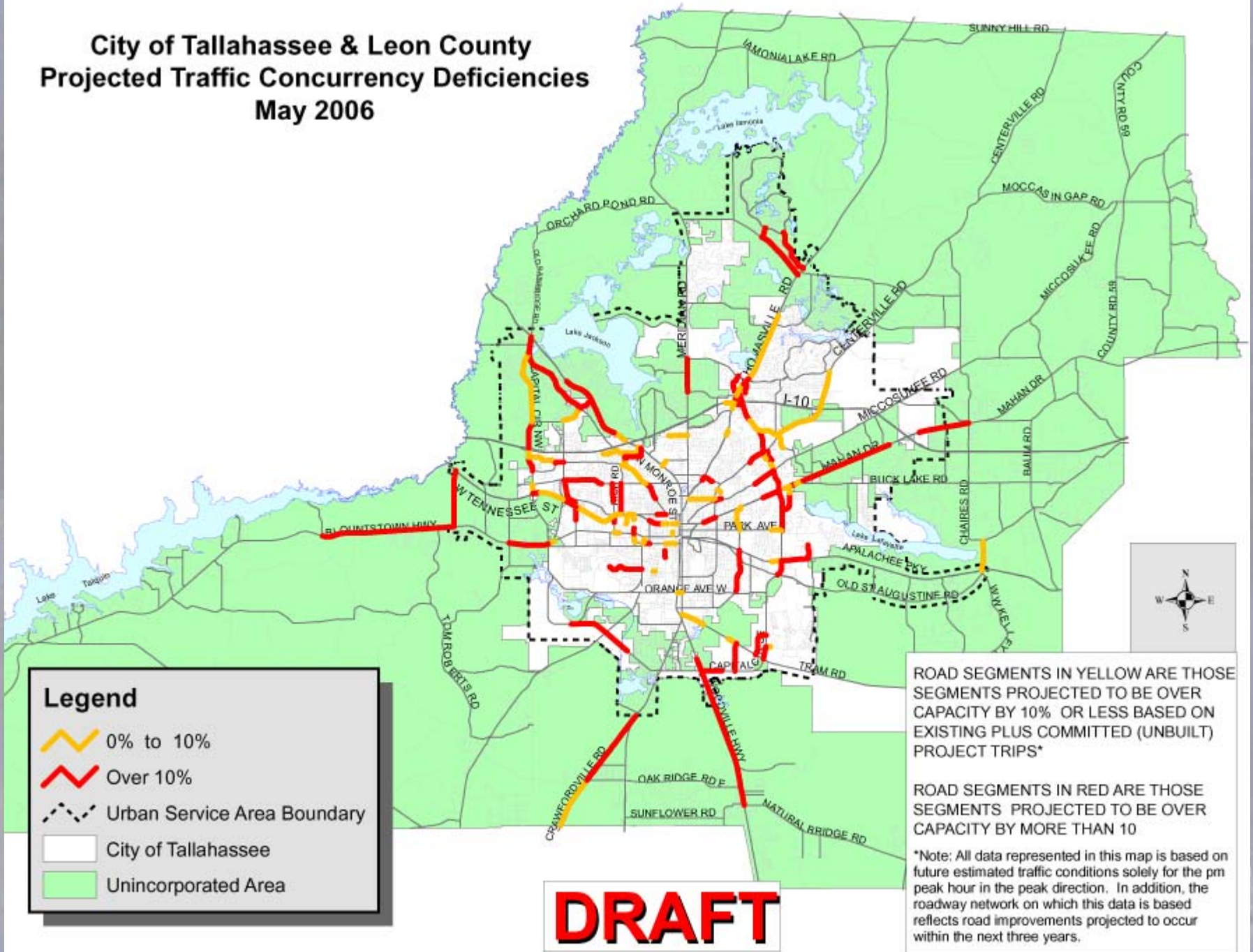
- School Board must direct mitigation toward a school capacity improvement
- School capacity improvement must be identified in a “financially feasible” 5-year District work plan
- Must satisfy the demands created by that development



A scenic landscape painting. In the foreground, a stone wall runs across the bottom. To the left, a dirt path leads up a grassy slope. A river flows from the center towards the right, reflecting the sky and the surrounding greenery. The background features rolling green hills and mountains under a bright blue sky with scattered white clouds. The overall style is that of a classic landscape painting with visible brushstrokes and a rich color palette.

**Putting it all together!**

# City of Tallahassee & Leon County Projected Traffic Concurrency Deficiencies May 2006



**Legend**

-  0% to 10%
-  Over 10%
-  Urban Service Area Boundary
-  City of Tallahassee
-  Unincorporated Area

ROAD SEGMENTS IN YELLOW ARE THOSE SEGMENTS PROJECTED TO BE OVER CAPACITY BY 10% OR LESS BASED ON EXISTING PLUS COMMITTED (UNBUILT) PROJECT TRIPS\*

ROAD SEGMENTS IN RED ARE THOSE SEGMENTS PROJECTED TO BE OVER CAPACITY BY MORE THAN 10






\*Note: All data represented in this map is based on future estimated traffic conditions solely for the pm peak hour in the peak direction. In addition, the roadway network on which this data is based reflects road improvements projected to occur within the next three years.

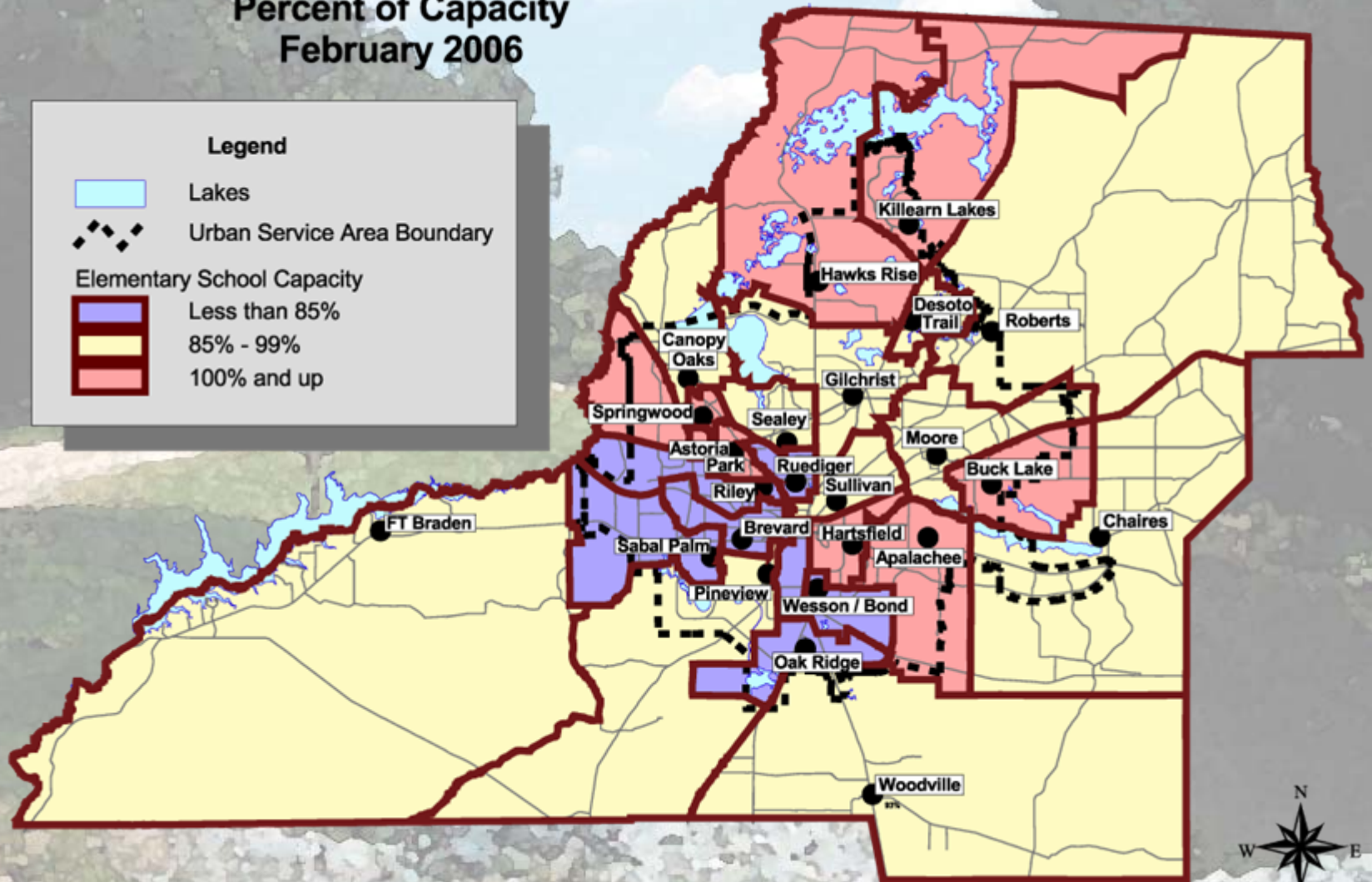
**DRAFT**



# Leon County Elementary Schools Percent of Capacity February 2006






## Legend

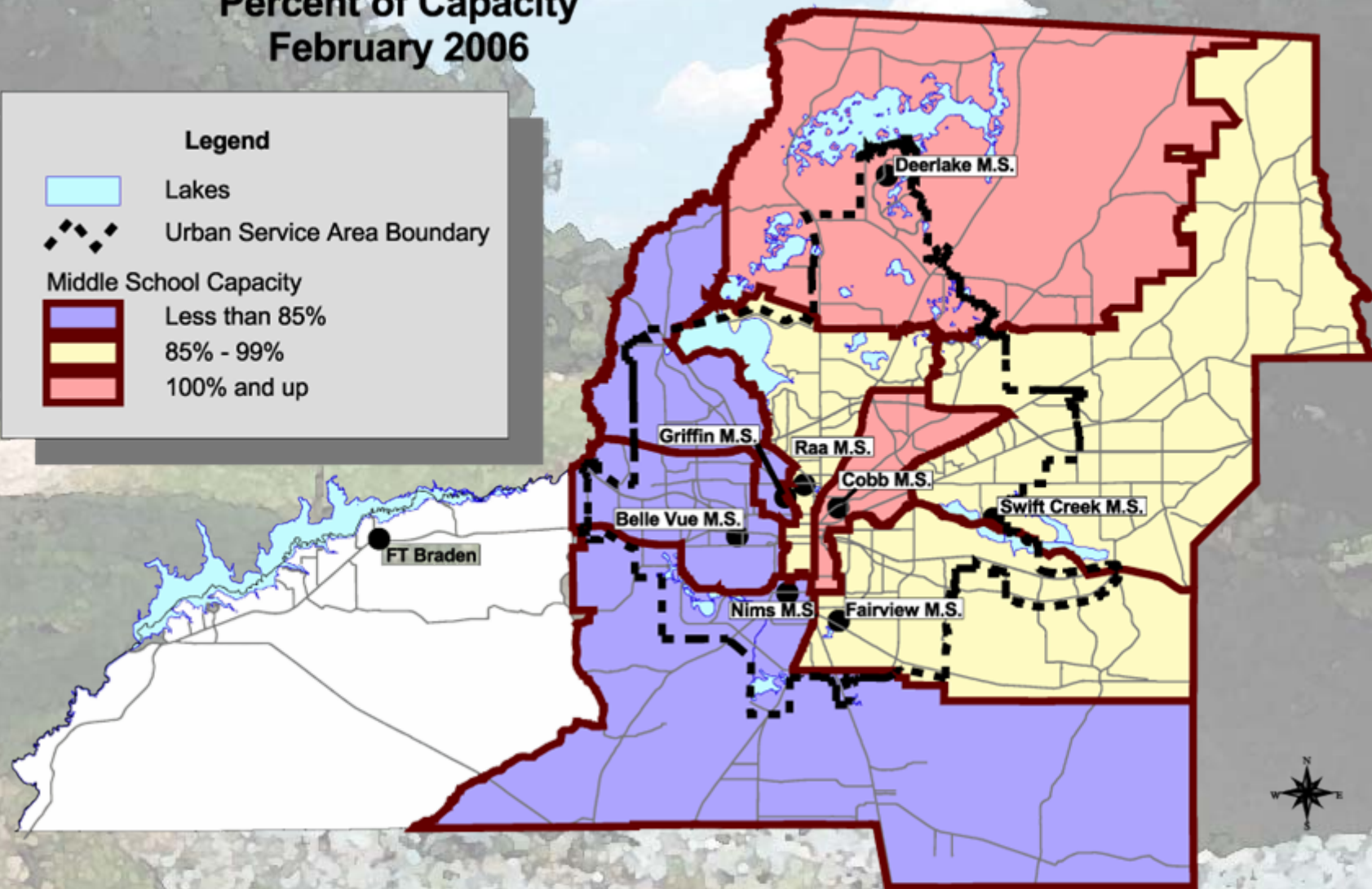
-  Lakes
-  Urban Service Area Boundary
- Elementary School Capacity**
  -  Less than 85%
  -  85% - 99%
  -  100% and up



# Leon County Middle Schools Percent of Capacity February 2006

**Legend**



-  Lakes
-  Urban Service Area Boundary
- Middle School Capacity**
  -  Less than 85%
  -  85% - 99%
  -  100% and up








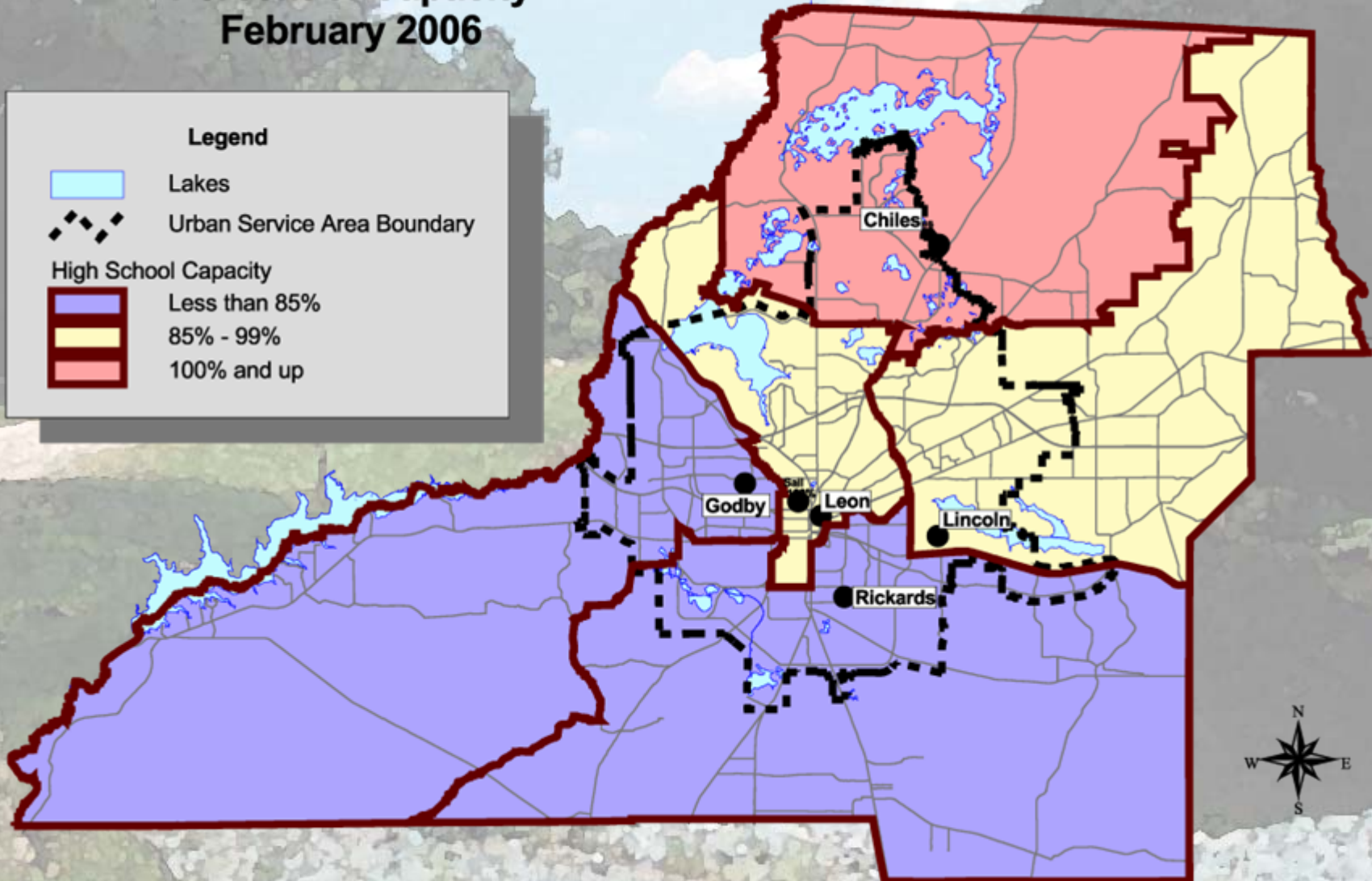
# Leon County High Schools Percent of Capacity February 2006

**Legend**

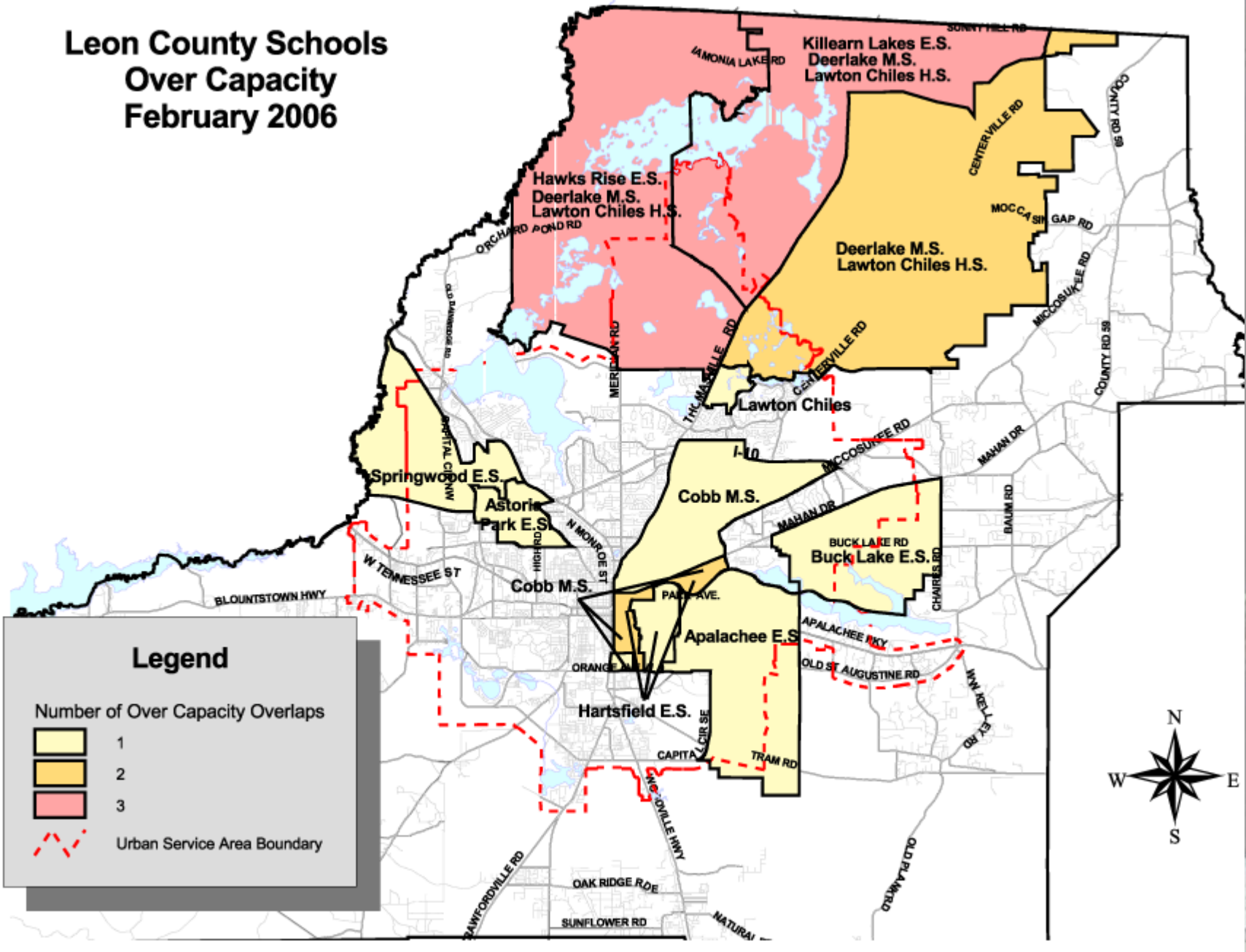
-  Lakes
-  Urban Service Area Boundary

**High School Capacity**

-  Less than 85%
-  85% - 99%
-  100% and up



# Leon County Schools Over Capacity February 2006



## Legend

Number of Over Capacity Overlaps



1

2

3

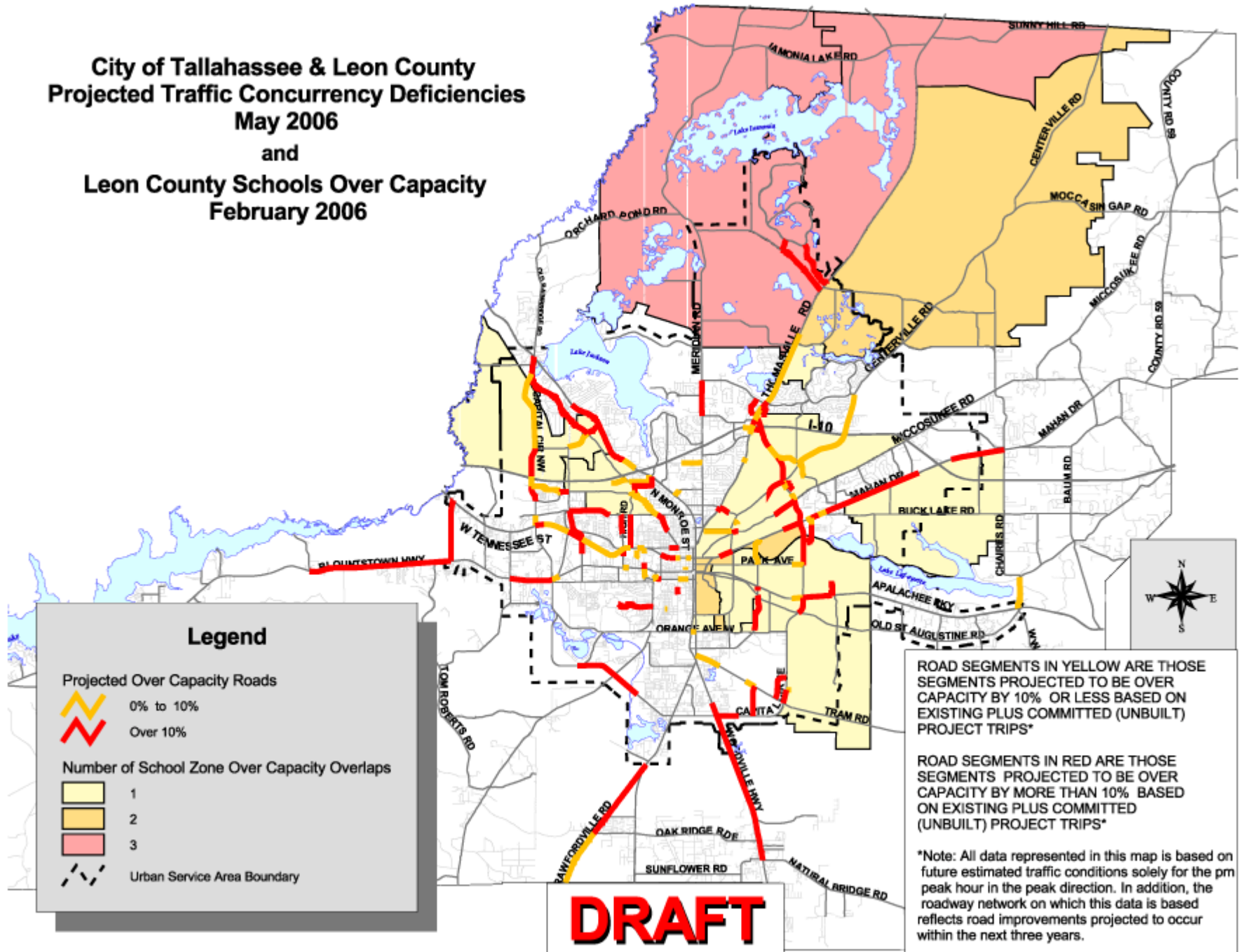


Urban Service Area Boundary





**City of Tallahassee & Leon County  
 Projected Traffic Concurrency Deficiencies  
 May 2006**  
 and  
**Leon County Schools Over Capacity  
 February 2006**







**Legend**

Projected Over Capacity Roads

-  0% to 10%
-  Over 10%

Number of School Zone Over Capacity Overlaps

-  1
-  2
-  3
-  Urban Service Area Boundary

ROAD SEGMENTS IN YELLOW ARE THOSE SEGMENTS PROJECTED TO BE OVER CAPACITY BY 10% OR LESS BASED ON EXISTING PLUS COMMITTED (UNBUILT) PROJECT TRIPS\*

ROAD SEGMENTS IN RED ARE THOSE SEGMENTS PROJECTED TO BE OVER CAPACITY BY MORE THAN 10% BASED ON EXISTING PLUS COMMITTED (UNBUILT) PROJECT TRIPS\*

\*Note: All data represented in this map is based on future estimated traffic conditions solely for the pm peak hour in the peak direction. In addition, the roadway network on which this data is based reflects road improvements projected to occur within the next three years.

**DRAFT**

# What ALL Cities and Counties MUST do to comply with SB 360!

- December 1, 2006 – Adopt a transportation proportionate share ordinance.
- December 1, 2007 – All 5-year Capital Improvement Elements (in Comprehensive Plan) shall be financially feasible.
- September 1, 2006 – Adopt a revised interlocal agreement between City, County and School Board to establish school concurrency and proportionate share methodologies.



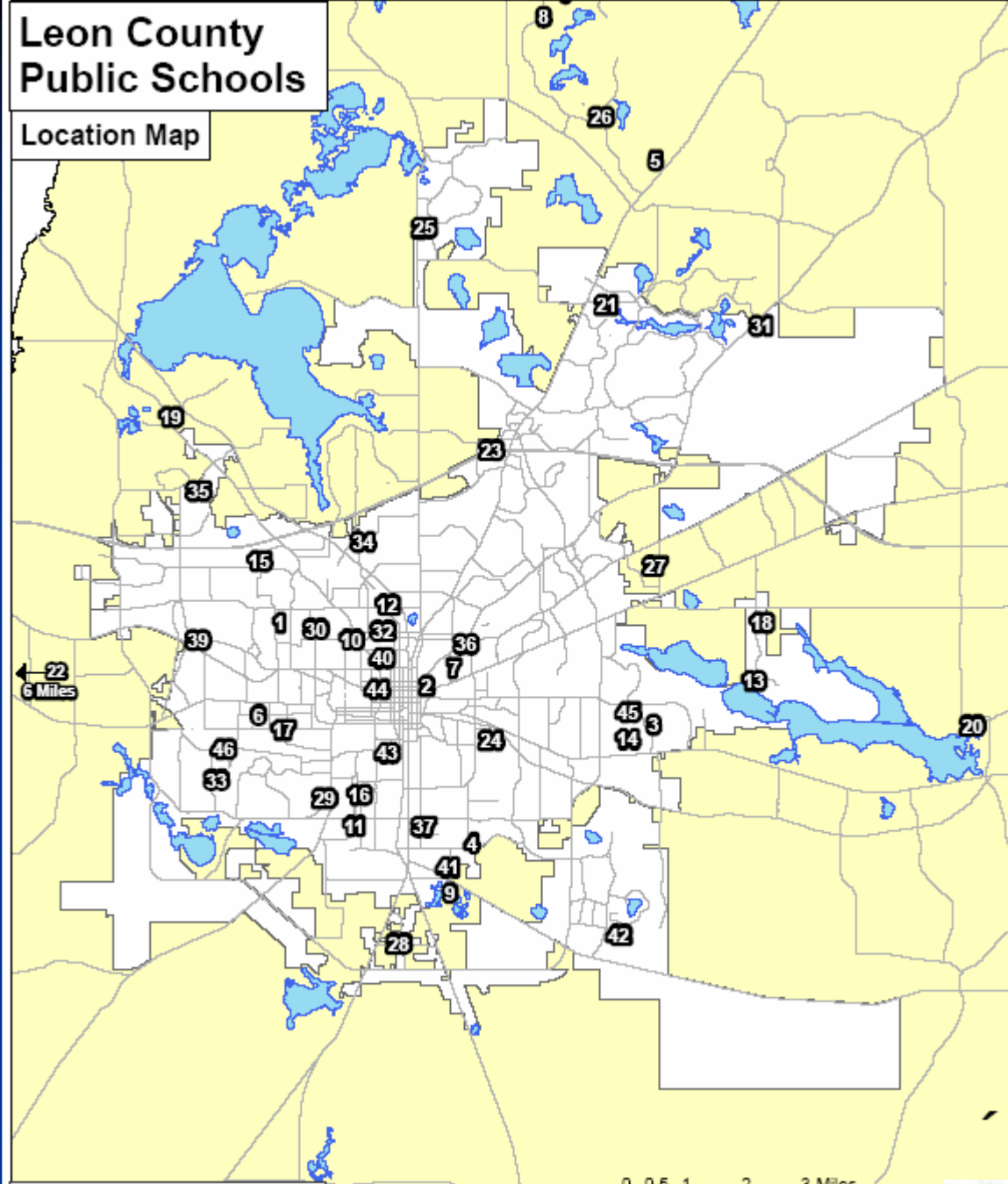
# Useful tools to address transportation

## LOS issues:

- Lower levels of service – More congestion.
- Impact fees – Increases costs of development.
- Concurrency Exemption Areas – Sidewalks and mass transit must be addressed.
- Multimodal Transportation Districts - Sidewalks and mass transit must be addressed, vehicles are secondary.
- Constrained Roads – Sidewalks and mass transit must be addressed and more congestion.
- Master Transportation Plan/Strategy – Long term strategy, very costly

# Leon County Public Schools

## Location Map



NOTE: This product has been compiled from the most accurate source data from Leon County and the City of Tallahassee. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County and the City of Tallahassee assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

0 0.5 1 2 3 Miles

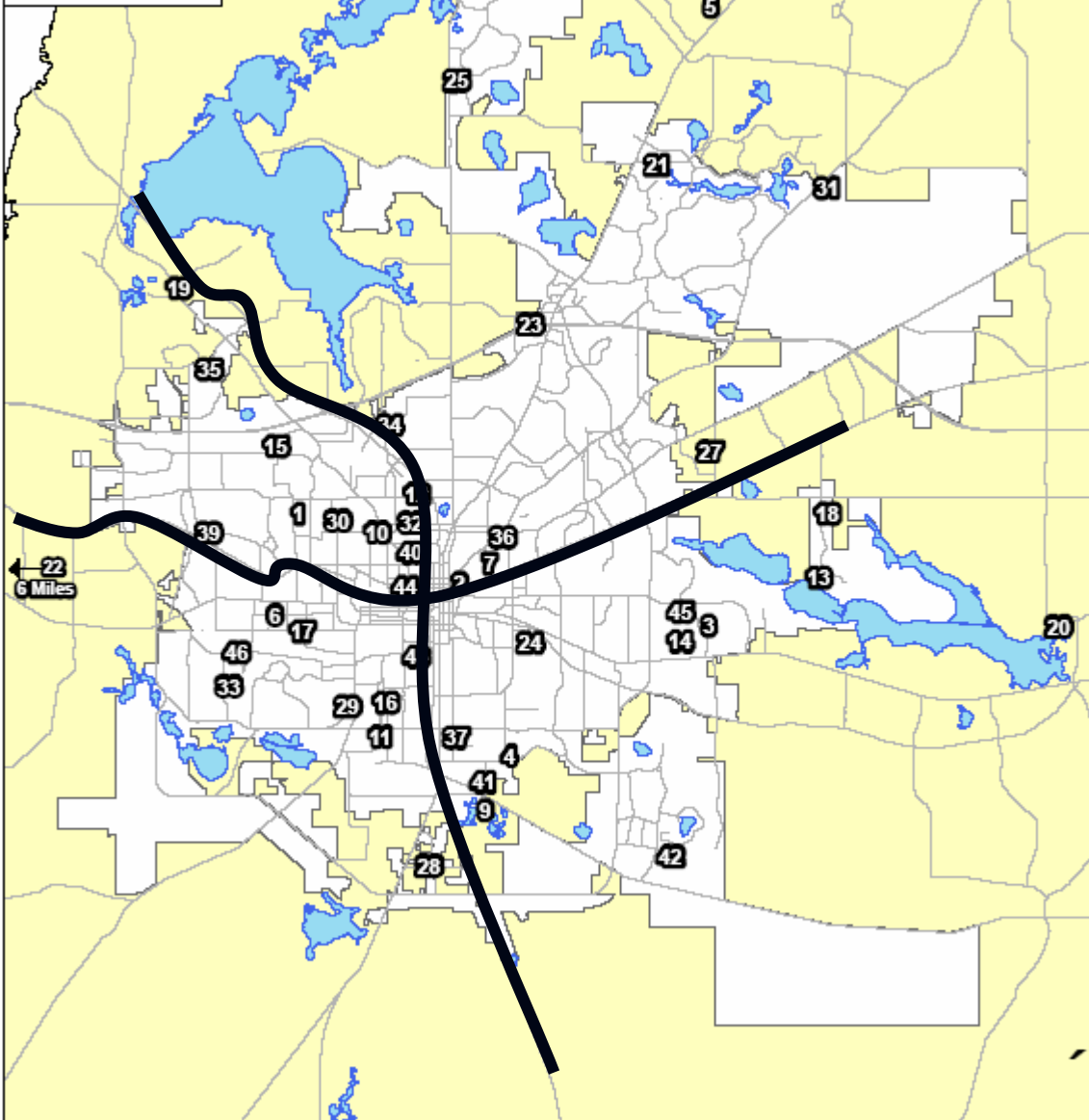


Map Created 10-16-2006 by  
David Forsyth, TLCSIS  
(904) 666-2204



# Leon County Public Schools

## Location Map



NOTE: This product has been compiled from the most accurate source data from Leon County and the City of Tallahassee. However, this product is for reference purposes only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. Leon County and the City of Tallahassee assume no responsibility for any use of the information contained herein or any loss resulting therefrom.

0 0.5 1 2 3 Miles



Map Created 12-16-2009 by  
David Forsyth, TLCOGIS  
(850) 906-5504

# Leon County Schools

## Five Year Enrollment Trends

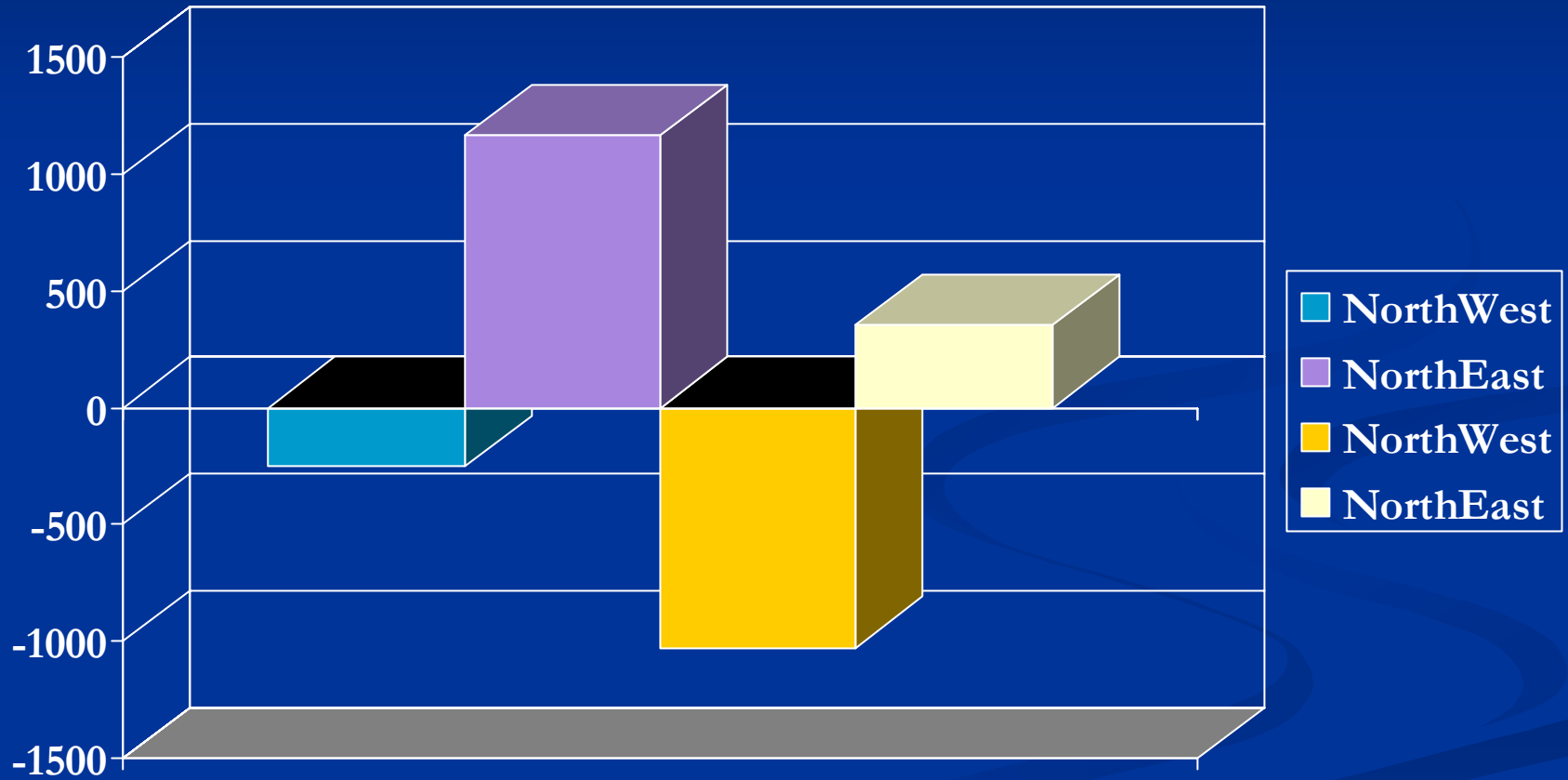
NORTHWEST	Jan-02	Mar-03	Feb-04	Feb-05	Feb-06	Difference	NORTHEAST	Jan-02	Mar-03	Feb-04	Feb-05	Feb-06	Difference
Astoria Park ES	635	660	599	624	679	44	De Soto Trail ES	695	693	648	691	633	-62
Canopy Oaks ES	736	729	750	739	773	37	Gilchrist ES	854	841	856	866	889	35
Riley ES	382	377	370	344	368	-14	Hawks Rise ES	793	821	862	860	912	119
Ruediger ES	486	484	455	486	528	42	Killearn Lakes ES	874	884	858	884	894	20
Springwood ES	670	665	628	594	635	-35	Moore ES	671	661	650	683	675	4
Griffin MS	741	774	776	693	703	-38	Roberts ES	512	577	627	663	750	238
Raa MS	830	800	813	835	866	36	Sealey ES	477	514	512	545	580	103
Godby HS	1512	1455	1416	1247	1188	-324	Sullivan ES	807	756	811	764	741	-66
<b>NW Total</b>						<b>-252</b>	Cobb MS	653	704	754	946	905	252
							Deerlake MS	1204	1240	1311	1361	1364	160
							Chiles HS	1608	1719	1823	1887	1953	345
							Leon HS	1784	1765	1796	1776	1802	18
							<b>NE Total</b>						<b>1166</b>



# Leon County Schools

SOUTHWEST	Jan-02	Mar-03	Feb-04	Feb-05	Feb-06	Difference	SOUTHEAST	Jan-02	Mar-03	Feb-04	Feb-05	Sep-05	Difference
Bond ES	357	324	296	272	0	-357	Apalachee ES	531	579	631	624	736	205
Brevard ES	542	410	461	414	382	-160	Buck Lake ES	758	741	795	833	862	104
Fort Braden ES	467	451	444	419	391	-76	Chaires ES	719	722	673	662	752	33
Oak Ridge ES	649	617	564	562	521	-128	Hartsfield ES	520	539	588	634	627	107
Pineview ES	480	490	517	556	528	48	Wesson ES	390	318	278	270	589	199
Sabal Palm ES	693	626	667	671	613	-80	Woodville ES	588	552	491	476	470	-118
Belle Vue MS	696	665	606	456	572	-124	Fairview MS	830	876	912	817	837	7
Fort Braden MS	204	207	238	241	244	40	Swift Creek MS	941	974	1022	1001	989	48
Nims Middle	588	621	566	478	397	-191	Lincoln HS	1881	1786	1826	1814	1936	55
<b>SW Total</b>						<b>-1028</b>	RickardsHS	1403	1386	1318	1186	1118	-285
							<b>SE Total</b>						<b>355</b>

# Five Year Trend





# Impact

- Shifts in Enrollment
  - Local School Choice
  - No Child Left Behind
- Program Costs
  - Additional Funding for Staff/Resources
  - Creation of New Program Options to Attract Students – Magnet Schools/Programs
- Increased Transportation

# School Concurrency

- Legislation enacted by the 2005 Florida Legislature (Senate Bill 360, Laws of Florida 2002-290) mandates a comprehensive focus on school planning by requiring local governments and school boards to adopt a school concurrency system. School concurrency ensures coordination between local governments and school boards in planning and permitting developments that affect school capacity and utilization rates.



# Implementation of School Concurrency

Local governments and school boards are required to:

- Update existing public school interlocal agreements, and include the updated interlocal agreement in an amended Intergovernmental Coordination Element of the comprehensive plan (Sections [163.3177\(6\)\(h\)\(1\)](#), [163.31777, F.S.](#) and [163.3180\(13\)](#), F.S.);
- Adopt a Public School Facilities Element (PSFE) into the comprehensive plan (Sections [163.3180\(13\)\(a\)](#) and [163.3177\(12\)](#), F.S., and [Rule 9J-5.025](#), F.A.C.);
- Adopt level-of-service (LOS) standards to establish maximum permissible school utilization rates relative to capacity, and include LOS standards in an amended Capital Improvements Element of the comprehensive plan and in the updated interlocal agreement (Section [163.3180\(13\)\(b\)](#), F.S.);

# Implementation of School Concurrency

- Establish a financially feasible Public School Capital Facilities Program and include this program in an amended Capital Improvements Element of the comprehensive plan (Section [163.3180\(13\)\(d\)1.](#), F.S.);
- Establish proportionate-share mitigation methodology and options to be included in the PSFE and the interlocal agreement (Section [163.3180\(13\)\(e\)](#), F.S.);
- Establish public school Concurrency Service Areas (CSAs) to define the geographic boundaries of school concurrency, and include the CSAs in the updated interlocal agreement and in the supporting data and analysis for the comprehensive plan (Sections [163.3180\(13\)\(c\)](#) and [163.3180\(13\)\(g\)\(5\)](#), F.S.).



# Penalties & Deadlines

- Failure to adopt the Public School Facilities Element, to enter into an approved update interlocal agreement, or to amend the comprehensive plan as necessary to implement school concurrency, will subject the local government to being prohibited from adopting comprehensive plan amendments that increase residential density and subjects a school board to funding withholding sanctions equivalent to the available funds for school construction.
- All counties/municipalities must complete Public School Facilities Element adoptions and interlocal agreement updates no later than December 1, 2008.

# ES School Capacities

School/Facility	Enrollment	CSR Perm	CSR Reloc	TOTAL	% Capacity
Apalachee	725	485	142	627	116%
Astoria Park	691	633	36	669	103%
Brevard	380	695	0	695	55%
Buck Lake	842	595	250	845	100%
Canopy Oaks	768	777	0	777	99%
Chaires	739	704	80	784	94%
Desoto Trail	624	617	32	649	96%
Ft. Braden	616	680	0	680	91%
Gilchrist	888	673	248	921	96%
Hartsfield	631	597	36	633	100%
Hawks Rise	901	796	80	876	103%
Killearn Lakes	886	571	276	847	105%
Moore	658	691	22	713	92%
Oak Ridge	514	659	18	677	76%
Pineview	533	595	0	595	90%
Riley	379	605	0	605	63%



# ES School Capacities

School/Facility	Enrollment	CSR Perm	CSR Reloc	TOTAL	% Capacity
Roberts	733	764	0	764	96%
Ruediger	530	633	0	633	84%
Sabal Palm	604	709	44	753	80%
Sealey	567	557	40	597	95%
Springwood	639	589	44	633	101%
Sullivan	736	699	174	873	84%
Wesson/Bond	603	418	348	766	79%
Woodville	497	489	72	561	89%
ES Subtotal	15,684	15,231	1942	17,173	91%

# MS School Capacities

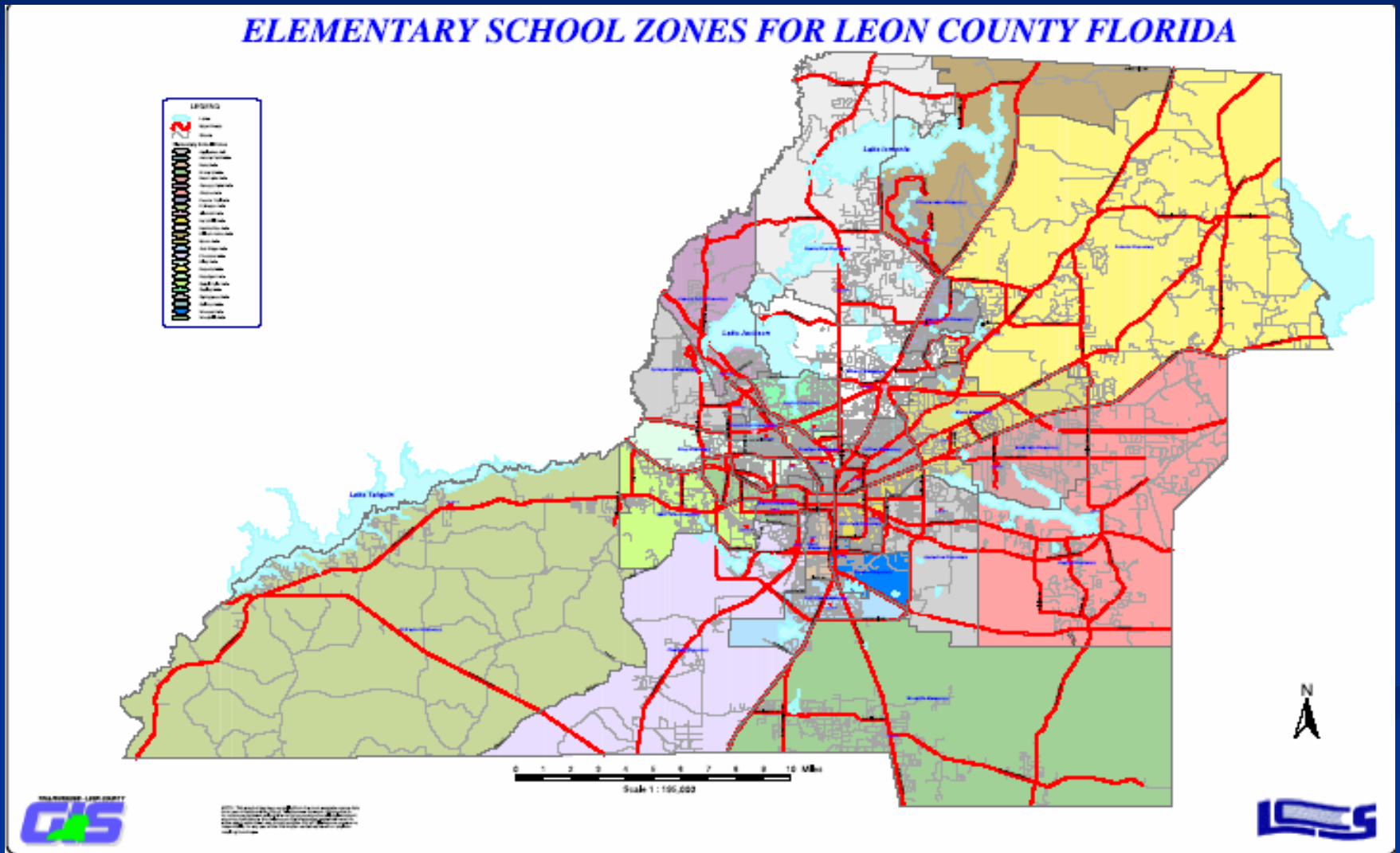
School/Facility	Enrollment	CSR Perm	CSR Reloc	TOTAL	% Capacity
Belle Vue	576	741	0	741	78%
Cobb	922	901	0	901	102%
Deerlake	1369	944	297	1241	110%
Fairview	845	869	79	948	89%
Griffin	711	849	0	849	84%
Nims	419	932	20	952	44%
Raa	892	960	0	960	93%
Swift Creek	998	944	99	1043	96%
MS Subtotal	6732	7140	495	7635	88%

# HS School Capacities

School/Facility	Enrollment	CSR Perm	CSR Reloc	TOTAL	% Capacity
Chiles	1979	1673	213	1886	105%
Godby	1233	1810	105	1915	64%
Leon	1870	1789	180	1969	95%
Lincoln	2010	1674	362	2036	99%
Rickards	1197	1688	118	1806	66%
SAIL	317	115	130	245	129%
HS Subtotal	8289	8634	978	9612	86%
District Totals*	30705	31005	3415	34420	89%



<http://www.tlccgis.org/schools/elementary2001.pdf>

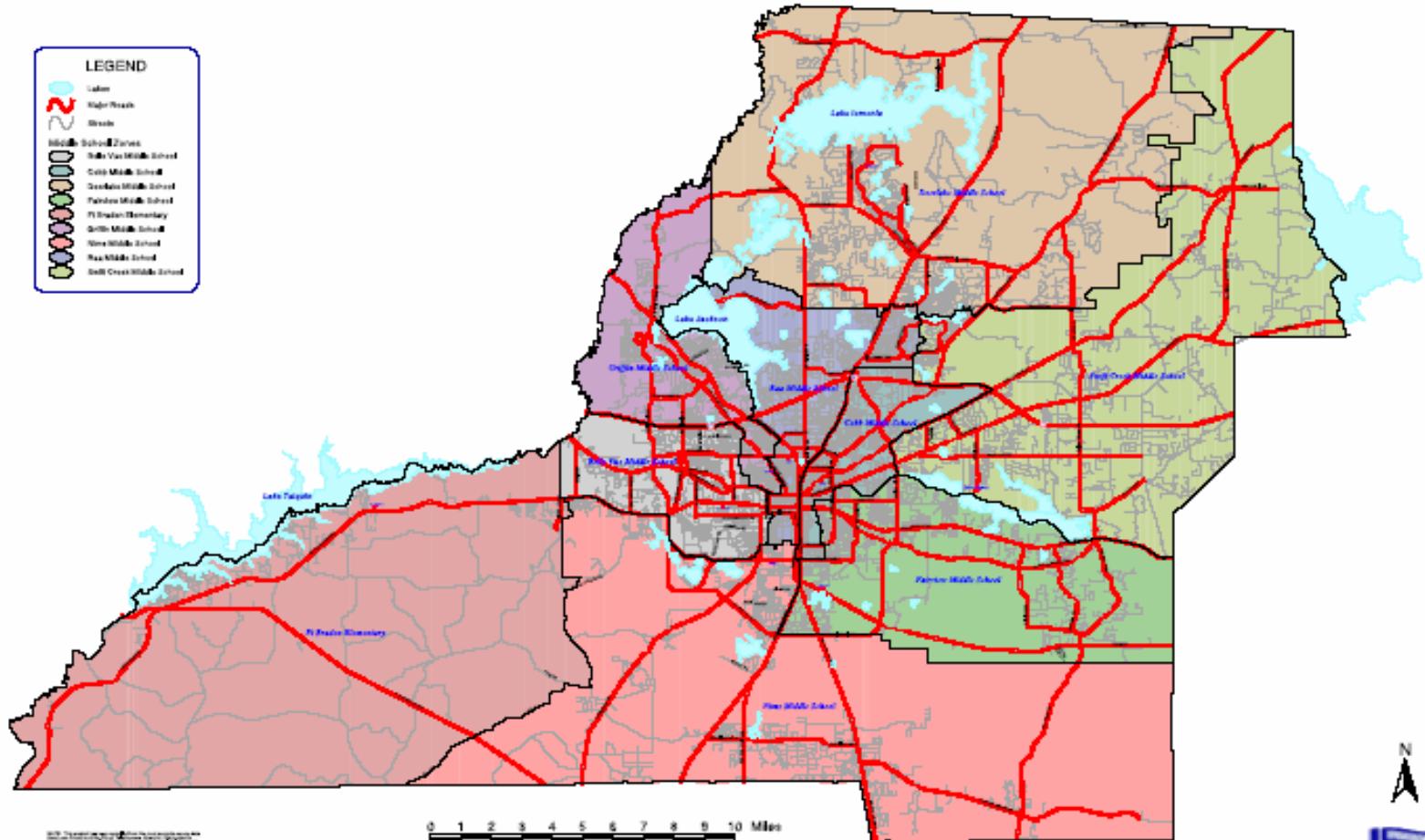


<http://www.tlccgis.org/schools/middle2001.pdf>

## MIDDLE SCHOOL ZONES FOR LEON COUNTY FLORIDA

**LEGEND**

- Lakes
- Highways
- Streets
- Middle School Zones
- Yule Middle School
- Collins Middle School
- Greenwood Middle School
- Panama Middle School
- W. Jackson Elementary
- Griffin Middle School
- New Middle School
- New Middle School
- Bill Green Middle School



Copyright 2001 by Tallahassee-Lake County Geographic Information Systems  
All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Tallahassee-Lake County Geographic Information Systems.

0 1 2 3 4 5 6 7 8 9 10 Miles

Scale 1 : 210,000



<http://www.tlccgis.org/schools/high2001.pdf>

## HIGH SCHOOL ZONES FOR LEON COUNTY FLORIDA

