

Bill No. CS for SB 2474, 1st Eng.

Amendment No. \_\_\_\_

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Lee moved the following amendment to House Amendment 1

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14 **Senate Amendment (with title amendment)**

15 On page 1, line 18, through page 18, line 18, delete

16 those lines

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18 and insert:

19 Section 1. Paragraph (a) of subsection (6) of section

20 163.3177, Florida Statutes, is amended, and subsection (12) is

21 added to said section, to read:

22 163.3177 Required and optional elements of

23 comprehensive plan; studies and surveys.--

24 (6) In addition to the requirements of subsections

25 (1)-(5), the comprehensive plan shall include the following

26 elements:

27 (a) A future land use plan element designating

28 proposed future general distribution, location, and extent of

29 the uses of land for residential uses, commercial uses,

30 industry, agriculture, recreation, conservation, education,

31 public buildings and grounds, other public facilities, and

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1 other categories of the public and private uses of land. The  
2 future land use plan shall include standards to be followed in  
3 the control and distribution of population densities and  
4 building and structure intensities. The proposed  
5 distribution, location, and extent of the various categories  
6 of land use shall be shown on a land use map or map series  
7 which shall be supplemented by goals, policies, and measurable  
8 objectives. Each land use category shall be defined in terms  
9 of the types of uses included and specific standards for the  
10 density or intensity of use. The future land use plan shall  
11 be based upon surveys, studies, and data regarding the area,  
12 including the amount of land required to accommodate  
13 anticipated growth; the projected population of the area; the  
14 character of undeveloped land; the availability of public  
15 services; and the need for redevelopment, including the  
16 renewal of blighted areas and the elimination of nonconforming  
17 uses which are inconsistent with the character of the  
18 community. The future land use plan may designate areas for  
19 future planned development use involving combinations of types  
20 of uses for which special regulations may be necessary to  
21 ensure development in accord with the principles and standards  
22 of the comprehensive plan and this act. The future land use  
23 plan of a county may also designate areas for possible future  
24 municipal incorporation. The land use maps or map series  
25 shall generally identify and depict historic district  
26 boundaries and shall designate historically significant  
27 properties meriting protection. The future land use element  
28 must clearly identify the land use categories in which public  
29 schools are an allowable use. When delineating the land use  
30 categories in which public schools are an allowable use, a  
31 local government shall include in the categories sufficient

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1 land proximate to residential development to meet the  
2 projected needs for schools in coordination with public school  
3 boards and may establish differing criteria for schools of  
4 different type or size. Each local government shall include  
5 lands contiguous to existing school sites, to the maximum  
6 extent possible, within the land use categories in which  
7 public schools are an allowable use. All comprehensive plans  
8 must comply with this paragraph no later than October 1, 1999,  
9 or the deadline for the local government evaluation and  
10 appraisal report, whichever occurs first ~~1996~~. The failure by  
11 a local government to comply with this requirement will result  
12 in the prohibition of the local government's ability to amend  
13 the local comprehensive plan as provided by s. 163.3187(6). An  
14 amendment proposed by a local government for purposes of  
15 identifying the land use categories in which public schools  
16 are an allowable use is exempt from the limitation on the  
17 frequency of plan amendments contained in s. 163.3187. The  
18 future land use element shall include criteria which encourage  
19 the location of schools proximate to urban residential areas  
20 to the extent possible and shall require that the local  
21 government seek to collocate public facilities, such as parks,  
22 libraries, and community centers, with schools to the extent  
23 possible.

24 (12) A public school facilities element adopted to  
25 implement a school concurrency program shall meet the  
26 requirements of this subsection.

27 (a) A public school facilities element shall be based  
28 upon data and analyses that address, among other items, how  
29 level of service standards will be achieved and maintained.  
30 Such data and analyses must include, at a minimum, such items  
31 as: the 5-year school district facilities work program adopted

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1 pursuant to s. 235.185; the educational plant survey and an  
2 existing educational and ancillary plant map or map series;  
3 information on existing development and development  
4 anticipated for the next 5 years and the long-term planning  
5 period; an analysis of problems and opportunities for existing  
6 schools and schools anticipated in the future; an analysis of  
7 opportunities to collocate future schools with other public  
8 facilities such as parks, libraries, and community centers; an  
9 analysis of the need for supporting public facilities for  
10 existing and future schools; an analysis of opportunities to  
11 locate schools to serve as community focal points; projected  
12 future population and associated demographics, including  
13 development patterns year by year for the upcoming 5-year and  
14 long-term planning periods; and anticipated educational and  
15 ancillary plants with land area requirements.

16 (b) The element shall contain one or more goals which  
17 establish the long-term end toward which public school  
18 programs and activities are ultimately directed.

19 (c) The element shall contain one or more objectives  
20 for each goal, setting specific, measurable, intermediate ends  
21 that are achievable and mark progress toward the goal.

22 (d) The element shall contain one or more policies for  
23 each objective which establish the way in which programs and  
24 activities will be conducted to achieve an identified goal.

25 (e) The objectives and policies shall address items  
26 such as: the procedure for an annual update process; the  
27 procedure for school site selection; the procedure for school  
28 permitting; provision of supporting infrastructure; location  
29 of future school sites so they serve as community focal  
30 points; measures to ensure compatibility of school sites and  
31 surrounding land uses; coordination with adjacent local

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1 governments and the school district on emergency preparedness  
2 issues; and coordination with the future land use element.

3 (f) The element shall include one or more future  
4 conditions map which depicts the anticipated location of  
5 educational and ancillary plants. The map will of necessity be  
6 general for the long-term planning period and more specific  
7 for the 5-year period.

8 Section 2. Subsection (1) of section 163.3180, Florida  
9 Statutes, is amended, and subsections (12) and (13) are added  
10 to said section, to read:

11 163.3180 Concurrency.--

12 (1)(a) Roads, sanitary sewer, solid waste, drainage,  
13 potable water, parks and recreation, and mass transit, where  
14 applicable, are the only public facilities and services  
15 subject to the concurrency requirement on a statewide basis.  
16 Additional public facilities and services may not be made  
17 subject to concurrency on a statewide basis without  
18 appropriate study and approval by the Legislature; however,  
19 any local government may extend the concurrency requirement so  
20 that it applies to additional public facilities within its  
21 jurisdiction.

22 ~~(b) If a local government elects to extend the~~  
23 ~~concurrency requirement to public schools, it should first~~  
24 ~~conduct a study to determine how the requirement would be met~~  
25 ~~and shared by all affected parties. The local government shall~~  
26 ~~provide an opportunity for full participation in this study by~~  
27 ~~the school board. The state land planning agency may provide~~  
28 ~~technical assistance to local governments that study and~~  
29 ~~prepare for extension of the concurrency requirement to public~~  
30 ~~schools. When establishing concurrency requirements for public~~  
31 ~~schools, a local government shall comply with the following~~

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1 ~~criteria for any proposed plan or plan amendment transmitted~~  
2 ~~pursuant to s. 163.3184(3) after July 1, 1995:~~

3       ~~1. Adopt level of service standards for public schools~~  
4 ~~with the agreement of the school board. Public school~~  
5 ~~level of service standards shall be adopted as part of the~~  
6 ~~capital improvements element in the local government~~  
7 ~~comprehensive plan, which shall contain a financially feasible~~  
8 ~~public school capital facilities program established in~~  
9 ~~conjunction with the school board that will provide~~  
10 ~~educational facilities at an adequate level of service~~  
11 ~~necessary to implement the adopted local government~~  
12 ~~comprehensive plan.~~

13       ~~2. Satisfy the requirement for intergovernmental~~  
14 ~~coordination set forth in s. 163.3177(6)(h)1. and 2.~~

15       (12) School concurrency, if imposed by local option,  
16 shall be established on a districtwide basis and shall include  
17 all public schools in the district and all portions of the  
18 district, whether located in a municipality or an  
19 unincorporated area. The application of school concurrency to  
20 development shall be based upon the adopted comprehensive  
21 plan, as amended. All local governments within a county,  
22 except as provided in paragraph (f), shall adopt and transmit  
23 to the state land planning agency the necessary plan  
24 amendments, along with the interlocal agreement, for a  
25 compliance review pursuant to s. 163.3184(7) and (8). School  
26 concurrency shall not become effective in a county until all  
27 local governments, except as provided in paragraph (f), have  
28 adopted the necessary plan amendments, which together with the  
29 interlocal agreement, are determined to be in compliance with  
30 the requirements of this part. The minimum requirements for  
31 school concurrency are the following:

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1       (a) Public school facilities element.--A local  
2 government shall adopt and transmit to the state land planning  
3 agency a plan or plan amendment which includes a public school  
4 facilities element which is consistent with the requirements  
5 of s. 163.3177(12) and which is determined to be in compliance  
6 as defined in s. 163.3184(1)(b). All local government public  
7 school facilities plan elements within a county must be  
8 consistent with each other as well as the requirements of this  
9 chapter.

10       (b) Level of service standards.--The Legislature  
11 recognizes that an essential requirement for a concurrency  
12 management system is the level of service at which a public  
13 facility is expected to operate.

14           1. Local governments and school boards imposing school  
15 concurrency shall exercise authority in conjunction with each  
16 other to establish jointly an adequate level of service  
17 standards, as defined in rule 9J-5 Florida Administrative  
18 Code, necessary to implement the adopted local government  
19 comprehensive plan, based on data and analysis.

20           2. Public school level of service standards shall be  
21 included and adopted into the capital improvements element of  
22 the local comprehensive plan and shall apply districtwide to  
23 all schools of the same type. Types of schools may include  
24 elementary, middle, and high schools as well as  
25 special-purpose facilities such as magnet schools.

26           3. Local governments and school boards shall have the  
27 option to utilize tiered level of service standards to allow  
28 time to achieve an adequate and desirable level of service as  
29 circumstances warrant.

30       (c) Service areas.--The Legislature recognizes that an  
31 essential requirement for a concurrency system is a

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1 designation of the area within which the level of service will  
 2 be measured when an application for a residential development  
 3 permit is reviewed for school concurrency purposes. This  
 4 delineation is also important for purposes of determining  
 5 whether the local government has a financially feasible public  
 6 school capital facilities program that will provide schools  
 7 which will achieve and maintain the adopted level of service  
 8 standards.

9       1. In order to balance competing interests, preserve  
 10 the constitutional concept of uniformity, and avoid disruption  
 11 of existing educational and growth management processes, local  
 12 governments are encouraged to apply school concurrency to  
 13 development on a districtwide basis so that a concurrency  
 14 determination for a specific development will be based upon  
 15 the availability of school capacity districtwide.

16       2. For local governments applying school concurrency  
 17 on a less than districtwide basis, such as utilizing school  
 18 attendance zones or larger school concurrency service areas,  
 19 local governments and school boards shall have the burden to  
 20 demonstrate that the utilization of school capacity is  
 21 maximized to the greatest extent possible in the comprehensive  
 22 plan and amendment, taking into account transportation costs  
 23 and court-approved desegregation plans, as well as other  
 24 factors. In addition, in order to achieve concurrency within  
 25 the service area boundaries selected by local governments and  
 26 school boards, the service area boundaries, together with the  
 27 standards for establishing those boundaries, shall be  
 28 identified, included, and adopted as part of the comprehensive  
 29 plan. Any subsequent change to the service area boundaries  
 30 for purposes of a school concurrency system shall be by plan  
 31 amendment and shall be exempt from the limitation on the

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1 frequency of plan amendments in s. 163.3187(1).

2 3. Where school capacity is available on a  
3 districtwide basis but school concurrency service is applied  
4 on a less than districtwide basis in the form of concurrency  
5 services areas, if the adopted level of service standard  
6 cannot be met in a particular service area as applied to an  
7 application for a development permit and if the needed  
8 capacity for the particular service area is available in one  
9 or more contiguous service areas as adopted by the local  
10 government, then the development order shall be issued and  
11 mitigation measures shall not be exacted.

12 (d) Financial feasibility.--The Legislature recognizes  
13 that financial feasibility is an important issue because the  
14 premise of concurrency is that the public facilities will be  
15 provided in order to achieve and maintain the adopted level of  
16 service standard. This part and chapter 9J-5, Florida  
17 Administrative Code, contain specific standards to determine  
18 the financial feasibility of capital programs. These standards  
19 were adopted to make concurrency more predictable and local  
20 governments more accountable.

21 1. A comprehensive plan amendment seeking to impose  
22 school concurrency shall contain appropriate amendments to the  
23 capital improvements element of the comprehensive plan,  
24 consistent with the requirements of s. 163.3177(3) and rule  
25 9J-5.016, Florida Administrative Code. The capital  
26 improvements element shall set forth a financially feasible  
27 public school capital facilities program, established in  
28 conjunction with the school board, that demonstrates that the  
29 adopted level of service standards will be achieved and  
30 maintained.

31 2. Such amendments shall demonstrate that the public

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1 school capital facilities program meets all of the financial  
2 feasibility standards of this part and chapter 9J-5, Florida  
3 Administrative Code, that apply to capital programs which  
4 provide the basis for mandatory concurrency on other public  
5 facilities and services.

6 3. When the financial feasibility of a public school  
7 capital facilities program is evaluated by the state land  
8 planning agency for purposes of a compliance determination,  
9 the evaluation shall be based upon the service areas selected  
10 by the local governments and school board.

11 (e) Availability standard.--Consistent with the public  
12 welfare, a local government may not deny a development permit  
13 authorizing residential development for failure to achieve and  
14 maintain the level of service standard for public school  
15 capacity in a local-option school concurrency system where  
16 adequate school facilities will be in place or under actual  
17 construction within 3 years after permit issuance.

18 (f) Intergovernmental coordination.--

19 1. When establishing concurrency requirements for  
20 public schools, a local government shall satisfy the  
21 requirements for intergovernmental coordination set forth in  
22 s. 163.3177(6)(h)1. and 2., except that a municipality is not  
23 required to be a signatory to the interlocal agreement  
24 required by s. 163.3177(6)(h)2. as a prerequisite for  
25 imposition of school concurrency, and as a nonsignatory shall  
26 not participate in the adopted local school concurrency  
27 system, if the municipality meets all of the following  
28 criteria for having no significant impact on school  
29 attendance:

30 a. The municipality has issued development orders for  
31 fewer than 50 residential dwelling units during the preceding

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1 5 years, or the municipality has generated fewer than 25  
2 additional public school students during the preceding 5  
3 years.

4 b. The municipality has not annexed new land during  
5 the preceding 5 years in land use categories which permit  
6 residential uses that will affect school attendance rates.

7 c. The municipality has no public schools located  
8 within its boundaries.

9 d. At least 80 percent of the developable land within  
10 the boundaries of the municipality has been built upon.

11 2. A municipality which qualifies as having no  
12 significant impact on school attendance pursuant to the  
13 criteria of subparagraph 1. must review and determine at the  
14 time of its evaluation and appraisal report pursuant to s.  
15 163.3191 whether it continues to meet the criteria. If the  
16 municipality determines that it no longer meets the criteria,  
17 it must adopt appropriate school concurrency goals,  
18 objectives, and policies in its plan amendments based on the  
19 evaluation and appraisal report, and enter into the existing  
20 interlocal agreement required by s. 163.3177(6)(h)2., in order  
21 to fully participate in the school concurrency system. If  
22 such a municipality fails to do so, it will be subject to the  
23 enforcement provisions of s. 163.3191.

24 (g) Interlocal agreement for school concurrency.--When  
25 establishing concurrency requirements for public schools, a  
26 local government must enter into an interlocal agreement which  
27 satisfies the requirements in s. 163.3177(6)(h)1. and 2. and  
28 the requirements of this subsection. The interlocal agreement  
29 shall acknowledge both the school board's constitutional and  
30 statutory obligations to provide a uniform system of free  
31 public schools on a countywide basis, and the land use



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1 and joint approval by each local government and the school  
2 board of a public school capital facilities program which is  
3 financially feasible, and a process and schedule for  
4 incorporation of the public school capital facilities program  
5 into the local government comprehensive plans on an annual  
6 basis.

7 6. Define the geographic application of school  
8 concurrency. If school concurrency is to be applied on a less  
9 than districtwide basis in the form of concurrency service  
10 areas, the agreement shall establish criteria and standards  
11 for the establishment and modification of school concurrency  
12 service areas. The agreement shall also establish a process  
13 and schedule for the mandatory incorporation of the school  
14 concurrency service areas and the criteria and standards for  
15 establishment of the service areas into the local government  
16 comprehensive plans. The agreement shall ensure maximum  
17 utilization of school capacity, taking into account  
18 transportation costs and court-approved desegregation plans,  
19 as well as other factors. The agreement shall also ensure the  
20 achievement and maintenance of the adopted level of service  
21 standards for the geographic area of application throughout  
22 the 5 years covered by the public school capital facilities  
23 plan and thereafter by adding a new fifth year during the  
24 annual update.

25 7. Establish a uniform districtwide procedure for  
26 implementing school concurrency which provides for:

27 a. The evaluation of development applications for  
28 compliance with school concurrency requirements;

29 b. An opportunity for the school board to review and  
30 comment on the effect of comprehensive plan amendments and  
31 rezonings on the public school facilities plan; and

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1           c. The monitoring and evaluation of the school  
2 concurrency system.

3           8. Include provisions relating to termination,  
4 suspension and amendment of the agreement. The agreement  
5 shall provide that if the agreement is terminated or  
6 suspended, the application of school concurrency shall be  
7 terminated or suspended.

8           (13) The state land planning agency shall, by October  
9 1, 1998, adopt by rule minimum criteria for the review and  
10 determination of compliance of a public school facilities  
11 element adopted by a local government for purposes of  
12 imposition of school concurrency.

13           Section 3. Paragraph (i) is added to subsection (2) of  
14 section 163.3191, Florida Statutes, to read:

15           163.3191 Evaluation and appraisal of comprehensive  
16 plan.--

17           (2) The report shall present an assessment and  
18 evaluation of the success or failure of the comprehensive  
19 plan, or element or portion thereof, and shall contain  
20 appropriate statements (using words, maps, illustrations, or  
21 other forms) related to:

22           (i) The coordination of the comprehensive plan with  
23 existing public schools and those identified in the applicable  
24 5-year school district facilities work program adopted  
25 pursuant to s. 235.185. The assessment shall address, where  
26 relevant, the success or failure of the coordination of the  
27 future land use map and associated planned residential  
28 development with public schools and their capacities, as well  
29 as the joint decisionmaking processes engaged in by the local  
30 government and the school board in regard to establishing  
31 appropriate population projections and the planning and siting

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1 of public school facilities. If the issues are not relevant,  
2 the local government shall demonstrate that they are not  
3 relevant.

4 Section 4. Subsection (5) is added to section 235.185,  
5 Florida Statutes, as created by chapter 97-384, Laws of  
6 Florida, to read:

7 235.185 School district facilities work program;  
8 definitions; preparation, adoption, and amendment; long-term  
9 work programs.--

10 (5) 10-YEAR AND 20-YEAR WORK PROGRAMS.--In addition to  
11 the adopted district facilities work program covering the  
12 5-year work program, the district school board shall adopt  
13 annually a 10-year and a 20-year work program which include  
14 the information set forth in subsection (2), but based upon  
15 enrollment projections and facility needs for the 10-year and  
16 20-year periods. It is recognized that the projections in the  
17 10-year and 20-year timeframes are tentative and should be  
18 used only for general planning purposes.

19 Section 5. Subsection (1) of section 235.19, Florida  
20 Statutes, is amended to read:

21 235.19 Site planning and selection.--

22 (1) Before acquiring property for sites, each board  
23 shall determine the location of proposed educational centers  
24 or campuses for the board. In making this determination, the  
25 board shall consider existing and anticipated site needs and  
26 the most economical and practicable locations of sites. The  
27 board shall coordinate with the long-range or comprehensive  
28 plans of local, regional, and state governmental agencies to  
29 assure the compatibility of such plans with site planning.  
30 Boards are encouraged to locate schools proximate to urban  
31 residential areas to the extent possible, and shall seek to

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1 collocate schools with other public facilities, such as parks,  
2 libraries, and community centers, to the extent possible.

3 Section 6. Subsection (2) of section 235.193, Florida  
4 Statutes, is amended to read:

5 235.193 Coordination of planning with local governing  
6 bodies.--

7 (2) A school board and the local governing body must  
8 share and coordinate information related to existing and  
9 planned public school facilities; proposals for development,  
10 redevelopment, or additional development; and infrastructure  
11 required to support the public school facilities, concurrent  
12 with proposed development. A school board shall use Department  
13 of Education enrollment projections when preparing the 5-year  
14 district facilities work program pursuant to s. 235.185, and a  
15 school board shall affirmatively demonstrate in the  
16 educational facilities report consideration of local  
17 governments' population projections to ensure that the 5-year  
18 work program not only reflects enrollment projections but also  
19 considers applicable municipal and county growth and  
20 development projections. A school board is precluded from  
21 siting a new school in a jurisdiction where the school board  
22 has failed to provide the annual educational facilities report  
23 for the prior year required pursuant to s. 235.194 unless the  
24 failure is corrected.

25 Section 7. Until the minimum criteria for a public  
26 school facilities element adopted for purposes of imposition  
27 of school concurrency, as required by section 163.3180(13),  
28 Florida Statutes, are in effect, the state land planning  
29 agency shall utilize the minimum criteria for a public school  
30 facilities element adopted for purposes of imposition of  
31 school concurrency contained in the Final Report and Consensus

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1 Text by the Department of Community Affairs Public School  
2 Construction Working Group, dated March 9, 1998, in any  
3 compliance review of any such element.

4           Section 8. Any county whose adopted public school  
5 facilities element is the subject of a final order entered by  
6 the Administration Commission prior to the effective date of  
7 this act may implement its public school facilities element in  
8 accordance with the general law concerning public school  
9 facilities concurrency in effect when the final order was  
10 entered and in accord with the final order consistent with any  
11 appellate court decision. The county shall comply with the  
12 requirements of the final order, consistent with any appellate  
13 decision, in implementing its public school facilities element  
14 and in adopting any necessary amendment to its comprehensive  
15 plan.

16           Section 9. This act shall take effect July 1, 1998.

17  
18

19 ===== T I T L E   A M E N D M E N T =====

20 And the title is amended as follows:

21           On page 18, line 26, through page 21, line 28, delete  
22 those lines

23

24 and insert:

25                           A bill to be entitled  
26           An act relating to planning for educational  
27           facilities; amending s. 163.3177, F.S.;  
28           requiring that the future land use element of a  
29           local government's comprehensive plan include  
30           certain criteria relating to location of  
31           schools; specifying the date by which such

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1 plans must comply and providing effect of  
2 noncompliance; providing requirements with  
3 respect to the data and analyses on which a  
4 public school facilities element should be  
5 based; providing for goals, objectives, and  
6 policies; providing for a future conditions  
7 map; amending s. 163.3180, F.S.; revising  
8 requirements for imposition of a school  
9 concurrency requirement by a local government  
10 and for the local government comprehensive plan  
11 or plan amendment to implement such  
12 requirement; requiring a public schools  
13 facilities element; providing requirements for  
14 level of service standards; providing  
15 requirements for designation of service areas;  
16 providing requirements with respect to  
17 financial feasibility; specifying an  
18 availability standard; requiring that  
19 intergovernmental coordination requirements be  
20 satisfied and providing that certain  
21 municipalities are not required to be a  
22 signatory of the required interlocal agreement;  
23 providing duties of such municipalities to  
24 evaluate their status and enter into the  
25 interlocal agreement when required, and  
26 providing effect of failure to do so; providing  
27 requirements for an interlocal agreement;  
28 directing the state land planning agency to  
29 adopt by rule minimum criteria for review and  
30 determination of compliance of a public schools  
31 facilities element; amending s. 163.3191, F.S.;

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1 providing that the local planning agency's  
2 periodic report on the comprehensive plan shall  
3 assess the coordination of the plan with public  
4 schools; amending s. 235.185, F.S.; directing  
5 school boards to adopt annually 10-year and  
6 20-year work programs in addition to the  
7 required 5-year district facilities work  
8 program; amending s. 235.19, F.S.; providing a  
9 directive to school boards with respect to  
10 school location; amending s. 235.193, F.S.;

11 providing requirements for the 5-year district  
12 facilities work program with respect to  
13 enrollment and population projections;  
14 precluding the siting of new schools in certain  
15 jurisdictions; providing for interim use of  
16 certain criteria and guidelines by the state  
17 land planning agency in compliance review of a  
18 school concurrency system; providing an  
19 alternative concurrency system for counties  
20 subject to final order by the Administration  
21 Commission; providing an effective date.

22

23 WHEREAS, the Legislature recognizes the need to  
24 determine educational facility needs as Florida continues to  
25 grow, and the need to ensure that local school districts have  
26 adequate funds to finance needed educational facilities, and

27 WHEREAS, the Legislature recognizes that the state has  
28 an interest in school concurrency because public education is  
29 a state responsibility and because of the role of the state in  
30 the administration of statewide growth management policy, and

31 WHEREAS, the Legislature recognizes that state policy

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1 on school concurrency is incomplete, and

2 WHEREAS, it is the intent of the Legislature that local  
3 governments retain the authority to impose school concurrency  
4 on a local option basis within clearly defined parameters  
5 established by the state in statutes and rules, and

6 WHEREAS, it is the intent of the Legislature to  
7 increase predictability and minimize conflict and litigation  
8 in local governments which choose to impose school  
9 concurrency, and

10 WHEREAS, it is the intent of the Legislature that  
11 school concurrency, where implemented, should improve the  
12 state's educational system as well as advance the state's  
13 integrated planning and growth management system, NOW,

14 THEREFORE,

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