

TEXT AMENDMENT #: PCT100206

APPLICANT: Tallahassee-Leon County Planning Department

TEXT / POLICY I.D.: Public School Facilities Element, pp. XI-a to XI-o (data & analysis), and Maps 1, 2, and 3

CITY X COUNTY X

DATE: December 29, 2009

STAFF RECOMMENDATION: Staff recommends approval. (D.L.)

A. SUMMARY:

This proposed amendment deletes the out-of-date and not required adopted data and analysis section in the Public School Facilities Element (PSFE) containing background information on school capacity and student enrollment. The proposed amendment also deletes outdated PSFE Maps 1, 2, and 3, depicting elementary, middle, and high school zones by concurrency capacity (*see Attachment 1*).

B. REASONS FOR RECOMMENDATION FOR APPROVAL:

1. The material is outdated and not required by statute.
2. PSFE Policy 1.1.3 acknowledges and accommodates changes to the school attendance zones by the School Board in relation to school concurrency.
3. Neither the City Commission nor the County Commission possesses the authority to modify the School District's school attendance zones.

C. EXISTING TEXT:

Public School Facilities Element, pp. XI-a to XI-o (data & analysis), and Maps 1, 2, and 3.

D. PROPOSED TEXT:

None. Delete Public School Facilities Element, pp. XI-a to XI-o (data & analysis), and Maps 1, 2, and 3.

E. APPLICANT'S REASON FOR THE AMENDMENT:

The data and analysis section is not required to be in the Comprehensive Plan by statute or rule, and some material is now outdated.

F. STAFF ANALYSIS:*Background*

In 2005, legislation mandated that the availability of public schools be made a prerequisite for the approval of residential construction and directed a closer integration of planning for school capacity with comprehensive planning. In 2006, the City of Tallahassee, Leon County, and the Leon County School Board adopted the Public School Concurrency and Facility Planning Interlocal Agreement (ILA) as a required precursor to the mandatory Public School Facilities Element (PSFE). The PSFE became effective June 6, 2008. The practical effect of the adopted interlocal agreement and the PSFE has been the blending of policy statements affecting public school development by the School Board and the City and County Commissions. As a result, the City and County Commissions have become more involved in School Board decisions concerning the planning, funding, location, and construction of schools and in the allocation of school capacity. And, the School Board has had more input, and to some extent, control over growth and development location and allocations.

Purpose of proposed amendment

The requirements of the PSFE are established by §163.3177(12), F.S., and implemented by Rule 9J-5.025, F.A.C. These requirements do not compel adoption of data and analysis. Since adoption of the PSFE has been a relatively new statutory requirement, there was uncertainty from DCA and DOE over the role of the data and analysis section with the goals, objectives, and policies. The purpose of the proposed amendment is to improve clarity of the PSFE by removing material not required by statute as well as outdated information and by-product maps.

Consistency with the Comprehensive Plan

Maps 1, 2, and 3 were adopted pursuant to Rule 9J-5.025(4)(a) and (c), F.A.C. However, the adopted maps are outdated. Since adoption of these maps, the School District has opened Conley E.S. and Montford M.S., closed Belle Vue M.S., and redistricted elementary and middle school zones accordingly.

In addition to the goals, objectives, and policies, the PSFE must include one or more future conditions maps which generally depict the anticipated location of educational and ancillary plants anticipated over the five-year and long-term planning period, and depict the anticipated location of educational and ancillary plants, including the general location of improvements to existing schools or new schools anticipated over

the 5-year or long-term planning period. The future conditions map is being retained in the Comprehensive Plan.

Neither the City Commission nor the County Commission possesses the authority to modify the School District's school attendance zones. School attendance zone maps are produced and maintained by the Leon County Schools Planning/Policy Department and hosted by the Tallahassee-Leon County GIS at <http://www.tlclgis.org/schoolzonemaps.htm>. Therefore, school attendance zone maps adopted into the Comprehensive Plan are derivative reference maps rather than original policy maps and generally become outdated within the year as attendance zone boundaries are changed by the School Board, in accordance with its statutory mandate.

PSFE Policy 1.1.3 states: "School Concurrency Service Areas shall be coterminous with the school attendance zones for each school, as adjusted by the School Board." The policy acknowledges and accommodates changes to the school attendance zones made beyond the control of the City or County Commissions.

The School District has an established process for modifying school attendance zones. This procedure was recently implemented for the closure of Belle Vue Middle School. Pursuant to §4.2 of the ILA, the staff Work Group issued a report to the School Coordinating Committee summarizing the School Board's determination of the need for the closure. In March 2009, Superintendent Pons appointed the Middle School Rezoning Committee to evaluate the existing school attendance zones and determine how best to create new school attendance zones to serve the students of Belle Vue Middle School.

G. CONCLUSION:

Based on the above data and analysis, Planning Department staff recommends approval of the amendment request for the following reasons:

1. The material is outdated and not required by statute.
2. PSFE Policy 1.1.3 acknowledges and accommodates changes to the school attendance zones by the School Board in relation to school concurrency.
3. Neither the City Commission nor the County Commission possesses the authority to modify the School District's school attendance zones.