

# **District School Board of Suwannee County Public School Facilities Planning**



## **Concurrency Implementation Procedures Manual**

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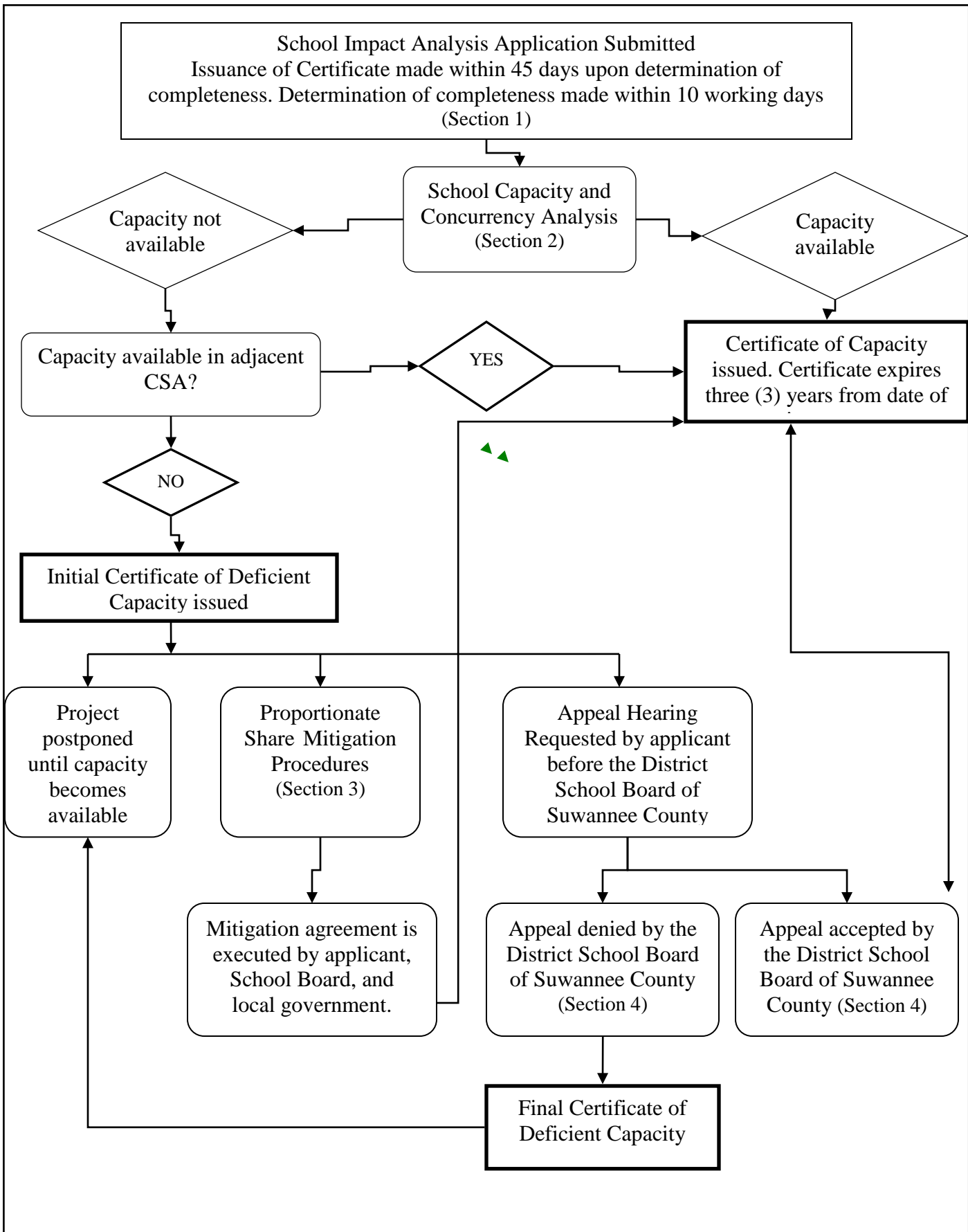
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# INTRODUCTION

This Concurrency Implementation Procedures Manual is intended to provide guidelines and serve as a resource for the development community, local government and District School Board of Suwannee County (School Board) staff in the implementation of public school concurrency. Under the school concurrency process, projects must be reviewed by the School Board's Department of Facilities as a part of local government's developmental review process. This process will determine if sufficient capacity at the adopted level of service is available at elementary, middle and high schools. Generally, a School Impact Analysis Application must be submitted for any project that generates 1 student of any school type (IE: Elementary, Middle, or High-School).

Through the use of this manual, all parties will be aware of the procedures to be followed in the development approval process. The obligations associated with implementing a concurrency management program will put added emphasis on internal coordination within the development community, local government and School Board. The manual is written in sequential order so the reader is aware of the steps involved in the process. The flowchart is placed at the beginning of the manual to give the reader the overall view of the process.

# School Concurrency Implementation Flowchart



# SECTION 1:

## Application Procedure

Prior to a local government considering approval of a residential development site plan or preliminary residential subdivision plat, the applicant must submit to the School Board's Department of Facilities a School Impact Analysis Application. The School Impact Analysis Application is used to determine if a development will meet an exemption or the availability of capacity for a proposed project.

- The School Impact Analysis Application must include:
  - 1) The general location of the project;
  - 2) The proposed number and type of dwelling units (single-family detached, multi-family and/or mobile home);
  - 3) The project phasing schedule in three year increments, which at a minimum lists the number of units and corresponding year to be built;
  - 4) Parcel ID number(s) and acreage;
  - 5) Location map of the project and adjacent properties in a one mile vicinity;
  - 6) Aerial photograph of the project site;
  - 7) Other criteria deemed necessary for complete review.
- A determination of completeness will take place within 10 working days of receipt of the application.
- If an application is incomplete, notice will be provided to both the applicant and the local government, specifying the additional required information which was missing. The 45-day review period will not be initiated until a complete application has been received.
- Once a complete application is received, determinations will be completed within 45 calendar days.
- **Exemptions:** If a proposed project is anticipated to be exempt, (refer to appropriate entity's criteria regarding land development for specific exemptions), the applicant may request a letter of exemption for the project. This request shall be made through the School Impact Analysis Application. If the development is eligible for an exemption, the difference in the application fee amount will be refunded to the applicant within the same time-frame as the determination.
- If capacity is available, the School Board's Department of Facilities will prepare a Capacity Determination Analysis and a Certificate of Capacity.

## SECTION 2:

### School Capacity and Concurrency Analysis Procedure

When an application has been deemed complete, the School Board's Department of Facilities will prepare: a Capacity Determination Analysis and Certificate of Capacity, a Letter of Exemption, or a Capacity Determination Analysis and an Initial Certificate of Deficient Capacity; which contains the following information:

1. Number of students reserved for each school type (Elementary, Middle, and High-School).
  2. Issuance date of the Certificate of Capacity or Initial Certificate of Deficient Capacity.
  3. The specific school facilities impacted by the proposed project.
  4. The number and type (Elementary, Middle, High-School) of students generated by the project.
  5. The impact generated by the proposed project by school type on those schools and the corresponding concurrency service areas (CSA's).
  6. An analysis of the existing capacity at the impacted schools and the capacity in the third year of the corresponding CSA at the adopted Level of Service (LOS).
- If adequate capacity at the adopted LOS exists to serve the proposed project, a Certificate of Capacity and a Capacity Determination Analysis indicating available capacity will be issued.
  - If capacity at the adopted LOS is not available for one or more school type(s) within the CSA('s) serving the proposed project's projected student population, all adjacent CSA's, if need be, will be reviewed for available capacity at each school type as applicable.
  - If adequate capacity at the adopted level of service exists to serve the proposed project in one or more adjacent CSA's, a Certificate of Capacity and a Capacity Determination Analysis, indicating available capacity in the applicable CSA, will be issued.
  - If adequate capacity at the adopted level of service does not exist within the CSA serving the proposed project's projected students or in adjacent CSAs, an Initial Certificate of Deficient Capacity and a Capacity Determination Analysis will be issued.
  - If an Applicant disagrees with the Initial Certificate of Deficient Capacity, the applicant may request an appeal hearing before the School Board pursuant to Section 12.4 (f) of the Amended and Restated Interlocal Agreement and Section 4 of this Manual. Such request must be submitted within ten working days, per the ILA 12.4(f), of the date of the delivery receipt of the Initial Certificate of Deficient capacity.

- The applicable local government shall receive a copy of all Certificates of Capacity, Initial Certificates of Deficient Capacity and/or Final Certificates of Deficient Capacity.
- The Certificate of Capacity will be valid for three years from the date of issuance. See Section 6 for procedures related to expiration and extension of the Certificate of Capacity.
- If an increase in dwelling units is made to the project within the three year validation period, the Certificate will be void and an additional School Impact Analysis Application must be submitted.

## **SECTION 3**

### **Proportionate Share Mitigation Procedures**

Upon issuance of an Initial Certificate of Deficient Capacity, the Applicant may elect to enter into a forty-five (45) calendar day negotiation period with the School Board in an effort to mitigate the impact from the project through the creation of additional school capacity.

The Applicant, School Board and applicable local government are required to enter into an enforceable and binding agreement in order for the applicant to provide for proportionate share mitigation based upon the Proportionate Share Mitigation Procedures set forth in Section 13 of the Amended and Restated Interlocal Agreement.

Upon conclusion of the negotiation period, if the Proportionate Share Mitigation has been identified and agreed to in an enforceable and binding agreement with the Local Government, the School Board and the Applicant, consistent with the applicable Land Development Regulations governing development agreements, if any, the School Board shall issue a Certificate of Capacity.

The Certificate of Capacity will be valid for three years from the date of issuance. See Section 6 for procedures related to expiration and extension of the Certificate of Capacity.

## **SECTION 4**

### **APPEALS**

If an Applicant disagrees with the Initial Certificate of Deficient Capacity, and does not wish to enter into a forty-five (45) day negotiation period, the applicant may request a hearing before the School Board. Such request must be submitted within ten (10) days of the date of the delivery receipt of the Initial Certificate of Deficient capacity. The School Board must hold such hearing within thirty days (30) of the receipt of the request for the hearing. An Initial Certificate of Deficient Capacity shall not be considered final agency action until same has been upheld by the School Board after the hearing described in this manual and/or appropriate sections of the Amended and Restated Interlocal Agreement, or until the time to request such a hearing has expired. If the School Board, after the hearing, agrees with the Initial Certificate of Deficient Capacity, the School Board, Facilities Department shall issue a Final Certificate of Deficient Capacity. If no request for a

hearing before the School Board is made within the time prescribed in this section, the Initial Certificate of Deficient Capacity shall automatically become a Final Certificate of Deficient Capacity. A Final Certificate of Deficient Capacity shall constitute final agency action by the School Board for purposes of Chapter 120, Florida Statutes.

All appeals and requests for hearing must be submitted in writing to the District School Board of Suwannee County, Facilities Department clearly stating the alleged error and providing adequate supporting data, calculations and other evidence to fully document the appellant's case. All appeals shall be accompanied by the required fee. Fees are non-refundable.

## **SECTION 5**

### **Expiration and Extension of Certificate of Capacity**

The applicant will have three (3) years from the date of issuance of the Certificate of Capacity to begin construction. If construction has not begun, the applicant may apply for a one year extension. A specific project is only eligible for one such extension. An extension application must be made prior to the expiration date of the Certificate of Capacity. Construction may take the form of:

- 1) Required site improvements for development or final plat;
- 2) Physical construction of dwelling units, including required permitting;

If the applicant does not apply for an extension prior to the expiration date, the reserved capacity is released and put back into the CSA pool. The applicant must then reapply and an additional concurrency review including fee will be required.

In cases of an executed mitigation agreement, a new proportionate share agreement may be required if costs, as identified in Section 13 of the Amended and Restated Interlocal Agreement, have increased since the prior proportionate share agreement.

## **SECTION 6**

### **FEES**

The School Board of Suwannee County, in an effort to adequately cover staff costs involved in reviewing applications for concurrency determinations, shall charge a review fee. The establishment of review fees is in accordance with the Amended and Restated Interlocal Agreement for Planning Activities.



## **Concurrency Review Fees**

A non-refundable fee, payable to the **Suwannee County School District**, shall be sent to the Department of Facilities, at the address below, for determination of school concurrency review or any associated review action according to the following schedule:

Concurrency Review	\$500.00
Exemption Determination of Exemption	\$100.00
One-Time One Year Extension to Certificate of Capacity	\$100.00

## **Appeals Fee**

Any appeal of an Initial Certificate of Deficient Capacity, as set forth in Section 4, shall be accompanied by a fee of \$5,000.

Direct all written correspondence to:

Suwannee County School District  
Ethan Butts, Director of Facilities  
1740 Ohio Avenue, South  
Live Oak, Florida 32064

**The School Impact Analysis Application can be found on pages 10-13 of this document. The form should be completed and submitted electronically; a digital copy of this form can be found on the SUWANNEE COUNTY SCHOOL DISTRICT, Facilities Department web-page. This is an interactive form and may be completed and emailed directly from the website.**

**The website is <http://www.suwannee.k12.fl.us>**

# District School Board of Suwannee County Residential Development or Residential Subdivision School Impact Analysis Application

## THIS SECTION TO BE COMPLETED BY APPLICANT

This is an application to determine school concurrency pursuant to Florida Statutes: 163.31777, 1013.33, 163.3180(13)(g); The Amended Inter-Local Agreement for Public School Facility Planning between Suwannee County, The Town of Branford, The City of Live Oak and the School Board of Suwannee County, Florida; and Ordinance #1212 of the City of Live Oak.

Please type or neatly print the responses to each of the following (attach additional pages as needed):

### **I. TITLE HOLDER / OWNER INFORMATION (Considered applicant unless an agent is named)**

NAME:

PROJECT NAME:

EMAIL ADDRESS:

PHONE:

CELL PHONE:

FAX:

BUSINESS ADDRESS:

DO ANY OTHER PERSONS HAVE ANY OWNERSHIP / INTEREST IN THE SUBJECT PROPERTY? ☐ YES

☐ NO

IF YES, PLEASE LIST SUCH PERSONS (attach additional page if necessary).

NAME:

PHONE:

MAILING ADDRESS:

NAME:

PHONE:

MAILING ADDRESS:

**District School Board of Suwannee County  
Residential Development or Residential Subdivision  
School Impact Analysis Application**

ARE YOU REQUESTING A LETTER OF EXEMPTION? ☐ YES ☐ NO

**II. PROPERTY INFORMATION LOCATION AND USE:**

INDICATE ALL OR PART OF  
TAX PARCEL NUMBER:

GENERAL LOCATION  
DESCRIPTION OR 911  
ADDRESS:

LEGAL DESCRIPTION  
(attach tax card / survey /  
documentation as necessary):

ACREAGE / SIZE OF  
PROPERTY  
(use fractions thereof if  
applies):

PRESENT USE  
(Commercial, Industrial,  
Residential, Agricultural,  
Undeveloped, Vacant  
Building, etc):

CURRENT ZONING:

FUTURE LAND USE PLAN  
MAP CATEGORY:

DOES ANY PORTION OF THE PROPERTY FLOOD AFTER HEAVY RAINS OR IS ANY PORTION OF THE  
PROPERTY IN A FLOOD PRONE AREA, AS SHOWN ON ILLUSTRATION A-V OF THE CITY  
COMPREHENSIVE PLAN OR ON FEMA FLOOD MAPS? ☐ YES ☐ NO

HOW WILL THIS PROPERTY RECEIVE (public, private, community, septic, etc.)?

WATER SERVICE:

SEWER SERVICE:

WILL THE PROJECT REQUIRE THE EXTENSION OF PUBLIC ROADS OR RIGHTS-OF-WAY? ☐ YES  
☐ NO

# District School Board of Suwannee County

## Residential Development or Residential Subdivision

### School Impact Analysis Application

WILL THE PROJECT REQUIRE THE EXTENSION OF PUBLIC UTILITIES?

☐ NO

☐ YES

### III. PROJECT DESCRIPTION (Attach site plans or preliminary subdivision plats as necessary)

#### CHECK ALL THAT APPLY:

☐ SUBDIVISION OF A  
PARCEL OF LAND

☐ SINGLE FAMILY DETACHED  
(Conventional)

☐ SINGLE FAMILY ATTACHED  
(Unconventional)

☐ MULTI-FAMILY  
APARTMENTS

☐ MOBILE HOME UNITS OR  
PARKS

PERCENTAGE OF PROJECT

NUMBER OF UNITS


#### DESCRIBE THE ANTICIPATED TIME FRAME FOR:

1. Recording the Plat
2. Selling Lots
3. Leasing Units


#### CONSTRUCTION ON LOTS WILL BE PHASED?

☐ YES ☐ NO

If yes, use three year increments

Single Family Detached Units

Multi-Family Detached Units

Mobile Home Units

Other

Other




# SUWANNEE COUNTY SCHOOL DISTRICT

1740 Ohio Avenue, South

Live Oak, Florida 32064

Ted Roush, Superintendent

(386) 647-4600

Department of Facilities  
Ethan Butts, Director  
1740 Ohio Avenue, South  
Live Oak, FL 32064  
386/647-4158 Fax: 386/330-2128  
e-mail: ethan.butts@suwannee.k12.fl.us

## Certificate of Capacity

Project Information	
Project Name	
Project Location	
Parcel ID Numbers	
Property Owner/Developer	
Applicant	

School Concurrency Reservation			
CSA	Elementary CSA #	Middle CSA #	High CSA #
Reserved Students			
Comments:			


This School Certificate of Capacity shall reserve capacity for the above referenced project and shall confirm said project meets the School Concurrency requirements of Florida Statute 163.3180 and the adopted Interlocal Agreement.

This Concurrency Reservation shall expire three (3) years from date of issuance of this Certificate.

\_\_\_\_\_  
Ethan Butts, Director of Facilities

\_\_\_\_\_  
Issue Date

cc: Vickie Music, Chief Finance Officer

	<b>SUWANNEE COUNTY SCHOOL DISTRICT</b>							
	Serving the Children of Our Community							
	1740 Ohio Avenue, South							
	Live Oak, Florida 32064							
<b>Capacity Determination Analysis</b>								
						Date:		
Project Name:								
Project Location:								
Parcel ID Numbers:								
Property Owner/Developer:								
Applicant:								
		<b>Student Generation Rates</b>			<b>Students Generated</b>			
		<b>Elementary</b>	<b>Middle</b>	<b>High</b>	<b>Elementary</b>	<b>Middle</b>	<b>High</b>	
<b>Housing Unit Type</b>	<b># Units</b>	<b>School</b>	<b>School</b>	<b>School</b>	<b>School</b>	<b>School</b>	<b>School</b>	<b>Totals</b>
Single Family								
Mobile Home								
Multi-Family								
<b>Totals</b>								
	<b>School</b>	<b>Current</b>	<b>Percent of</b>	<b>Enrollment with</b>		<b>Percent of Capacity</b>		
<b>School</b>	<b>Capacity</b>	<b>Enrollment</b>	<b>Capacity</b>	<b>Proposed Development</b>		<b>with Proposed Development</b>		
Suw. Riverside Elem								
Suw. Pineview Elem								
Suw. Springcrest El								
Suw. Middle								
Suw. High								
Branford Elem								
Branford High								
	<b>CSA</b>	<b>CSA Proj</b>	<b>CSA</b>	<b>Projected</b>	<b>Availble</b>	<b>Adjacent</b>	<b>Adjacent</b>	
	<b>Capacity</b>	<b>Enrollment</b>	<b>Available</b>	<b>Impact of</b>	<b>CSA Cap</b>	<b>CSA Avail</b>	<b>CSA Avail</b>	
<b>Concurrency Service Area</b>	<b>3rd Year</b>	<b>3rd Year</b>	<b>Capacity</b>	<b>Project</b>	<b>w Impact</b>	<b>Capacity</b>	<b>Cap w Impact</b>	
Elementary CSA Live Oak								
Middle CSA Live Oak								
High CSA Live Oak								
Elementary CSA Branford								
Middle/High CSA Branford								
2011-2012 Projection of Permanent Space and Students								



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Live Oak, FL 32064  
386/647-4158 Fax: 386/330-2128  
e-mail: ethan.butts@suwannee.k12.fl.us

## Initial Certificate of Deficient Capacity

Project Information	
Project Name	
Project Location	
Parcel ID Numbers	
Property Owner/Developer	
Applicant	

School Concurrency Deficiency			
CSA	Elementary CSA #	Middle CSA #	High CSA #
Students Can Accommodate			
Students Deficient			
Comments:			

This Initial Certificate of Deficient Capacity indicates that there is not sufficient capacity at the adopted Level of Service to handle all of the students that will be generated by this development. The applicant is encouraged to enter into a forty-five (45) day negotiation period with the School Board in an effort to mitigate the impact from this development through the creation of additional school capacity. The forty-five (45) day negotiation period commences on the date of the delivery receipt of this Certificate.

If you disagree with the findings of this Initial Certificate of Deficient Capacity and the attached Capacity Determination Analysis and do not wish to enter into a forty-five (45) day negotiation period, you may request a hearing before the School Board. Such request must be submitted, using the attached Capacity Deficiency Appeals Form, within ten (10) days of the date of the delivery receipt for this Certificate. The School Board must hold such hearing within thirty (30) days of the receipt of the request for the hearing. An Initial Certificate of Deficient Capacity shall not be considered final agency action until same has been upheld by the School Board after hearing described above, or until the time to request such a hearing has expired. If the School Board, after the hearing, agrees with the Initial Certificate of Deficient Capacity, the School Board shall issue a Final Certificate of Deficient Capacity. If no request for a hearing before the School Board is made within the time prescribed above, the Initial Certificate of Deficient Capacity shall automatically become a Final

Certificate of Deficient Capacity. A Final Certificate of Deficient Capacity shall constitute final agency action by the School Board for purposes of Chapter 120, *Florida Statutes*.

Should you have any questions regarding this Certificate please do not hesitate to contact me.  
Thank you.

---

Ethan Butts, Director of Facilities

---

Issue Date

cc: Vickie Music, Chief Finance Officer





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386/647-4158 Fax: 386/330-2128  
e-mail: ethan.butts@Suwannee.k12.fl.us

## Capacity Deficiency Appeals Form

Grounds for an appeal are limited only to disputes as to material facts set forth in the capacity determination and/or failure to follow policies or procedures. An application fee of \$5,000.00 is required at time of submittal of the appeal. This appeals form must be submitted within ten (10) days of receipt of the Initial Certificate of Deficient Capacity.

### Applicant Information:

Name of Person Making Appeal: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Contact Phone Number: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Project Name: \_\_\_\_\_

Brief explanation for this appeal:

Upon submittal of a completed application and fee, a hearing before the School Board will be scheduled within thirty (30) days of the receipt of this form. If the School Board, after the hearing, agrees with the Initial Certificate of Deficient Capacity, the School Board shall issue a Final Certificate of Deficient Capacity. If no request for a hearing before the School Board is made within ten (10) days, the Initial Certificate of Deficient Capacity shall automatically become a Final Certificate of Deficient Capacity. A Final Certificate of Deficient Capacity shall constitute final agency action by the School Board for the purposes of Chapter 120, *Florida Statutes*.

**Please submit this form to the Department of Facilities at the above address.**



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e-mail: ethan.butts@suwannee.k12.fl.us

## Final Certificate of Deficient Capacity

Project Information	
Project Name	
Project Location	
Parcel ID Numbers	
Property Owner/Developer	
Applicant	

School Concurrency Deficiency			
CSA	Elementary CSA #	Middle CSA #	High CSA #
Students Can Accommodate			
Students Deficient			
Comments:			

This Final Certificate of Deficient Capacity indicates that the School Board has held a hearing and has voted to uphold the Initial Certificate of Deficient Capacity issued to you on mm/dd/yyyy. This Final Certificate of Deficient Capacity shall constitute final agency action by the School Board for purposes of Chapter 120, *Florida Statutes*.

This Final Certificate of Deficient Capacity indicates there is not sufficient capacity at the adopted level of service to handle all of the students that will be generated by this development. The applicant is encouraged to enter into a forty-five (45) day negotiation period with the School Board in an effort to mitigate the impact from this development through the creation of additional school capacity. The forty-five (45) day negotiation period commences on the date of the delivery receipt of this Certificate.

Should you have any questions regarding this Certificate please do not hesitate to contact me.  
Thank you.

Ethan Butts, Director of Facilities

Issue Date

cc: Vickie Music, Chief Finance Office



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e-mail: ethan.butts@suwannee.k12.fl.us

## Capacity Extension Form

Grounds for an extension are limited. This extension form must be submitted prior to the expiration date of the Certificate of Capacity.

Applicant Information:

Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Contact Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Project Name: \_\_\_\_\_

Brief explanation for this extension:

Please explain in detail what actions have been taken on the subject property regarding construction (attach documentation as needed)

**Please submit this form to the Department of Facilities at the above address.**