



School Capacity and Concurrency

On January 9, 2012, the Orlando City Council adopted the First Amended and Restated Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency (commonly referred to as the ILA). The ILA provides for a uniform, district-wide public school concurrency management system and includes two review processes: school capacity enhancement (ILA Section 10) and school concurrency (ILA Section 18). A copy of the ILA and the school capacity/concurrency application form are available on the Orange County Public Schools (OCPS) website: <http://planning.ocps.net>

Is the project subject to school capacity enhancement?

School capacity enhancement applies to residential projects that require a future land use map amendment or rezoning to increase the allowable density of the project. A capacity enhancement application must be submitted to the City and OCPS prior to or along with an application for a future land use map amendment or rezoning. A final agreement with OCPS is required prior to the adoption of the future land use and/or rezoning ordinance associated with the application.

Is the project subject to school concurrency?

School concurrency applies to most residential projects. Developments that meet one or more of the criteria in ILA Section 18.2 are exempt from school concurrency review.

For projects that include single family lots or multifamily with fee simple lots (such as a townhome or duplex), an applicant must apply for school concurrency prior to or along with the submission of an application for a preliminary subdivision plat. A final agreement with OCPS is required prior to recording the final subdivision plat and prior to issuance of a building permit.

For projects that include multifamily units on a single lot (typically apartments or condos), an applicant must apply for school concurrency prior to or along with the submission of a master plan. The City has determined that the building permit serves as the "Final Site Plan" described in the ILA. Therefore, a final agreement with OCPS is required prior to issuance of a building permit. An applicant is not required to reserve school capacity at the time of master plan approval, but it is recommended because concurrency applications expire 6 months after submittal. If a reservation is not made, and the concurrency application expires, the applicant will be required to submit a new concurrency application and obtain a final OCPS agreement prior to issuance of a building permit.

How can the number of vested units be determined?

The City determines the school capacity and concurrency vesting status for individual projects. Requests for vesting determinations must be submitted as a Zoning Official Determination Request. Application information is available on the City's website: <http://www.cityoforlando.net/city-planning/planning-and-review-process/application-forms/>

What needs to be submitted to OCPS?

OCPS has an online application process. Fill out the necessary forms and pay the application fee here: https://www2.ocps.net/departments/facilities/departments/facilities_planning/applications_forms/

Questions

For questions regarding the City's review process, please contact your project planner, or Elisabeth Dang, Chief Planner, at 407-246-3408 or elisabeth.dang@cityoforlando.net.

For questions regarding the OCPS review process, please contact Vitonni Jenkins, Planning Technician, at 407-317-3700 ext. 2022395 or vitonni.jenkins@ocps.net.

School Capacity and Concurrency (Cont'd)

ALL APPLICANTS MUST READ AND ACKNOWLEDGE THE FOLLOWING STATEMENT PRIOR TO SUBMITTING A LAND DEVELOPMENT APPLICATION :

School Capacity Acknowledgement

I will submit a school capacity application prior to or along with this application.

I will not submit a school capacity application for the following reason:

The project does not include residential units. However, I understand that if residential units are proposed in the future, they may be subject to school capacity pursuant to the ILA and any other relevant agreements in place at the time of submittal for a residential land development application.

The project includes residential units that are vested or exempt from school capacity. If requested by the City, I will submit appropriate documentation demonstrating their status.

The project includes residential units that are subject to an adopted school capacity agreement. If requested by the City, I will submit appropriate documentation regarding the status of the agreement.

Other. Please explain: _____

School Concurrency Acknowledgement

I will submit a school concurrency application prior to or along with this application.

I will not submit a school concurrency application for the following reason:

The project does not include residential units. However, I understand that if residential units are proposed in the future, they may be subject to school concurrency pursuant to the ILA and any other relevant agreements in place at the time of submittal for a residential land development application.

The project includes residential units that are vested or exempt from school concurrency. If requested by the City, I will submit appropriate documentation demonstrating their status.

The project includes residential units that are subject to an adopted school concurrency agreement. If requested by the City, I will submit appropriate documentation regarding the status of the agreement.

Other. Please explain: _____

Applicant Acknowledgement: _____ **Date:** _____

Planner Acknowledgement: _____ **Date:** _____