

Executive Summary

Resolution No. 14-90, Recommendation to Amend the Broward County Land Development Code to Include Recommendation No. 2 Contained in the Student Generation Rate/School Impact Fee Study, Countywide, Technical Report 1, Dated June 16, 2014

The Second Amended Interlocal Agreement for Public School Facility Planning (SILA) and School Board Policy 1161 require that an update to the Student Generation Rates (SGR) and School Impact Fees (SIF) shall be conducted by the School Board in coordination with Broward County and the Municipalities at least once every three years. In 2010, the Study was updated by a consultant retained by the School Board. Subsequently on November 9, 2010, the School Board, via Resolution No. 11-55, approved recommendations contained in the "School Impact Fee Study" dated October 2010 and recommended that the Broward County Board of County Commissioners (Broward County Commission) should amend the Broward County Land Development Code (BCLDC) to include recommendations contained in the Study.

The Broward County Commission did not accept the recommendations, and cited issues with methodology utilized in generating the Study as the reason for the rejection. Subsequently, at its June 15, 2011 meeting, the Oversight Committee for the implementation of the SILA concluded that the School Board satisfied its obligation to update the Study within the specified timeframe consistent with the SILA and School Board Policy 1161 requirements. As such, the BCLDC still contains the SGR and SIF that were adopted by Broward County in June 2008. It should be noted that in the interim years, fees were adjusted to account for inflation by Broward County.

As stated herein, the School Board on December 13, 2013 approved the selection of Walter H. Keller, Inc. to update the SGR and SIF. Subsequently, Walter H. Keller, Inc. commenced work on the Study, and several drafts of the Study updates were reviewed by District staff representing the Facility Planning & Real Estate, the Demographics and Student Assignments, Capital Budget Departments, and the Transportation Division. Drafts of the Study update were also reviewed by a standing committee on the Study which consists of District staff (the majority from the Departments cited herein), Broward County and municipal staffs. Upon each review, comments were provided to Walter H. Keller, Inc.

On June 6, 2014, at its special meeting, the Oversight Committee (OC) for the implementation of the SILA recommended that the School Board should accept and transmit countywide SGR to the Broward County Commission instead of SGR based on the District's seven planning areas. On June 9, 2014 at the public workshop, speakers (including staff from the Broward County Planning Council (BCPC) and the Development Management and Environmental Review Section) raised certain concerns in the Study. Responses were provided at the workshop by Walter H. Keller, Inc. to each stated concern. Additionally, concerns were raised regarding the sharp increase in certain school impact fees for multi-family residential units. The implication was that the fee increase would be construed as impediments to the affordable housing efforts currently being undertaken by the Broward County Commission. As such, the Development Management and Environmental Review Section staff recommended that the School Board should consider reinstating the waiver of school impact fees to mitigate the increase in school impact fees. Also, both the BCPC and Development Management and Environmental Review Section staffs requested that the School Board should accept and transmit the implementation of countywide SGR to the Broward County Commission.