

AGENDA REQUEST FORM
The School Board of Broward County, Florida

Meeting Date

6/19/2007

Open Agenda

☐ Yes ☒ No

Time Certain Request

☐ Yes ☒ No

Agenda Item Number

A-1

TITLE:

School Impact Fee Waiver for "Highland Gardens Condominium", Plat 82, Page 5,
Proposed for Development by Broward County Housing Authority (a Public Body Corporation)

REQUESTED ACTION:

Adopt Resolution No. 07-97 which states that the School Board does not oppose action by the Broward County Board of Commissioners under provisions of the Broward County Land Development Code, waiving approximately \$10,625 in school impact fees due for the construction of ten 1-bedroom and five 2-bedroom, very low income, affordable garden apartment housing units, on a portion of Parcel 'A', "Highland Gardens Condominium" according to the Plat thereof as recorded in Plat Book 82, Page 5 of the Public Records of Broward County, Florida and generally located North of Northeast 48th Street between Interstate 95 and North Dixie Highway in the City of Deerfield Beach; and proposed for development by Highland Gardens Development Ltd./ Broward County Housing Authority.

SUMMARY EXPLANATION AND BACKGROUND:

The proposed development will consist of one hundred garden apartment units, of which 10 (1-bedroom) and 5 (2-bedroom) are very low income garden apartment units, which will provide affordable housing for very low income individuals as defined in Division 6 of the Broward County Land Development Code Definitions. Therefore, as proposed, the 15 very low income garden apartment units are eligible for consideration of a school impact fee waiver as cited under Section 5-184(b)(4) of the Broward County Land Development Code. Under this Section, a school impact fee waiver can be granted based on percentages in the following manner: Very Low Income - 100 percent, Low Income - 75 percent and Moderate Income - 50 percent.

The proposed development includes 15 garden apartment (ten 1-bedroom and five 2-bedroom) units that are certified by the Broward County Community Development Division as very low income affordable units. Based on the current school impact fee ordinance (Ordinance 97-40, effective October 1, 2006), the total school impact fee due for the project is approximately \$10,625. Based on criteria cited in Section 5-184(b)(4) of the Broward County Land Development Code, the total \$10,625 qualifies for school impact fee waiver. Schools affected in the 2006-07 school year are Park Ridge Elementary, Deerfield Beach Middle and Deerfield Beach High Schools.

The Broward County Housing Authority, is a Not For Profit Corporation. However, it is not a 501(C)(3) as defined by law.

SCHOOL BOARD GOALS:

- ☐ Goal One: All students will achieve at their highest potential.
☐ Goal Two: All schools will have equitable resources.
☐ Goal Three: All operations of the school system will demonstrate best practices while supporting student achievement.
☒ Goal Four: All stakeholders will work together to build a better school system.

FINANCIAL IMPACT:

There is a potential loss of approximately \$10,625 in School Impact Fees. This item does not require a collaboration form from the Capital Budget Department.

EXHIBITS: (List)

1. Resolution No. 07-97
2. Correspondence from Keith and Associates, Inc.
3. Affordable Housing Certification Letter from Broward County Community Development Division
4. General Location Map of the site
5. Affordable Housing Criteria as it Relates to School Impact Fee Waiver
6. Affordable Housing Projects with Waived School Impact Fees, 1987-2007

BOARD ACTION

ADOPTED

(For Official School Board Records' Office Only)

SOURCE OF ADDITIONAL INFORMATION

Name: Lisa Wight, Planner 
Facility Management Phone: 754-321-8356

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

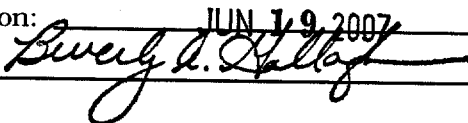
DIVISION OF FACILITIES AND CONSTRUCTION MANAGEMENT

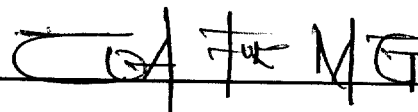
MICHAEL GARRETSON, DEPUTY SUPERINTENDENT

Approved in Open Board Meeting on:

JUN 19 2007

By:





, School Board Chair

Exhibit 1

Resolution No. 07-97

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
RESOLUTION #07-97

RESOLUTION REGARDING THE WAIVING OF SCHOOL IMPACT FEES FOR A PORTION OF PARCEL 'A' "HIGHLAND GARDENS CONDOMINIUM", AS RECORDED IN PLAT BOOK 82, PAGE 5; IN THE CITY OF DEERFIELD BEACH

WHEREAS, Broward County Board of County Commission Code of Ordinances, Chapter 5, Article IX, Land Development Code, requires land dedication and/or the payment of school impact fee from developers in the incorporated areas and unincorporated areas of Broward County, to provide for adequate school sites and school buildings; and

WHEREAS, Section 5-184 (b)(4) of the Broward County Land Development Code provides that the Broward County Board of County Commissioners may waive the fee, upon request, for proposed projects or developments that will provide affordable housing for very low income, low income, and/or moderate income persons as defined in Division 6, of the Broward County Land Development Code Definitions and that the percentage of any waiver granted shall be as follows: Very Low Income - 100 percent, Low Income - 75 percent and Moderate Income - 50 percent and any such waiver shall be only for that portion of the development that qualifies as affordable housing; and

WHEREAS, Highland Gardens Development Ltd. /Broward County Housing Authority is proposing to construct ten one-bedroom, and five two-bedroom very low income, affordable housing garden apartment units, on a portion of Parcel 'A' "Highland Gardens Condominium" as recorded in Plat Book 82, Page 5 of the Public Records of Broward County, Florida and generally located north of Northeast 48th Street between Interstate 95 and North Dixie Highway in the City of Deerfield Beach; and

WHEREAS, the developer has provided written commitment and a confirmation letter from the Broward County Community Development Division indicating the proposed development meets the aforementioned criteria and has applied for consideration of the waiver of payment of school impact fee under Broward County's Land Development Code; and

WHEREAS, Pursuant to the current impact fee ordinance, Ordinance #97-40, (effective October 1, 2006) the total school impact fee due for the ten one-bedroom and five two-bedroom garden apartment units is approximately \$10,625, and based on criteria stated in Section 5-184(b)(4) of the Broward County Land Development Code, the \$10,625, due qualifies for school impact fee waiver; and

WHEREAS, The School Board of Broward County, Florida has several sources of funds that may be used for capital expenditures including District School Board millage revenues and, if available, PECO funding.

NOW, THEREFORE, BE IT RESOLVED, that The School Board of Broward County, Florida, does not oppose action by the Broward County Board of County Commissioners under provisions of the Broward County Land Development Code, waiving approximately \$10,625 of the school impact fee applicable to the construction ten one-bedroom and five two-bedroom, very low income, affordable housing garden apartment units, on a portion of Parcel 'A' "Highland Gardens Condominium" Plat Book 82, Page 5 as recorded in the Public Records of Broward County, Florida and generally located north of Northeast 48th Street between Interstate 95 and North Dixie Highway in the City of Deerfield Beach, and proposed for development by Highland Gardens Development Ltd./Broward County Housing Authority. The funds required to pay for the public school sites and school buildings that would otherwise have been paid for by the waived school impact fee applicable to the proposed project shall be obtained from District School Board millage revenues, or if available, PECO funds. This waiver is valid only if said project is restricted to the aforesaid development.

Given at Fort Lauderdale, Florida this 19th day of June, 2007.

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

BY: Beverly A. Gallagher
Beverly A. Gallagher, Chair

Attest: James F. Notter
James F. Notter, Interim Superintendent of Schools