

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
RESOLUTION No. 11-55

RECOMMENDATION TO THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE CURRENT
STUDENT GENERATION RATES AND SCHOOL IMPACT FEES CONTAINED IN THE BROWARD COUNTY LAND
DEVELOPMENT CODE

WHEREAS, Broward County Code of Ordinances, Chapter 5, Article IX, Land Development Code, provides for land dedication and/or the payment of school impact fees from developers in the incorporated areas and unincorporated areas of Broward County for the provision of adequate school sites and school buildings; and

WHEREAS, both The School Board of Broward County, Florida (School Board) and the Broward County Board of County Commissioners recognize the impact of residential development on Broward County public schools; and

WHEREAS, both The School Board of Broward County, Florida and the Broward County Board of County Commissioners recognize that the provision of public schools is a vital public service, which should be available concurrent with the impact of residential development, and that good planning includes provision for public schools; and

WHEREAS, the Amended Interlocal Agreement for Public School Facility Planning (ILA) and School Board Policy 1161 require that an update to the student generation rates and school impact fees shall be conducted by the School Board in coordination with Broward County and the Municipalities at least every three years; and

WHEREAS, in December 2007, the "Student Generation Rate/School Impact Fee Study Phase II, Final Report, December 2007" (Phase II Study) was completed by the School Board in coordination with Broward County and the Municipalities to update the prior student generation rate/school impact fee study; and

WHEREAS, on February 12, 2008, the School Board approved the recommendations contained in the Phase II Study via Resolution No. 08-48, and recommended that the Broward County Board of County Commissioners amend the Broward County Land Development Code (BCLDC) to include recommendations contained in the Study; and

WHEREAS, the Broward County Board of County Commissioners approved amendment of the BCLDC to include the recommendations and in June 2008, the current student generation rates and school impact fees became effective; and

WHEREAS, to comply with the provisions of the Amended ILA and School Board Policy 1161, the School Board on April 21, 2009 approved the selection of Duncan Associates to conduct and update the Phase II Study, and during the update to the Phase II Study, the School District ensured that the update was coordinated with Broward County and the Municipalities and presentations regarding the update were made to various pertinent entities including the Oversight Committee for the implementation of the Amended ILA, the general public at a workshop that included the development community, the Broward County Planning Council, and the Broward League of Cities; and

WHEREAS, concerns stated during these presentations were as applicable incorporated into the draft update to the Phase II Study, and the result is the "School Impact Fee Study" dated October 21, 2010, and the Ordinance proposed in Attachment "A".

NOW, THEREFORE, BE IT RESOLVED, that The School Board of Broward County, Florida recommends that the Broward County Board of County Commissioners should amend the Broward County Land Development Code to include pertinent recommendations stated on Page 43 of the "School Impact Fee Study" dated October 21, 2010 regarding the updated student generation rates and school impact fee schedules, and similarly, the Proposed School Impact Fee Ordinance Amendments depicted in Attachment "A".

Given at Fort Lauderdale, Florida this _____ day of November, 2010.

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

BY: _____
Jennifer L. Gottlieb, Chair

ATTEST: _____
James F. Notter, Superintendent of Schools