



Facility Planning & Real Estate Department

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**The School Board of
Broward County, Florida**

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Superintendent of Schools

March 2, 2021

Josie P. Sesodia, AICP
Director, Planning & Development Management Division
115 S. Andrews Avenue, Room 329K
Fort Lauderdale, Florida 33301

RE: **School Board Resolution No. 21-105**

Dear Ms. Sesodia,

Please find attached, Resolution No. 21-105, which was adopted by the School Board on February 17, 2021. The Resolution pertains to the Broward County Public Schools (BCPS) School Impact Fee Waiver (SIFW) program for affordable housing. The Resolution modifies the SIFW program to address the conditions stipulated by the Broward County Commission on October 20, 2020, as outlined below.

As you are aware, on October 20, 2020, the Broward County Commission adopted Ordinance No. 2020-36, and amended the Broward County Land Development Code (BCLDC) to incorporate recommendations from the student generation rate/school impact fee study update. However, the Broward County Commission also included the following conditions with the adoption of the Ordinance:

1. Capped school impact fee increases at 25%
2. Deferred the effectiveness and implementation of the fee increases for one year (will become effective January 1, 2022); and
3. School Board must take formal action to increase the current \$375,000 annual allocation amount for SIFW program and expand the program to include moderate income units prior to increases going into effect.



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The following table summarizes the then existing SIFW program parameters and the changes recommended in the Resolution to satisfy the conditions imposed by the Broward County Commission:

No.	Current SIFW Program Parameter	Recommended SIFW Program Parameter
1	Annual Allocation \$375,000	Increase Annual Allocation to \$450,000 (limit \$75,000 of the allocation to be available for moderate income units that are part of a mixed-income development which also includes low and/or very low-income units, and \$375,000 to be available for low and very low-income units)
2	100% waiver of school impact fees for low and very low-income units	100% waiver of school impact fees for very low, low, and moderate income units
3	\$50,000 per project maximum	No change
4	60-day redemption period	No change

Please be advised that the recommended changes will take effect on July 1, 2021, which is the beginning date of BCPS' 2021/2022 fiscal year.

BCPS appreciates the cooperation Broward County staff provided in enabling a Resolution that hopefully satisfies the conditions stipulated by the Broward County Commission. Please contact me via email at chris.akagbosu@browardschools.com or at 754-321-2162 if you have additional questions or concerns regarding this matter.

Sincerely,

Chris O. Akagbosu, Director
Facility Planning and Real Estate Department

COA: lw
W/Attachments

1. Resolution No. 21-105

cc: John Sullivan, Task Assigned, Chief Portfolio Services Officer (Correspondence Only)
Barabara Blake Boy, Executive Director, Broward County Planning Council (Correspondence Only)
Ralph Stone, Director, Housing Finance and Community Development (Correspondence Only)

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
RESOLUTION #21-105

WAIVING SCHOOL IMPACT FEES FOR PROPOSED AFFORDABLE HOUSING UNITS

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 fees 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 and/or low income, as defined in Division 6, of the Broward County Land Development Code Definitions, and that any such waiver shall be only for that portion of the development that qualifies as affordable housing; and

WHEREAS, Section 5-184 (b)(4) of the Broward County Land Development Code further states that a waiver of school impact fees shall not be granted unless the School Board of Broward County, Florida ("School Board") has approved said waiver and identifies the source of funds; and

WHEREAS, on October 20, 2020 the Broward County Board of County Commissioners voted to approve amendment of the Broward County Land Development Code to update the school impact fee schedule pursuant to the Student Generation Rate/School Impact Fee Study Update, Final Report dated July 23, 2019 with certain conditions, including the request to expand the School Board's school impact fee waiver program to include consideration for the waiver of school impact fees for moderate income affordable housing units, and to increase the program's annual monetary allocation; and

WHEREAS, School Board Growth Management Policy 1161 provides authorization for the School Board to waive school impact fees for proposed affordable housing units certified by Broward County as very low, low, and/or moderate income units and to utilize Capital Funds in a fund that will be used to mitigate the impact for the very low, low, and/or moderate income units that are granted school impact fee waivers.

NOW, THEREFORE, BE IT RESOLVED, The School Board of Broward County, Florida, finds as follows:

- Section 1. The above recitals are true and correct and are specifically incorporated herein.
- Section 2. Does hereby increase from \$375,000 to \$450,000 as the total annual allocation of Capital Funds, designated beginning each Fiscal Year for The School Board of Broward County, Florida school impact fee waiver program that provides a 100% waiver of school impact fees for residential units certified by Broward County as very low income and low income, and ~~50%~~ 100% waiver of school impact fees for residential units certified by Broward County as moderate income units that are part of a mixed-income development which also includes low and/or very low income units, up to a maximum allocation of \$50,000 for any individual proposed affordable housing project. Of the \$450,000 annual allocation, \$75,000 will be reserved to provide school impact fee waivers for moderate income units which are part of a mixed-income development that also includes low and/or very low income units, and the remaining \$375,000 will be reserved to provide for school impact fee waivers for very low and/or low income units.
- Section 3. The period for an applicant to redeem a granted school impact fee waiver shall be sixty (60) calendar days from the date of issuance.
- Section 4. The Superintendent is authorized to take all necessary action to effectuate the terms of this Resolution.
- Section 5. This Resolution shall become effective upon adoption.

Given at Fort Lauderdale, Florida this 17th day of February 2021.

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Attest: 
Robert W. Runcie, Superintendent of Schools

BY: 
Dr. Rosalind Osgood, Chair