

**SEMINOLE COUNTY GOVERNMENT
LAND PLANNING AGENCY / PLANNING AND ZONING COMMISSION
AGENDA MEMORANDUM**

SUBJECT: Proposed Revisions to School Impact Fees

DEPARTMENT: Planning & Development **DIVISION:** Planning

Agenda Date <u>07/11/2007</u>	Regular <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Special Hearing – 6:00 <input type="checkbox"/>	Public Hearing – 7:00 <input checked="" type="checkbox"/>	

1. **MOVE** to find that the proposed revisions to the School Impact Fees are **CONSISTENT** with the Comprehensive Plan and recommend **APPROVAL** of the attached ordinance (George Kosmac, applicant);
2. **MOVE** to find that the proposed revisions to the School Impact Fees are **NOT CONSISTENT** with the Comprehensive Plan and recommend **DENIAL** of the attached ordinance (George Kosmac, applicant);
3. **CONTINUE** the item to a time and date certain.

County Wide Item

BACKGROUND:

The Seminole County School Board is requesting revisions to the School Impact Fees. Attached is documentation provided by the School Board regarding the proposed changes.

STAFF FINDING:

Staff finds that the proposed revisions to the School Impact Fees are consistent with the Comprehensive Plan.

Attachments:

- Proposed Impact Fee Ordinance
- Economic Impact Statement
- Property Rights Analysis

ORDINANCE

AN ORDINANCE AMENDING THE SEMINOLE COUNTY LAND DEVELOPMENT CODE DEALING WITH SEMINOLE COUNTY EDUCATIONAL SYSTEM IMPACT FEES; INCREASING IMPACT FEES; AMENDING SECTION 105.4 OF THE SEMINOLE COUNTY LAND DEVELOPMENT CODE; AMENDING SECTION 105.21 OF THE SEMINOLE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Seminole County Public School District prepared and submitted the School Impact Fee Analysis for Seminole County Florida, dated March 16, 2006 ("the Study"); and

WHEREAS, the projected capital improvements and additions to the educational system and the allocation of projected costs between those necessary to serve existing development and those required to accommodate the educational needs of future educational system impact construction are presented in the Study; and

WHEREAS, an economic impact statement has been prepared and is available for public review in accordance with the provisions of the Seminole County Home Rule Charter; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Draft #3. Do Not Execute

Section 1. Amendment to Section 105.4 of the Seminole County Land Development Code. Section 105.4 of the LDC is amended to read as follows:

Sec. 105.4 Incorporation of impact fee studies.

The board hereby incorporates by reference the study entitled "Impact Fees for Educational Facilities in Seminole County, Florida," dated April 10, 1992, and the study entitled "School Impact Fee Analysis for Seminole County Florida, dated March 16, 2006, particularly the assumptions, conclusions and findings as to the determination of anticipated costs of the additions to the county educational system required to accommodate growth.

Section 2. Amendment to Section 105.21 of the Seminole County Land Development Code. Section 105.21 of the LDC is amended to read as follows:

Sec. 105.21. Imposition.

(a) All educational system impact construction occurring within the County, both within the unincorporated areas and within the boundaries of all municipalities, shall pay the educational system impact fee as established in this Chapter.

(b) The board hereby adopts the following educational system impact fee, which shall be imposed upon all educational system impact construction occurring within the County:

<u>Single Family Detached House</u>	<u>\$5,342.00 per Dwelling Unit</u>
<u>Town Home Units:</u>	<u>\$2,564.00 per Dwelling Unit</u>

Multi- Family Units: \$2,340.00 per Dwelling Unit

Mobile Home Units: \$2,005.00 per Dwelling Unit

To account in part for the effects of inflation on the costs of school construction, impact fees shall increase by a percentage each year determined by the lower of the Engineering News and Record Construction Cost Index or 3% of the then current impact fee.

~~Single Family Detached House \$1,384 per Dwelling Unit~~
~~Multi Family Dwelling Unit \$ 639 per Dwelling Unit~~
~~Mobile Home \$ 955 per Dwelling Unit~~

Section 3. Severability. If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative, or void, such section, paragraph, sentence, clause, phrase or word may be severed from this ordinance and the balance of this Ordinance shall not be affected thereby.

Section 4. Codification. It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Seminole County Land Development Code and that the word "Ordinance" may be changed to "section," "article," or other appropriate word and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that Sections 3, 4, and 5 shall not be codified.

Section 5. Effective Date. This Ordinance shall take effect on _____.

Enacted this _____ day of _____, 2007.

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

By: _____
Carlton D. Henley, CHAIRMAN

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Draft #3: Do Not Execute

Seminole County ECONOMIC IMPACT STATEMENT

Date:	7/11/07	Department//Division:	Planning and Development- Planning Division
Contact:	Tina Williamson	Phone:	407-665-7375
Action:	Ordinance amending the Land Development Code		
Topic:	Amendment to the Land Development Code of Seminole County relating to school impact fees.		

Describe Project/Proposal

Ordinance amending the Land Development Code for the purpose of increasing school impact fees.

This Ordinance may have an economic impact on individuals, businesses, or government, based on the following provisions of the proposed amendments to the Land Development Code:

The proposed ordinance would increase school impact fees for construction that has impacts on the educational system.

Describe the Direct Economic Impact of the Project/Proposal upon the Operation of the County

This ordinance would most likely not have a direct economic impact upon the operation of the County because school impact fees are paid to the School District.

Describe the Direct Economic Impact of the Project/Proposal upon the Property Owners/Tax Payers/Citizens who are Expected to be Affected

The economic impact on individuals and/or businesses would be an increase in development costs to property owners and other private entities.

Identify Potential Indirect Economic Impacts, Positive or Negative, Which Might Occur as a Result of the Adoption of the Ordinance

The proposed impact fee ordinance would increase new development's pro rata share of infrastructure costs, which may result in additional revenues available to the School Board for the purpose of constructing school facilities to address new growth.

Citation

Seminole County Home Rule Charter.

**Seminole County
PRIVATE PROPERTY RIGHTS ANALYSIS
Amendments to the Land Development Code Regarding
School Impact Fees**

Date:	7/11/07	Department/Division:	Planning and Development/ Planning Division
Contact:	Tina Williamson	Phone:	407-665-7375
Action:	Amendment of the Land Development Code increasing school impact fees.		

Describe Project/Proposal

The Seminole County School Board is requesting to increase the School Impact Fees.

Estimated Economic Impact on Individuals, Businesses, or Government

The economic impact on individuals and/or businesses would be an increase in development costs to property owners and other private entities.

Anticipated New, Increased or Decreased Revenues

These amendments are intended to increase revenue available to the School Board for the purpose of constructing school facilities to address new growth.

Method Used in Determining Analysis

The analysis used to determine potential impacts of the proposed amendment is based on existing methodologies already adopted in the Land Development Code and professional expertise.

Citation

Seminole County Comprehensive Plan (Vision 2020 Plan).