

# JOINT MEETING FINAL AGENDA



## Martin County Board of County Commissioners Martin County School District City of Stuart

Tuesday, January 15, 2008 – 9:00 am  
John F. Armstrong Wing, Blake Library  
2351 SE Monterey Road, Stuart

- I. **Call to Order and Pledge of Allegiance – 9:00 am**  
Commissioner Doug Smith, Chair, Martin County Board of County Commissioners
- II. **Introductions and Opening Comments**  
Commissioner Doug Smith, Chair, Martin County Board of County Commissioners  
Mayor Jeff Krauskopf, City of Stuart  
Laurie Gaylord, Chair, Martin County School Board
- III. **Public Comments**
- IV. **School Impact Fee Presentation**  
Doug Griffin, Attorney, Martin County School Board
- V. **Deferral of School Impact Fees for Workforce Housing Discussion**  
Terry O'Neil, Planning Consultant, City of Stuart
- VI. **School Concurrency Requirement Overview**  
Nicki van Vonno, Martin County Growth Management Department Director
- VII. **Stuart Middle School Construction Update**  
Julie Sessa, Facilities Director, Martin County School District
- VIII. **Draft Interlocal Agreement Presentation**  
Doug Griffin, Attorney, Martin County School Board and Krista Storey, Senior  
Assistant County Attorney, Martin County BOCC
- IX. **Draft Public School Facilities Element Discussion**  
Cesar Perez, Economic Specialist, Martin County Growth Management  
Department and J. Lisle Bozeman, Capital Projects Planning Specialist, Martin  
County School District

- X. **Update on Palm City Improvements Near Tuscawilla (road and school)**  
Don Donaldson, Martin County Engineering Department Director and Julie Sessa, Facilities Director, Martin County School District
  
- XI. **Development and Growth Trend Presentation**  
Cesar Perez, Economic Specialist, Martin County Growth Management Department
  
- XII. **Dept. of Education Fall Counts/Fall Enrollment Report and Five-Year Plant Survey and Capital Improvement Plan Updates**  
Julie Sessa, Facilities Director, Martin County School District
  
- XIII. **Open to the Commissioners/Board**
  
- XIV. **Adjournment**

NOTICE: If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Office of the County Administrator at (772) 221-2360, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the meeting date. If you are hearing or voice impaired, please call (772) 288-5940. An agenda of items to be considered will be available to the public in the Administrator's Office, 2401 SE Monterey Road, Stuart, Florida. Items not included on the agenda may also be heard in consideration of the best interests of the public's health, safety, welfare, and as necessary to protect every person's right of access. If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council, or advisory group, that person will need a record of the proceedings and, for such purpose, may need to insure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

## Memorandum

**To: Dan Hudson, City Manager**

**From: Terry O'Neil, Planning Consultant**

**Date: January 7, 2008**

**Re: Deferral of School Impact Fees for Workforce (Affordable) Housing**

To promote affordable housing, the City of Stuart and Martin County currently offer full or partial long-term impact fee deferrals for very-low, low and moderate-income new home buyers. The two programs are essentially the same.

City	Martin County
<p><i>Deferral of impact fee payments for affordable housing.</i></p> <p>(1) <i>[Deferrals.]</i> Prior to the application for a building permit, builders of affordable housing for very-low-, low and moderate-income households may request that payment of impact fees be deferred until the issuance of the certificate of occupancy or one year after the issuance of the building permit, whichever is earlier. This deferral is available only when the affordable housing has been certified by the city development director, as meeting the criteria established by Martin County for the issuance of a certificate of public facilities exemption under the article 5, Adequate Public Facilities of the Martin County Land Development Regulations.</p> <p>(2) <i>[Approval of deferrals.]</i> Deferrals will be made to applicants who meet the criteria and shall be determined on a case-by-case basis by the city manager.</p> <p>(3) <i>[Loans--Very-low and low-income housing.]</i> Prior to the application for a building permit, buyers of very-low- and low-income housing may apply for a loan from the city for 100 percent of the impact fees assessed on very-low- and low-income housing as that term is defined in the Martin County Comprehensive Plan. Repayment is due upon sale or transfer of the affected property, or at the end of 15 years.</p> <p>(4) <i>[Loans--Moderate-income housing.]</i> Prior to the application for a building permit, buyers of moderate-income housing may apply for a loan from the city for 50 percent of the impact fees assessed on moderate-income housing as that term is defined in the Martin County Comprehensive Plan. The interest on the loan shall be equivalent to the city's long term borrowing rate at the time of the loan. Repayment of the loan plus interest is due upon sale or transfer of the affected property, or at the end of ten years, whichever occurs first.</p> <p>(5) <i>[Restrictions.]</i> No more than 90 impact fee loans shall be granted for any single affordable-housing project.</p> <p>(6) <i>[Sale price.]</i> In order to receive a deferral of impact fees the sales prices of the homes cannot exceed 90 percent of median area purchase price as established by the United States Department of the Treasury in accordance with section 3(b)2 of the United States Housing Act of 1937. In addition, house size is correlated to household size, so that the home to be constructed does not exceed HUD income guidelines.</p> <p>(7) <i>Reduced city road impact fees for "de minimus" projects within the city's CRA.</i> Projects within the city's community redevelopment area (CRA) which are deemed to be "de minimus," that is ten residential units or less, 2,000 square feet of office space or less, or 1,000 square feet of retail space or less, or up to a 20-seat sit-down restaurant, are entitled to a 35 percent reduction in the city's road impact fee.</p>	<p><i>Deferral of impact fee payments for affordable housing.</i></p> <p>1. Prior to the application for a building permit, builders of affordable housing for very low, low, and moderate income households may request that payment of impact fees be deferred until the issuance of the certificate of occupancy or one year after the issuance of the building permit, whichever is earlier. This deferral is available only when the affordable housing occurs in development that has been issued a valid certificate of public facilities exemption under the article 5, Adequate Public Facilities.</p> <p>2. Deferrals will be made to applicants who meet the criteria and shall be determined on a case-by-case basis by the County Administrator.</p> <p>3. Prior to the application for a building permit, buyers of very low and low income housing may apply for a loan from the County for 100 percent of the impact fees assessed on very low and low income housing as that term is defined in the Martin County Comprehensive Plan. Repayment is due upon sale or transfer of the affected property, or at the end of 15 years, whichever occurs first, unless the County chooses to allow refinancing of the loan if the affected housing continues to meet the County's definition of very low or low income housing.</p> <p>4. Prior to the application for a building permit, buyers of moderate- income housing may apply for a loan from the County for 50 percent of the impact fees assessed on moderate-income housing as that term is defined in the Martin County Comprehensive Plan. The interest on the loan shall be equivalent to the County's long term borrowing rate at the time of the loan. Repayment of the loan plus interest is due upon sale or transfer of the affected property, or at the end of ten years, whichever occurs first, unless the County chooses to allow refinancing of the loan if the affected housing continues to meet the County's definition of moderate income housing.</p> <p>5. In order to receive a deferral of impact fees the sales prices of the homes cannot exceed 90 percent of median area purchase price as established by the United States Department of the Treasury in accordance with section 3(b)2 of the United States Housing Act of 1937. In addition, house size is correlated to household size, so that the home to be constructed does not exceed HUD income guidelines.</p>

**Issue:**

The County School Board, which voted in mid December to increase its average impact fee from \$4,555 to \$5,567 per unit<sup>1</sup>, currently defers impact fees for affordable housing only “*until the issuance of the certificate of occupancy or one year after the issuance of the building permit, whichever is earlier*”.

Martin County staff recently made a determined pitch to the School Board asking that it adopt the same long-term deferral program as is currently offered by the County and City. School Board officials are concerned that opening the door to deferrals will jeopardize future capital funding. The potential for 400+ affordable housing units in Indian Town has been mentioned as an example. A closer look at the numbers, however, should allay the School Board’s fears.

- According to Martin County staff, since their program’s inception in June 2003, (40) forty long-term deferrals have been granted, (5) five of which have since been repaid at resale.
- To date, only (5) five long-term deferrals have been granted to buyers of homes sold by for-profit developers.
- The City has yet to grant any long-term deferrals under its program<sup>2</sup>.

**Recommended action:**

In light of these modest figures, at the upcoming joint meeting on 1/15/08, the Commission may wish to join County staffers in asking the School Board to adopt a long-term deferral program for very-low, low and moderate income<sup>3</sup> buyers. Further, the Commission may wish to suggest that the School Board cap the number of its long-term deferral loans at 20 to 25 per year, with a portion, perhaps 7 to 10 loans, being earmarked for Indian Town. This will limit the School Board’s potential annual commitment to no more than \$140,000, while at the same time keeping pace with the actual number of bona fide affordable housing units that tend to come on line each year. By doing so, the School Board can join the City, which routinely donates land and sponsors housing projects, and Martin County, which administers SHIP and other funding programs, in helping to meet the needs of Martin County workers, including School Board employees such as janitors, bus drivers, etc.

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<sup>1</sup> Increase requires County Commission approval. A hearing on the matter is scheduled for February 2008. School impact fee are collected by the City at building permit application via inter-local agreement with Martin County and via a 1995 inter-local agreement with the School Board.

<sup>2</sup> The City is currently pursuing development of the 24-unit El Dorado Park Workforce Housing Project on South Dixie Highway. A portion of these homebuyers will likely seek impact fee deferrals.

<sup>3</sup> HUD Annual Income Limits: VERY LOW: 1 person - \$19,100; 2 persons - \$21,850; 3 persons - \$24,550; 4 persons - \$27,300; 5 persons - \$29,500; 6 persons - \$31,650; 7 persons - \$33,850; 8 persons - \$36,050, LOW INCOME: 1 person - \$30,600; 2 persons - \$34,950; 3 persons - \$39,350; 4 persons - \$43,700; 5 persons - \$47,200; 6 persons - \$50,700; 7 persons - \$54,200; 8 persons - \$57,700, MODERATE INCOME: 1 person - \$45,840; 2 persons - \$52,440; 3 persons - \$58,920; 4 persons - \$65,520; 5 persons - \$70,800; 6 persons - \$75,960; 7 persons - \$81,240; 8 persons - \$86,520

**JOINT MEETING DATE:** January 15, 2008  
**AGENDA ITEM:** VI.

**MARTIN COUNTY, FLORIDA**

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**TO:** Honorable Members of the Martin County Board of County Commissioners, Martin County School District and the City of Stuart Commission      **DATE:** January 15, 2008

**VIA:** Duncan Ballantyne  
County Administrator

**FROM:** Nicki van Vonno, AICP  
Growth Management Department Director

**SUBJECT:** SCHOOL CONCURRENCY REQUIREMENTS OVERVIEW

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**Statutory Requirements** In 2005 the Florida Legislature adopted Senate Bill 360, Laws of Florida 2002-290, which required that school concurrency be implemented by all local governments and school boards. Mandatory school concurrency must be effective by December, 2008. To implement school concurrency, local governments and school boards are required to:

- Update existing public school interlocal agreements and the Intergovernmental Coordination Element to include coordinated procedures for implementing school concurrency (Sections 163.3177(6)(h)(1), 163.31777, F.S., and 163.3180(13), F.S.);
- Adopt a Public School Facilities Element (P.S.F.E.) into the comprehensive plan (Sections 163.3180(13)(a) and 163.3177(12), F.S., and Rule 9J-5.025, F.A.C.);
- Adopt level-of-service (L.O.S.) standards to establish maximum permissible school utilization rates relative to capacity, and include L.O.S. standards in an amended Capital Improvements Element of the comprehensive plan and in the updated interlocal agreement (Section 163.3180(13)(b), F.S.);
- Establish a financially feasible Public School Capital Facilities Program and include this program in an amended Capital Improvements Element of the comprehensive plan (Section 163.3180(13)(d)1., F.S.);
- Establish proportionate-share mitigation methodology and options to be included in the P.S.F.E. and the interlocal agreement (Section 163.3180(13)(e), F.S.); and
- Establish public school Concurrency Service Areas (C.S.A.s) to define the geographic boundaries of school concurrency, and include the C.S.A.s in the updated interlocal agreement and in the supporting data and analysis for the comprehensive plan (Sections 163.3180(13)(c) and 163.3180(13)(g)(5), F.S.).<sup>1</sup>

Local governments and School Boards that fail to meet their statutory obligations of Senate Bill 360 may face sanctions. According to the DCA website: "Failure to adopt the Public School Facilities Element, to enter into an approved update interlocal agreement, or to amend the

**JOINT MEETING DATE:** January 15, 2008  
**AGENDA ITEM:** VI.

comprehensive plan as necessary to implement school concurrency, will subject the local government to being prohibited from adopting comprehensive plan amendments that increase residential density and subjects a school board to funding withholding sanctions equivalent to the available funds for school construction.”<sup>1</sup>

<sup>1</sup> Source: “School Planning,” Division of Community Planning, Florida Department of Community Affairs website

The Department of Community Affairs established a phased schedule for adoption of the required concurrency items. All local governments must adopt a Public School Facilities Element and their updated interlocal agreement no later than December 1, 2008. The Department published a Notice of the Schedule for Submission of Public School Facilities Element and Required Updates to the Public Schools Interlocal Agreement, in the August 5, 2005 issue of the Florida Administrative Weekly. According to the schedule found on the DCA website, Martin County is required to complete its required items by June 1, 2008.

### **Items Necessary to Comply with Florida Statutes**

**Interlocal Agreement.** The first step in this process is adoption of the Interlocal Agreement. Pursuant to the schedule adopted by the Florida Department of Community Affairs, the amended interlocal agreement must be adopted by June 1, 2008. DCA will review executed interlocal agreements to determine whether they are consistent with the requirements of Sections 163.31777(2) and 163.3180(13)(g), F.S.

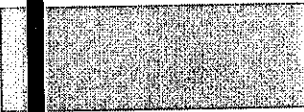
**Status:** Staffs from all three jurisdictions have worked on the Interlocal Agreement. The School Board originally adopted the School Interlocal in August, 2007. The item was presented to the Board of County Commissioners on September 4, 2007. At that meeting the County Commission asked the School Board to convene a meeting on the Interlocal Agreement and on school impact fees. The School Board has complied with this request. In addition, meetings to review the Interlocal Agreement were held with staff from the School District, Martin County, and Economic Council representatives to review their comments on the draft.

**Plan Amendment.** The next step to implementing mandatory school concurrency is to adopt a new element to the County’s Comprehensive Growth Management Plan known as the Public Schools Element. In addition, amendments to the Intergovernmental Coordination Element (ICE) and the Capital Improvements Element (CIE) will be necessary. The County Commission adopted a resolution authorizing the amendment on September 4, 2007.

**Status:** GMD and School Board staffs have drafted the new element for the County’s plan. The element must be adopted by June 1, 2008. Section 3.6 of the Interlocal Agreement details the procedures for the adoption of the element. It will go through the normal plan amendment review process, with three public hearings before the Local Planning Agency and the County Commissioners. Additional meetings with the School Board and a presentation before the Joint Meeting of the three jurisdictions will also be part of the review process. The amendment is exempt from the twice per year limitation on plan amendments.

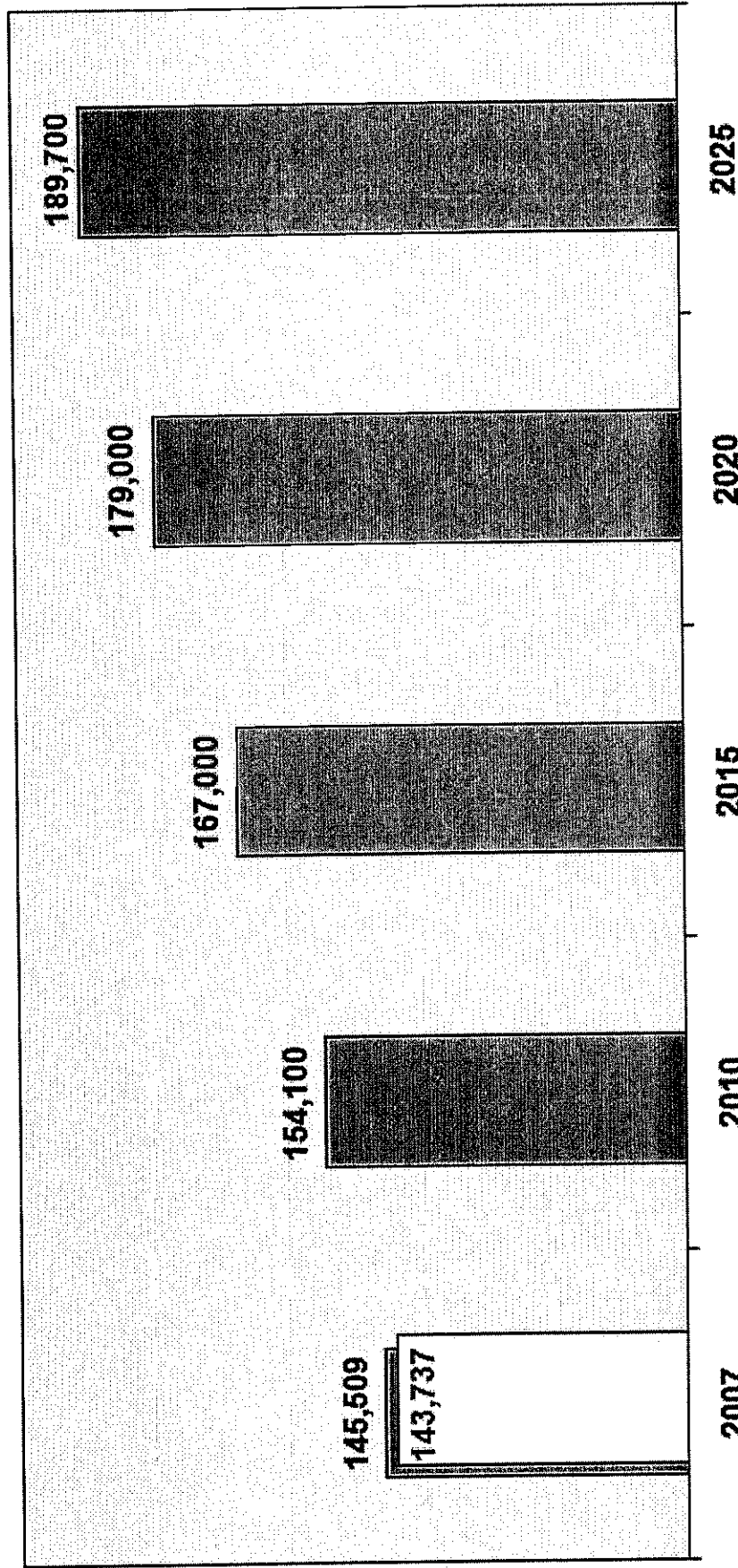
Today, the three Boards will hear presentations on both the Interlocal Agreement and the Public School Facilities Element.

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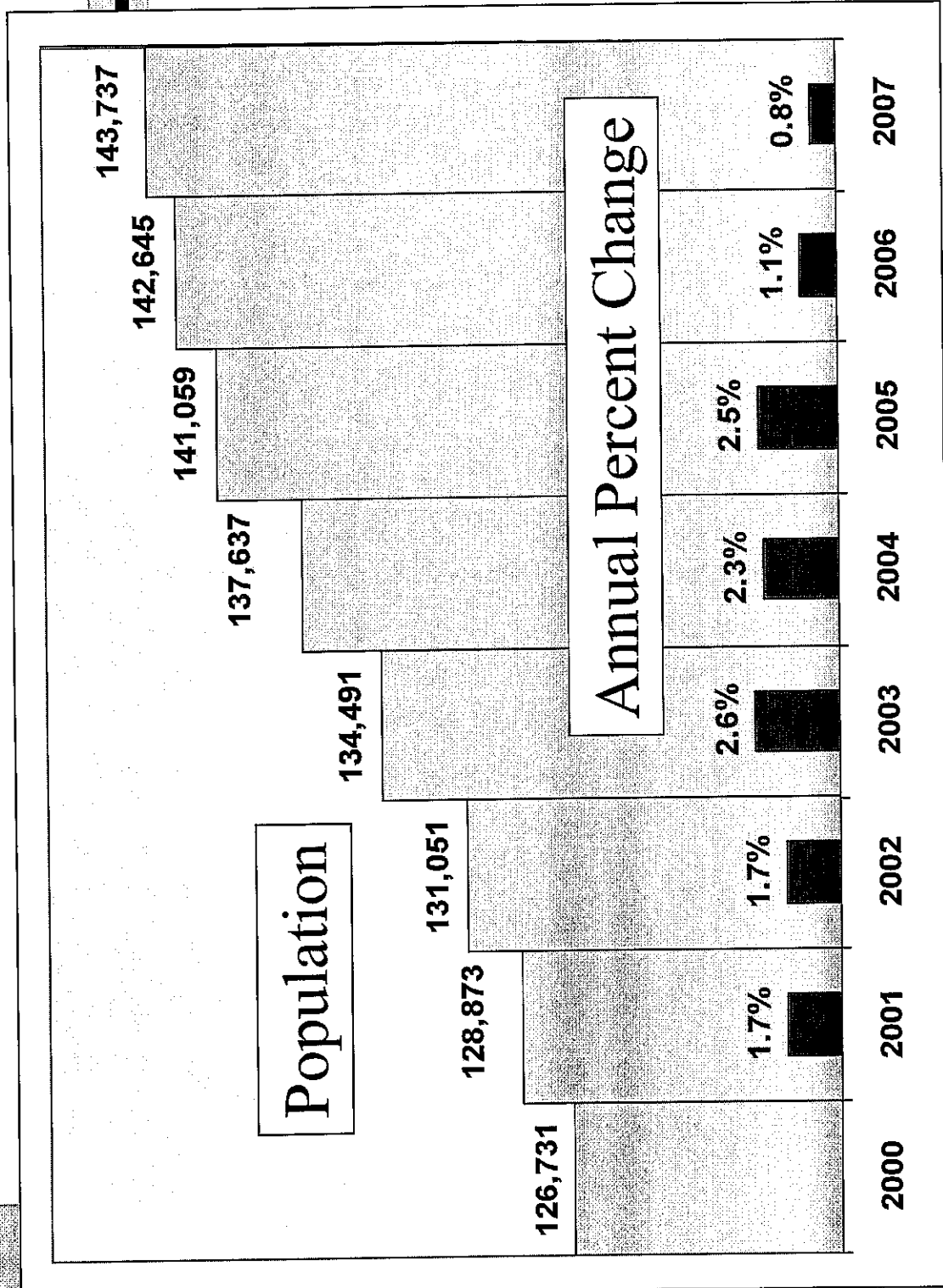
# 2007 Growth and Trends

# Population February 2007 Projections and December 2007 Estimate



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# Martin County Population Estimates



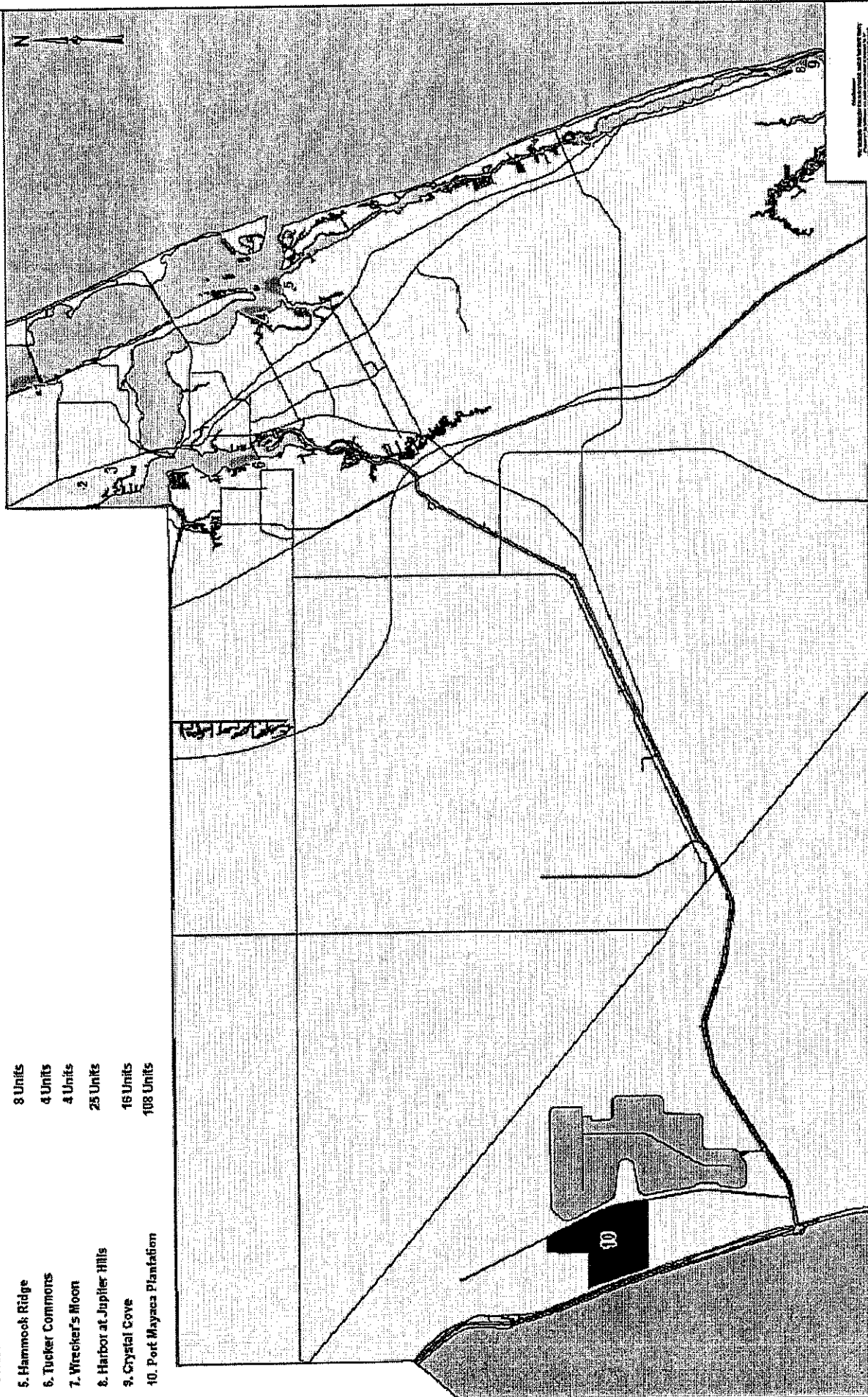
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# 2007 Approved Projects

Total Inside USB - 189  
Total Outside USB - 108

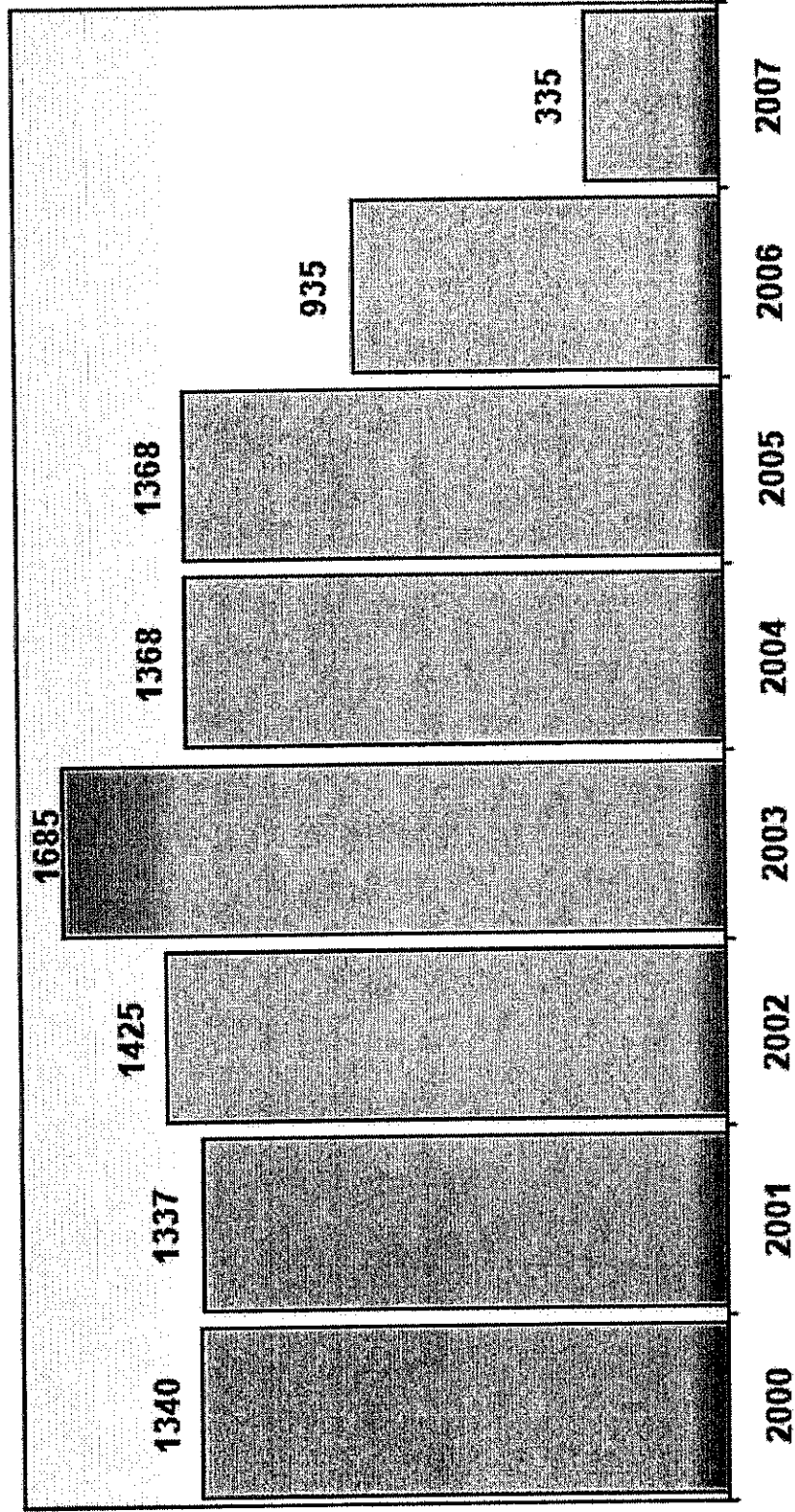
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|----------------------------|-----------|
| 1. Fitchford's Landing     | 84 Units  |
| 2. Old Palm Estates        | 19 Units  |
| 3. Tucker's Cove           | 26 Units  |
| 4. West Lake Subdivision   | 3 Units   |
| 5. Hammock Ridge           | 8 Units   |
| 6. Tucker Commons          | 4 Units   |
| 7. Wheeler's Moon          | 4 Units   |
| 8. Harbor at Jupiter Hills | 25 Units  |
| 9. Crystal Cove            | 16 Units  |
| 10. Port Mayaca Plantation | 108 Units |



**Legend**

1. Fitchford's Landing  
2. Old Palm Estates  
3. Tucker's Cove  
4. West Lake Subdivision  
5. Hammock Ridge  
6. Tucker Commons  
7. Wheeler's Moon  
8. Harbor at Jupiter Hills  
9. Crystal Cove  
10. Port Mayaca Plantation

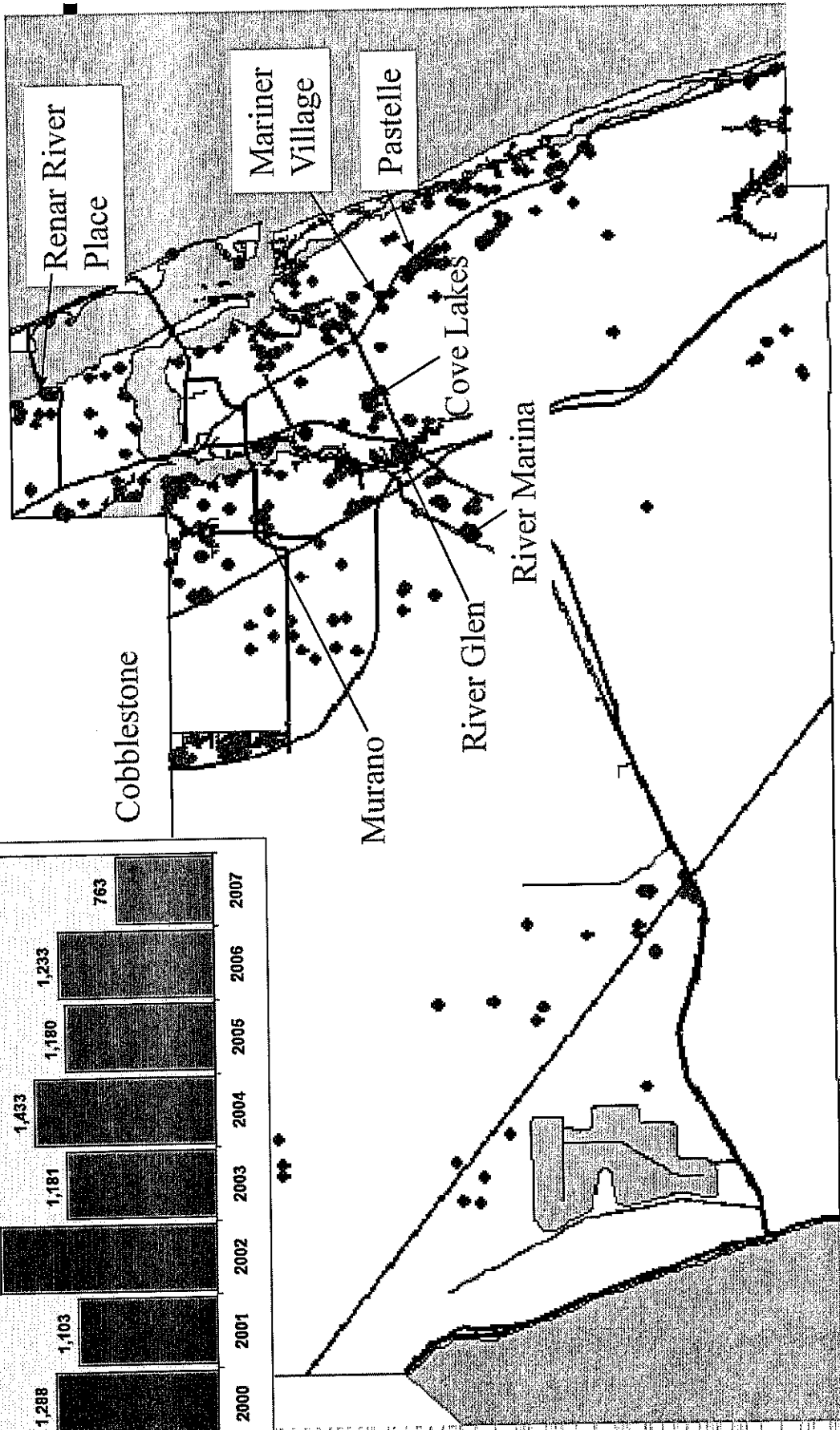
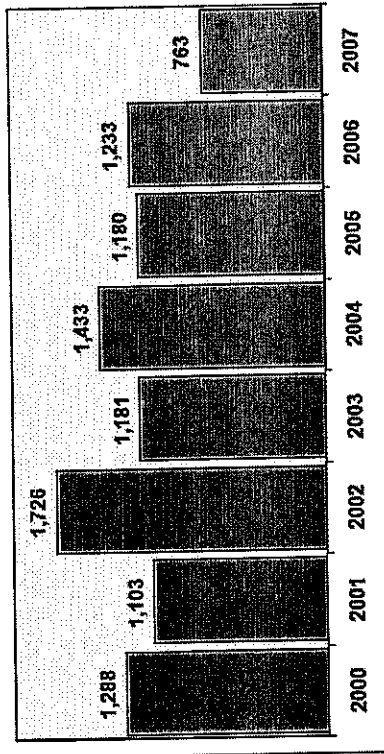
# Units Associated with Permits Unincorporated Martin County



Calendar Year

# 2007 Certificates of Occupancy

COs by Calendar Year



# Stuart Developments

