

ORDINANCE 5, 2023

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4 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM
5 BEACH GARDENS, FLORIDA, AMENDING CHAPTER 78 - LAND
6 DEVELOPMENT AT ARTICLE III. - DEVELOPMENT REVIEW
7 PROCEDURES BY REPEALING DIVISION 4. - CITYWIDE IMPACT
8 FEES AND MOBILITY FEES, AND READOPTING SAME, AS
9 REVISED, IN ORDER TO REVISE THE CITY'S IMPACT FEE
10 SCHEDULE IN ACCORDANCE WITH THE MOST RECENT
11 LOCALIZED DATA FOR PARKS AND RECREATION, FIRE
12 PROTECTION/EMS, POLICE PROTECTION, AND PUBLIC
13 FACILITIES; PROVIDING FOR AND DECLARING THE
14 EXTRAORDINARY CIRCUMSTANCES THAT NECESSITATE THE
15 ADOPTION OF THE UPDATED IMPACT FEES AT THE FULLY
16 CALCULATED RATE AS OF THE EFFECTIVE DATE OF THIS
17 ORDINANCE; PROVIDING A CONFLICTS CLAUSE, A
18 SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY;
19 PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
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21
22 **WHEREAS**, the City's current impact fees were adopted and imposed by
23 Ordinance 1, 2016 on September 22, 2016; and
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25 **WHEREAS**, Section 78-95. - Review. of the Code of Ordinances requires that the
26 schedule of each impact fee be reviewed periodically to reflect current changes to the
27 cost, credit, and demand components, and that Division 4 shall be amended where review
28 warrants a change in impact fees; and
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30 **WHEREAS**, this Ordinance for petition LDRA-23-01-000089 was reviewed by the
31 Planning, Zoning, and Appeals Board, sitting as the Local Planning Agency, at a public
32 hearing on October 10, 2023, and the Board recommended approval by a vote of 7 to 0;
33 and
34

35 **WHEREAS**, Section 163.31801, *Florida Statutes*, permits the City Council to make
36 a finding that extraordinary circumstances exist, and upon making such finding and after
37 holding two (2) publicly noticed workshops, the City is further permitted to immediately
38 implement the revised impact fees at the fully calculated rate based on documented need
39 in accordance with the Palm Beach Gardens Impact Fee Technical Report, prepared by
40 NUE Urban Concepts, LLC and dated September 2023; and
41

42 **WHEREAS**, for the past thirty (30) years the City of Palm Beach Gardens has
43 experienced extraordinary population growth that exceeds the percentage of population
44 growth experienced statewide; and
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1 **WHEREAS**, the City of Palm Beach Gardens is projected to continue to experience
2 extraordinary growth that will exceed the State of Florida’s 2022 through 2035 population
3 growth projections; and
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5 **WHEREAS**, the extraordinary growth in population projected for the City of Palm
6 Beach Gardens will result in an extraordinary need for capital improvements to
7 accommodate that growth; and
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9 **WHEREAS**, the City held two (2) publicly noticed workshops on October 19, 2023,
10 at 9:00 a.m. and on October 19, 2023, at 6:00 p.m., which were dedicated to sharing
11 about and elaborating on the extraordinary circumstances necessitating the need to
12 exceed the phase-in limitations set forth at Section 163.31801, *Florida Statutes*; and
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14 **WHEREAS**, in order to exceed the phase-in limitations imposed by Section
15 163.31801, *Florida Statutes*, the City Council must approve this Ordinance by at least a
16 two-thirds vote; and
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18 **WHEREAS**, the City Council deems approval of this Ordinance to be in the best
19 interests of the health, safety, and welfare of the residents and citizens of the City of Palm
20 Beach Gardens and the public at large.
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23 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY**
24 **OF PALM BEACH GARDENS, FLORIDA, that:**
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26 **SECTION 1.** The foregoing recitals are hereby affirmed and ratified.
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28 **SECTION 2.** Based upon the evidence and testimony presented at two (2) public
29 workshops (October 19, 2023, at both 9:00 a.m. and 6:00 p.m.) and two (2) public
30 hearings, the City Council hereby specifically finds that extraordinary circumstances exist
31 that satisfy the requirements of Section 163.31801, *Florida Statutes*, for the immediate
32 implementation of the revised impact fees at the fully calculated rate based on
33 documented need in accordance with the Palm Beach Gardens Impact Fee Technical
34 Report, prepared by NUE Urban Concepts, LLC and dated September 2023.
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36 **SECTION 3.** Chapter 78 - Land Development of the Code of Ordinances of the
37 City of Palm Beach Gardens, Florida, is hereby amended at Article III. - Development
38 Review Procedures by repealing Division 4. - Citywide Impact Fees and Mobility Fees,
39 and readopting same, as revised, such that Division 4. - Citywide Impact Fees and
40 Mobility Fees shall hereafter read as follows:
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42 See Exhibit “A,” attached hereto and made a part hereof.
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44 **SECTION 4.** All Ordinances or parts of Ordinances in conflict be and the same are
45 hereby repealed.
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SECTION 5. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

SECTION 6. Specific authority is hereby given to codify this Ordinance.

SECTION 7. This Ordinance shall become effective immediately upon adoption.

(The remainder of this page intentionally left blank.)

PASSED this 2nd day of November, 2023, upon first reading.

PASSED AND ADOPTED this 6th day of December, 2023, upon second and final reading.

CITY OF PALM BEACH GARDENS FOR AGAINST ABSENT

BY: Chelsea Reed, Mayor (Signature) FOR: [check] AGAINST: [] ABSENT: []

Carl W. Woods, Vice Mayor (Signature) FOR: [check] AGAINST: [] ABSENT: []

Marcie Tinsley, Councilmember (Signature) FOR: [check] AGAINST: [] ABSENT: []

Robert G. Premuroso, Councilmember (Signature) FOR: [check] AGAINST: [] ABSENT: []

Dana P. Middleton, Councilmember (Signature) FOR: [check] AGAINST: [] ABSENT: []

ATTEST:

BY: Patricia Snider, CMC, City Clerk (Signature)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: R. Max Lohman, City Attorney (Signature)

(Signature)

EXHIBIT "A"

Subpart B - LAND DEVELOPMENT REGULATIONS
Chapter 78 - LAND DEVELOPMENT
ARTICLE III. - DEVELOPMENT REVIEW PROCEDURES
DIVISION 4. CITYWIDE IMPACT FEES AND MOBILITY FEES

DIVISION 4. CITYWIDE IMPACT FEES AND MOBILITY FEES

Sec. 78-91. Applicability.

- (a) *Applicability.* This article shall apply to the incorporated portions of the city. For lands east of the Beeline Highway, as more specifically indicated in Map E of the City of Palm Beach Gardens Mobility Fee Technical Report dated May 2019 and prepared by NUE Urban Concepts, the Mobility Fee Schedule shall be utilized in lieu of the Transportation (Roads) Impact Fee Schedule.
- (b) *Intent and purpose.* This division shall implement the city's comprehensive plan. The purpose of this division is to ensure that new development bears a ~~proportionate~~ an attributable share of the cost of capital expenditures necessary to provide road or multimodal projects, parks and recreation, police, fire/emergency medical service protection services, and public facilities in the city as established by the comprehensive plan.
- (c) *Rules of construction.* The provisions of this division shall be liberally construed so as to effectively carry out its purpose in the interest of public health, safety, and welfare. For purposes of administration and enforcement of this article, unless otherwise stated in this article, the rules of construction listed below shall apply to the text of this division.
- (1) If there is any difference of meaning or implication between the text of this article and any caption, illustration, summary table, or illustrative table, the text shall control.
 - (2) The term "shall" is always mandatory and not discretionary; the term "may" is permissive.
 - (3) Words used in the present tense shall include the future, and words used in the singular number shall include the plural and the plural the singular, unless the context clearly indicates the contrary.
 - (4) The phrase "used for" includes "arranged for," "designed for," "maintained for," or "occupied for."
 - (5) The term "person" includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
 - (6) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction "and," "or," or "either... or," the conjunction shall be interpreted as follows:
 - a. "and" indicates that all the connected items, conditions, provisions, or events shall apply;

- b. "or" indicates that the connected items, conditions, provisions, or events may apply singly or in any combination; and
 - c. "either... or" indicates that the connected items, conditions, provisions, or events shall apply singly but not in combination.
- (7) The term "includes" shall not limit a term to the specific example, but is intended to extend its meaning to all other instances or circumstances of like kind or character.
 - (8) Unless the context clearly indicates to the contrary, the terms "public safety," "police protection," "fire protection," "emergency medical services (EMS)," "parks and recreation," "public facilities," and "public buildings" shall have the same meanings given those terms in the city's comprehensive plan.
 - (9) For the purposes of this division, the term "road" shall mean those roads identified in the city's thoroughfare plan and city center linkages plan, as incorporated into the city's comprehensive plan.
 - (10) The term "mobility fee" shall mean a monetary exaction imposed on new development or redevelopment that generates personal travel demand above the current use of land to fund improvements identified in a mobility plan.
 - (11) The term "multimodal improvements" shall mean sidewalks, bike lanes, trails, paths, protected bike lanes, transit stops, transit pull-outs, transit stations, shared streets, dedicated transit lanes, streetscape, landscape, high-occupancy vehicle lanes, roundabouts, raised medians, crosswalks, and high visibility crosswalks. Improvements can include new or additional travel lanes and turn lanes, new or upgraded traffic signals, traffic synchronization, mobilization, maintenance of traffic, planning, survey, geotechnical and engineering, utilities, construction, engineering and inspection, utility relocation, right-of-way, easements, and stormwater facilities. Improvements may also include the repayment of bonds, local match for federal, state, and/or county-funded projects, repayment of loans from the State of Florida Infrastructure Bank used to front-end the design and/or construction of multimodal improvements.
 - (12) The term "multimodal project" shall mean a mobility project that is comprised of one or more multimodal improvements and/or mobility-oriented services and/or programs.
 - (13) The land use types listed in section 78-92 for ~~police, fire/EMS,~~ parks and recreation (PARKS & REC), fire protection and emergency medical services (FIRE & EMS), police protection (POLICE), and public facilities (PF) impact fees shall be as defined in the Impact Fee Technical Report dated September 2023 and prepared by NUE Urban Concepts ~~have the same meaning as in article IV pertaining to zoning~~. The land use types listed in section 78-92 for collector road fees shall be as described in the latest edition of the Institute for Transportation Engineers, *Trip Generation* manual, or as determined by the city engineer. The land use types listed in section 78-92 for mobility fees shall be as defined in the Mobility Fee Technical Report dated May 2019 and prepared by NUE Urban Concepts.

(14) A finding of extraordinary circumstances, consistent with § 163.31801, Florida Statutes has been documented in the Impact Fee Technical Report dated September 2023 and prepared by NUE Urban Concepts for the police protection, fire protection/EMS, parks and recreation, and public facilities impact fees. Two publicly noticed workshops were held on October 19th, 2023 at 9:00 am and October 19th, 2023 at 6:00 pm. The City Council has approved the finding of extraordinary circumstances by a two-thirds majority of the City Council. The fully calculated impact fee rates have been adopted as of the effective date of the impact fee update.

(15) The finding of extraordinary circumstances, consistent with § 163.31801, Florida Statutes does not apply to the road impact fees and the mobility fees. Road impact fees and mobility fees are proposed to be updated under separate studies and any increase in either fee shall be subject to demonstrate a finding of extraordinary circumstances or be phased-in per the requirements of § 163.31801, Florida Statutes.

(d) *Imposition of fees.*

- (1) *Fees required.* Any person who seeks to develop land by applying for the issuance of a building permit for one of the land use types specified in section 78-92 shall be required to pay an impact and/or mobility fee for the following services: roads or multimodal projects, police protection, fire protection/EMS, parks and recreation, and public facilities in the manner and amount set forth in this chapter.
- (2) *Building permits.* A building permit shall not be issued until all applicable impact and/or mobility fees required have been paid. The amount of the impact and/or mobility fees shall be as set forth in the schedules provided herein.
- (3) *Existing uses.* When change of use, redevelopment, or modification of an existing use requires the issuance of a building permit, any impact and/or mobility fees imposed shall be based upon the net increase in the impact and/or mobility fee for the new use as compared to the previous and/or "like" use as set forth in the schedules provided herein below and as determined by city policy. Changes in use that do not require a building permit, but yield a net increase in applicable impact and/or mobility fees shall not be allowed until the net impact and/or mobility fees associated with that change in use have been paid.
- (4) *Thresholds.* The assessment of impact fees for residential land uses shall be capped at the maximum square footage threshold per residential land use specified in section 78-92.
- (5) *Units of measure.* The most common unit of measure is per 1,000 square feet (sf) for land uses in section 78-92. While the amounts are illustrated per 1,000 square feet, the actual calculation of impact fees is done on a per square foot basis. This is achieved by dividing the square footage of a land use by 1,000. Other impact and/or mobility fees assessed on a unique unit of measure are done so per unit of measure, unless otherwise defined in a Technical Report.

(6) Additive fees. High impact land uses are assessed an impact fee for both the square footage of buildings associated with a primary use of land plus an impact and/or mobility fee per unit of measure for the structure or component of the land use which creates the impact. These land uses fall under the non-residential land use classifications of the land use types specified in section 78-92.

(7) Road impact fees and mobility fees. Until such time as the road impact fees and mobility fees are updated, the fees shall be assessed per the rates and schedules in section 78-92. The residential thresholds and the additive fees will not apply to these fees until they are updated.

(e) A copy of the city's mobility plan, as adopted by Ordinance 16, 2019 on September 5, 2019, is available for review and inspection in the city clerk's office and on the city's website: www.pbgfl.com.

Sec. 78-92. Fees.

The amount of the impact and/or mobility fees shall be determined by the schedules contained herein.

PARKS AND RECREATION (PARKS & REC)

LUC	Land Use	Impact Unit	Parks and Rec. Calculated Impact Fee
Residential:			
210	Single Family (detached/attached):-		
	-Less than 1,500 sf	du	\$3,363.00
	-1,500 to 2,499 sf	du	3,703.00
	-2,500 sf or more	du	4,114.00
220/230	Multi-Family (Apartment/Condo):		
	-Less than 1,000 sf	du	2,450.00
	-1,000 sf or more	du	3,041.00
240	Mobile Home	du	3,381.00
Transient, Assisted, Group:			
253	Congregate Care Facility	du	1,746.00
254	Assisted Living Facility	bed	1,575.00
620	Nursing Home	1,000 sf	2,980.00
310	Hotel	room	2,638.00
Recreational:			
412	General Recreation	acre	N/A
443	Movie Theater	seat	N/A
491	Racquet/Tennis Club	court	N/A
495	Recreational Community Center	1,000 sf	N/A

Institution:			
520	Elementary School (Private)	student	N/A
522	Middle School (Private)	student	N/A
530	High School (Private)	student	N/A
540	University (7,500 or fewer students) (Private)	student	N/A
550	University (more than 7,500 students) (Private)	student	N/A
560	Church/Synagogue	1,000 sf	N/A
565	Day Care Center	1,000 sf	N/A
566	Cemetery	acre	N/A
610	Hospital	1,000 sf	N/A
640	Animal Hospital/Veterinary Clinic	1,000 sf	N/A
n/a	Funeral Home	1,000 sf	N/A
Office:			
710	Office (50,000 sf and less)	1,000 sf	N/A
	Office (50,001—100,000 sf)	1,000 sf	N/A
	Office (100,001—200,000 sf)	1,000 sf	N/A
	Office (200,001—400,000 sf)	1,000 sf	N/A
	Office (greater than 400,000 sf)	1,000 sf	N/A
720	Medical Office (less than 10,000 sf)	1,000 sf	N/A
720	Medical Office (10,000 sf and greater)	1,000 sf	N/A
Retail:			
820	Retail 50,000 sf and less	1,000 sf	N/A
	Retail 50,001—200,000 sf	1,000 sf	N/A
	Retail 200,001—400,000 sf	1,000 sf	N/A
	Retail 400,001—600,000 sf	1,000 sf	N/A
	Retail 600,001—800,000 sf	1,000 sf	N/A
	Retail greater than 800,000 sf	1,000 sf	N/A
841	New/Used Car Sales	1,000 sf	N/A
853	Convenience Store w/Gas Pumps	1,000 sf	N/A
880	Pharmacy/Drugstore without Drive Thru	1,000 sf	N/A
881	Pharmacy/Drugstore with Drive Thru	1,000 sf	N/A
890	Furniture Store	1,000 sf	N/A

911	Bank/Savings Walk-In	1,000 sf	N/A
912	Bank/Savings Drive-In	1,000 sf	N/A
931	Quality Restaurant	1,000 sf	N/A
932	High-Turnover Restaurant	1,000 sf	N/A
934	Fast Food Restaurant w/Drive-Thru	1,000 sf	N/A
941	Quick Lube	bay	N/A
942	Automobile Care Center	1,000 sf	N/A
944	Gas/Service Station	fuel pos.	N/A
945	Gas/Service Station with Convenience Market	fuel pos.	N/A
947	Car Wash	bay	N/A
Industrial:			
110	General Industrial	1,000 sf	N/A
150	Warehousing	1,000 sf	N/A
151	Mini Warehouse	1,000 sf	N/A

Land Use Schedule (Example Representative Land Uses)	Per Unit of Measure	Parks & Rec Impact Fee
Residential & Lodging Uses		
<u>Single Family Detached (Single-Family Detached, Mobile Home) Maximum 9,500 sf</u>	<u>1,000 sf</u>	<u>\$1,323</u>
<u>Single-Family Attached (Condo, Duplex, Townhome, Villa) Maximum 4,500 sf</u>	<u>1,000 sf</u>	<u>\$2,230</u>
<u>Multi-Family Residential (Active Adult, 3 or more Units Attached) Maximum 2,500 sf</u>	<u>1,000 sf</u>	<u>\$2,556</u>
<u>Overnight Lodging (Hotel, Inn, Motel, Resort)</u>	<u>room</u>	<u>\$2,772</u>
Institutional Uses		
<u>Community Serving (Arts, Civic, Clubhouse, Lodge, Place of Assembly or Worship)</u>	<u>1,000 sf</u>	<u>\$60</u>
<u>Long Term Care (Assisted Living, Congregate Care Facility, Nursing Facility)</u>	<u>1,000 sf</u>	<u>\$2,946</u>
<u>Private Education (Day Care, Private Primary School, Pre-K)</u>	<u>1,000 sf</u>	<u>\$2,673</u>
Industrial Uses		
<u>Industrial (Assembly, Fabrication, Manufacturing, Processing, Production, Trades, Utilities)</u>	<u>1,000 sf</u>	<u>\$152</u>
<u>Commercial Storage (Distribution, Mini-Warehouse, Outdoor Storage, Warehouse)</u>	<u>1,000 sf</u>	<u>\$76</u>

Recreational Uses		
<u>Marina (any additional structures pay applicable fee per use)</u>	<u>berth</u>	<u>\$38</u>
<u>Outdoor Commercial Recreation (Amusement, Golf, Multi-Purpose, Parks, Sports, Tennis)</u>	<u>acre</u>	<u>\$755</u>
<u>Indoor Commercial Recreation (Fitness, Health, Indoor Sports, Kids Activities, Movies)</u>	<u>1,000 sf</u>	<u>\$453</u>
Office Uses		
<u>Office 100,000 sq. ft. or less (General, Higher Education, Hospital, Professional, Tutoring)</u>	<u>1,000 sf</u>	<u>\$173</u>
<u>Office greater than 100,000 sq. ft. (General, Higher Education, Hospital, Professional)</u>	<u>1,000 sf</u>	<u>\$138</u>
<u>Medical Office (Clinic, Dental, Emergency Care, Medical, Veterinary)</u>	<u>1,000 sf</u>	<u>\$250</u>
Commercial & Retail Uses		
<u>Retail (Discount, Entertainment, Financial, Pharmacy, Repair, Retail, Sales, Services)</u>	<u>1,000 sf</u>	<u>\$201</u>
<u>Grocery & Liquor Store (Grocery, Package Store, Supermarket, Wine & Spirits)</u>	<u>1,000 sf</u>	<u>\$227</u>
<u>Convenience Store (With or Without Motor Vehicle Fueling)</u>	<u>1,000 sf</u>	<u>\$151</u>
<u>Sit-Down Restaurant (Drinking Establishment, Full Service, Quality, Table Service)</u>	<u>1,000 sf</u>	<u>\$529</u>
<u>Quick Service Restaurant (Casual, Delivery, Drive-up, Fast Casual, Fast Food, Take Away)</u>	<u>1,000 sf</u>	<u>\$605</u>
Non-Residential Additive Uses (Fee in addition to Fee per 1,000 sf)		
<u>Financial Service Drive-Thru Lane or Free-Standing ATM</u>	<u>lane or ATM</u>	<u>\$19</u>
<u>Motor Vehicle & Boat Cleaning (Detailing Stations, Wash Tunnels, Wax)</u>	<u>bay, lane, stall</u>	<u>\$8</u>
<u>Motor Vehicle Fueling (Charging or Fueling per vehicle position)</u>	<u>position</u>	<u>\$9</u>
<u>Motor Vehicle Service (Maintenance, Repair, Service, Tires)</u>	<u>bay or stall</u>	<u>\$76</u>
<u>Quick Service Restaurant Drive-Thru</u>	<u>lane</u>	<u>\$605</u>

FIRE PROTECTION / EMERGENCY MEDICAL SERVICES (FIRE & EMS) RESCUE

LUC	Land Use	Impact Unit	Fire ———— Rescue Calculated Impact Fee
Residential:			
210	Single ———— Family (detached/attached):		
	—Less than 1,500 sf	du	\$424.73
	—1,500 to 2,499 sf	du	468.56
	—2,500 sf or more	du	519.12
220/230	Multi-Family (Apartment/Condo):		
	—Less than 1,000 sf	du	310.12
	—1,000 sf or more	du	384.28
240	Mobile Home	du	428.10
Transient, Assisted, Group:			
253	Congregate Care Facility	du	289.50
254	Assisted Living Facility	bed	303.97
620	Nursing Home	1,000-sf	470.43
310	Hotel	room	329.30
Recreational:			
412	General Recreation	acre	72.37
443	Movie Theater	seat	36.19
491	Racquet/Tennis Club	court	1,143.51
495	Recreational ———— Community Center	1,000-sf	1,053.04
Institution:			
520	Elementary School (Private)	student	21.71
522	Middle School (Private)	student	25.33
530	High School (Private)	student	28.95
540	University (7,500 or fewer students) (Private)	student	36.19
550	University (more than 7,500 students) (Private)	student	25.33
560	Church/Synagogue	1,000-sf	184.55
565	Day Care Center	1,000-sf	322.06
566	Cemetery	acre	43.42
610	Hospital	1,000-sf	495.76
640	Animal ———— Hospital/Veterinary Clinic	1,000-sf	839.54
n/a	Funeral Home	1,000-sf	199.03
Office:			
710	Office (50,000 sf and less)	1,000-sf	510.24

	Office (50,001—100,000 sf)	1,000 sf	430.63
	Office (100,001—200,000 sf)	1,000 sf	365.49
	Office (200,001—400,000 sf)	1,000 sf	307.59
	Office (greater than 400,000 sf)	1,000 sf	278.64
720	Medical Office (less than 10,000 sf)	1,000 sf	412.53
720	Medical Office (10,000 sf and greater)	1,000 sf	600.70
Retail:			
820	Retail 50,000 sf and less	1,000 sf	886.58
	Retail 50,001—200,000 sf	1,000 sf	832.30
	Retail 200,001—400,000 sf	1,000 sf	846.78
	Retail 400,001—600,000 sf	1,000 sf	882.96
	Retail 600,001—800,000 sf	1,000 sf	922.77
	Retail greater than 800,000 sf	1,000 sf	875.73
841	New/Used Car Sales	1,000 sf	531.95
853	Convenience Store w/Gas Pumps	1,000 sf	2,109.70
880	Pharmacy/Drugstore without Drive Thru	1,000 sf	687.55
881	Pharmacy/Drugstore with Drive Thru	1,000 sf	720.12
890	Furniture Store	1,000 sf	83.23
911	Bank/Savings Walk In	1,000 sf	806.97
912	Bank/Savings Drive In	1,000 sf	825.06
931	Quality Restaurant	1,000 sf	2,467.95
932	High Turnover Restaurant	1,000 sf	2,453.48
934	Fast Food Restaurant w/Drive Thru	1,000 sf	3,220.64
941	Quick Lube	bay	419.77
942	Automobile Care Center	1,000 sf	542.81
944	Gas/Service Station	fuel pos.	716.50
945	Gas/Service Station with Convenience Market	fuel pos.	705.65
947	Car Wash	bay	314.83
Industrial:			
110	General Industrial	1,000 sf	249.69
150	Warehousing	1,000 sf	101.32
151	Mini-Warehouse	1,000 sf	21.71

Land Use Schedule (Example Representative Land Uses)	Per Unit of Measure	Fire & EMS Impact Fee
Residential & Lodging Uses		
Single Family Detached (<i>Single-Family Detached, Mobile Home</i>) Maximum 9,500 sf	1,000 sf	\$218
Single-Family Attached (<i>Condo, Duplex, Townhome, Villa</i>) Maximum 4,500 sf	1,000 sf	\$367
Multi-Family Residential (<i>Active Adult, 3 or more Units Attached</i>) Maximum 2,500 sf	1,000 sf	\$421
Overnight Lodging (<i>Hotel, Inn, Motel, Resort</i>)	room	\$567
Institutional Uses		
Community Serving (<i>Arts, Civic, Clubhouse, Lodge, Place of Assembly or Worship</i>)	1,000 sf	\$245
Long Term Care (<i>Assisted Living, Congregate Care Facility, Nursing Facility</i>)	1,000 sf	\$788
Private Education (<i>Day Care, Private Primary School, Pre-K</i>)	1,000 sf	\$723
Industrial Uses		
Industrial (<i>Assembly, Fabrication, Manufacturing, Processing, Production, Trades, Utilities</i>)	1,000 sf	\$311
Commercial Storage (<i>Distribution, Mini-Warehouse, Outdoor Storage, Warehouse</i>)	1,000 sf	\$173
Recreational Uses		
Marina (<i>any additional structures pay applicable fee per use</i>)	berth	\$54
Outdoor Commercial Recreation (<i>Amusement, Golf, Multi-Purpose, Parks, Sports, Tennis</i>)	acre	\$1,326
Indoor Commercial Recreation (<i>Fitness, Health, Indoor Sports, Kids Activities, Movies</i>)	1,000 sf	\$1,362
Office Uses		
Office 100,000 sq. ft. or less (<i>General, Higher Education, Hospital, Professional, Tutoring</i>)	1,000 sf	\$645
Office greater than 100,000 sq. ft. (<i>General, Higher Education, Hospital, Professional</i>)	1,000 sf	\$460
Medical Office (<i>Clinic, Dental, Emergency Care, Medical, Veterinary</i>)	1,000 sf	\$759
Commercial & Retail Uses		
Retail (<i>Discount, Entertainment, Financial, Pharmacy, Repair, Retail, Sales, Services</i>)	1,000 sf	\$1,159

<u>Grocery & Liquor Store (Grocery, Package Store, Supermarket, Wine & Spirits)</u>	<u>1,000 sf</u>	<u>\$1,171</u>
<u>Convenience Store (With or Without Motor Vehicle Fueling)</u>	<u>1,000 sf</u>	<u>\$2,688</u>
<u>Sit-Down Restaurant (Drinking Establishment, Full Service, Quality, Table Service)</u>	<u>1,000 sf</u>	<u>\$3,067</u>
<u>Quick Service Restaurant (Casual, Delivery, Drive-up, Fast Casual, Fast Food, Take Away)</u>	<u>1,000 sf</u>	<u>\$4,124</u>
Non-Residential Additive Uses (Fee in addition to Fee per 1,000 sf)		
<u>Financial Service Drive-Thru Lane or Free-Standing ATM</u>	<u>lane or ATM</u>	<u>\$1,180</u>
<u>Motor Vehicle & Boat Cleaning (Detailing Stations, Wash Tunnels, Wax)</u>	<u>bay, lane, stall</u>	<u>\$451</u>
<u>Motor Vehicle Fueling (Charging or Fueling per vehicle position)</u>	<u>position</u>	<u>\$1,009</u>
<u>Motor Vehicle Service (Maintenance, Repair, Service, Tires)</u>	<u>bay or stall</u>	<u>\$1,045</u>
<u>Quick Service Restaurant Drive-Thru</u>	<u>lane</u>	<u>\$4,124</u>

POLICE PROTECTION (POLICE)

LUC	Land Use	Impact Unit	Police — Protection Calculated Impact Fee
Residential:			
210	Single Family (detached/attached):		
	- Less than 1,500 sf	du	\$278.60
	- 1,500 to 2,499 sf	du	307.34
	- 2,500 sf or more	du	340.51
220/230	Multi-Family (Apartment/Condo):		
	- Less than 1,000 sf	du	203.42
	- 1,000 sf or more	du	252.07
240	Mobile Home	du	280.81
Transient, Assisted, Group:			
253	Congregate Care Facility	du	207.34
254	Assisted Living Facility	bed	217.70
620	Nursing Home	1,000 sf	336.92
310	Hotel	room	235.84
Recreational:			

412	General Recreation	acre	51.83
443	Movie Theater	seat	25.92
491	Racquet/Tennis Club	court	818.98
495	Recreational — Community Center	1,000 sf	754.18
Institution:			
520	Elementary School (Private)	student	15.55
522	Middle School (Private)	student	18.14
530	High School (Private)	student	20.73
540	University (7,500 or fewer students) (Private)	student	25.92
550	University (more than 7,500 students) (Private)	student	18.14
560	Church/Synagogue	1,000 sf	132.18
565	Day Care Center	1,000 sf	230.66
566	Cemetery	acre	31.10
610	Hospital	1,000 sf	355.06
640	Animal — Hospital/Veterinary Clinic	1,000 sf	601.27
n/a	Funeral Home	1,000 sf	142.54
710	Office (50,000 sf and less)	1,000 sf	365.43
	Office (50,001 — 100,000 sf)	1,000 sf	308.41
	Office (100,001 — 200,000 sf)	1,000 sf	261.76
	Office (200,001 — 400,000 sf)	1,000 sf	220.29
	Office (greater than 400,000 sf)	1,000 sf	199.56
720	Medical Office (less than 10,000 sf)	1,000 sf	295.45
720	Medical Office (10,000 sf and greater)	1,000 sf	430.22
Retail:			
820	Retail 50,000 sf and less	1,000 sf	634.97
	Retail 50,001 — 200,000 sf	1,000 sf	596.09
	Retail 200,001 — 400,000 sf	1,000 sf	606.46
	Retail 400,001 — 600,000 sf	1,000 sf	632.37
	Retail 600,001 — 800,000 sf	1,000 sf	660.88
	Retail greater than 800,000 sf	1,000 sf	627.19
841	New/Used Car Sales	1,000 sf	380.98
853	Convenience Store w/Gas Pumps	1,000 sf	1,510.96

880	Pharmacy/Drugstore without Drive-Thru	1,000 sf	492.42
881	Pharmacy/Drugstore with Drive-Thru	1,000 sf	515.75
890	Furniture Store	1,000 sf	59.61
911	Bank/Savings Walk-In	1,000 sf	577.95
912	Bank/Savings Drive-In	1,000 sf	590.91
931	Quality Restaurant	1,000 sf	1,767.54
932	High Turnover Restaurant	1,000 sf	1,757.17
934	Fast Food Restaurant w/Drive-Thru	1,000 sf	2,306.61
941	Quick Lube	bay	300.64
942	Automobile Care Center	1,000 sf	388.76
944	Gas/Service Station	fuel pos.	513.16
945	Gas/Service Station with Convenience Market	fuel pos.	505.38
947	Car Wash	bay	225.48
Industrial:			
110	General Industrial	1,000 sf	178.83
150	Warehousing	1,000 sf	72.57
151	Mini Warehouse	1,000 sf	15.55

Land Use Schedule (Example Representative Land Uses)	Per Unit of Measure	Police Impact Fee
Residential & Lodging Uses		
<u>Single Family Detached (Single-Family Detached, Mobile Home)</u> Maximum 9,500 sf	<u>1,000 sf</u>	<u>\$161</u>
<u>Single-Family Attached (Condo, Duplex, Townhome, Villa)</u> Maximum 4,500 sf	<u>1,000 sf</u>	<u>\$270</u>
<u>Multi-Family Residential (Active Adult, 3 or more Units Attached)</u> Maximum 2,500 sf	<u>1,000 sf</u>	<u>\$310</u>
<u>Overnight Lodging (Hotel, Inn, Motel, Resort)</u>	<u>room</u>	<u>\$418</u>
Institutional Uses		
<u>Community Serving (Arts, Civic, Clubhouse, Lodge, Place of Assembly or Worship)</u>	<u>1,000 sf</u>	<u>\$180</u>
<u>Long Term Care (Assisted Living, Congregate Care Facility, Nursing Facility)</u>	<u>1,000 sf</u>	<u>\$581</u>
<u>Private Education (Day Care, Private Primary School, Pre-K)</u>	<u>1,000 sf</u>	<u>\$532</u>

Industrial Uses		
<u>Industrial (Assembly, Fabrication, Manufacturing, Processing, Production, Trades, Utilities)</u>	<u>1,000 sf</u>	<u>\$229</u>
<u>Commercial Storage (Distribution, Mini-Warehouse, Outdoor Storage, Warehouse)</u>	<u>1,000 sf</u>	<u>\$128</u>
Recreational Uses		
<u>Marina (any additional structures pay applicable fee per use)</u>	<u>berth</u>	<u>\$40</u>
<u>Outdoor Commercial Recreation (Amusement, Golf, Multi-Purpose, Parks, Sports, Tennis)</u>	<u>acre</u>	<u>\$976</u>
<u>Indoor Commercial Recreation (Fitness, Health, Indoor Sports, Kids Activities, Movies)</u>	<u>1,000 sf</u>	<u>\$1,003</u>
Office Uses		
<u>Office 100,000 sq. ft. or less (General, Higher Education, Hospital, Professional, Tutoring)</u>	<u>1,000 sf</u>	<u>\$475</u>
<u>Office greater than 100,000 sq. ft. (General, Higher Education, Hospital, Professional)</u>	<u>1,000 sf</u>	<u>\$339</u>
<u>Medical Office (Clinic, Dental, Emergency Care, Medical, Veterinary)</u>	<u>1,000 sf</u>	<u>\$559</u>
Commercial & Retail Uses		
<u>Retail (Discount, Entertainment, Financial, Pharmacy, Repair, Retail, Sales, Services)</u>	<u>1,000 sf</u>	<u>\$853</u>
<u>Grocery & Liquor Store (Grocery, Package Store, Supermarket, Wine & Spirits)</u>	<u>1,000 sf</u>	<u>\$862</u>
<u>Convenience Store (With or Without Motor Vehicle Fueling)</u>	<u>1,000 sf</u>	<u>\$1,979</u>
<u>Sit-Down Restaurant (Drinking Establishment, Full Service, Quality, Table Service)</u>	<u>1,000 sf</u>	<u>\$2,258</u>
<u>Quick Service Restaurant (Casual, Delivery, Drive-up, Fast Casual, Fast Food, Take Away)</u>	<u>1,000 sf</u>	<u>\$3,037</u>
Non-Residential Additive Uses (Fee in addition to Fee per 1,000 sf)		
<u>Financial Service Drive-Thru Lane or Free-Standing ATM</u>	<u>lane or ATM</u>	<u>\$869</u>
<u>Motor Vehicle & Boat Cleaning (Detailing Stations, Wash Tunnels, Wax)</u>	<u>bay or stall</u>	<u>\$332</u>
<u>Motor Vehicle Fueling (Charging or Fueling per vehicle position)</u>	<u>position</u>	<u>\$743</u>
<u>Motor Vehicle Service (Maintenance, Repair, Service, Tires)</u>	<u>bay or stall</u>	<u>\$770</u>
<u>Quick Service Restaurant Drive-Thru</u>	<u>lane</u>	<u>\$3,037</u>

PUBLIC FACILITIES (PF)

Land Use Schedule (Example Representative Land Uses)	Per Unit of Measure	Public Facilities Impact Fee
Residential & Lodging Uses		
<u>Single Family Detached (Single-Family Detached, Mobile Home) Maximum 9,500 sf</u>	<u>1,000 sf</u>	<u>\$92</u>
<u>Single-Family Attached (Condo, Duplex, Townhome, Villa) Maximum 4,500 sf</u>	<u>1,000 sf</u>	<u>\$154</u>
<u>Multi-Family Residential (Active Adult, 3 or more Units Attached) Maximum 2,500 sf</u>	<u>1,000 sf</u>	<u>\$177</u>
<u>Overnight Lodging (Hotel, Inn, Motel, Resort)</u>	<u>room</u>	<u>\$238</u>
Institutional Uses		
<u>Community Serving (Arts, Civic, Clubhouse, Lodge, Place of Assembly or Worship)</u>	<u>1,000 sf</u>	<u>\$103</u>
<u>Long Term Care (Assisted Living, Congregate Care Facility, Nursing Facility)</u>	<u>1,000 sf</u>	<u>\$331</u>
<u>Private Education (Day Care, Private Primary School, Pre-K)</u>	<u>1,000 sf</u>	<u>\$303</u>
Industrial Uses		
<u>Industrial (Assembly, Fabrication, Manufacturing, Processing, Production, Trades, Utilities)</u>	<u>1,000 sf</u>	<u>\$130</u>
<u>Commercial Storage (Distribution, Mini-Warehouse, Outdoor Storage, Warehouse)</u>	<u>1,000 sf</u>	<u>\$73</u>
Recreational Uses		
<u>Marina (any additional structures pay applicable fee per use)</u>	<u>berth</u>	<u>\$23</u>
<u>Outdoor Commercial Recreation (Amusement, Golf, Multi-Purpose, Parks, Sports, Tennis)</u>	<u>acre</u>	<u>\$557</u>
<u>Indoor Commercial Recreation (Fitness, Health, Indoor Sports, Kids Activities, Movies)</u>	<u>1,000 sf</u>	<u>\$572</u>
Office Uses		
<u>Office 100,000 sq. ft. or less (General, Higher Education, Hospital, Professional, Tutoring)</u>	<u>1,000 sf</u>	<u>\$271</u>
<u>Office greater than 100,000 sq. ft. (General, Higher Education, Hospital, Professional)</u>	<u>1,000 sf</u>	<u>\$193</u>
<u>Medical Office (Clinic, Dental, Emergency Care, Medical, Veterinary)</u>	<u>1,000 sf</u>	<u>\$318</u>
Commercial & Retail Uses		
<u>Retail (Discount, Entertainment, Financial, Pharmacy, Repair, Retail, Sales, Services)</u>	<u>1,000 sf</u>	<u>\$486</u>

Grocery & Liquor Store (<i>Grocery, Package Store, Supermarket, Wine & Spirits</i>)	1,000 sf	\$491
Convenience Store (<i>With or Without Motor Vehicle Fueling</i>)	1,000 sf	\$1,128
Sit-Down Restaurant (<i>Drinking Establishment, Full Service, Quality, Table Service</i>)	1,000 sf	\$1,287
Quick Service Restaurant (<i>Casual, Delivery, Drive-up, Fast Casual, Fast Food, Take Away</i>)	1,000 sf	\$1,731
Non-Residential Additive Uses (Fee in addition to Fee per 1,000 sf)		
Financial Service Drive-Thru Lane or Free-Standing ATM	lane or ATM	\$495
Motor Vehicle & Boat Cleaning (<i>Detailing Stations, Wash Tunnels, Wax</i>)	bay or stall	\$189
Motor Vehicle Fueling (<i>Charging or Fueling per vehicle position</i>)	position	\$424
Motor Vehicle Service (<i>Maintenance, Repair, Service, Tires</i>)	bay or stall	\$439
Quick Service Restaurant Drive-Thru	lane	\$1,731

TRANSPORTATION (ROADS)

LUC	Land Use	Impact Unit	Transportation Roads Calculated Impact Fee
Residential:			
210	Single Family (detached/attached):		
	- Less than 1,500 sf	du	\$1,493.00
	- 1,500 to 2,499 sf	du	1,779.00
	- 2,500 sf or more	du	2,097.00
220/230	Multi-Family (Apartment/Condo):		
	- Less than 1,000 sf	du	1,107.00
	- 1,000 sf or more	du	1,107.00
240	Mobile Home	du	662.00
Transient, Assisted, Group:			
253	Congregate Care Facility	du	176.00
254	Assisted Living Facility	bed	209.00
620	Nursing Home	1,000 sf	602.00
310	Hotel	room	896.00
Recreational:			
412	General Recreation	acre	372.00
443	Movie Theater	seat	122.00

491	Racquet/Tennis Club	court	6,442.00
495	Recreational Community Center	1,000 sf	5,368.00
Institution:			
520	Elementary School (Private)	student	158.00
522	Middle School (Private)	student	222.00
530	High School (Private)	student	217.00
540	University (7,500 or fewer students) (Private)	student	404.00
550	University (more than 7,500 students) (Private)	student	299.00
560	Place of Assembly/Worship	1,000 sf	1,097.00
565	Day Care Center	1,000 sf	3,640.00
566	Cemetery	acre	1,019.00
610	Hospital	1,000 sf	2,334.00
640	Animal Hospital/Veterinary Clinic	1,000 sf	1,487.00
n/a	Funeral Home	1,000 sf	428.00
Office:			
710	Office (50,000 sf and less)	1,000 sf	2,531.00
	Office (50,001—100,000 sf)	1,000 sf	2,132.00
	Office (100,001—200,000 sf)	1,000 sf	1,814.00
	Office (200,001—400,000 sf)	1,000 sf	1,544.00
	Office (greater than 400,000 sf)	1,000 sf	1,397.00
720	Medical Office (less than 10,000 sf)	1,000 sf	4,047.00
720	Medical Office (10,000 sf and greater)	1,000 sf	5,899.00
Retail:			
820	Retail 50,000 sf and less	1,000 sf	3,095.00
	Retail 50,001—200,000 sf	1,000 sf	2,941.00
	Retail 200,001—400,000 sf	1,000 sf	2,777.00
	Retail 400,001—600,000 sf	1,000 sf	2,710.00
	Retail 600,001—800,000 sf	1,000 sf	2,771.00
	Retail greater than 800,000 sf	1,000 sf	2,816.00
841	New/Used Car Sales	1,000 sf	3,530.00
853	Convenience Store w/Gas Pumps	1,000 sf	11,172.00
880	Pharmacy/Drugstore without Drive-Thru	1,000 sf	2,047.00

881	Pharmacy/Drugstore with Drive-Thru	1,000 sf	2,388.00
890	Furniture Store	1,000 sf	572.00
911	Bank/Savings Walk-In	1,000 sf	4,711.00
912	Bank/Savings Drive-In	1,000 sf	6,180.00
931	Quality Restaurant	1,000 sf	7,581.00
932	High-Turnover Restaurant	1,000 sf	9,021.00
934	Fast-Food Restaurant w/Drive-Thru	1,000 sf	20,811.00
941	Quick Lube	bay	3,585.00
942	Automobile Care Center	1,000 sf	2,828.00
944	Gas/Service Station	fuel pos.	2,513.00
945	Gas/Service Station with Convenience Market	fuel pos.	2,442.00
947	Car Wash	bay	2,231.00
Industrial:			
110	General Industrial	1,000 sf	1,135.00
150	Warehousing	1,000 sf	580.00
151	Mini-Warehouse	1,000 sf	217.00

MOBILITY

LUC	Land Use	Impact Unit	Mobility Calculated Impact Fee	Fees
Residential:				
210	Single Family (detached/attached):			
	- Less than 1,500 sf	du	\$4,991.00	
	- 1,500 to 2,499 sf	du	5,823.00	
	- 2,500 sf or more	du	6,655.00	
220/230	Multi-Family (Apartment/Condo):			
	- Less than 1,000 sf	du	3,137.00	
	- 1,000 sf or more	du	3,835.00	
240	Mobile Home	du	3,525.00	
Transient, Assisted, Group:				
253	Congregate Care Facility	du	573.00	
254	Assisted Living Facility	bed	720.00	
620	Nursing Home	1,000 sf	1,882.00	
310	Hotel	room	3,164.00	
Recreational:				
412	General Recreation	acre	285.00	
443	Movie Theater	seat	643.00	

491	Racquet/Tennis Club	court	10,124.00
495	Recreational Community Center	1,000 sf	6,536.00
Institution:			
520	Elementary School (Private)	student	1,161.00
522	Middle School (Private)	student	1,161.00
530	High School (Private)	student	1,161.00
540	University (7,500 or fewer students) (Private)	student	478.00
550	University (more than 7,500 students) (Private)	student	478.00
560	Place of Assembly/Worship	1,000 sf	2,832.00
565	Day Care Center	1,000 sf	6,105.00
566	Cemetery	acre	2,334.00
610	Hospital	1,000 sf	4,136.00
640	Animal Hospital/Veterinary Clinic	1,000 sf	8,295.00
n/a	Funeral Home	1,000 sf	2,334.00
Office:			
710	Office	1,000 sf	3,978.00
720	Medical Office	1,000 sf	9,250.00
Retail:			
820	Retail	1,000 sf	8,931.00
841	New/Used Car Sales	1,000 sf	9,741.00
853	Convenience Store w/Gas Pumps	1,000 sf	59,651.00
880	Pharmacy/Drugstore without Drive-Thru	1,000 sf	9,520.00
881	Pharmacy/Drugstore with Drive-Thru	1,000 sf	9,520.00
890	Furniture Store	1,000 sf	2,981.00
911	Bank/Savings Walk-In	1,000 sf	19,119.00
912	Bank/Savings Drive-In	1,000 sf	19,119.00
931	Quality Restaurant	1,000 sf	19,521.00
932	High-Turnover Restaurant	1,000 sf	26,119.00
934	Fast-Food Restaurant w/Drive-Thru	1,000 sf	58,589.00
941	Quick Lube	bay	3,823.00
942	Automobile Care Center	1,000 sf	5,255.00
944	Gas/Service Station	fuel pos.	18,032.00
945	Gas/Service Station with Convenience Market	fuel pos.	18,032.00
947	Car Wash	bay	10,321.00
Industrial:			

110	General Industrial	1,000 sf	3,213.00
150	Warehousing	1,000 sf	1,199.00
151	Mini-Warehouse	1,000 sf	649.00

PUBLIC FACILITIES

LUC	Land Use	Impact Unit	Public Facilities Calculated Impact Fee
Residential:			
210	Single Family (detached/attached):		
	– Less than 1,500 sf	du	\$188.90
	– 1,500 to 2,499 sf	du	208.39
220/230	Multi-Family (Apartment/Condo):		
	– Less than 1,000 sf	du	137.93
	– 1,000 sf or more	du	170.91
240	Mobile Home	du	190.40
Transient, Assisted, Group:			
253	Congregate Care Facility	du	128.24
254	Assisted Living Facility	bed	134.65
620	Nursing Home	1,000 sf	208.39
310	Hotel	room	145.87
Recreational:			
412	General Recreation	acre	32.06
443	Movie Theater	seat	16.03
491	Racquet/Tennis Club	court	506.55
495	Recreational Community Center	1,000 sf	466.47
Institution:			
520	Elementary School (Private)	student	9.62
522	Middle School (Private)	student	11.22
530	High School (Private)	student	12.82
540	University (7,500 or fewer students) (Private)	student	16.03
550	University (more than 7,500 students) (Private)	student	11.22
560	Church/Synagogue	1,000 sf	81.75
565	Day Care Center	1,000 sf	142.67
566	Cemetery	acre	19.24
610	Hospital	1,000 sf	219.61

640	Animal Hospital/Veterinary Clinic	1,000 sf	371.90
n/a	Funeral Home	1,000 sf	88.17
Office:			
710	Office (50,000 sf and less)	1,000 sf	226.02
	Office (50,001—100,000 sf)	1,000 sf	190.76
	Office (100,001—200,000 sf)	1,000 sf	161.90
	Office (200,001—400,000 sf)	1,000 sf	136.26
	Office (greater than 400,000 sf)	1,000 sf	123.43
720	Medical Office (less than 10,000 sf)	1,000 sf	182.74
720	Medical Office (10,000 sf and greater)	1,000 sf	266.10
Retail:			
820	Retail 50,000 sf and less	1,000 sf	392.74
	Retail 50,001—200,000 sf	1,000 sf	368.69
	Retail 200,001—400,000 sf	1,000 sf	375.10
	Retail 400,001—600,000 sf	1,000 sf	391.13
	Retail 600,001—800,000 sf	1,000 sf	408.77
	Retail greater than 800,000 sf	1,000 sf	387.93
841	New/Used Car Sales	1,000 sf	235.64
853	Convenience Store w/Gas Pumps	1,000 sf	934.55
880	Pharmacy/Drugstore without Drive-Thru	1,000 sf	304.57
881	Pharmacy/Drugstore with Drive-Thru	1,000 sf	319.00
890	Furniture Store	1,000 sf	36.87
911	Bank/Savings Walk-In	1,000 sf	357.47
912	Bank/Savings Drive-In	1,000 sf	365.48
931	Quality Restaurant	1,000 sf	1,093.25
932	High-Turnover Restaurant	1,000 sf	1,086.83
934	Fast Food Restaurant w/Drive-Thru	1,000 sf	1,426.67
941	Quick Lube	bay	185.95
942	Automobile Care Center	1,000 sf	240.45
944	Gas/Service Station	fuel pos.	317.39
945	Gas/Service Station with Convenience Market	fuel pos.	312.59
947	Car Wash	bay	139.46

<i>Industrial:</i>			
110	General Industrial	1,000 sf	110.61
150	Warehousing	1,000 sf	44.88
151	Mini-Warehouse	1,000 sf	9.62

Secs. 78-93, 78-94. Reserved.

Sec. 78-95. Review.

- (a) Annual report. The City shall prepare an annual report of impact and mobility fees collected and expended for each trust fund. The annual report should include the use of credits by building permit applicants. The annual report should identify any changes in the underlying data, funding, methodology, plans, studies cost or capacity that would warrant an update of impact or mobility fees. Under this article, the schedule of each impact and/or mobility fee shall be reviewed from time to time to update costs, credits, and generation rates. Additionally, during this review period, an analysis of the level of service for each impact fee shall be included and based on the most recent and localized data. When any such review warrants a revision to the schedule of impact and/or mobility fees this chapter shall be amended, to ensure the fees satisfy the requirements set forth in state law.
- (b) Update. Pursuant to Section 163.31801, Florida Statutes, impact fees and/or mobility fees may not be increased more than once every four years, unless there is a finding of extraordinary circumstances. Future updates shall be based on the most recent and localized data. Updates of the fees should commence at least a year before the four-year statutory update period.
- (c) Audit. Audits of financial statements of local governments which are performed by a certified public accountant pursuant to Section 218.39, Florida Statutes, and submitted to the auditor general must include an affidavit signed by the chief financial officer of the local government that the local government has complied with Sections 163.3180 and 163.31801, Florida Statutes.

Sec. 78-96. Trust funds.

- (a) Trust funds established. There are established six (6) impact fee trust funds: ~~one (1) for parks and recreation, one (1) for fire protection and EMS, one (1) for roads, one (1) for mobility, one (1) for police protection, one (1) for fire protection and EMS, one (1) for parks and recreation, and one (1) for public facilities, one (1) for roads, and one (1) for mobility.~~
 - (1) Parks and recreation trust fund. The parks and recreation impact fees shall be deposited in the parks and recreation impact fee trust fund.
 - (2) Fire and EMS trust fund. The fire protection and EMS impact fees shall be deposited in the fire protection impact fee trust fund.

~~(34) Police protection trust fund.~~ The police protection impact fees shall be deposited in the police protection impact fee trust fund.

~~(2) Fire and EMS trust fund.~~ The fire protection and EMS impact fees shall be deposited in the fire protection impact fee trust fund.

~~(3) Parks and recreation trust fund.~~ The parks and recreation impact fees shall be deposited in the parks and recreation impact fee trust fund.

(45) Public facilities trust fund. The public facilities fees shall be deposited in the public facilities impact fee trust fund.

~~(54) Road trust fund.~~ The road impact fees shall be deposited in the road impact fee trust fund.

~~(5) Public facilities trust fund.~~ The public facilities fees shall be deposited in the public facilities impact fee trust fund.

(6) *Mobility trust fund.* The mobility fees shall be deposited in the mobility fee trust fund.

(b) *Investment, use, and budgeting.*

(1) *Investment.* The trust funds shall be invested by the city in interest-bearing sources, and all income derived shall accrue to the applicable trust fund.

(2) *Use.* The funds shall be used only for capital improvement or multimodal project costs for which the impact fee or mobility fee was levied, and which would add capacity needed to serve new development.

(3) *Budgeting.* The city manager shall identify in the city's annual budget those new capital improvements for which the parks and recreation, fire protection/EMS, road, police protection, fire protection, parks and recreation, public facilities, and road impact fees, and mobility fees will be spent. The funds shall remain restricted to their respective trust funds and the requirements of this division, and the city manager shall ensure that the funds are expended and accounted for in accordance with this division.

(4) *Audit.* The city manager shall maintain such records and documentation necessary to allow the effective audit of the use of the parks and recreation, fire protection/EMS, road, police protection, fire protection/EMS, parks and recreation, and public facilities, and road impact fees, and mobility fees.

Sec. 78-97. Collection and administrative fees.

(a) *Time of payment.* The fee payer shall pay the parks and recreation, fire protection/EMS, road, police protection, fire protection/EMS, parks and recreation, and public facilities, and road impact fees, and/or mobility fees to the city prior to the issuance of a building permit that may be required for development listed in the schedules in section 78-92. A building permit shall not be issued for any development, unless exempt from such fees as provided herein, until such fees have been paid or until the city has accepted alternative payment as set out in this section; provided, however, that alternative payments for road impact fees and/or mobility

fees shall be governed exclusively by section 78-97(d)(b) below. For land uses not requiring a building permit, the authorization to proceed shall not be granted until the impact fees have been paid.

- (b) *Alternative payment.* In lieu of all or part of the impact fees, the city council may accept an offer by a fee payer to dedicate land and/or construct all or part of a park and recreation, fire protection/EMS, police protection, fire protection/EMS, parks and recreation, or public facilities project. Such construction must be in accordance with state, county, or city design standards, whichever is applicable.
- (1) *Project construction.* The fee payer shall submit a project description in sufficient detail to allow the city to prepare an engineering and construction cost estimate.
 - (2) *Land value.* The manner of establishing fair market value of land to be dedicated shall be determined by the city council. Costs to determine the land value, such as an appraisal, shall be paid by the fee payer.
- (c) *Acceptance.* If the city council accepts alternative payment, the city manager shall credit the cost of this construction against the park and recreation, fire protection/EMS, police protection, fire protection/EMS, parks and recreation, or public facilities impact fees otherwise due. The portion of the fee represented by facilities construction shall be deemed paid as follows:
- (1) When the construction is completed and accepted by the city;
 - (2) When the fee payer posts security, as provided herein, for the costs of such construction; or
 - (3) When the city has accepted title to land dedicated by the fee payer as full or partial credit for a required impact fee payment.
- All land dedicated to the city shall be conveyed free of any liens via warranty deed and the costs of conveyance shall be paid by the fee payer. Title insurance in favor of the city or an attorney's opinion of title shall be provided in a manner acceptable to the city attorney.
- (d) *Surety or security.* Security shall be posted with the city council, made payable to the city in an amount approved by the city manager equal to one hundred ten (110) percent of the full cost of such construction. If the construction project will not be constructed within one (1) year of the acceptance of the offer by the city council, the amount of the security shall be increased by ten (10) percent compounded for each year of the life of the security. The type and form of the security shall be reviewed and approved by the city manager's office prior to acceptance of the security by city council.
- (e) *Deposit of funds.* All funds collected pursuant to this division shall be promptly transferred for deposit into the appropriate trust fund to be held in separate accounts as determined in section 78-96. Impact and/or mobility fee collections shall be used exclusively for land acquisition, capital improvements, or expansion related to the public purpose for which such fees were collected, with the exception of impact and/or mobility fee administrative costs pursuant to paragraph (f) below. Funds shall be expended in the order in which they are collected.

- (f) *Administrative fee.* The city shall be entitled to retain a portion of the impact and/or mobility fees it collects to offset the actual costs incurred administering this article. If impact and/or mobility fee funds which were paid by check, draft, or other negotiable instrument do not clear, the building permit or development order authorizing the development for which the impact and/or mobility fees were paid shall be suspended. The city shall send to the fee payer by certified mail notice of the suspension of a development order. If the impact and/or mobility fees, together with any charges for the funds not clearing, are not paid within ten (10) business days following mailing of the notice, the building permit or development order shall be of no further force and effect for purposes of this article and a stop-work order shall be issued. The stop-work order shall not be lifted until such time as the impact and/or mobility fees are paid.

Sec. 78-98. Refund.

- (a) *Expiration of building permit.* If a building permit expires and no construction has been commenced, the fee payer shall be entitled to a refund of the impact and/or mobility fees paid as a condition for its issuance, less any administrative fees incurred as a result of administering this article. No interest will be paid to the fee payer on refunds due to non-commencement. Refunds resulting from the city's miscalculation of impact and/or mobility fees shall not be charged the administrative fees on the amount refunded.
- (b) *Change in status.* No refunds shall be given for a change in land use or structure after occupancy has occurred.
- (c) *Return of fees.* Any funds not expended or encumbered by the end of the calendar quarter immediately following six (6) years from the date the impact and/or mobility fee was paid shall, upon application of the fee payer within one hundred eighty (180) days of that date, be returned to the fee payer with interest at the rate of one (1) percent per annum.

Sec. 78-99. Exemptions and credits.

- (a) *Exemptions.* Exemptions from payment of impact and/or mobility fees are established below.
- (1) *No additional demand.* Alteration or expansion of an existing building or use of land where no additional living units are created, where the use is not changed, and where no additional demand for road or multimodal projects, police, or fire protection services will be produced over and above that produced by the existing use.
 - (2) *No additional living or dwelling units.* The construction of accessory buildings or structures that will not produce additional living units over and above those located in the principal building or use of the land.
 - (3) *Replacement.* The replacement of a building, mobile home, or structure that was in place on the effective date of the ordinance from which this article derives or the replacement of a building, mobile home, or structure that was constructed subsequent thereto and for which the correct impact and/or mobility fee had

been paid or otherwise provided for, with a new building, mobile home, or structure of the same use, provided that no additional impact will be produced over and above that produced by the original use of the land.

- (4) *Public facilities.* The construction of publicly owned governmental buildings or facilities.
- (5) *Abandonments.* A use of a structure or land that has been abandoned for a period of more than five (5) years shall not be considered an existing or ongoing use for purposes of exemptions or credits. Any previous payment of impact and/or mobility fees under this article shall be credited against the appropriate impact and/or mobility fees owed as a result of the change. The burden of demonstrating the existence of a use or structure or previous payment of impact fees shall be upon the fee payer. When a use is existing, any additional fees shall be based upon the alteration to the existing use or structure.

(b) *Credit.*

(1) *Improvements.*

- a. All improvements to and/or land dedications for parks and recreation, fire protection and EMS, police protection, ~~fire protection and EMS, parks and recreation~~, or public facilities required under city development approval shall be credited against impact fees up to the total of the impact fees due. A fee payer proposing credit for land dedication shall present property appraisals prepared by qualified professionals and a certified copy of the most recent assessment of the property for tax purposes to be used in determining the amount of the credit. However, the city retains the right to determine the amount to be credited by preparing engineering and construction cost estimates and/or property appraisals for those improvements and/or land dedications.
- b. Fee payers claiming credits for construction and/or land dedication shall submit documentation sufficient to permit the growth management director to determine whether such credits are due and, if so, the amount of such credits.
- c. In the event the cost of the improvements and/or land dedications exceed the total amount of impact fees due, the city council may, on a case-by-case basis and in the exercise of its discretion, allow the fee payer constructing such improvements and/or making such land dedications to pool impact fees for multiple developments or enter into funding agreements with other fee payers whose developments contribute to the need for such capital improvements.

- (2) *Alteration, expansion, or replacement.* Where alteration, expansion, or replacement of a building or unit, or a change in land use or presently existing which involves an increase in the number of units or square footage or a change in use resulting in new impacts on roads or person travel demand, police, fire and EMS, parks and recreation, or public facilities for which the impact fee is assessed, credit shall be allowed as provided herein. Credit shall be given for

the number of existing units or square feet based upon the existing or previous land use, and impact fees shall only be assessed on the increased level of impact resulting from such alteration, expansion, or replacement.

- (3) *Residential buildings.* For an addition to an existing residential building in which additional living units are created, the fee payer shall provide to the city manager a certification of an architect setting forth the square footage of the existing building. For an addition to an existing residential building, the fee payer, at his or her sole option, may pay the impact fee for the addition as if it alone was a new building rather than provide the certification of an architect setting forth the square footage of the existing building.
- (c) *Failure to claim.* Exemptions or credits must be claimed by the fee payer at the time of the application for a building permit. Any exemptions or credits not so claimed shall be deemed waived by the fee payer.
- (d) *Alternative payment and credit for road impact and/or mobility fees.*
 - (1) *In general.* In lieu of paying all or a portion of the road impact and/or mobility fee, the fee payer may elect to construct transportation (road) improvements, or multimodal projects identified in the city's thoroughfare plan, or mobility plan, whichever is applicable. The fee payer shall submit a plan of construction, along with a certified engineer's cost estimate, to the growth management director and city engineer.
 - (2) *Construction standards.* All roads and multimodal projects constructed pursuant to this subsection shall comply with the requirements of the city's Code of Ordinances.
 - (3) *Calculation of credit.* Based on the certified cost estimate submitted and any other relevant information acquired by or provided to the city, the city engineer shall determine the amount of credit to be given and the timetable for completion of the proposed construction. The city engineer shall certify the amount of the credit to the finance director.
 - (4) *Costs creditable.* Credit shall be given only for the costs of plans preparation and construction.
 - a. *Plan preparation.* Costs of plan preparation for city road network or multimodal project construction shall be credited if approved by the city engineer and the finance director based on reasonable costs associated with the preparation of such plans.
 - b. *Construction costs.* Costs of construction for road impact fee credits shall include only roadway construction and all required sidewalks, striping, signage, and curbing. Only multimodal projects included in the capital improvements program are eligible for mobility fee credits. An applicant may request that the city council add multimodal projects to the capital improvements program. The multimodal projects requested for inclusion in the capital improvements program shall be based upon either the mobility plan, a bicycle, pedestrian or trails master plan, the long-range transportation plan, the transit development plan, or a multimodal plan or

study accepted by the city council. On-site improvements for turn lanes, travel lanes, bike lanes, paths, sidewalks, trails, roundabouts, or traffic control devices at project entrances or immediately adjacent improvements deemed to be site related by the city engineer are not eligible for any mobility fee credit

- (5) *Pooling*. In the event the cost of the improvements exceeds the total amount of road impact and/or mobility fees due, the city council may, on a case-by-case basis and in the exercise of its discretion, allow the fee payer constructing such improvements to pool impact and/or mobility fees for multiple developments or enter into funding agreements with other fee payers whose developments contribute to the need for such capital improvements.

Sec. 78-100. Appeals.

Any decision made by the city manager or designee in the course of administering this article may be appealed in accordance with those procedures set forth in this chapter for appeals of administrative decisions.

Sec. 78-101. Withholding of permits for nonpayment.

- (a) *Building permits*. If impact and/or mobility fees remain unpaid, no further building permits of any type shall be issued on the property for which the impact fees remain unpaid. Building permits, certificates of occupancy, or occupancy permits may be issued only upon full payment of any previously owed impact and/or mobility fees, together with any interest owing, and current impact and/or mobility fees, if any.

Sec. 78-102. Violations and relief.

It shall be unlawful to violate this article, and any violation shall be punishable according to law. However, in addition to or in lieu of any criminal prosecution, the city or any fee payer shall have the power to sue for relief in civil court to enforce the provisions of this article. Knowingly furnishing false information to the growth management director or other city official for any matter relating to the administration of this article shall constitute a violation thereof.

Secs. 78-103—78-110. Reserved.