

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

**Meeting Date:** September 11, 2007

**Consent**       **Regular**  
 **Public Hearing**

**Department**

**Submitted By:** Engineering & Public Works

**Submitted For:** Traffic Division

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: Establishment of an impact fee credit with G.L. Homes for Canyon Lakes, Canyon Isles, and Canyon Springs, for the construction of Lyons Road from Boynton Beach Boulevard south to the L-28 Canal.

**Summary:** Canyon Lakes, Canyon Isles, and Canyon Springs (Fogg Projects) have development order conditions to construct Lyons Road and Acme Dairy Road. All three projects will have access to both Lyons Road and Acme Dairy Road. G.L. Homes is requesting roadway impact fee credit for the construction of Lyons Road. The cost for the construction of Lyons Road from Boynton Beach Boulevard south to the L-28 Canal was approximately \$4,200,000. The three projects will generate approximately \$6,000,000 in road impact fees.

**District:** 5 (L.B.)

**Background and Justification:** G.L. Homes is building numerous developments in the west Boynton Beach area. These developments have development order conditions to construct or widen various major roads. For some of these roadway improvements, roadway impact fee credits have been established for the cost of the roadway improvements, and appropriately applied to the various developments. These roadway impact fee credits are in accordance with Article 13 (Impact Fees) of the Unified Land Development Code.

Canyon Lakes (also known as Fogg North, Petition PDD 2002-067), Canyon Isles (also known as Fogg Central, Petition PDD 2002-068), and Canyon Springs (also known as Fogg South, Petition 2002-069) all have development order conditions for the construction of Lyons Road and Acme Dairy Road from Boynton Beach Boulevard south to the L-28 Canal. Each development will consist of 500 dwelling units. G.L. Homes believes that roadway impact fee credits should be applied to the construction for either Lyons Road or Acme Dairy Road. They are requesting road impact fee credits for the cost of constructing Lyons Road. (Continued on Page 3)

**Attachment:**

- 1. Location Map

**Recommended by:** \_\_\_\_\_

**Division Director**

**Date**

**Approved by:** \_\_\_\_\_

*Sy T. Webb*  
**County Engineer**

*9/15/07*  
**Date**

**II. FISCAL IMPACT ANALYSIS**

**A. Five Year Summary of Fiscal Impact:**

Fiscal Years	2007	2008	2009	2010	2011
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
<b>NET FISCAL IMPACT</b>	<b>\$ -0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>	<b>-0-</b>

# ADDITIONAL FTE POSITIONS (Cumulative) \_\_\_\_\_

Is Item Included in Current Budget? Yes \_\_\_\_\_ No \_\_\_\_  
 Budget Acct No.: Fund \_\_\_ Dept. \_\_\_ Unit \_\_\_ Object \_\_\_  
 Program

**B. Recommended Sources of Funds/Summary of Fiscal Impact:**

This item has no additional fiscal impact. Board approval is only being requested to provide an impact fee credit.

If approved, the amount of the impact fee credit being requested needs to be established which will require research and be able to be verified before entering into any formal agreement with GL Homes.

C. Departmental Fiscal Review: R.D. Ward 8/9/07

**III. REVIEW COMMENTS**

A. OFMB Fiscal and/or Contract Dev. and Control Comments:  
*The fiscal impact is undetermined at this time.*

*[Signature]*  
 OFMB  
 8/20/07  
 (WP) 8/20/07  
 CN 8/17/07

*[Signature]*  
 Contract Dev. and Control  
 8/21/07

B. Approved as to Form and Legal Sufficiency:  
*[Signature]*  
 Assistant County Attorney

C. Other Department Review:  
 \_\_\_\_\_  
 Department Director

This summary is not to be used as a basis for payment.

Background and Justification:

(Continued from Page 1)

Article 13 (Impact Fees) of the Unified Land Development Code lists three criteria that must be met for an impact fee credit to be allowed. The criteria are detailed below:

“The fee payer may elect to propose construction of a portion of the major road network system in addition to any required site related improvements. The fee payer shall submit the proposed construction along with a certified engineer's cost estimate to the Impact Fee Coordinator, with a copy to the County Engineer. The County Engineer shall determine if the proposed construction is eligible for road impact fee credit, based on the following criteria:

1. The proposed road construction must be on the major road network;
2. The proposed road construction must not be site-related improvements;
3. The proposed road construction must be required to meet the requirements of Traffic Performance Standards for the development as defined in Article 12, Traffic Performance Standards (TPS).

Exceptions to criteria No. 3 above may only be made upon approval of the Board of County Commissioners (Board). No exceptions shall be made to criteria No.'s 1 and 2. If the proposed road construction meets the criteria for credit, the County Engineer shall determine the amount of credit to be given, and the timetable for completion of the proposed construction, and shall recommend the approval and the amount of credit to the Impact Fee Coordinator.

With respect to Lyons Road and Acme Dairy Road being on the major road network; Lyons Road is on the Thoroughfare Right-of-Way Identification Map and is considered part of the major road network. Acme Dairy Road is not on the Thoroughfare Right-of-Way Identification Map, but it does provide access to the three Fogg developments, and can be considered part of the major roadway network. Lyons Road will be the major of the two roads due to the longer continuity of the roadway.

With respect to Lyons Road and Acme Dairy Road not being site-related improvements, either roadway, if only one were constructed, would be considered a site related improvement since it would provide access to the Fogg developments. However, since G.L. Homes is constructing both roads, it is appropriate to consider only one roadway site related.

With respect to the proposed road construction meeting the requirements of TPS, the roadway improvements are development order conditions, but are not required to meet TPS. The Board of County Commissioners must make the required exception to criteria No. 3 for a road impact fee credit to be granted.

The Agricultural Reserve Master Plan allows developments in Agricultural Reserve Plan Unit Developments to cluster development on 40% of the land and preserve on 60% of the land (known as the 60/40 rule), if the development has access to one roadway on a list of roadways. Lyons Road from Boynton Beach Boulevard to Atlantic Avenue is not on the list of roadways. Acme Dairy Road was not on the original list of roadways, but has been added to the list of roadways by Comprehensive Plan Amendment prior to approval of the Fogg Projects.

G.L. Homes has provided cost estimates for both roadways. The cost estimate for Acme Dairy Road from Boynton Beach Boulevard to the entrance of Fogg South is \$3,500,000 (not including design and inspection). The cost to construct Lyons Road from Boynton Beach Boulevard to the L-28 Canal was \$4,200,000.

(Continued on Page 4)

Background and Justification:

(Continued from Page 3)

G.L. Homes believes that Lyons Road is the appropriate one of the two roadways to be used for roadway impact fee credit. Staff agrees with their assertion for the three Fogg Projects for three reasons:

1. Lyons Road is the major of the two roadways.
2. The construction of Lyons Road is not required to meet the 60/40 rule of the Agriculture Reserve Master Plan.
3. All three Fogg Projects have development order conditions to construct Lyons Road.

Staff recommends approval of roadway impact fee credits for the three Fogg Projects for the construction of Lyons Road from Boynton Beach Boulevard south to the entrance of Fogg South.

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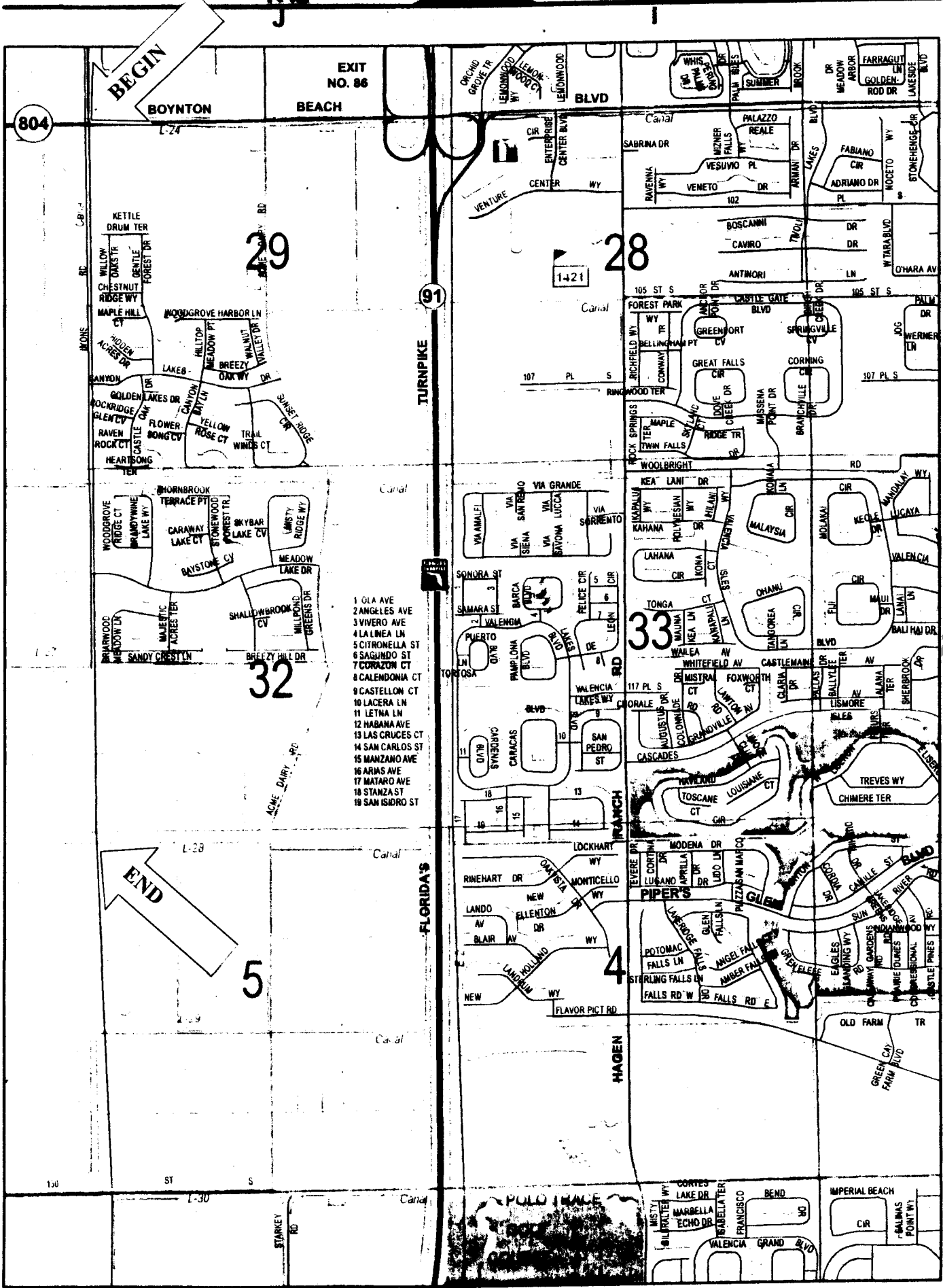
R42

R42

T45

T46

T45



BEGIN

END

EXIT NO. 86

804

91

1421

- 1 GIA AVE
- 2 ANGELES AVE
- 3 VIVERO AVE
- 4 LA LINEA LN
- 5 CITRONELLA ST
- 6 SAGUNDO ST
- 7 CORAZON CT
- 8 CALENDONIA CT
- 9 CASTELLON CT
- 10 LACERA LN
- 11 LETNA LN
- 12 HABANA AVE
- 13 LAS CRUCES CT
- 14 SAN CARLOS ST
- 15 MANZANO AVE
- 16 ARIAS AVE
- 17 MATARO AVE
- 18 STANZA ST
- 19 SAN ISIDRO ST

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