



**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	\$7M	\$7M	\$7M	\$7M
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
<b>NET FISCAL IMPACT</b>	-0- *	\$7M	\$7M	\$7M	\$7M

See B below

# ADDITIONAL FTE POSITIONS (Cumulative)    -0-    -0-    -0-    -0-    -0-

Is Item Included In Current Budget?    Yes     No

Budget Account No.: Fund  Department  Unit  Object

Reporting Category

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

\* Staff estimates \$7M in loss impact fee revenues per year by not implementing the impact rate increases calculated in the methodology.

C. Departmental Fiscal Review:

*Kellie M. Swofford*  
Impact Fee Manager  
6/17/10

**III. REVIEW COMMENTS**

**A. OFMB Fiscal and/or Contract Dev. and Control Comments:**

*[Signature]*  
OFMB    6/22/10

N/A  
Contract Dev. and Control

**B. Legal Sufficiency:**

*[Signature]*  
Assistant County Attorney  
6/18/10    6/17/10

**C. Other Department Review:**

Department Director

**FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM  
(CODRS) CODING FORM**

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (850)245-6270 or Suncom 205-6270.

COUNTY: PALM BEACH ) COUNTY ORDINANCE # ( \_\_\_\_\_ )  
(e.g., 00-001)

PRIMARY KEYFIELD  
 DESCRIPTOR: IMP ACT FEES )

SECONDARY KEYFIELD  
 DESCRIPTOR: ( \_\_\_\_\_ )

OTHER KEYFIELD  
 DESCRIPTOR: ( \_\_\_\_\_ )

ORDINANCE DESCRIPTION: ( \_\_\_\_\_ )  
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: 2008-015 ) AMENDMENT # 2: 2005-047 )

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: ( \_\_\_\_\_ ) REPEAL # 3: ( \_\_\_\_\_ )

REPEAL # 2: ( \_\_\_\_\_ ) REPEAL # 4: ( \_\_\_\_\_ )

(Others repealed: List all that apply): \_\_\_\_\_

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: ( \_\_\_\_\_ )

KEYFIELD 1 CODE: ( \_\_\_\_\_ ) KEYFIELD 2 CODE: ( \_\_\_\_\_ )

KEYFIELD 3 CODE: ( \_\_\_\_\_ )

Rev. 4/10/04





1           **WHEREAS**, the Board of County Commissioners has determined that the data included  
2 in the report *2009 Update of Impact Fees, Prepared for Palm Beach County Impact Fee*  
3 *Advisory Committee*, is based upon the most recent and localized data as required by Section  
4 163.31801, Florida Statutes; and

5           **WHEREAS**, the Board of County Commissioners has determined that it is in the public  
6 interest not to increase any Impact Fees at this time; and

7           **WHEREAS**, the Land Development Regulation Commission has found this proposed  
8 Ordinance to be consistent with the adopted Comprehensive Plan; and

9           **WHEREAS**, chapter 163, Florida Statutes, provides that a chartered County may  
10 exercise such authority over municipalities as provided for in its charter; and

11           **WHEREAS**, consistent with the Palm Beach County Charter, the impact fee regulations  
12 addressed in this Ordinance shall prevail over conflicting municipal ordinances; and

13           **WHEREAS**, public hearings have been held by the Board of County Commissioners  
14 consistent with the requirements set forth in Section 125.66, Florida Statutes.

15           **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**  
16 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

17           **SECTION 1. ADOPTION OF AMENDMENT TO THE UNIFIED LAND**  
18 **DEVELOPMENT CODE:**

19           The Palm Beach County Unified Land Development Code is hereby amended as set forth  
20 in Exhibit 1, attached hereto and made a part hereof.

21           **SECTION 2. REPEAL OF LAWS IN CONFLICT:**

22           All local laws and ordinances that apply in Palm Beach County in conflict with any  
23 provision of this Ordinance are hereby repealed to the extent of any such conflict.

24           **SECTION 3. SEVERABILITY:**

25           If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any  
26 reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect  
27 the remainder of this Ordinance.

28           **SECTION 4. INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE:**

29           The provisions of this Ordinance shall become and be made a part of the Unified Land  
30 Development Code of Palm Beach County, Florida. The Sections of this Ordinance may be

1 renumbered or relettered to accomplish such, and the word "ordinance" may be changed to  
2 "section," "Article," or any other appropriate word.

3 **SECTION 5. EFFECTIVE DATE:**

4 The provisions of this Ordinance shall become effective on filing with the Department of  
5 State.

6  
7 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach  
8 County, on the \_\_\_\_ day of \_\_\_\_\_, 2010.

9  
10 PALM BEACH COUNTY, FLORIDA,  
11 BY ITS BOARD OF COUNTY COMMISSIONERS

12  
13  
14 By \_\_\_\_\_  
15 Burt Aaronson, Chair

16  
17  
18 APPROVED AS TO FORM  
19 AND LEGAL SUFFICIENCY

20  
21   
22 \_\_\_\_\_  
23 COUNTY ATTORNEY

24  
25  
26 Effective date: Filed with the Department of State on this \_\_\_\_ day of \_\_\_\_\_, 2010.  
27  
28  
29

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ARTICLE 13  
 IMPACT FEES

1  
 2  
 3  
 4  
 5  
 6

7 CHAPTER A GENERAL .....5

8 Section 1 Intent, Authority and Findings .....5

9 A. Intent .....5

10 B. Authority .....5

11 C. Findings .....5

12 D. Definitions .....5

13 Section 2 Applicability .....5

14 Section 3 Exemptions .....5

15 Section 4 Imposition of Fee .....5

16 A. New Land Use .....5

17 B. Expansion, Replacement or Change of Use of Existing Land Uses .....6

18 Section 5 Computation of Impact Fee .....6

19 A. General .....6

20 B. Impact Fee Schedule .....6

21 C. Land Uses Not Specified in Impact Fee Schedule .....6

22 D. Mixed Use .....6

23 E. Errors and Omissions .....6

24 F. Biennial Review .....6

25 Section 6 Independent Fee Calculation Study .....6

26 A. General .....6

27 B. Submission of Application .....6

28 C. Contents of Application .....7

29 D. Determination of Sufficiency .....7

30 E. Action by Impact Fee Coordinator .....7

31 1. Impact Fees Other Than Roads .....7

32 2. Road Impact Fees .....7

33 3. Responsibility of Feepayer .....7

34 4. Decision in Writing .....7

35 F. Covenant Running with the Land .....7

36 G. Appeal .....7

37 Section 7 Collection and Administrative Fees .....8

38 A. Timing and Collection of Payment .....8

39 1. Collected at Building Permit or Other Development Order .....8

40 2. Municipality May Require Direct Payment to County .....8

41 3. Municipalities are Collecting Agents .....8

42 B. Administrative Fees .....8

43 C. Fees Transferred to Trust Funds .....8

44 1. Fees Collected by County .....8

45 2. Fees Collected by Municipalities .....8

46 a. On Time Remittance .....8

47 b. Late Remittance .....8

48 c. Transfer of Receipts .....8

49 D. Record Keeping .....8

50 E. Impact Fee Coordinator to Furnish Information and Advice to the Municipalities .....9

51 Section 8 Benefit Zones and Trust Funds .....9

52 A. Establishment of Benefit Zones .....9

53 B. Establishment of Trust Funds .....9

54 Section 9 Use of Impact Fees .....9

55 A. Investment in Interest Bearing Accounts .....9

56 B. Limitation Within Benefit Zones .....9

57 C. Expenditures Shall Benefit New Development .....9

58 D. Non Lapsing .....9

1	<b>E. Annual Capital Facility Programs</b> .....	<b>9</b>
2	<b>Section 10 Refunds</b> .....	<b>9</b>
3	<b>A. General</b> .....	<b>9</b>
4	<b>1. Non-Commencement of Construction</b> .....	<b>9</b>
5	<b>2. Untimely Encumbrance</b> .....	<b>9</b>
6	a. Untimely Encumbrance.....	9
7	b. Notification of Potential Refund .....	9
8	<b>B. Procedure to Obtain Refund</b> .....	<b>10</b>
9	<b>1. Submission of Application</b> .....	<b>10</b>
10	<b>2. Contents of Application</b> .....	<b>10</b>
11	a. Receipt.....	10
12	b. Permit.....	10
13	c. Evidence .....	10
14	d. Documents.....	10
15	e. Cancellation of Permit.....	10
16	f. Date Fund Forwarded.....	10
17	<b>3. Determination of Sufficiency</b> .....	<b>10</b>
18	a. Sufficiency .....	10
19	b. Notification .....	10
20	<b>4. Action by Impact Fee Coordinator</b> .....	<b>10</b>
21	a. Appeal.....	10
22	<b>1) Regulation</b> .....	<b>10</b>
23	<b>Section 11 Credits</b> .....	<b>10</b>
24	<b>A. General</b> .....	<b>10</b>
25	<b>1. Submission of Application</b> .....	<b>10</b>
26	<b>2. Redevelopment of Existing Building/Change in Land Use</b> .....	<b>10</b>
27	a. Determination .....	10
28	b. Certification.....	10
29	c. Abandoned Use .....	10
30	<b>3. Special District Assessments</b> .....	<b>11</b>
31	<b>4. In-Kind Contributions</b> .....	<b>11</b>
32	a. Time for Giving of Credit.....	11
33	b. In-Kind Contributions Made Prior to October 1, 1989, for Facilities Other Than Roads .....	11
34	11	
35	c. In-Kind Contributions for Road Facilities Prior to March 1, 1989 .....	11
36	d. In-Kind Contributions Made after October 1, 1989, Except Road Facility Contributions .....	11
37	11	
38	e. Valuation of In Kind Road Facility Contribution .....	11
39	<b>5. Credits for Contributions to Local Governments Other Than PBC</b> .....	<b>11</b>
40	a. Consistency .....	12
41	b. Amount.....	12
42	c. Extent.....	12
43	d. Continuity.....	12
44	e. Availability.....	12
45	f. Plans .....	12
46	g. Impact.....	12
47	h. Pattern .....	12
48	i. Budget.....	12
49	<b>6. Special Provisions for Park Credits</b> .....	<b>12</b>
50	a. Forty to Sixty Acres.....	12
51	b. Twenty to Forty Acres.....	12
52	c. Twenty Acres or Less .....	12
53	<b>7. Special Provisions for School Credits</b> .....	<b>12</b>
54	a. General .....	12
55	<b>1) Location</b> .....	<b>12</b>
56	<b>2) Distance</b> .....	<b>12</b>
57	<b>3) Hazards</b> .....	<b>12</b>
58	<b>4) Access</b> .....	<b>12</b>
59	<b>5) Safe Transit</b> .....	<b>13</b>
60	<b>6) Services</b> .....	<b>13</b>
61	<b>7) Entrances</b> .....	<b>13</b>
62	<b>8) Minimum Size/Dimensions</b> .....	<b>13</b>
63	<b>9) Bus Stops</b> .....	<b>13</b>
64	<b>10) Consistency</b> .....	<b>13</b>
65	b. Consideration and Acceptance by School Board .....	13
66	c. Conveyance to the School Board .....	13
67	<b>1) Abstract of Title</b> .....	13
68	<b>2) Warranty Deed</b> .....	13
69	<b>3) Taxes</b> .....	13
70	<b>4) Insurance</b> .....	13
71	d. Return of School Dedication .....	13
72	<b>8. Special Provisions for Road Credits</b> .....	<b>13</b>

1	a.	General .....	13
2	b.	Credits for Construction within Site .....	14
3	c.	Other Costs Credited .....	14
4		1) Off-Site Right-Of-Way Acquisition.....	14
5		2) Plan Preparation.....	14
6		3) Costs Creditable.....	14
7	9.	Application of Credits.....	14
8	10.	Special Allocation of Credits .....	14
9	a.	Past Administrative Practices to Continue.....	14
10	b.	Application for Special Allocation .....	14
11		1) Parcels Identified .....	14
12		2) Notice Requirements .....	14
13		a) Mailing .....	14
14		b) Advertisement.....	14
15	c.	The Approval Process .....	14
16		1) No Bona Fide Claim Presented.....	14
17	d.	Application Fee Provided.....	15
18	e.	Covenant .....	15
19	B.	Appeal .....	15
20	C.	Time to Claim Credit – Responsibility of Feepayer.....	15
21	Section 12	Covenants .....	15
22	Section 13	Vesting.....	15
23	Section 14	Action if Impact Fees are Unpaid.....	15
24	A.	Negotiable Instrument is Invalid .....	15
25	B.	Lien .....	15
26	C.	Withholding Development Orders .....	15
27	D.	Notification Construction Industry Licensing Board.....	15
28	CHAPTER B	COUNTY DISTRICT, REGIONAL, AND BEACH PARKS IMPACT FEE .....	15
29	Section 1	Imposition of Fee.....	15
30	Section 2	Schedule of Lower Fees for Municipalities.....	16
31	Section 3	Fee Schedule.....	16
32	A.	Benefit Zones .....	19
33	1.	Establishment of Benefit Zones .....	21
34	a.	Benefit Zone 1 (North) .....	21
35	b.	Benefit Zone 2 (Central) .....	21
36	c.	Benefit Zone 3 (South).....	21
37	d.	Benefit Zone 4 (Glades).....	21
38	2.	Identification of Benefit Zones.....	21
39	B.	Establishment of Trust Funds.....	21
40	C.	Use of Park Impact Fees .....	21
41	CHAPTER C	FIRE-RESCUE IMPACT FEE .....	23
42	Section 1	Imposition of Impact Fee .....	23
43	Section 2	Fee Schedule.....	23
44	Section 3	Benefit Zones .....	23
45	A.	Establishment of Benefit Zones .....	24
46	1.	Benefit Zone 1.....	24
47	2.	Benefit Zone 2.....	24
48	Section 4	Establishment of Trust funds .....	24
49	Section 5	Use of Fire-Rescue Impact Fees .....	24
50	CHAPTER D	LIBRARY IMPACT FEE .....	26
51	Section 1	Imposition of Fee .....	26
52	Section 2	Fee Schedule.....	26
53	Section 3	Benefit Zones .....	26
54	A.	Establishment of Benefit Zones .....	26
55	1.	Benefit Zone 1.....	26

1	2. Benefit Zone 2.....	26
2	Section 4 Establishment of Trust Funds.....	26
3	Section 5 Use of Library Impact Fees.....	26
4	CHAPTER E LAW ENFORCEMENT IMPACT FEE.....	28
5	Section 1 Imposition of Fee.....	28
6	Section 2 Fee Schedule.....	28
7	Section 3 Benefit Zones.....	29
8	A. Establishment of Benefit Zones.....	30
9	1. Area and Services in Benefit Zone 1.....	30
10	2. Area and Services in Benefit Zone 2.....	30
11	3. Area and Services in Benefit Zone 3.....	30
12	Section 4 Establishment of Trust Funds.....	31
13	Section 5 Use of Law Enforcement Impact Fees.....	31
14	CHAPTER F PUBLIC BUILDINGS IMPACT FEE.....	32
15	Section 1 Imposition of Fee.....	32
16	Section 2 Fee Schedule.....	32
17	Section 3 Benefit Zones.....	33
18	A. Establishment of Benefit Zones.....	33
19	Section 4 Establishment of Trust Funds.....	35
20	Section 5 Use of Public Buildings Impact Fees.....	35
21	CHAPTER G SCHOOL IMPACT FEE.....	36
22	Section 1 Imposition of Fee.....	36
23	Section 2 Fee Schedule.....	36
24	Section 3 Benefit Zones.....	37
25	A. Establishment of Benefit Zones.....	37
26	1. Benefit Zone 1.....	37
27	2. Benefit Zone 2.....	37
28	3. Benefit Zone 3.....	37
29	4. Benefit Zone 4.....	37
30	5. Benefit Zone 5.....	37
31	B. Identification of Benefit Zones.....	37
32	Section 4 Establishment of Trust Funds.....	37
33	Section 5 Use of School Impact Fees.....	37
34	CHAPTER H ROAD IMPACT FEES.....	39
35	Section 1 Imposition of Fee.....	39
36	Section 2 Fee Schedule.....	39
37	Section 3 Land Uses Not Specified in Fee Schedule.....	39
38	Section 4 Use of Road Impact Fee Funds.....	39
39	Section 5 Benefit Zones.....	44
40	Section 6 Establishment of Trust Funds.....	44

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**ARTICLE 13**  
**IMPACT FEES**

**CHAPTER A GENERAL**

**Section 1 Intent, Authority and Findings**

**A. Intent**

This article is intended to implement and be consistent with the Plan and to regulate the use and development of land. It is the intent of PBC that new development shall bear a proportionate share of the cost of capital expenditures necessary to provide park, fire-rescue, library, law enforcement, public building, schools and road capital facilities in PBC as is contemplated in the Plan. Impact fees shall not be used to collect more than is necessary to fund such capital facilities. The impact fees in this article are based on the Impact Fee Report, as amended, which establish a fair and equitable allocation of costs and recognize past and future payments from new development, as well as credits for in-kind contributions, and municipal provision of like facilities under certain circumstances. Funds collected from impact fees shall not be used to replace existing capital facilities or to fund existing deficiencies, but only to provide for new capital facilities which are necessitated by new development.

**B. Authority**

The provisions of this Article are authorized by Art. VIII, Sec. 1(g), Fla. Const., F.S. § 125.01 et seq., F.S. §163.3161 et seq., F.S. §1011.19, and F.S. §380.06, Sec. 1.3(2), the PBC Charter, and the Capital Improvements Element of the Plan. In addition, the provisions of this Article are necessary for the implementation of the Plan. The inclusion of certain capital facilities in these impact fees shall not be construed as a limitation on the authority of PBC to impose impact fees for additional capital facilities consistent with Florida law.

**C. Findings**

PBC finds that the provisions of this Article are land development regulations which are: necessary for the implementation of the Plan; needed to ensure that developments of regional impact are assessed impact fees under F.S. §380.06; innovative land development regulations authorized by F.S. §163.3202(3); necessary to ensure the coordination of new development and the provision of capital facilities, especially sites for new schools; a mandatory responsibility of PBC under the Local Government Comprehensive Planning and LDR Act, §163.3161 et seq.; and necessarily and reasonably related to the public health, safety and welfare.

**D. Definitions**

See Article 1.I, Definitions and Acronyms.

**Section 2 Applicability**

This Article shall apply to the unincorporated area of PBC and to the municipalities in PBC to the extent permitted by the PBC Charter and Art.VIII, § 1(g), Fla. Const., unless otherwise expressly stated in this Article.

**Section 3 Exemptions**

The following development shall be exempt from payment of respective impact fees, as applicable:

- A. Any development that results in no new impact on a capital facility for which the impact fee is assessed.
- B. The construction of accessory buildings or structures which will not produce new additional impact on a capital facility over and above that produced by the principal building or use of the land.
- C. For the purpose of School Impact Fees, the construction of adult only residences that meet the Fair Housing Act exemption codified at 42 U.S.C. 3607, as may be amended; provided, however, that the feepayer files a Declaration of Restrictive Covenants prepared and signed by the Impact Fee Coordinator which prohibits persons nineteen years of age or younger from residing in the residence for more than 60 days per calendar year. The School Impact Fee Declaration of Restrictive Covenants must be filed with the Clerk of the 15th Judicial Circuit Court.
- D. The construction of publicly owned and operated governmental buildings or facilities.

All applications for exemption must be approved by the Impact Fee Coordinator. A final decision of the Impact Fee Coordinator may be appealed pursuant to Art. 13.A.6.G, Appeal. All applications for exemption must be made in writing to the Impact Fee Coordinator prior to building permit issuance. In the event that the fee payer wishes to obtain building permits prior to the Impact Fee Coordinator's final approval, the fee payer may apply for the exemption and deposit the required impact fee assessment into an escrow account, pursuant to an escrow agreement in a form provided for by the Impact Fee Coordinator. PBC may assess a reasonable fee not to exceed its actual cost in processing the escrow agreement to be paid by the fee payer.

**Section 4 Imposition of Fee**

**A. New Land Use**

Any new land development creating an impact on any public facility as defined in this Code shall be required to pay impact fees in the amount and manner set forth in this article to help regulate the new land development's impact on those public facilities. No building permit for any land development requiring payment of an impact fee pursuant to this article shall be issued until the impact fee has been paid by the feepayer. No building permit for any land development requiring payment of an impact fee pursuant to this Article shall be renewed or extended until the impact fee in effect at the time of the

1 renewal or extension has been paid by the fee payer; provided, however, that additional impact fees will  
2 not be required where the development has completed and passed all applicable rough inspections for  
3 the proposed building permit. For those land uses that do not require a building permit, the impact fee  
4 shall be paid prior to issuance of a development order that initiates impact on public facilities. Payment of  
5 the impact fee shall not relieve the fee payer from the obligation to comply with Art. 2.F, Concurrency, or  
6 any other portion of this Code.

7 **B. Expansion, Replacement or Change of Use of Existing Land Uses**

8 Any existing land use that is expanded, replaced, or changed shall be required to pay impact fees based  
9 on the new or additional impact as a result of the expansion, replacement or change of use. The feepayer  
10 may be eligible for credit for the existing land use pursuant to Art. 13.A.11.A.1, Submission of Application.

11  
12 **Section 5 Computation of Impact Fee**

13  
14 **A. General**

15 At the option of the feepayer, the amount of the impact fee may be determined either by the Impact Fee  
16 schedules for each impact fee component, as provided for in this Article, or by an independent calculation  
17 pursuant to Art. 13.A.6, Independent Fee Calculation. If the amount of the impact fee for the land use is  
18 not determined in the Impact Fee schedule and the feepayer opts not to conduct an independent  
19 calculation, the impact fee shall be determined by the Impact Fee Coordinator as described in this Article.

20 **B. Impact Fee Schedule**

21 The impact fees in the Impact Fee schedules have been calculated using the data and methodologies  
22 described in the Impact Fee Report, as amended. Impact fees are applicable to new development in  
23 unincorporated PBC and the municipalities within PBC, and the impact fee schedules establish impact  
24 fees based on the proportional impacts of, and benefits to, new development on and from capital facilities  
25 provided by PBC and the School Board.

26 **C. Land Uses Not Specified in Impact Fee Schedule**

27 Except for road impact fees, if the type of land development for which a building permit or other  
28 appropriate permit is applied, is not specified on the impact fee schedule, the Impact Fee Coordinator  
29 shall use the impact fee applicable to the most nearly comparable type of land use on the Impact Fee  
30 schedule. For road impact fees, the Impact Fee Coordinator shall select the most comparable type of land  
31 use from the most current edition of Trip Generation, a publication of the Institute of Transportation  
32 Engineers (ITE). The Impact Fee Coordinator shall follow the procedure pursuant to Art. 13.A.6,  
33 Independent Fee Calculation Study.

34 **D. Mixed Use**

35 For mixed use development where there is a development order expressly identifying the type and  
36 proportion of uses within the development, the impact fee shall be determined by applying the fee  
37 schedule to the uses and proportions of use specified in the development order. For mixed use  
38 development where there is no development order specifically limiting the type and proportion of uses  
39 within the development, the impact fee shall be determined using the fee schedule for the most intense  
40 use.

41 **E. Errors and Omissions**

42 Errors and omissions, including computational and clerical errors, identified within four years of building  
43 permit issuance may be subject to correction by the affected parties, including the feepayer.  
44 Computational or clerical errors do not excuse the affected parties, including the feepayer, from paying all  
45 impact fees due.

46 **F. Biennial Review**

47 Biennially beginning in January 1994, the Impact Fee Coordinator shall recommend to the BCC whether  
48 any changes should be made to the fee schedules to reflect changes in the factors that affect the fee  
49 schedules. This recommendation shall be as a result of a review of the data from which the fee schedules  
50 are calculated. The purpose of this review is to evaluate the level of service for each impact fee  
51 component to determine whether it should be adjusted based on changed conditions, to analyze the  
52 effects of inflation and other cost factors on the actual costs of capital facilities, to assess any changes in  
53 credits and generation rates and to ensure that the impact fee charged new land use activity impacting  
54 capital facilities will not exceed its pro rata share for the reasonably anticipated costs of capital facilities  
55 necessitated by the new land development.

56  
57 **Section 6 Independent Fee Calculation Study**

58 **A. General**

59 If a feepayer opts not to have the impact fee determined according to the fee schedule, then the feepayer  
60 shall, at the feepayer's expense, prepare and submit to the Impact Fee Coordinator an independent fee  
61 calculation study for the proposed land use. An independent fee calculation study for road impact fees  
62 shall be submitted simultaneously to the Impact Fee Coordinator and the County Engineer. The  
63 independent fee calculation study shall follow the methodologies used in the Impact Fee Report. The  
64 independent fee calculation study shall be conducted by a professional in impact analysis. An  
65 independent fee calculation study for road impact fees shall be conducted by a professional in road  
66 impact fee analysis or by a registered engineer. The burden shall be on the feepayer to provide the  
67 Impact Fee Coordinator all relevant data, analysis and reports which would assist the Impact Fee  
68 Coordinator in determining whether the impact fee should be adjusted.

69 **B. Submission of Application**

70 The application for an independent calculation study shall be submitted to the Impact Fee Coordinator,  
71 except that an independent calculation study for road impact fees shall be submitted simultaneously to  
72 the Impact Fee Coordinator and the County Engineer. In the event that the feepayer wishes to obtain  
73 building permits prior to the Impact Fee Coordinator's final approval, the feepayer may submit an  
74 application and deposit impact fees as set forth in the impact fee schedule into an escrow account,  
75 pursuant to an escrow agreement in a form provided for by the Impact Fee Coordinator. A feepayer failing



1 to submit an independent fee calculation study, or, if necessary, an executed escrow agreement to the  
2 Impact Fee Coordinator prior to permit issuance is deemed to have waived the right to an impact fee  
3 adjustment based on the independent fee calculation study.

4 **C. Contents of Application**

5 The application shall be in a form established by the Impact Fee Coordinator and made available to the  
6 public. The independent fee calculation study shall follow the methodologies used in the Impact Fee  
7 Report. A feepayer wishing to perform an independent fee calculation study for road impact fees shall  
8 prepare a traffic impact analysis, which shall include, as appropriate, documentation of:

- 9 1. Trip generation rates appropriate for the proposed land use;
- 10 2. Trip distribution and traffic assignments;
- 11 3. Trip length data appropriate for the proposed land use;
- 12 4. Any other trip data employed in the independent fee calculation that is appropriate for the proposed  
13 land development; and
- 14 5. Economic documentation included, but not limited to:
  - 15 a. Costs for roadway construction, including the cost of right-of-way, design, and engineering  
16 appropriate for the necessary road improvements.
  - 17 b. Credits attributable to the proposed land use for roadway improvements which can be expected  
18 to be available to replace the portion of the service volume used by the traffic generated by the  
19 proposed land development.
  - 20 c. The shortfall when the credits attributable to the proposed land use are considered.

21 **D. Determination of Sufficiency**

22 The Impact Fee Coordinator shall determine if the application is sufficient within five working days of its  
23 receipt. If the Impact Fee Coordinator determines the application is not sufficient, a written notice shall be  
24 mailed to the applicant specifying the deficiencies. No further action shall be taken on the application until  
25 the deficiencies are remedied.

26 **E. Action by Impact Fee Coordinator**

27 **1. Impact Fees Other Than Roads**

28 For other than road impact fees, within ten working days after the application is determined to be  
29 sufficient, the Impact Fee Coordinator shall review the application, and if the application clearly  
30 demonstrates by the methodology described in the Impact Fee Report that the proposed land will use  
31 capital facilities less than that projected in the impact fee component, the Impact Fee Coordinator  
32 shall appropriately adjust the impact fee.

33 **2. Road Impact Fees**

34 For road impact fees, within 15 working days after the application is determined to be sufficient, the  
35 County Engineer shall review the application and, if the application clearly demonstrates (using the  
36 formulae described in this Article) that the proposed land use will create fewer trips than projected in  
37 the road impact fee component. The County Engineer shall make a written recommendation to the  
38 Impact Fee Coordinator on adjusting the road impact fee. If the Impact Fee Coordinator concurs, the  
39 Impact Fee Coordinator shall appropriately adjust the impact fee within five working days of receipt of  
40 the County Engineer's recommendation.

41 **3. Responsibility of Feepayer**

42 The burden shall be on the feepayer to provide all relevant data, analysis and reports which would  
43 assist the Impact Fee Coordinator and, in the case of roads, the County Engineer in making a  
44 determination of the appropriate impact fee. The analysis and report must be based on generally  
45 accepted methods and the formulas for the specific impact fee component in the Impact Fee Report,  
46 or in the case of roads, the methods and formulas described in this Article and below in Art. 13.H,  
47 Road Impact Fees. A feepayer wishing to provide additional information after submitting the initial  
48 independent fee calculation study must do so no later than 30 days after the date of the Impact Fee  
49 Coordinator's determination of sufficiency. The Impact Fee Coordinator will not accept additional  
50 information relevant to an independent fee calculation study after this deadline. If the impact fee is  
51 adjusted the feepayer shall provide a copy of the Impact Fee Modification Certificate at the time of  
52 permit issuance. Failure to provide a copy of the certificate at the time of permit issuance shall  
53 constitute a waiver of any adjusted impact fee.

54 **4. Decision in Writing**

55 The decision of the Impact Fee Coordinator to adjust or to refuse to adjust the impact fee shall be in  
56 writing and shall be transmitted to the applicant by certified mail within five days of the decision. An  
57 approved adjustment shall be issued in the form of an "Impact Fee Modification Certificate" which  
58 shall include information regarding:

- 59 a. Project location and name if available;
- 60 b. square footage of project;
- 61 c. adjusted trip generation; and
- 62 d. property control numbers.

63 **F. Covenant Running with the Land**

64 The Impact Fee Coordinator shall require that a covenant running with the land be executed and recorded  
65 in the official records of the Clerk of the Circuit Court on the development's land before the building permit  
66 is issued in cases where:

- 67 1. The independent fee calculation is based on a use of land having a lesser impact than set forth in the  
68 impact fee schedule; or
- 69 2. The development could be put to a use having a greater impact than that proposed in the  
70 independent fee calculation study without being required to secure a permit or approval for the use; or
- 71 3. For such other reasons that make a covenant necessary to ensure compliance with this Article.

72 **G. Appeal**

- 73 1. Any applicant may appeal the decision of the Impact Fee Coordinator by filing an appeal with the  
74 Impact Fee Appeals Board (IFAB) within 15 working days of a decision by the Impact Fee  
75 Coordinator. The appeal must state with specificity the reasons for the appeal and shall contain such  
76 data and documentation upon which the applicant seeks to rely. The Impact Fee Coordinator may

1 establish a reasonable fee to be paid by the applicant upon failing an appeal. This fee shall not  
2 exceed the cost to the County in processing the appeal.

- 3 2. The Impact Fee Coordinator shall schedule an appeal before the Impact Fee Appeals Board no later  
4 than 90 working days after an appeal has been filed. The Impact Fee Appeals Board shall notify the  
5 applicant within 15 working days of the hearing and invite the applicant or the applicant's  
6 representative to attend the hearing. Any of the time limitations set forth in this paragraph may be  
7 waived upon mutual agreement of the Impact Fee Coordinator and the party filing the appeal.  
8 3. At the hearing, the IFAB shall provide the applicant and the Impact Fee Coordinator an opportunity to  
9 present testimony and evidence, provided such information was part of the review before the Impact  
10 Fee Coordinator. The IFAB shall reverse the decision of the Impact Fee Coordinator only if there is  
11 substantial competent evidence in the record that the Impact Fee Coordinator erred from the  
12 standards in this Section.  
13 4. Any aggrieved party, including PBC, may appeal an order of the Impact Fee Appeals Board to the  
14 Fifteenth Judicial Circuit Court of PBC. Such appeal shall not be a hearing de novo, but shall be a  
15 petition for Writ of Certiorari and the Court shall be limited to appellate review of the record created  
16 before the Board. PBC may assess a reasonable fee for the preparation of the record to be paid by  
17 the Petitioner in accordance with F.S. §119.07, as amended from time to time.  
18

19 **Section 7 Collection and Administrative Fees**

20 **A. Timing and Collection of Payment**

21 **1. Collected at Building Permit or Other Development Order**

22 The person applying for issuance of a building permit shall pay the impact fee to the PZB  
23 Department, or to the person designated by a municipality to collect the impact fee (if the municipality  
24 is collecting the impact fee), prior to the issuance of a building permit, or if a building permit is not  
25 required, prior to issuance of the development order that authorizes development which places  
26 impact on capital facilities for which impact fees are charged.

27 **2. Municipality May Require Direct Payment to County**

28 A municipality that is reviewing its own applications for development permits may opt to have PBC  
29 collect the impact fees, pursuant to interlocal agreement. If PBC is the permitting authority for the  
30 municipality by interlocal agreement, no additional interlocal agreement is necessary for PBC to  
31 collect impact fees for permits issued for that municipality. If PBC collects the impact fees, the  
32 municipality shall not be entitled to the administrative impact fee. PBC shall not charge the  
33 municipality for collecting the impact fee. The municipality shall be responsible for ensuring that all  
34 impact fees are paid before issuing any building permit or other permit.

35 **3. Municipalities are Collecting Agents**

36 Municipalities collecting impact fees under this Section are acting only as collecting agents for PBC.  
37 Such municipalities shall be responsible to PBC for the proper collection and remittance of impact  
38 fees, but shall not be liable for the inadvertent miscalculation of impact fee amounts.  
39

40 **B. Administrative Fees**

41 The local government collecting the impact fee shall be entitled to retain 3.4 percent of the funds collected  
42 as an administrative fee not to exceed the costs associated with the collection of the impact fees.

43 **C. Fees Transferred to Trust Funds**

44 **1. Fees Collected by County**

45 All impact fees collected by the County, less the ~~two percent~~ administrative fee, shall be properly  
46 identified by benefit zones for each impact fee component and transferred daily for deposit in the  
47 appropriate impact fee trust funds to be held in separate accounts for each impact fee component  
48 and each benefit zone.

49 **2. Fees Collected by Municipalities**

50 **a. On Time Remittance**

51 All impact fees collected by the municipalities, less the administrative fee, shall be remitted to the  
52 County Finance Department within 15 calendar days following the month in which the impact fees  
53 are collected. One draft may be used to remit the funds to PBC. Funds received from the  
54 municipalities shall be deposited promptly in the appropriate impact fee trust funds.

55 **b. Late Remittance**

56 In the event a municipality fails for two or more consecutive months or for any three months in a  
57 calendar year period to remit impact fees by the 25th calendar day of the month following the end  
58 of the month in which the impact fees are collected, the municipality shall pay simple interest at  
59 the statutory rate on the entire amount collected but not yet remitted to PBC. Interest shall  
60 accrue beginning the first day of the month following the end of the month in which the affected  
61 impact fees were collected by the municipality. For the purposes of this Section, funds shall be  
62 considered to have been remitted to PBC on the date postmarked, if transmitted by certified mail  
63 with the proper postage.

64 **c. Transfer of Receipts**

65 If receipts are transferred in accordance with this Section, the municipalities may retain any  
66 interest earned on impact fees collected prior to the transfer of the funds to PBC in addition to the  
67 administrative fee to offset the costs of collecting, remitting and accounting for the funds.

68 **D. Record Keeping**

69 Records shall be maintained by all local governments to ensure proper accounting controls. PBC shall  
70 have the authority to audit the records of any municipality to ensure the procedures and standards of this  
71 Section are being met by the municipality. Public reports on impact fees shall be provided by the Impact  
72 Fee Coordinator on at least an annual basis and distributed to each municipality. Such reports will  
73 account for receipts of impact fees for each impact fee, by benefit zones and municipality, and  
encumbrances and expenditures of the funds by benefit zone.

1 **E. Impact Fee Coordinator to Furnish Information and Advice to the Municipalities**

2 The Impact Fee Coordinator shall furnish such information and advice to the municipalities necessary to  
3 ensure proper collection, remittance, accounting, controls and auditability.  
4

5 **Section 8 Benefit Zones and Trust Funds**

6 **A. Establishment of Benefit Zones**

7 One or more impact fee benefit zones are hereby established for each impact fee component, as set forth  
8 on this Article.

9 **B. Establishment of Trust Funds**

10 Separate impact fee trust funds for each impact fee benefit zones for each impact fee component are  
11 hereby established for the purpose of earmarking all impact fees so that all expenditures of impact fees  
12 sufficiently benefit new development in the benefit zones from which the impact fees were collected.  
13

14 **Section 9 Use of Impact Fees**

15 **A. Investment in Interest Bearing Accounts**

16 All impact fees on deposit in the trust funds shall be invested in interest bearing sources, and the income  
17 derived shall be applied to the applicable trust funds.

18 **B. Limitation Within Benefit Zones**

19 Impact fees collected shall be used exclusively for new capital facilities for the impact fee component  
20 within the impact fee benefit zones from which the impact fees were collected, except that if an impact or  
21 traffic analysis made by a professional experienced in impact analysis and approved by the Impact Fee  
22 Coordinator demonstrates that a planned development substantially impacts the need to expand the  
23 capacity of specific public capital facilities in another benefit zones, then impact fees paid by that planned  
24 development may be expended on those specific capital facilities in another benefit zones.

25 **C. Expenditures Shall Benefit New Development**

26 Impact fees shall be used only for capital facility costs for which the impact fees are levied and which add  
27 capacity needed to serve new development.

28 **D. Non Lapsing**

29 The respective trust funds shall be non-lapsing.

30 **E. Annual Capital Facility Programs**

31 Annually, the County Administrator shall present to the BCC a proposed capital improvement program for  
32 each public facility for which an impact fee is charged, assigning funds, including any accrued interest,  
33 from the several impact fee trust funds to specific improvement projects and related expenses. Monies,  
34 including any accrued interest not assigned in any fiscal period shall be retained in the same impact fee  
35 trust funds until the next fiscal period, except as provided by the refund provisions of this Article.  
36

37 **Section 10 Refunds**

38 **A. General**

39 **1. Non-Commencement of Construction**

40 If a building permit or other permit requiring payment of an impact fee expires or is canceled or  
41 revoked, the structure has not been completed, and no certificate of occupancy has been issued, or if  
42 the permit is modified prior to completion of construction so as to change the land use or structure to  
43 one of lower impact than that on which the permit was originally issued, and the impact fee paid for  
44 approval of the permit has not been encumbered or spent by PBC, then the feepayer or a successor  
45 in interest to the real property shall be entitled to a refund if an application for refund is submitted  
46 within one year of the permit's expiration, cancellation, revocation or modification, or of the event  
47 giving rise to the refund and within three years of the payment of the impact fee, except that PBC  
48 shall retain an additional ~~two~~ 3.4 percent of the impact fee to offset the costs of administering the  
49 refund.

50 **2. Untimely Encumbrance**

51 **a. Untimely Encumbrance**

52 Notwithstanding Art. 13.A.10.A.1, Non-Commencement of Construction, above, if PBC fails to  
53 encumber the impact fees paid by the feepayer by the end of the calendar quarter immediately  
54 following six years from the date the impact fees are paid, and fails to spend the impact fee within  
55 nine years of the end of the calendar quarter in which the impact fees are paid, the feepayer or a  
56 successor in interest shall be entitled to a refund except that PBC shall retain an additional ~~two~~  
57 3.4 percent of the impact fee to offset the costs of refund. The feepayer or successor in interest  
58 shall submit an application for refund to the Impact Fee Coordinator, within one year following the  
59 end of the calendar quarter in which the right to a refund occurs. In determining whether the  
60 impact fee paid by the feepayer has been encumbered or spent, monies in the trust funds shall  
61 be considered to be expended on a first in, first out basis; that is, the first impact fees paid shall  
62 be considered the first monies withdrawn.

63 **b. Notification of Potential Refund**

64 If more than five percent of the impact fees collected in any fiscal year within any trust funds are  
65 unencumbered after the end of the sixth fiscal year following the fiscal year in which the impact  
66 fees were collected, PBC shall notify the present owners of lands for which the unencumbered  
67 impact fees were paid of the possibility of a refund. Any claim for a refund of impact fees shall be  
68 deemed waived if application for a refund is not received within six months of the mailing or  
69 delivery of such notice.

70 **3. Computational or Clerical Errors and Omissions**

71 During the period of time specified in this Article for the correction of errors and omissions, the  
72 feepayer or a successor in interest to the real property against which an impact fee was incorrectly

1 assessed through computational or clerical error may request a refund from the Impact Fee  
2 Coordinator in the manner set forth in paragraph B of this Section.  
3

4 **B. Procedure to Obtain Refund**

5 **1. Submission of Application**

6 An application for refund shall be submitted to the Impact Fee Coordinator on a form provided by the  
7 Impact Fee Coordinator.

8 **2. Contents of Application**

9 The application shall be in a form established by the Impact Fee Coordinator and made available to  
10 the public, and shall contain the following:

11 **a. Receipt**

12 A copy of the dated receipt issued for payment of the impact fee;

13 **b. Permit**

14 If the refund is requested due to non-commencement of construction, and the permit was issued  
15 by PBC, the building permit or other permit for which the impact fees were paid;

16 **c. Evidence**

17 If the refund is requested due to non-commencement of construction, evidence that the applicant  
18 is the feepayer or a successor in interest to the feepayer;

19 **d. Documents**

20 If the refund is requested due to the County's failure to encumber or spend funds, a notarized  
21 sworn statement that the applicant is the current owner of the land for which the impact fee was  
22 paid, a certified copy of the current deed, and a copy of the most recent ad valorem tax bill; If  
23 refund is requested due to computational or clerical error, evidence sufficient to demonstrate  
24 overpayment including but not limited to receipt indicating payment, building permit application,  
25 impact fee tables in effect at the time of payment and such other evidence deemed appropriate  
26 by the Impact Fee Coordinator.

27 **e. Cancellation of Permit**

28 If relevant, proof from the municipality that the permit has been canceled, and a copy of the  
29 permit issued by the municipality; and

30 **f. Date Fund Forwarded**

31 If relevant, the date on which the municipality forwarded the funds to PBC.

32 **3. Determination of Sufficiency**

33 The Impact Fee Coordinator shall determine if the application is sufficient within five working days.

34 **a. Sufficiency**

35 If the Impact Fee Coordinator determines the application is not sufficient, a written notice shall be  
36 mailed to the applicant specifying the deficiencies. No further action shall be taken on the  
37 application until the deficiencies are remedied.

38 **b. Notification**

39 If the application is determined sufficient, the Impact Fee Coordinator shall notify the applicant, in  
40 writing, of the application's sufficiency and that the application is ready for review pursuant to the  
41 procedures and standards of this Article.

42 **4. Action by Impact Fee Coordinator**

43 Within 45 working days after the application is determined sufficient, the Impact Fee Coordinator shall  
44 review and approve or deny the application based upon the standards in Art. 13.A.10, Refunds. The  
45 decision of the Impact Fee Coordinator may be appealed pursuant to Art. 13.A.6.G, Appeal.  
46

47 **Section 11 Credits**

48 **A. General**

49 Credit against impact fees shall be given to the feepayer or a successor in interest to the property for the  
50 following, as limited or permitted by specific provisions of this Section.

51 **1. Submission of Application**

52 All applications for credit must be approved by the Impact Fee Coordinator. An application for credit  
53 shall be on a form provided by the Impact Fee Coordinator. In the event that the feepayer wishes to  
54 obtain building permits prior to the Impact Fee Coordinator's final approval, the feepayer may submit  
55 an application and deposit impact fees as set forth in the impact fee schedule into an escrow account,  
56 pursuant to an escrow agreement in a form provided for by the County. A final decision of the Impact  
57 Fee Coordinator may be appealed pursuant to Art. 13.A.6.G, Appeal.

58 **2. Redevelopment of Existing Building/Change in Land Use**

59 **a. Determination**

60 Where alteration, expansion or replacement of a building or unit, or a change in land use which  
61 involves any increase in the number of units or square footage, or a change in use resulting in  
62 new impacts on a capital facility for which the impact fee is assessed, existing use credit shall be  
63 given for the number of existing units or square footage based upon the previous land use and  
64 applied against impact fees otherwise due. The burden of verifying the previous land use and  
65 units or square footage as applicable shall be on the feepayer.

66 **b. Certification**

67 The feepayer shall provide to the local government issuing the building permit a certification of an  
68 architect, engineer, surveyor, contractor, or the building official having jurisdiction, setting forth  
69 the square footage of the existing building. In the case of an addition to an existing residential  
70 building, the feepayer, at the feepayer's sole option, may pay the impact fee for the addition as if  
71 it alone were a new building rather than provide the certification setting forth the square footage  
72 of an existing building.

73 **c. Abandoned Use**

1 A use of a structure or land which has been abandoned shall be considered existing for the  
2 purposes of calculating existing use credit pursuant to this Section. The burden of verifying the  
3 previous land use and units or square footage as applicable shall be on the feepayer.

4 **3. Special District Assessments**

5 Where, upon prior approval by PBC, the same new capital facility is provided by a special district  
6 rather than PBC and the feepayer is assessed for the new capital facility, the County shall by  
7 interlocal agreement with the special district, apply the impact fees collected from the benefited  
8 property to retire debt issued by the district to finance the capital facility.  
9

10  
11 **4. In-Kind Contributions**

12 *In-kind contributions made by a development to PBC shall be credited against the development's*  
13 *impact fees, but only to the impact fee component for which the in-kind contribution is made. For*  
14 *example, credits received for a park contribution may be applied only against park impact fees and*  
15 *not against fire-rescue impact fees. Civic Site dedications accepted by the County shall be eligible for*  
16 *a Public Buildings Impact Fee credit in the event a particular use is not identified by the County at*  
17 *DRO certification. No credit shall be given for in-kind contributions that are not new capital facilities*  
18 *or which were not made for capital facilities costs.*

19 **a. Time for Giving of Credit**

20 Credit shall be given for land at such time as marketable title in fee simple absolute is conveyed  
21 to the County, free of encumbrances with such documentation and requirements set by the BCC  
22 or the County Administrator for the acceptance of real property. Credit shall be given for personal  
23 property at such time as a bill of sale absolute and, where applicable, title for such property is  
24 delivered to PBC. Credit shall be given at such time as the funds are delivered to PBC. In the  
25 case of in kind road facility contribution, credit will be given when the construction is completed  
26 and accepted by PBC. Credit against road impact fees may be given before completion of the  
27 specified roadway construction if the fee payer posts security in form and amount acceptable to  
28 the County Engineer. In no event shall the amount of credit given exceed the actual cost of the  
29 construction determined by the County Engineer and the Impact Fee Coordinator to be eligible for  
30 road impact fee credit.

31 **b. In-Kind Contributions Made Prior to October 1, 1989, for Facilities Other Than Roads**

32 In the case of in-kind contributions other than road facilities made to PBC prior to October 1,  
33 1989, and except as specifically provided in the development order or Development Agreement,  
34 the value of the in-kind contribution at the time of its conveyance, dedication, construction,  
35 placement, delivery or remittance shall be apportioned between building permits for which a  
36 complete application was made prior to October 1, 1989 and building permits in the development  
37 which remain to be issued and for which no complete application was made as of October 1,  
38 1989. The portion of the value allocated to building permits made on or after October 1, 1989,  
39 shall be adjusted to its present value as of October 1, 1989, using a compound interest rate of six  
40 percent per year, compounded quarterly. Only that portion of the contribution allocated to building  
41 permits for which a complete application was filed on or after October 1, 1989, shall be credited  
42 against impact fees. For the purpose of apportioning the contribution between uses and square  
43 footage or dwelling units, the number of permits shall be determined using the most recently  
44 approved master plan or site plan, the size and use of the buildings proposed for the remainder of  
45 the development, the effect of other land development regulations on the feepayer's ability to  
46 complete the development as proposed, and other information deemed relevant by the Impact  
47 Fee Coordinator. If the conveyance, dedication, construction, placement, delivery or remittance  
48 was required to be made prior to October 1, 1989, pursuant to a condition in a development  
49 order, a Development Agreement, or otherwise required by a local government, the value of the  
50 conveyance shall be established as of the required date of contribution. The present value of the  
51 contribution as of October 1, 1989 shall be established at six percent per year from the required  
52 date of the contribution. The apportionment of the value of the contribution to building permits  
53 shall be based on the date on which the contribution was to have been made. At the option of the  
54 feepayer, any remaining credit may be adjusted by the percentage change in the cost of the  
55 capital facility when PBC reviews capital facilities costs in the review and update process.

56 **c. In-Kind Contributions for Road Facilities Prior to March 1, 1989**

57 In-kind contributions for road facilities from developments in municipalities not previously subject  
58 to road impact fees shall be apportioned according to the provisions in Art. 13.A.11.A.4.b, In-Kind  
59 Contributions Made Prior to October 1, 1989, for Facilities Other Than Roads, except that the  
60 effective date for apportionment of the credit shall be March 1, 1989.

61 **d. In-Kind Contributions Made after October 1, 1989, Except Road Facility Contributions**

62 The standards of this Section shall apply to the valuation of any in-kind contribution made after  
63 October 1, 1989, except as provided elsewhere in this article.

64 **e. Valuation of In Kind Road Facility Contribution**

65 If the value of the in-kind contribution increase (as evidenced by an increase in Road Impact Fee  
66 rates) between the time of the in-kind contribution and the time of the issuance of a building  
67 permit, the developer may apply for additional credit by submitting an independent calculation to  
68 the Impact Fee Coordinator, for review by the PBC Engineering Department. Such application  
69 must be made within six months of the effective date of a road impact fee increase, or this right  
70 shall be waived. The independent calculation must be prepared by a state registered engineer or  
71 a professional in impact analysis and must demonstrate that the current cost of reproducing the  
72 road construction has increased and therefore the value of the in-kind contribution has  
73 correspondingly increased. Any additional credit shall not exceed the percentage of increase of  
74 the road impact fee.

75 **5. Credits for Contributions to Local Governments Other Than PBC**

1 Contributions of or for new capital facilities to a local government other than PBC or by a special  
2 district may be given only upon an application to the Impact Fee Coordinator. Approval of the Impact  
3 Fee Coordinator must be obtained prior to the contribution. The Impact Fee Coordinator, after  
4 consultation with the agency charged with supervising the provision of the new capital facility, shall  
5 determine whether the contribution shall receive a credit based on the following standards.

- 6 **a. Consistency**  
7 Consistency with the Plan as to the cost, location, and size of the facility and its timing.
- 8 **b. Amount**  
9 The amount that would be spent by PBC if it were to construct the same new capital facility.
- 10 **c. Extent**  
11 The extent to which the new capital facility provides the same or similar functions as the new  
12 capital facility for which the credit is sought.
- 13 **d. Continuity**  
14 The extent of control that PBC has in ensuring that the new capital facility will continue to provide  
15 the same or similar functions.
- 16 **e. Availability**  
17 Whether the new capital facility is open or available to all persons regardless of residency.
- 18 **f. Plans**  
19 The short and intermediate-range plans of the agency which would receive the impact fee funds  
20 regarding the timing, location, cost and size of the new capital facility.
- 21 **g. Impact**  
22 The impact of encouraging new development in the area that would be served by the new capital  
23 facility or the ability of local government or the special district to provide other needed  
24 infrastructure and services.
- 25 **h. Pattern**  
26 The pattern of development and its relationship to other development, infrastructure, and  
27 resources that could result from encouraging new development.
- 28 **i. Budget**  
29 The budget of PBC and other local governments, and the allocation of revenues within those local  
30 governments.

31 **6. Special Provisions for Park Credits**

32 No credit shall be given for park contributions or dedications required by Art. 5.D.2.B, Community and  
33 Neighborhood Park Recreation Standards. No such contribution or dedication shall be used for  
34 County District, Regional or Beach Parks. Contributions for County Parks resulting from Art. 2.F,  
35 Concurrency, shall be credited as provided above. In-kind contributions of capital facilities which are  
36 not County District, Regional, or Beach Parks, if accepted by the County, shall be provided partial  
37 credit as follows:

- 38 **a. Forty to Sixty Acres**  
39 75 percent of the value at the time of conveyance, dedication, construction, placement, delivery  
40 or remittance shall be credited in accordance with the other provisions of this Section for  
41 contributions for or of County parks less than 60 acres but equal to or more than 40 acres;
- 42 **b. Twenty to Forty Acres**  
43 50 percent of the value at the time of conveyance, dedication, construction, placement, delivery  
44 or remittance shall be credited in accordance with the other provisions of this Section for  
45 contributions for or of County parks less than 40 acres but equal to or more than 20 acres;
- 46 **c. Twenty Acres or Less**  
47 25 percent of the value at the time of conveyance, dedication, construction, placement, delivery  
48 or remittance shall be credited in accordance with the other provisions of this Section for  
49 contributions for or of County parks less than 20 acres.

50  
51  
52  
53  
54 **7. Special Provisions for School Credits**

55 **a. General**

56 Dedications of land for use as school may, if accepted by the School Board, be credited against  
57 school impact fees. The School Board or the Superintendent shall have responsibility for  
58 evaluating, according to the standards contained herein, a proposed dedication under this  
59 subsection. An application for a dedication credit shall be in a form prescribed by PBC, and shall  
60 contain such information as to guide the School Board and Superintendent in reviewing the  
61 application for consistency with these standards. If any credit against any school impact fees is  
62 given, the dedication shall be credited in an amount equal to its full fair market value at the time of  
63 dedication, and shall not exceed the full dedication cost. The proposed dedication shall comply  
64 with, and be reviewed considering, the following standards.

65 **1) Location**

66 The proposed dedication shall be located so as to provide the greatest access to students. If  
67 a single development will not generate sufficient students to fill a school, it should be located  
68 so as to be easily accessible to students from neighboring areas.

69 **2) Distance**

70 The proposed dedication shall create an appropriate distance between existing or planned  
71 schools: one mile for elementary schools, two miles for middle schools, and three miles for  
72 high schools.

73 **3) Hazards**

74 The proposed dedication and surrounding areas shall be free from health or safety hazards  
75 and shall be protected against noise, air pollution and/or odors.

76 **4) Access**

1 The proposed dedication shall be accessible from two different streets, with one street  
2 preferably a collector street. This standard shall be waived for elementary or middle schools if  
3 access is available on one street from two directions. Dedications should not be located on  
4 arterial roads; however, if such dedications are proposed, they may be considered if provision  
5 is made for the construction of overpasses or pedestrian lights. The construction of median  
6 cuts, left turn lanes and storage lanes shall be practicable to facilitate access to the proposed  
7 dedication by buses and automobiles.

8 **5) Safe Transit**

9 The proposed dedication shall be located so as to facilitate safe transit to neighboring areas  
10 by sidewalks, walkways and/or bike paths.

11 **6) Services**

12 The proposed dedication shall be evaluated for the availability of central water and sewer,  
13 electricity and phone services and for its proximity to fire hydrants.

14 **7) Entrances**

15 All proposed dedications shall allow at least two separate entrances for school buses and  
16 staff; high school dedications shall also provide separate entrances for students and parent  
17 drop off. All dedications shall allow for adequate parking for buses; elementary and middle  
18 school dedications shall allow for parking for one hundred twenty staff automobiles, high  
19 schools dedications shall allow for 225 staff and 425 student parking spaces.

20 **8) Minimum Size/Dimensions**

21 In addition to providing sufficient area to accommodate on site retention of stormwater,  
22 proposed school dedications shall be of the following minimum sizes and shall have the  
23 following minimum dimensions: elementary schools shall have a *minimum site size* of 15  
24 acres, with a minimum 780 feet of frontage and 840 feet of depth; middle schools shall have  
25 a minimum site size of 25 acres, with a minimum frontage of 800 feet and a depth of 1360  
26 feet; high schools shall have a minimum site size of 50 acres, with a minimum frontage of  
27 1200 feet and a depth of 1800 feet.

28 **9) Bus Stops**

29 When the school dedication is located within a residential development, provision of a  
30 circulation system or turnaround area with a 90-foot diameter shall be available so that buses  
31 need not back up to leave the development. Bus stop locations, preferably located adjacent  
32 to a public area such as a park, shall be provided so that buses do not have to enter the  
33 development.

34 **10) Consistency**

35 The dedication shall be examined for consistency of the proposed use with applicable  
36 comprehensive plans, land development regulations, and concurrency provisions.

37 **b. Consideration and Acceptance by School Board**

38 All applications for a school credit shall be reviewed and a response issued by the  
39 Superintendent or the School Board within 60 working days of the submission of the application.  
40 If the request is approved, the Superintendent shall notify the Impact Fee Coordinator, and if  
41 other than PBC, the local government issuing the development permits. The Impact Fee  
42 Coordinator shall determine the value of the credit. No credit shall be given until the dedication is  
43 conveyed to the School Board in accordance with this Section.

44 **c. Conveyance to the School Board**

45 To convey dedications to the School Board, the feepayer shall provide, at no cost to the School  
46 Board and in a form approved by the School Board's attorney, the following documents.

47 **1) Abstract of Title**

48 A complete and current abstract of title together with a title insurance commitment to insure  
49 the property in a sum agreed to by the School Board, such to be delivered to the School  
50 Board;

51 **2) Warranty Deed**

52 A warranty deed, along with sufficient funds to record the deed, to be delivered to the School  
53 Board or the title insurance agent.

54 **3) Taxes**

55 Evidence that taxes for the current year have been placed in escrow pursuant to F.S.  
56 §196.295, as amended, or that the taxes have been paid.

57 **4) Insurance**

58 A completed title insurance policy issued subsequent to the recording of the deed and the  
59 escrow of taxes.

60 **d. Return of School Dedication**

61 In the event that a dedication accepted by the School Board is not utilized within ten years of its  
62 conveyance, the grantor may request that the dedication be reconveyed by the School Board to  
63 the grantor, in which case the School Board shall reconvey the dedication.

64 **8. Special Provisions for Road Credits**

65 **a. General**

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

71 1) The proposed road construction must be on the major road network;

72 2) The proposed road construction must not be site-related improvements;

73 3) The proposed road construction must be required to meet the requirements of TPS for the  
74 development as defined in Art. 12, Traffic Performance Standards.



1 Exceptions to criterion number three above may only be made upon approval of the BCC. No  
2 exceptions shall be made to criteria one and two. If the proposed road construction meets the  
3 criteria for credit, the County Engineer shall determine the amount of credit to be given, and the  
4 timetable for completion of the proposed construction, and shall recommend the approval and the  
5 amount of credit to the Impact Fee Coordinator.

6 **b. Credits for Construction within Site**

7 Where a proposed major road network runs through a development and where the feepayer is  
8 required to construct two lanes of the road, the feepayer may elect, upon submission of a certified  
9 cost estimate to the Impact Fee Coordinator and upon the recommendation of the County  
10 Engineer and the approval of the Impact Fee Coordinator, to construct more than two lanes and  
11 receive credit for the additional cost of the additional lanes constructed. In addition to all other  
12 site-related improvements, the primary two lanes within the site's boundaries shall be considered  
13 site-related.

14 **c. Other Costs Credited**

15 **1) Off-Site Right-Of-Way Acquisition**

16 The cost of major road network rights-of-way acquired at the cost of the feepayer shall be  
17 credited where the right-of-way is outside of the site, and not site related. The costs shall be  
18 approved by the County Engineer and the Impact Fee Coordinator based upon the appraised  
19 value of the land acquired. The credit shall not exceed the appraiser's approved value, except  
20 in the event that a settlement in lieu of, condemnation results in payment in excess of the  
21 appraiser's value, in which case credit shall not exceed the amount paid. Costs incurred by  
22 PBC in acquiring such off-site right-of-way which are paid for by the feepayer shall be  
23 credited to the feepayer.

24 **2) Plan Preparation**

25 Costs of plan preparation for major road network construction shall be credited if approved by  
26 the County Engineer and the Impact Fee Coordinator based upon reasonable costs  
27 associated with the preparation of such plans.

28 **3) Costs Creditable**

29 Credit shall be given only for the cost of plans preparation, off-site R-O-W acquisition, and/or  
30 construction.

31 **9. Application of Credits**

32 The credit shall be applied to the respective full impact fee associated with the first building permits  
33 issued for the development for which complete application was made on or after October 1, 1989, or  
34 if the credit is for roads, the date upon which the road impact fee was effective within the  
35 development, until the credit is exhausted. After such exhaustion the remainder of the impact fee for  
36 which a credit was obtained shall be paid in full. The credit shall be calculated and applied in dollar  
37 amounts and not in number of permits.

38 **10. Special Allocation of Credits**

39 Provided that the conditions of this Subsection are satisfied, the fee payer making an in-kind  
40 contribution, or its heirs, assigns or successors in interest, may have all or some portion of the  
41 resulting credit allocated to specific parcels within the benefited development.

42 **a. Past Administrative Practices to Continue**

43 Notwithstanding any other provisions of this subsection, if fair share contributions have been  
44 prorated or assigned to a portion of a development through past practices, no application for a  
45 special allocation need be made, provided that a covenant is executed in accordance with Art.  
46 13.A.11.A.10.e, Covenant, below.

47 **b. Application for Special Allocation**

48 Unless expressly prohibited by a development order, any feepayer who makes an in-kind  
49 contribution may petition the BCC for a special allocation of the respective impact fee credit by  
50 filing an application with the Impact Fee Coordinator.. Only one special allocation shall be made  
51 for each in-kind contribution made by the feepayer.

52 **1) Parcels Identified**

53 The application shall state the purpose for which the special allocation is desired and shall  
54 clearly identify by legal description the specific parcel or parcels of land within the  
55 development to which the credit is allocated; and

56 **2) Notice Requirements**

57 **a) Mailing**

58 Prior to scheduling the application for a Special Allocation for consideration by the BCC,  
59 the Applicant shall, at its own cost, provide appropriate courtesy notice to all owners of  
60 record of any undeveloped land within the affected development. The courtesy notice  
61 shall be by certified mail, return receipt requested, to the person whose name appears in  
62 the last approved ad valorem tax records of the PBC Property Appraiser's Office. The  
63 notice shall briefly state the nature of the Special Allocation application and request the  
64 recipient to submit, to the Impact Fee Coordinator within no more than 15 days of receipt,  
65 any relevant information the recipient may have bearing on the Applicant's right to a  
66 Special Allocation.

67 **b) Advertisement**

68 In addition, the Applicant at its own cost shall place a notice of the proposed Special  
69 Allocation in a newspaper of general circulation within PBC. Such notice shall appear no  
70 later than ten days prior to a final decision by the BCC to grant or deny the application.  
71 The costs of advertisement shall be borne by the Applicant

72 **c. The Approval Process**

73 The BCC shall approve the application for a special allocation provided that:

74 **1) No Bona Fide Claim Presented**



1 No substantial, competent evidence is presented by a third party that would constitute prima  
2 facie evidence of a bona fide claim to any portion of the impact fee credit assigned to the  
3 affected development.

4 **d. Application Fee Provided**

5 The BCC may establish a reasonable fee for processing of applications for special allocations.  
6 Any such fee duly established by the BCC shall be paid at the time the application for special  
7 allocation is submitted.

8 **e. Covenant**

9 The applicant shall execute a covenant supported by separate consideration from PBC. This  
10 covenant shall provide that the applicant, its heirs assigns and successors in interest shall  
11 indemnify hold harmless, and defend PBC against any and all claims for credits not received by  
12 other owners or developers of undeveloped land within the planned development. A joinder and  
13 consent of the mortgagee of the land benefited by the special allocation, if any, supported by  
14 separate consideration shall also be executed in recordable form acceptable to the County  
15 Attorney. The Impact Fee Coordinator shall, at the sole expense of the applicant, record the  
16 instruments in the official records of the Clerk of the Circuit Court in and for PBC.

17 **B. Appeal**

18 The decision of the Impact Fee Coordinator may be appealed pursuant to Art. 13.A.6.G, Appeal.

19 **C. Time to Claim Credit – Responsibility of Feepayer**

20 Any claim for credit as established in Art. 13.A.11, Credits, must be made by submitting application for  
21 credit, or, if necessary, executing an escrow agreement with the County no later than at the time of  
22 building permit issuance. Any claim not so made shall be deemed waived.

23  
24 **Section 12 Covenants**

25 Where necessary to ensure compliance with the provisions of this Article, the Impact Fee Coordinator shall  
26 require that a covenant be executed by the feepayer holding the fee simple interest in the land, and mortgagee as  
27 appropriate. The covenant shall recite this Article and the facts and reasons underlying its execution. It shall set  
28 forth restrictions on the land and the terms and conditions under which it may be released.

29  
30 **Section 13 Vesting**

31 Only the existence of a building permit that has not been rendered invalid and voidable shall vest a feepayer  
32 against any changes in the amount of impact fees exacted. No vesting against changes in the amount of impact  
33 fees shall result from the issuance of any development order, other than as set forth in this Subsection.

34  
35 **Section 14 Action if Impact Fees are Unpaid**

36 **A. Negotiable Instrument is Invalid**

37 In the event impact fee funds which were paid by check, draft or other negotiable instrument do not clear,  
38 the building permit or development order authorizing the development for which impact fees were paid  
39 shall be suspended. The local government which issued the building permits or development order shall  
40 send by certified mail notice to the applicant using a form provided by the County. If the impact fees,  
41 together with any charges for the checks not clearing, are not paid within ten working days following  
42 mailing of the notice, the building permit or development order shall be of no further force and effect for  
43 purposes of this Code and a stop work order shall be issued and not lifted until such time as the fair share  
44 fees are paid.

45 **B. Lien**

46 If through error, omission, or intent, impact fees are not paid in full, PBC may file a lien against the land  
47 containing the development for which the impact fees are due in an amount equal to the amount unpaid,  
48 together with statutory interest accruing from 30 calendar days following the date written notice by  
49 certified mail, return receipt requested, is sent to the developer, permittee, or the then present property  
50 owner. Notice of the lien shall be recorded in the official records of the Clerk of the Circuit Court for PBC.  
51 The lien shall have priority over all liens, mortgages and encumbrances, except taxes. No lien shall be  
52 recorded later than three years following the date on which the building permit is issued for the  
53 development against which impact fees are due, although the debt shall remain. If the lien remains  
54 unpaid for more than 30 calendar days following the recording of the notice, it may be foreclosed in the  
55 manner provided by state law for the foreclosure of mortgages on real property.

56 **C. Withholding Development Orders**

57 In the event that any impact fee is unpaid, no further development order shall be issued for the land for  
58 which the impact fees remain unpaid, and no development order shall be issued until any previously  
59 owed impact fees, together with day interest owing, along with any current impact fees, are paid.

60 **D. Notification Construction Industry Licensing Board**

61 In the event that any building permittee who is a contractor certified by the PBC Construction Licensing  
62 Board fails to pay an impact fee for which the permittee is responsible, the County Attorney shall file a  
63 verified written complaint with the PBC Construction Licensing Board recommending disciplinary action as  
64 is provided by the laws of Florida, Chapter 489, as amended. The verified complaint shall contain a  
65 summary of the fees owed and the efforts made by PBC to collect the impact fees.

66  
67 **CHAPTER B COUNTY DISTRICT, REGIONAL, AND BEACH PARKS IMPACT FEE**

68  
69 **Section 1 Imposition of Fee**

70 Impact fees are imposed upon all land uses creating an impact on County District, Regional, and Beach Parks in  
71 accordance with Art. 13.A.4, Imposition of Fee, and this Chapter.  
72

1 **Section 2 Schedule of Lower Fees for Municipalities**

2 Special provisions establishing a schedule of lower fees for municipalities providing like capital facilities are set  
3 forth in this Section pursuant to Art. I of the PBC Charter. For purposes of this Section, "like capital facilities" is  
4 broadly construed so as to include partial "credits" for municipal parks which are not district, regional or beach  
5 parks but which perform a similar function. Municipal schedules are based upon a sliding scale depending on the  
6 size and function of the municipal park facilities and the extent of access to beaches based upon the shoreline  
7 management plan standards.

8  
9 **Section 3 Fee Schedule**

10 The fee schedule for County District, Regional and Beach Parks is established beginning in Table 13.B.3-2, Parks  
11 and Recreation Fee Schedule for Unincorporated PBC. To ensure that the impact fee does not exceed the cost  
12 to provide capital facilities to accommodate new development, the impact fees in the fee schedule are established  
13 at no more than 95 percent of the cost to accommodate the impact.

14  
15 The schedules are as follows:  
16  
17  
18  
19  
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21  
22  
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Table 13.B.3-1 - Municipal Park Credit Schedule

	District	Beach	Regional
Unincorporated	100 percent	100 percent	100 percent
Schedule A	100 percent	100 percent	100 percent
Schedule B	75 percent	100 percent	100 percent
Schedule C	50 percent	100 percent	100 percent
Schedule D	25 percent	100 percent	100 percent
Schedule E	0 percent	100 percent	100 percent
Schedule F	100 percent	75 percent	100 percent
Schedule G	75 percent	75 percent	100 percent
Schedule H	50 percent	75 percent	100 percent
Schedule I	25 percent	75 percent	100 percent
Schedule J	0 percent	75 percent	100 percent
Schedule K	100 percent	50 percent	100 percent
Schedule L	75 percent	50 percent	100 percent
Schedule M	50 percent	50 percent	100 percent
Schedule N	25 percent	50 percent	100 percent
Schedule O	0 percent	50 percent	100 percent
Schedule P	100 percent	25 percent	100 percent
Schedule Q	75 percent	25 percent	100 percent
Schedule R	50 percent	25 percent	100 percent
Schedule S	25 percent	25 percent	100 percent
Schedule T	0 percent	25 percent	100 percent
Schedule U	100 percent	0 percent	100 percent
Schedule V	75 percent	0 percent	100 percent
Schedule W	50 percent	0 percent	100 percent
Schedule X	25 percent	0 percent	100 percent
Schedule Y	0 percent	0 percent	100 percent

2

3

4

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6

Where the percentage shown in each column represents the percentage of the total net cost of the park impact fee which must be paid for district, beach and regional parks.

1  
2

**Table 13.B.3-2 – Parks and Recreation Fee Schedule for Unincorporated PBC**  
**Effective 12:01 AM, 08/20/2008**

Land Use Type (Unit) Residential Units By Size	Persons Per Unit	Cost Per Unit	Credits	Park Impact Fee	Discount	Net Park Impact Fee
Dwelling unit, 800 sq. ft. and under	1.792	\$1,504.11	\$297.75	\$1,206.36	\$232.75	\$973.61
Dwelling unit, 801 – 1,399 sq. ft.	2.168	1,819.48	360.18	1,459.30	281.56	1,177.74
Dwelling unit, 1,400 – 1,999 sq. ft.	2.479	2,080.02	411.76	1,668.26	321.87	1,346.39
Dwelling unit, 2,000 – 3,599 sq. ft.	2.835	2,378.93	470.93	1,908.00	368.13	1,539.87
Dwelling unit, 3,600 sq. ft. and over	3.113	2,611.89	517.04	2,094.85	404.18	1,690.67
Hotel/Motel Per Room	0.875	734.25	145.35	588.90	95.15	493.75

**Table 13.B.3-3 – Parks and Recreation Impact Fee Schedule for Schedule “A” Municipalities\***  
**Effective 12:01 AM, 08/20/2008**

Land Use Type (Unit) Residential Units By Size	Persons Per Unit	Cost Per Unit	Credits	Park Impact Fee	Discount	Net Park Impact Fee
Dwelling Unit, 800 sq. ft. and under	1.792	\$1,504.11	\$297.75	\$1,206.36	\$232.75	\$973.61
Dwelling Unit, 801 – 1,399 sq. ft.	2.168	1,819.48	360.18	1,459.30	281.56	1,177.74
Dwelling Unit, 1,400 – 1,999 sq. ft.	2.479	2,080.02	411.76	1,668.26	321.87	1,346.39
Dwelling Unit, 2,000 – 3,599 sq. ft.	2.835	2,378.93	470.93	1,908.00	368.13	1,539.87
Dwelling Unit, 3,600 sq. ft. and over	3.113	2,611.89	517.04	2,094.85	404.18	1,690.67
Hotel/Motel Per Room	0.875	734.25	145.35	588.90	95.15	493.75

\*Schedule "A" municipalities consist of Atlantis, Cloud Lake, Glen Ridge, Village of Golf, Gulfstream, Haverhill, Highland Beach, Hypoluxo, Lake Clark Shores, Lake Park, Loxahatchee Groves, Manalapan, Mangonia Park, Ocean Ridge, Palm Springs, South Palm Beach, and Tequesta.

**Table 13.B.3-4 – Parks and Recreation Impact Fee Schedule for Schedule “C” Municipalities\***  
**Effective 12:01 AM, 08/20/2008**

Land Use Type (Unit) Residential Units By Size	Persons Per Unit	Cost Per Unit	Credits	Park Impact Fee	Discount	Net Park Impact Fee
Dwelling unit, 800 sq. ft. and under	1.792	\$1,319.22	\$281.44	\$1,038.03	\$220.55	\$817.48
Dwelling unit, 801 – 1,399 sq. ft.	2.168	1,596.02	340.49	1,255.68	266.79	988.89
Dwelling unit, 1,400 – 1,999 sq. ft.	2.479	1,824.97	389.33	1,435.49	305.00	1,130.49
Dwelling unit, 2,000 – 3,599 sq. ft.	2.835	2,087.04	445.25	1,641.77	348.83	1,292.94
Dwelling unit 3,6000 sq. ft. and over	3.113	2,291.70	488.91	1,802.55	389.99	1,419.56
Hotel/Motel Per Room	0.875	644.15	137.42	506.73	92.15	414.58

\*Schedule "C" municipalities consist of Greenacres, North Palm Beach, Palm Beach Gardens, Royal Palm Beach, Wellington, and West Palm Beach.

3

**Table 13.B.3-5 – Parks and Recreation Impact Fee Schedule for Schedule “U” Municipalities\***  
**Effective 12:01 AM, 08/20/2008**

Land Use Type (Unit) Residential Units By Size	Persons Per Unit	Cost Per Unit	Credits	Park Impact Fee	Discount	Net Park Impact Fee
Dwelling unit, 800 sq. ft. and under	1.792	\$1,189.71	\$269.95	\$927.15	\$196.00	\$731.15
Dwelling unit, 801 – 1,399 sq. ft.	2.168	1,438.12	326.60	1,121.55	237.10	884.45
Dwelling unit, 1,400 – 1,999 sq. ft.	2.479	1,644.42	373.45	1,282.15	271.05	1,011.10
Dwelling unit, 2,000 – 3,599 sq. ft.	2.835	1,880.57	427.98	1,466.40	310.00	1,156.40
Dwelling unit 3,6000 sq. ft. and over	3.113	2,064.98	468.95	1,610.00	340.36	1,269.64
Hotel/Motel Per Room	0.875	580.42	131.81	452.60	81.81	370.79

\*Schedule "U" municipalities consist of Briny Breezes, Jupiter Inlet Colony, Juno Beach, Lantana, and Palm Beach Shores.

4

**Table 13.B.3-6 – Parks and Recreation Impact Fee for Schedule “W” Municipalities\***  
**Effective 12:01 AM, 08/20/2008**

Land Use Type (Unit) Residential Units By Size	Persons Per Unit	Cost Per Unit	Credits	Park Impact Fee	Discount	Net Park Impact Fee
Dwelling unit, 800 sq. ft. and under	1.792	\$1,013.14	\$254.50	\$758.82	\$183.79	\$575.03
Dwelling unit, 801 – 1,399 sq. ft.	2.168	1,225.72	307.90	917.93	222.34	695.59
Dwelling unit, 1,400 – 1,999 sq. ft.	2.479	1,401.55	352.07	1,049.37	254.17	795.20
Dwelling unit, 2,000 – 3,599 sq. ft.	2.835	1,602.82	402.63	1,200.17	290.70	909.47
Dwelling unit 3,6000 sq. ft. and over	3.113	1,760.00	442.12	1,317.70	319.16	998.54
Hotel/Motel Per Room	0.875	494.70	124.27	370.43	78.81	291.62

\*Schedule "W" municipalities consist of Boca Raton, Boynton Beach, Delray Beach, Lake Worth, Palm Beach, Jupiter, and Riviera Beach.

5

6

**Table 13.B.3-2 - Parks and Recreation Fee Schedule for Unincorporated PBC**  
**Effective 12:01 AM, 09/10/2010**

Land Use Type (Unit) Residential Units By Size	Persons Per Unit	Cost Per Unit	Credits	Park Impact Fee	Discount	Net Park Impact Fee
Dwelling unit, 800 sq. ft. and under	1.815	\$1,781.11	\$320.09	\$1,461.02	\$487.41	\$973.61
Dwelling unit, 801 – 1,399 sq. ft.	2.196	2,155.00	387.28	1,767.72	589.98	1,177.74
Dwelling unit, 1,400 – 1,999 sq. ft.	2.510	2,463.14	442.65	2,020.49	674.10	1,346.39
Dwelling unit, 2,000 – 3,599 sq. ft.	2.871	2,817.40	506.32	2,311.08	771.21	1,539.87
Dwelling unit, 3,600 sq. ft. and over	3.152	3,093.15	555.87	2,537.28	846.61	1,690.67
Hotel/Motel Per Room	0.875	858.66	154.31	704.35	210.60	493.75

**Table 13.B.3.3 Park & Recreation Impact Fee Table For Schedule "A" Municipalities\***  
**Effective 12:01 AM, 09/10/2010**

<b>Land Use Type (Unit)</b> <b>Residential Units By Size</b>	<b>Persons Per Unit</b>	<b>Cost Per Unit</b>	<b>Credits</b>	<b>Park Impact Fee</b>	<b>Discount</b>	<b>Net Park Impact Fee</b>
Dwelling Unit, 800 sq. ft. and under	1.815	\$1,781.11	\$320.09	\$1,461.02	\$487.41	\$973.61
Dwelling Unit, 801 – 1,399 sq. ft.	2.196	2,155.00	387.28	1,767.72	589.98	1,177.74
Dwelling Unit, 1,400 – 1,999 sq. ft.	2.510	2,463.14	442.65	2,020.49	674.10	1,346.39
Dwelling Unit, 2,000 – 3,599 sq. ft.	2.871	2,817.40	506.32	2,311.08	771.21	1,539.87
Dwelling Unit, 3,600 sq. ft. and over	3.152	3,093.15	555.87	2,537.28	846.61	1,690.67
Hotel/Motel Per Room	0.875	858.66	154.31	704.35	210.60	493.75

\*Schedule "A" municipalities consist of Atlantis, Cloud Lake, Glen Ridge, Village of Golf, Haverhill, Hypoluxo, Lake Clark Shores, Loxahatchee Groves, and Mangonia Park.

**Table 13.B.3-4 - Parks and Recreation Impact Fee Schedule for Schedule "B" Municipalities\***  
**Effective 12:01 AM, 09/10/2010**

<b>Land Use Type (Unit)</b> <b>Residential Units By Size</b>	<b>Persons Per Unit</b>	<b>Cost Per Unit</b>	<b>Credits</b>	<b>Park Impact Fee</b>	<b>Discount</b>	<b>Net Park Impact Fee</b>
Dwelling unit, 800 sq. ft. and under	1.815	\$1,683.23	\$310.10	\$1,373.13	\$477.59	\$895.54
Dwelling unit, 801 – 1,399 sq. ft.	2.196	2,036.57	375.20	1,661.37	578.07	1,083.30
Dwelling unit, 1,400 – 1,999 sq. ft.	2.510	2,327.77	428.85	1,898.93	660.50	1,238.43
Dwelling unit, 2,000 – 3,599 sq. ft.	2.871	2,662.57	490.52	2,172.04	755.64	1,416.40
Dwelling unit 3,6000 sq. ft. and over	3.152	2,923.16	538.53	2,384.63	829.53	1,555.10
Hotel/Motel Per Room	0.875	811.48	149.50	661.98	207.81	454.17

\*Schedule "B" municipalities consist of Greenacres, Lake Park, and Palm Springs.

**Table 13.B.3-5 - Parks and Recreation Impact Fee Schedule for Schedule "E" Municipalities\***  
**Effective Date 12:01 AM, 09/10/2010**

<b>Land Use Type (Unit)</b> <b>Residential Units By Size</b>	<b>Persons Per Unit</b>	<b>Cost Per Unit</b>	<b>Credits</b>	<b>Park Impact Fee</b>	<b>Discount</b>	<b>Net Park Impact Fee</b>
Dwelling unit, 800 sq. ft. and under	1.815	\$1,389.58	\$280.15	\$1,109.43	\$448.08	\$661.35
Dwelling unit, 801 – 1,399 sq. ft.	2.196	1,681.28	338.96	1,342.32	542.31	800.01
Dwelling unit, 1,400 – 1,999 sq. ft.	2.510	1,921.68	387.42	1,534.26	619.69	914.57
Dwelling unit, 2,000 – 3,599 sq. ft.	2.871	2,198.07	443.15	1,754.92	708.92	1,046.00
Dwelling unit 3,6000 sq. ft. and over	3.152	2,413.20	486.52	1,926.68	778.25	1,148.43
Hotel/Motel Per Room	0.875	669.91	135.06	534.85	199.45	335.40

\*Schedule "E" municipalities consist of, Palm Beach Gardens, Royal Palm Beach, Wellington, and West Palm Beach.

**Table 13.B.3-6 - Parks and Recreation Impact Fee for Schedule "F" Municipalities\***  
**Effective 12:01 AM, 09/10/2010**

<b>Land Use Type (Unit)</b> <b>Residential Units By Size</b>	<b>Persons Per Unit</b>	<b>Cost Per Unit</b>	<b>Credits</b>	<b>Park Impact Fee</b>	<b>Discount</b>	<b>Net Park Impact Fee</b>
Dwelling unit, 800 sq. ft. and under	1.815	\$1,648.71	\$306.58	\$1,342.13	\$429.13	\$913.00
Dwelling unit, 801 – 1,399 sq. ft.	2.196	1,994.80	370.94	1,623.87	519.45	1,104.42
Dwelling unit, 1,400 – 1,999 sq. ft.	2.510	2,280.03	423.98	1,856.06	593.48	1,262.58
Dwelling unit, 2,000 – 3,599 sq. ft.	2.871	2,607.96	484.95	2,123.00	678.98	1,444.02
Dwelling unit 3,6000 sq. ft. and over	3.152	2,863.21	532.42	2,330.79	745.36	1,585.43
Hotel/Motel Per Room	0.875	794.83	147.80	647.03	184.01	463.02

\*Schedule "F" municipalities consist of Gulfstream, Highland Beach, Manalapan, and South Palm Beach.

**Table 13.B.3-7 - Parks and Recreation Impact Fee Schedule for Schedule "I" Municipality\***  
**Effective 12:01 AM, 09/10/2010**

<b>Land Use Type (Unit)</b> <b>Residential Units By Size</b>	<b>Persons Per Unit</b>	<b>Cost Per Unit</b>	<b>Credits</b>	<b>Park Impact Fee</b>	<b>Discount</b>	<b>Net Park Impact Fee</b>
Dwelling unit, 800 sq. ft. and under	1.815	\$1,355.06	\$276.63	\$1,078.43	\$399.64	\$678.79
Dwelling unit, 801 – 1,399 sq. ft.	2.196	1,639.51	334.70	1,304.81	403.69	821.12
Dwelling unit, 1,400 – 1,999 sq. ft.	2.510	1,873.94	382.55	1,491.39	552.69	938.70
Dwelling unit, 2,000 – 3,599 sq. ft.	2.871	2,143.46	437.58	1,705.88	632.28	1,073.60
Dwelling unit 3,6000 sq. ft. and over	3.152	2,353.25	480.40	1,872.85	694.13	1,178.72
Hotel/Motel Per Room	0.875	653.27	133.36	519.91	175.67	344.24

\*Schedule "I" municipalities consist of Tequesta.

**Table 13.B.3-8 - Parks and Recreation Impact Fee Schedule for Schedule "J" Municipality\***

**Effective 12:01 AM, 09/10/2010**

Land Use Type (Unit) Residential Units By Size	Persons Per Unit	Cost Per Unit	Credits	Park Impact Fee	Discount	Net Park Impact Fee
Dwelling unit, 800 sq. ft. and under	1.815	\$1,257.18	\$266.64	\$990.53	\$389.80	\$600.73
Dwelling unit, 801 – 1,399 sq. ft.	2.196	1,521.08	322.62	1,198.46	471.77	726.69
Dwelling unit, 1,400 – 1,999 sq. ft.	2.510	1,738.58	368.75	1,369.83	539.07	830.76
Dwelling unit, 2,000 – 3,599 sq. ft.	2.871	1,988.63	421.78	1,566.84	616.70	950.14
Dwelling unit 3,6000 sq. ft. and over	3.152	2,183.26	463.06	1,720.20	677.01	1,043.19
Hotel/Motel Per Room	0.875	606.08	128.55	477.53	172.86	304.67

\*Schedule "J" municipality consists of North Palm Beach.

**Table 13.B.3-9 - Parks and Recreation Impact Fee Schedule for Schedule "K" Municipality\***

**Effective 12:01 AM, 09/10/2010**

Land Use Type (Unit) Residential Units By Size	Persons Per Unit	Cost Per Unit	Credits	Park Impact Fee	Discount	Net Park Impact Fee
Dwelling unit, 800 sq. ft. and under	1.815	\$1,516.31	\$293.08	\$1,223.23	\$370.85	\$852.38
Dwelling unit, 801 – 1,399 sq. ft.	2.196	1,834.60	354.60	1,480.01	448.92	1,031.09
Dwelling unit, 1,400 – 1,999 sq. ft.	2.510	2,096.93	405.30	1,691.63	512.89	1,178.74
Dwelling unit, 2,000 – 3,599 sq. ft.	2.871	2,398.52	463.59	1,934.93	586.80	1,348.13
Dwelling unit 3,6000 sq. ft. and over	3.152	2,633.28	508.97	2,124.31	644.16	1,480.15
Hotel/Motel Per Room	0.875	731.00	141.29	589.71	157.44	432.27

\*Schedule "K" municipality consists of Ocean Ridge.

**Table 13.B.3-10 - Parks and Recreation Impact Fee Schedule for Schedule "P" Municipalities\***

**Effective 12:01 AM, 09/10/2010**

Land Use Type (Unit) Residential Units By Size	Persons Per Unit	Cost Per Unit	Credits	Park Impact Fee	Discount	Net Park Impact Fee
Dwelling unit, 800 sq. ft. and under	1.815	\$1,383.90	\$279.57	\$1,104.33	\$312.56	\$791.77
Dwelling unit, 801 – 1,399 sq. ft.	2.196	1,674.41	338.26	1,336.15	378.37	957.78
Dwelling unit, 1,400 – 1,999 sq. ft.	2.510	1,913.82	386.62	1,527.20	432.28	1,094.92
Dwelling unit, 2,000 – 3,599 sq. ft.	2.871	2,189.08	442.23	1,746.85	494.58	1,252.27
Dwelling unit 3,6000 sq. ft. and over	3.152	2,403.34	485.51	1,917.83	542.92	1,374.91
Hotel/Motel Per Room	0.875	667.17	134.78	532.39	130.85	401.54

\*Schedule "P" municipalities consist of Briny Breezes, Juno Beach, Jupiter Inlet Colony, and Palm Beach Shores.

**Table 13.B.3-11 - Parks and Recreation Impact Fee Schedule for Schedule "W" Municipality\***

**Effective 12:01 AM, 09/10/2010**

Land Use Type (Unit) Residential Units By Size	Persons Per Unit	Cost Per Unit	Credits	Park Impact Fee	Discount	Net Park Impact Fee
Dwelling unit, 800 sq. ft. and under	1.815	\$1055.73	\$246.10	\$809.63	\$234.60	\$575.03
Dwelling unit, 801 – 1,399 sq. ft.	2.196	1,277.35	297.76	979.59	284.00	695.59
Dwelling unit, 1,400 – 1,999 sq. ft.	2.510	1,459.99	340.33	1,119.66	324.46	795.20
Dwelling unit 2,000 – 3,599 sq. ft.	2.871	1,669.97	389.28	1,280.69	371.22	909.47
Dwelling unit, 3,600 sq. ft. and over	3.152	1,833.42	427.38	1,406.04	407.50	998.54
Hotel/Motel Per Room	0.875	508.96	118.64	390.32	98.70	291.62

\*Schedule "W" municipality is Lantana.

**Table 13.B.3-12 - Parks and Recreation Impact Fee Schedule for Schedule "X" Municipality\***

**Effective 12:01 AM, 09/10/2010**

Land Use Type (Unit) Residential Units By Size	Persons Per Unit	Cost Per Unit	Credits	Park Impact Fee	Discount	Net Park Impact Fee
Dwelling unit, 800 sq. ft. and under	1.815	\$957.85	\$236.11	\$721.74	\$224.78	\$496.96
Dwelling unit, 801 - 1,399 sq. ft.	2.196	1,158.92	285.68	873.24	272.08	601.16
Dwelling unit, 1,400 – 1,999 sq. ft.	2.510	1,324.63	326.52	998.10	310.86	687.24
Dwelling unit, 2,000 – 3,599 sq. ft.	2.871	1,515.14	373.49	1,141.65	355.65	786.00
Dwelling unit, 3,600 sq. ft. and over	3.152	1,663.44	410.04	1,253.39	390.43	862.96
Hotel/Motel Per Room	0.875	461.77	113.83	347.94	95.91	252.03

\*Schedule "X" municipality is Palm Beach.

**Table 13.B.3-13 - Parks and Recreation Impact Fee Schedule for Schedule "Y" Municipalities\***

**Effective 12:01 AM, 09/10/2010**

Land Use Type (Unit) Residential Units By Size	Persons Per Unit	Cost Per Unit	Credit	Park Impact Fee	Discount	Net Park Impact Fee
Dwelling unit, 800 sq. ft. and under	1.815	\$859.97	\$226.13	\$633.84	\$214.95	\$418.89
Dwelling unit, 801 - 1,399 sq. ft.	2.196	1,040.49	273.60	766.89	260.17	506.72
Dwelling unit, 1,400 – 1,999 sq. ft.	2.510	1,189.26	312.72	876.55	297.28	579.27
Dwelling unit, 2,000 – 3,599 sq. ft.	2.871	1,360.31	357.69	1,002.61	340.08	662.53
Dwelling unit, 3,600 sq. ft. and over	3.152	1,493.45	392.70	1,100.75	373.34	727.41
Hotel/Motel Per Room	0.875	414.58	109.02	305.57	93.13	212.44

\*Schedule "Y" municipalities consist of Riviera Beach, Boca Raton, Boynton Beach, Delray Beach, Lake Worth, and Jupiter.

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3  
4  
5 **A. Benefit Zones**

6 **1. Establishment of Benefit Zones**

7 Four park impact fee benefit zones are hereby established as follows:

8 **a. Benefit Zone 1 (North)**

9 Beginning at the water's edge of the Atlantic Ocean and the northern boundary of PBC as  
10 described in F.S. §7.50, "County Boundary"; thence

- 11 1) Westerly along said north boundary to the west line of Range 40 East; thence
- 12 2) Southerly along said west line to the south line of Township 42 South; thence
- 13 3) Easterly along said south line to the west line of Range 42 East; thence
- 14 4) Northerly along said west line to SR-710 (Beeline Highway); thence
- 15 5) Southeasterly along said SR-710 to Port Road (8th Street); thence
- 16 6) Easterly along said Port Road and its easterly extension to the Intracoastal Waterway; thence
- 17 7) Northerly along the Intracoastal Waterway to the Lake Worth inlet and east to the Atlantic  
18 Ocean; thence
- 19 8) Northerly along the water's edge of the Atlantic Ocean to the point of beginning.

20 **b. Benefit Zone 2 (Central)**

21 Beginning at the water's edge of the Atlantic Ocean and SR-804 (Boynton Beach Blvd.)  
22 extended; thence

- 23 1) Westerly along SR-804 and its extension to the SFWM Levee 7 Canal; thence
- 24 2) Northerly along said Levee 7 Canal to the centerline of Old State Road 80; thence
- 25 3) Westerly along said centerline of State Road 80 to the intersection of the centerline of U.S.  
26 Highway 98; thence
- 27 4) Northwesterly along said centerline of U.S. Highway 98 to the west line of Range 40 East;  
28 thence
- 29 5) North along the west line of Range 40 East to the south line of Township 42 South; thence
- 30 6) Easterly along said south line to the west line of Range 42 East; thence
- 31 7) Northerly along said west line to SR-710 (Beeline Highway); thence
- 32 8) Southeasterly along said SR-710 (Beeline Highway) to Port Road (8th Street); thence
- 33 9) Easterly along said Port Road and its easterly extension to the Intracoastal Waterway; thence
- 34 10) Northerly along the Intracoastal Waterway to the Lake Worth Inlet and east to the Atlantic  
35 Ocean; thence
- 36 11) Southerly along the water's edge of the Atlantic Ocean to the point of beginning.

37 **c. Benefit Zone 3 (South)**

38 Beginning at the waters edge of the Atlantic Ocean and SR-804 (Boynton Beach Boulevard)  
39 extended; thence

- 40 1) Westerly along SR-804 and its extension to the SFWM District Levee 7 Canal; thence
- 41 2) Southerly and southeasterly along said Levee 7 Canal, Levee 39 Canal and Levee 36 Canal  
42 to the south boundary line of PBC as described in Fla. Stat. Sec. 7.50, "County Boundary;"  
43 thence
- 44 3) Easterly along said boundary line to the water's edge of the Atlantic Ocean; thence
- 45 4) Northerly along said water's edge to the point of beginning.

46 **d. Benefit Zone 4 (Glades)**

47 Zone 4 is bounded on the north by the Martin County line; on the East by the Western boundaries  
48 of Zones 1, 2, and 3; on the South by the Broward County line; and on the West by the Hendry  
49 County line.

50 **2. Identification of Benefit Zones**

51 The park benefit zones are shown in Figure 13.B.3.C-1, Park Benefit Zones. No park impact fee is  
52 exacted in Benefit Zones 4 because (1) development in that benefit zones is overwhelmingly isolated  
53 from eastern PBC; (2) no new capital facilities for parks are required during the planning horizon upon  
54 which the park impact fee in Benefit Zone 4 is based, except for district park capital facilities; and (3)  
55 credits to development in Benefit Zone 4 for other assessments funding park capital facilities equal or  
56 exceed the impact fee associated with district parks in Benefit Zone 4.

57 **B. Establishment of Trust Funds**

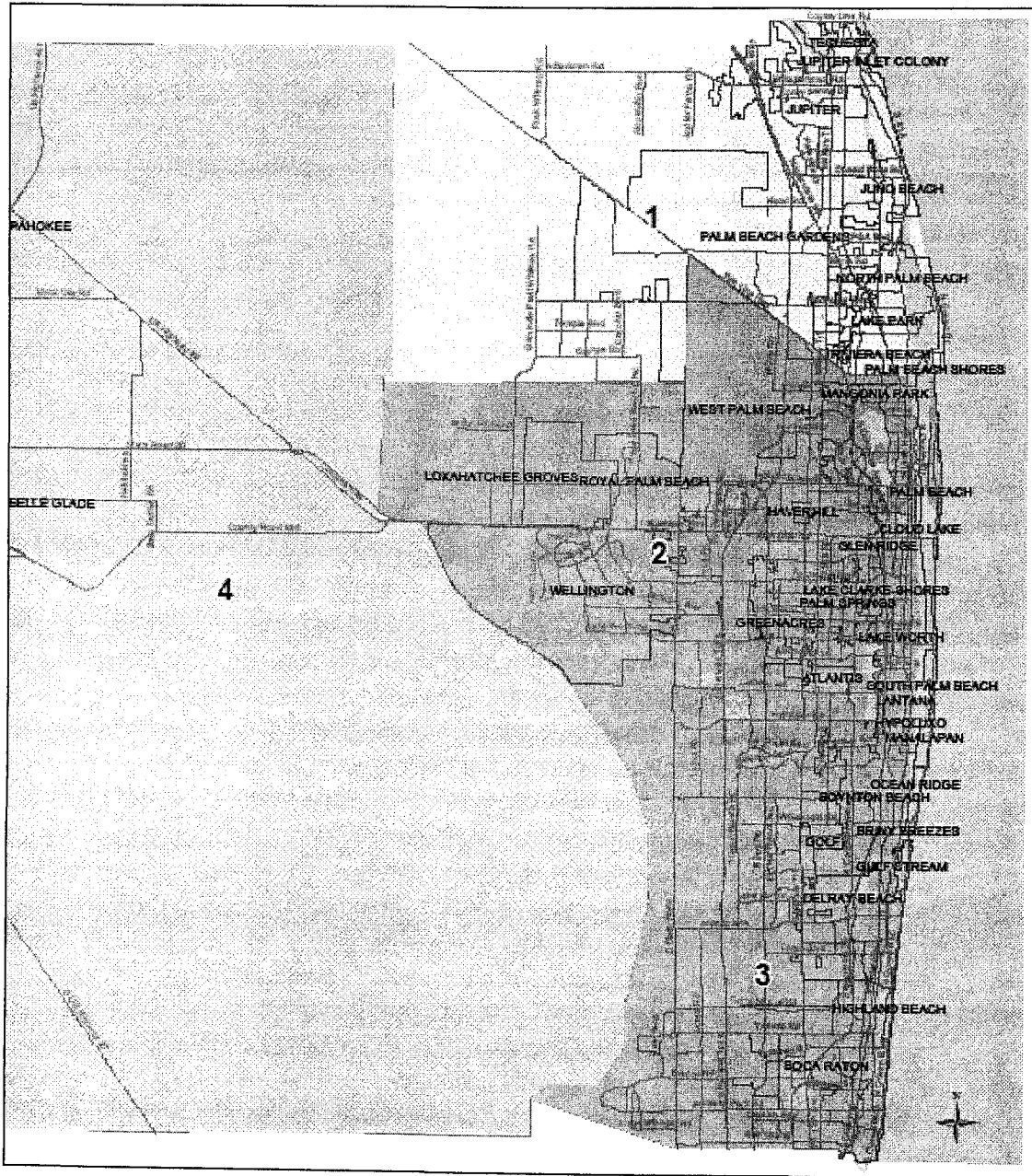
58 There are hereby established separate park impact fee trust funds, one for each park impact fee benefit  
59 zones.

60 **C. Use of Park Impact Fees**

61 Impact fees paid pursuant to this Section shall be encumbered and spent only in conformance with Art.  
62 13.A.9, Use of Impact Fees.  
63

**Figure 13.B.1.C-1 - Park Benefit Zones**






**PARK IMPACT FEE ZONES**

Municipal Boundaries 1 2 3 4

0 2 4 6 Miles

May 14, 2010 (Revised 04/14/09)



Planning, Zoning and Building  
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1 **CHAPTER C FIRE-RESCUE IMPACT FEE**

2  
3 **Section 1 Imposition of Impact Fee**

4 Impact fees are imposed upon all land uses creating an impact on fire-rescue services in accordance with Art.  
5 13.A.4, Imposition of Impact Fee, and this Section.

6  
7 **Section 2 Fee Schedule**

8 The impact fee schedule for fire-rescue services is established in Table 13.C.2-14, Impact Fee Schedule. Land  
9 uses in the fee schedule shall be defined in F.S. §195.073, and Rule 12D-8 F.A.C. To ensure that the impact fee  
10 does not exceed the cost to provide capital facilities to accommodate new development, the impact fees in the fee  
11 schedule are established at no more than 95 percent of the cost to accommodate the impact.  
12  
13

**Table 13.C.2-14 – Fire Rescue Fee Schedule**  
**Effective 12:01 AM, 08/20/2008**

Land Use Type (Unit)	Calls For	Cost		Fire-Rescue		Net Fire-
Residential Units, by Type	Service	Per Unit	Credits	Impact Fee	Adjustment	Rescue Impact Fee
Single Family Detached	0.3745	\$698.07	\$0.00	\$698.07	\$169.62	\$528.45
Single Family Attached	0.3745	698.07	0.00	698.07	169.62	
Multi-Family	0.1671	311.48	0.00	311.48	63.06	248.42
Mobile Home	0.1671	311.48	0.00	311.48	63.06	248.42
Hotel/Motel Per Room	0.6940	1,288.15	0.00	1,288.15	333.54	954.64
<b>Non-Residential</b>						
Office 100,000 sq. ft. & Under	0.1078	\$200.95	\$0.00	\$200.95	\$50.41	\$150.54
100,001 - 125,000 sq. ft.	0.1078	200.95	0.00	200.95	50.41	150.54
125,001 - 150,000	0.1078	200.95	0.00	200.95	50.41	150.54
150,001 - 175,000	0.1078	200.95	0.00	200.95	50.41	150.54
175,001 - 199,999	0.1078	200.95	0.00	200.95	50.41	150.54
Medical Office	0.1078	200.95	0.00	200.95	50.41	150.54
Warehouse Per 1,000 sq. ft	0.0399	74.37	0.00	74.37	20.29	54.08
Gen. Industrial Per 1,000 Ft	0.1110	206.91	0.00	206.91	61.73	
Retail Per 1,000 Sq. Ft.						
Retail Per 1,000 Sq. Ft.	0.1681	\$313.37	\$0.00	\$313.37	\$87.12	\$226.25
80,000 sq. ft. & Under	0.1681	313.37	0.00	313.37	87.12	226.25
80,001 - 99,999	0.1681	313.37	0.00	313.37	87.12	226.25
100,000 - 199,999	0.1681	313.37	0.00	313.37	87.12	226.25
200,000 - 499,999	0.1681	313.37	0.00	313.37	87.12	226.25
500,000 - 999,999	0.1681	313.37	0.00	313.37	87.12	226.25
1,000,000 & Over	0.1681	313.37	0.00	313.37	87.12	226.25

**Table 13.C.2-14 – Fire Rescue Fee Schedule**  
**Effective 12:01 AM, 09/10/2010**

Land Use Type (Unit)	Calls For	Cost		Fire-Rescue		Net Fire-
Residential Units, by Type	Service	Per Unit	Credits	Impact Fee	Adjustment	Rescue Impact Fee
Single Family Detached	0.3810	\$732.66	\$0.00	\$732.66	\$204.21	\$528.45
Single Family Attached	0.3810	732.66	0.00	732.66	204.21	528.45
Multi-Family	0.1560	300.08	0.00	300.08	51.66	248.42
Mobile Home	0.1560	300.08	0.00	300.08	51.66	248.42
Hotel/Motel Per Room	0.6044	1,162.20	0.00	1,162.20	207.56	954.64
<b>Non-Residential</b>						
Office 100,000 sq. ft. & Under	0.0874	\$168.06	\$0.00	\$168.06	\$17.52	\$150.54
100,001 - 125,000 sq. ft.	0.0874	168.06	0.00	168.06	17.52	150.54
125,001 - 150,000	0.0874	168.06	0.00	168.06	17.52	150.54
150,001 - 175,000	0.0874	168.06	0.00	168.06	17.52	150.54
175,001 - 199,999	0.0874	168.06	0.00	168.06	17.52	150.54
Medical Office	0.0874	168.06	0.00	168.06	17.52	150.54
Warehouse Per 1,000 sq. ft	0.0310	59.57	0.00	59.57	5.49	54.08
Gen. Industrial Per 1,000 Ft	0.1110	213.45	0.00	213.45	68.27	145.18
Retail Per 1,000 Sq. Ft.						
Retail Per 1,000 Sq. Ft.	0.1467	\$282.18	\$0.00	\$282.18	\$55.93	\$226.25
80,000 sq. ft. & Under	0.1467	282.18	0.00	282.18	55.93	226.25
80,001 - 99,999	0.1467	282.18	0.00	282.18	55.93	226.25
100,000 - 199,999	0.1467	282.18	0.00	282.18	55.93	226.25
200,000 - 499,999	0.1467	282.18	0.00	282.18	55.93	226.25
500,000 - 999,999	0.1467	282.18	0.00	282.18	55.93	226.25
1,000,000 & Over	0.1467	282.18	0.00	282.18	55.93	226.25

15  
16  
17 **Section 3 Benefit Zones**

1 **A. Establishment of Benefit Zones**

2 There are hereby established two fire rescue impact fee benefit zones identified in Figure 13.C.5-2, Fire  
3 Rescue Benefit Zones, and set forth as follows:

4 **1. Benefit Zone 1**

5 The boundaries of Benefit Zone 1 correspond to the PBC Fire-Rescue Municipal service Taxing Unit,  
6 excluding Royal Palm Beach and those portions of the County in Benefit Zone 2.

7 **2. Benefit Zone 2**

8 The boundaries of Benefit Zone 2 shall be PBCs Northern, Western and Southern borders on the  
9 North, West, and South, respectively; and the Western border of Range 40 E and the SFWM District  
10 Levee 40 on the East. No fire rescue impact fees shall be collected at this time in Benefit Zone 2  
11 because there is no identified need for additional fire rescue capital facilities due to new development  
12 during the planning horizon on which this impact fee is based.  
13

14 **Section 4 Establishment of Trust funds**

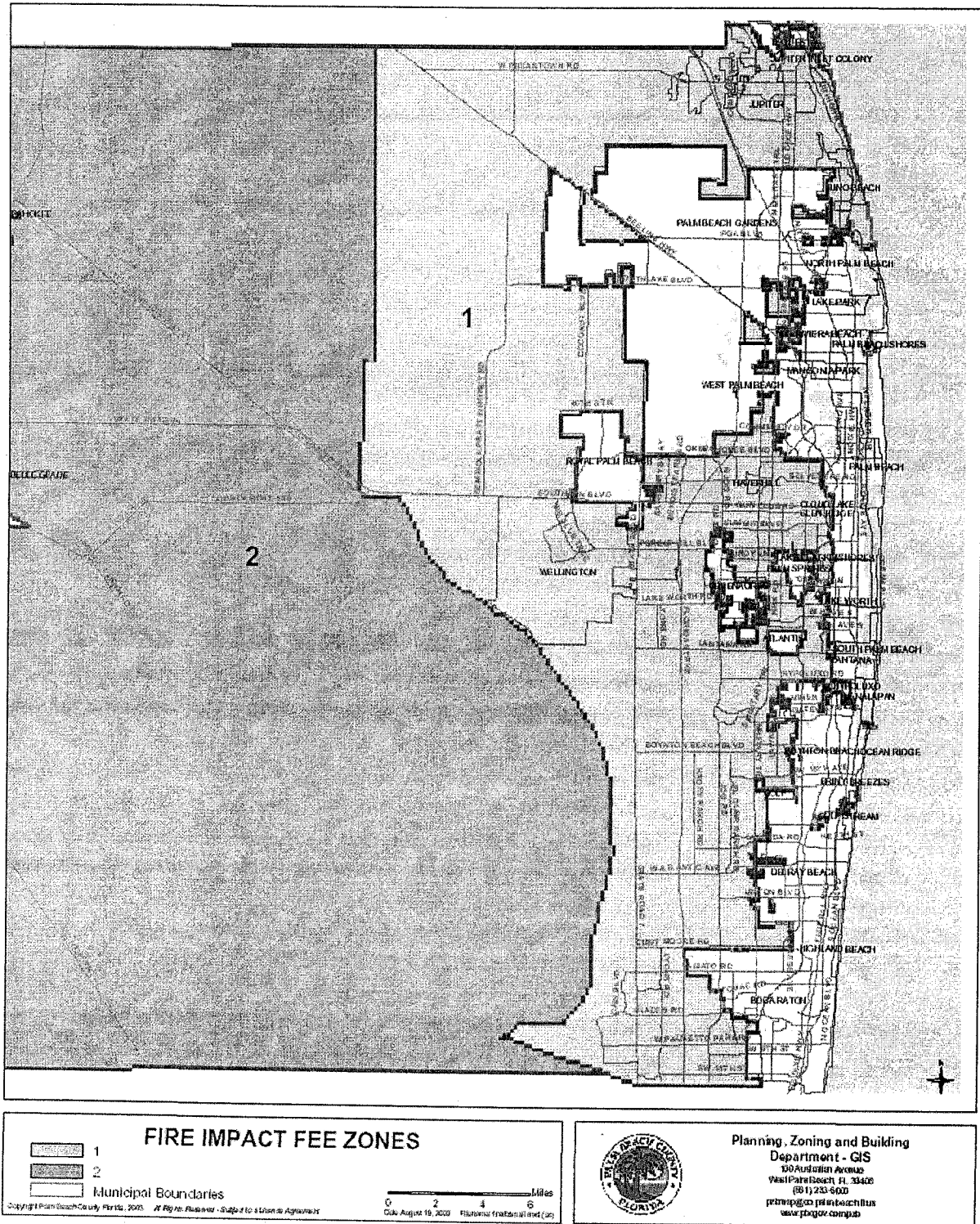
15 There is hereby established a separate impact fee trust funds for the impact fee benefit zones described in Art.  
16 13.C.3.A, Establishment of Benefit Zones.  
17

18 **Section 5 Use of Fire-Rescue Impact Fees**

19 Impact fees paid pursuant to this Section shall be encumbered and spent only in conformance with Art. 13.A.9,  
20 Use of Impact Fees.  
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Figure 13.C.5-2 - Fire Rescue Benefit Zones



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1 **CHAPTER D LIBRARY IMPACT FEE**

2  
3 **Section 1 Imposition of Fee**

4 Impact fees are imposed upon all land uses creating an impact on library services in accordance with Art. 13.A.4,  
5 Imposition of Fee, and this Section.

6  
7 **Section 2 Fee Schedule**

8 The fee schedule for library services is established in Table 13.D.2-15, Library Fee Schedule. To ensure that the  
9 impact fee does not exceed the cost to provide capital facilities to accommodate new development, the impact  
10 fees in the fee schedule are established at no more than 95 percent of the cost to accommodate the impact.  
11  
12

**Table 13.D.2-15 - Library Fee Schedule**  
**Effective 12:01 AM, 08/20/2008**

<u>Land Use Type (Unit)</u>	<u>Functional</u>	<u>Cost</u>		<u>Library</u>		<u>Net</u>
<u>Residential Units by sq. ft</u>	<u>Population</u>	<u>Per Unit</u>	<u>Credits</u>	<u>Impact Fee</u>	<u>Discount</u>	<u>Library Impact Fee</u>
Dwelling units:						
800 sq. ft. and Under	1,792	\$200.72	\$73.05	\$127.67	\$25.98	\$101.69
801 - 1,399	2,168	242.80	88.37	154.43	31.41	123.02
1,400 - 1,999	2,479	277.57	101.03	176.54	35.91	140.63
2,000 - 3,599	2,835	317.46	115.54	201.92	41.08	160.84
3,600 and Over	3,113	348.55	126.86	221.69	45.10	176.59

**Table 13.D.2-15 - Library Fee Schedule**  
**Effective 12:01 AM, 09/10/2010**

<u>Land Use Type (Unit)</u>	<u>Functional</u>	<u>Cost</u>		<u>Library</u>		<u>Net</u>
<u>Residential Units by sq. ft</u>	<u>Population</u>	<u>Per Unit</u>	<u>Credits</u>	<u>Impact Fee</u>	<u>Discount</u>	<u>Library Impact Fee</u>
Dwelling units:						
800 sq. ft. and Under	1,815	\$309.55	\$77.80	\$231.75	\$130.06	\$101.69
801 - 1,399	2,196	374.53	94.13	280.40	157.38	123.02
1,400 - 1,999	2,510	428.08	107.59	320.49	179.86	140.63
2,000 - 3,599	2,871	489.65	123.07	366.58	205.74	160.84
3,600 and Over	3,152	537.57	135.11	402.46	225.87	176.59

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18 **Section 3 Benefit Zones**

19 **A. Establishment of Benefit Zones**

20 There are hereby established two library impact fee benefit zones identified in Figure 13.D.5-3, Library  
21 Benefit Zones, and set forth as follows:

22 **1. Benefit Zone 1**

23 The boundaries of Benefit Zone 1 consists of unincorporated PBC and those municipalities that are  
24 part of the Library Taxing District (municipalities include: Atlantis, Briny Breezes, Cloud Lake, Glen  
25 Ridge, Greenacres City, Haverhill, Hypoluxo, Juno Beach, Jupiter, Jupiter Inlet Colony, Lake Clarke  
26 Shores, Mangonia Park, Ocean Ridge, Palm Beach Gardens, Palm Beach Shores, Royal Palm  
27 Beach, South Palm Beach, Tequesta and Village of Golf) excluding that porting of the County in  
28 Benefit Zone 2.

29 **2. Benefit Zone 2**

30 The boundaries of Benefit Zone 2 shall be PBCs Northern, Western and Southern borders on the  
31 North, West, and South, respectively; and the Western border of Range 40 E and SFWM District  
32 Levee 40 on the East. No library impact fees shall be collected at this time in Benefit Zone 2 because  
33 there is no identified need for additional library capital facilities due to new development during the  
34 planning horizon on which this impact fee is based.  
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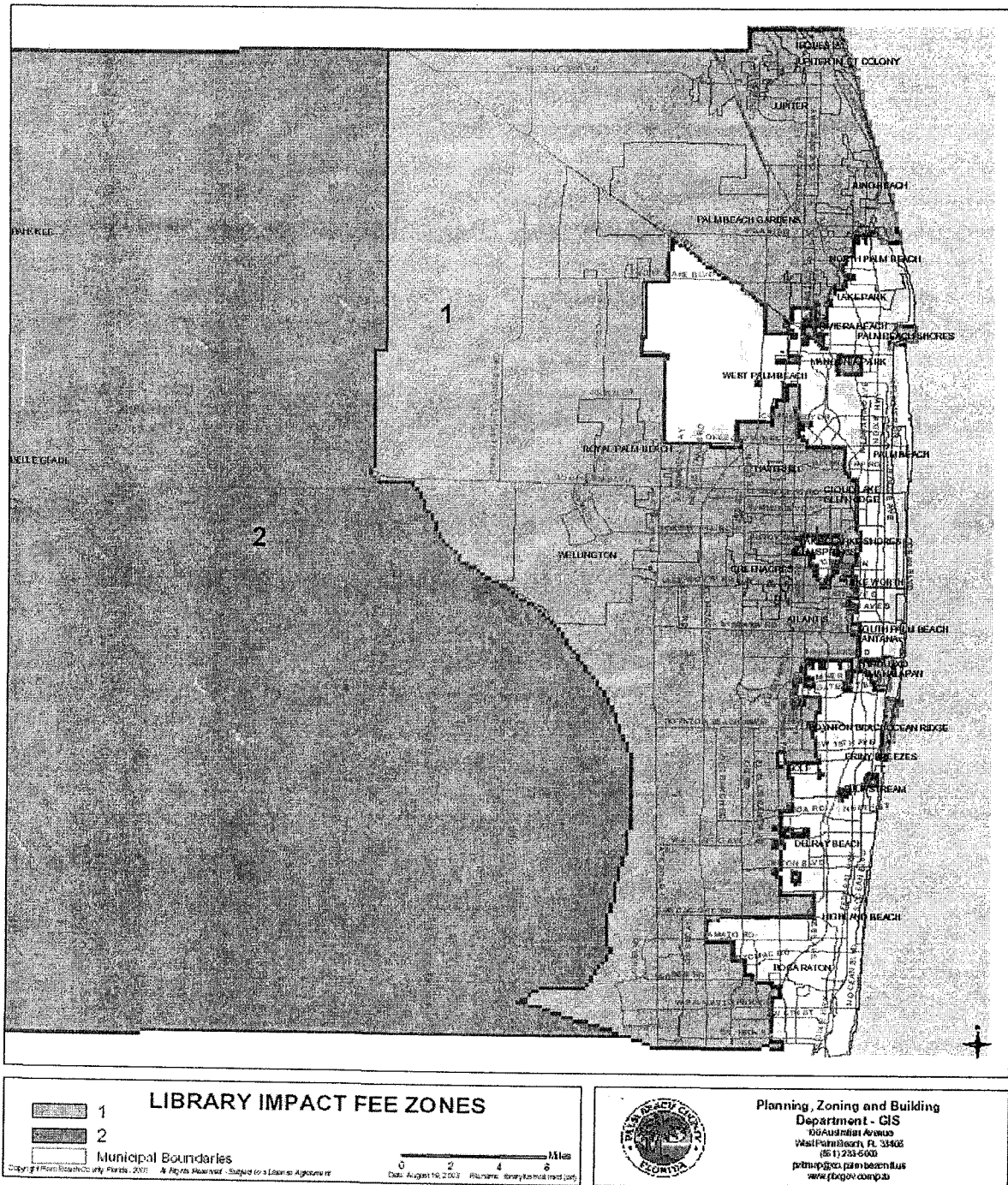
36 **Section 4 Establishment of Trust Funds**

37 There is hereby established a library impact fee trust funds for the benefit zones described in Art. 13.D.3, Benefit  
38 Zones.

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40 **Section 5 Use of Library Impact Fees**

41 Impact fees paid pursuant to this Section shall be encumbered and spent only in conformance with Art. 13.A.9,  
42 Use of Impact Fees.  
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Figure 13.D.5-3 - Library Benefit Zones





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2 **CHAPTER E LAW ENFORCEMENT IMPACT FEE**

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4 **Section 1 Imposition of Fee**

5 Impact fees are imposed upon all land uses creating an impact on law enforcement services in accordance with  
6 Art. 13.A.4, Imposition of Fee, and this Section.

7  
8 **Section 2 Fee Schedule**

9 The fee schedules for law enforcement services are established in Table 13.E.2-16, Law Enforcement Fee  
10 Schedule for Countywide Services Benefit Zone 1, and Table 13.E.2-17, Law Enforcement Patrol Fee Schedule  
11 for Unincorporated PBC Benefit Zone 2. Land uses in the fee schedule shall be as defined in F.S. §195.073, and  
12 Rule 12D-8, F.A.C. To ensure that the impact fee does not exceed the cost to provide capital facilities to  
13 accommodate new development, the impact fees in the fee schedule are established at no more than 95 percent  
14 of the cost to accommodate the impact.  
15

**Table 13.E.2-16 – Law Enforcement Fee Schedule for Countywide Services Benefit Zone 1  
Effective 10/01/1997**

Land Use Type (Unit) Residential units by sq. ft.	Service Calls	Cost Per Unit	Credits	Enforcement Impact Fee	Discount	Enforcement Impact Fee
Dwelling units, 800 sq. ft. and Under	0.9580	\$2.09	\$5.12	\$0.00	\$0.00	\$0.00
Dwelling unit, 801 - 1,399 sq. ft.	1.1260	2.46	6.02	0.00	0.00	0.00
Dwelling unit, 1,400 – 1,999 sq. ft.	1.3240	2.89	7.08	0.00	0.00	0.00
Dwelling unit, 2,000 – 3,599 sq. ft.	1.5390	3.36	8.23	0.00	0.00	0.00
Dwelling unit, 3,600 sq. ft. and Over	1.7050	3.73	9.12	0.00	0.00	0.00
Hotel/Motel	0.3500	0.76	1.87	0.00	0.00	0.00
<b>Non-Residential per 1,000 sq. ft.</b>						
<b>Office:</b>						
100,000 sq. ft. & Under	1.1690	\$2.55	\$6.25	\$0.00	\$0.00	\$0.00
100,001 - 125,000	1.1020	2.41	5.90	0.00	0.00	0.00
125,001 - 150,000	0.9230	2.02	4.94	0.00	0.00	0.00
150,001 - 175,000	0.9040	1.98	4.84	0.00	0.00	0.00
175,001 - 199,999	0.9040	1.98	4.84	0.00	0.00	0.00
200,000 & Over	0.8770	1.92	4.69	0.00	0.00	0.00
Medical Office	1.6520	3.61	8.84	0.00	0.00	0.00
Warehouse Per 1,000 Ft	0.2610	0.57	1.40	0.00	0.00	0.00
Gen. Industrial Per 1,000 Ft.	0.5020	1.10	2.69	0.00	0.00	0.00
<b>Retail Per 1,000 sq. ft.</b>						
80,000 sq. ft. & Under	1.9750	\$4.31	\$10.57	\$0.00	\$0.00	\$0.00
80,001 - 99,999	2.1070	4.60	11.27	0.00	0.00	0.00
100,000 - 199,999	2.1900	4.78	11.72	0.00	0.00	0.00
200,000 - 499,999	2.1890	4.78	11.71	0.00	0.00	0.00
500,000 - 999,999	2.2460	4.91	12.01	0.00	0.00	0.00
1,000,000 & Over	2.3000	5.07	12.30	0.00	0.00	0.00

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**Table 13.E.2-17 – Law Enforcement Patrol Fee Schedule for Unin.  
PBC Benefit Zone 2  
Effective 12:01 AM, 08/20/2008**

Land Use Type (Unit) Residential units by sq. ft.	Service Calls	Cost Per Unit	Credits	Law Enforcement Impact Fee	Discount	Net Law Enforcement Impact Fee
Single Family, Detached	2.693	\$183.68	\$5.14	\$178.54	\$8.93	\$169.61
Single Family, Attached	2.693	183.68	5.14	178.54	8.93	169.61
Multi-Family	0.736	50.20	1.41	48.79	2.44	46.35
Mobile Home	0.736	50.20	1.41	48.79	2.44	46.35
Hotel/Motel	0.859	58.60	1.64	56.96	2.85	54.11
<b>Non-Residential per 1,000 sq. ft.</b>						
<b>Office:</b>						
100,000 & Under	1.032	\$70.39	\$1.97	\$68.42	\$4.11	\$64.31
100,001 - 125,000	1.032	70.39	1.97	68.42	4.11	64.31
125,001 - 150,000	1.032	70.39	1.97	68.42	4.11	64.31
150,001 - 175,000	1.032	70.39	1.97	68.42	4.11	64.31
175,001 - 199,999	1.032	70.39	1.97	68.42	4.11	64.31
200,000 & Over	1.032	70.39	1.97	68.42	4.11	64.31
Medical Office	1.032	70.39	1.97	68.42	4.11	64.31
Warehouse Per 1,000 Ft.	0.236	16.07	0.45	15.62	1.79	13.83
Gen. Industrial Per 1,000 Ft.	0.078	5.29	0.15	5.14	0.26	4.88
<b>Retail Per 1,000 Ft.</b>						
80,000 & Under	1.034	\$70.30	\$1.97	\$68.33	\$3.42	\$64.91
80,001 - 99,999	1.034	70.30	1.97	68.33	3.42	64.91
100,000 - 199,999	1.034	70.30	1.97	68.33	3.42	64.91
200,000 - 499,999	1.034	70.30	1.97	68.33	3.42	64.91
500,000 - 999,999	1.034	70.30	1.97	68.33	3.42	64.91
1,000,000 & Over	1.034	70.30	1.97	68.33	3.42	64.91
	1.034	70.30	1.97	68.33	3.42	64.91

Includes Cloud Lake, Haverhill, Glen Ridge, and Village of Golf.

**Table 13.E.2-17 – Law Enforcement Patrol Fee Schedule for Unin.  
PBC Benefit Zone 2  
Effective 12:01 AM, 09/10/2010**

Land Use Type (Unit) Residential units by sq. ft.	Service Calls	Cost Per Unit	Credits	Law Enforcement Impact Fee	Discount	Net Law Enforcement Impact Fee
Single Family, Detached	3.206	\$248.60	\$5.47	\$243.13	\$73.52	\$169.61
Single Family, Attached	3.206	248.60	5.14	243.13	73.52	169.61
Multi-Family	0.906	70.25	1.55	68.70	22.35	46.35
Mobile Home	0.906	70.25	1.55	68.70	22.35	46.35
Hotel/Motel	1.099	85.23	1.88	83.35	29.24	54.11
<b>Non-Residential per 1,000 sq. ft.</b>						
<b>Office:</b>						
100,000 & Under	0.338	\$26.18	\$0.58	\$25.60	\$1.28	\$24.32
100,001 - 125,000	0.338	26.18	0.58	25.60	1.28	24.32
125,001 - 150,000	0.338	26.18	0.58	25.60	1.28	24.32
150,001 - 175,000	0.338	26.18	0.58	25.60	1.28	24.32
175,001 - 199,999	0.338	26.18	0.58	25.60	1.28	24.32
200,000 & Over	0.338	26.18	0.58	25.60	1.28	24.32
Medical Office	0.338	26.18	0.58	25.60	1.28	24.32
Warehouse Per 1,000 Ft.	0.378	29.29	0.64	28.65	14.82	13.83
Gen. Industrial Per 1,000 Ft.	0.988	76.56	1.68	74.88	70.00	4.88
<b>Retail Per 1,000 Ft.</b>						
80,000 & Under	0.737	\$57.11	\$1.26	\$55.85	\$2.79	\$53.06
80,001 - 99,999	0.737	57.11	1.26	55.85	2.79	53.06
100,000 - 199,999	0.737	57.11	1.26	55.85	2.79	53.06
200,000 - 499,999	0.737	57.11	1.26	55.85	2.79	53.06
500,000 - 999,999	0.737	57.11	1.26	55.85	2.79	53.06
1,000,000 & Over	0.737	57.11	1.26	55.85	2.79	53.06
	0.737	57.11	1.26	55.85	2.79	53.06

Includes Cloud Lake, Haverhill, Glen Ridge, and Village of Golf.

**Section 3 Benefit Zones**

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**A. Establishment of Benefit Zones**

There are hereby established three Law Enforcement Impact Fee benefit zones identified in Figure 13.E.5-4, Law Enforcement Benefit Zones, and set forth as follows.

**1. Area and Services in Benefit Zone 1**

Benefit Zone 1 shall consist of the entire PBC, including both the unincorporated area and all municipalities. Countywide functions for which impact fees are charged in this benefit zone include the crime laboratory, warrants divisions, marine enforcement, K-9 unit, and organized crime bureau. No credits for municipal law enforcement activities are applied for these services.

**2. Area and Services in Benefit Zone 2**

Benefit Zone 2 shall include the unincorporated portions of PBC and those municipalities which do not provide road patrol services, including Cloud Lake, Haverhill, Glen Ridge, and Village of Golf and excluding those portions of the County in Benefit Zone 3. Impact fees paid in these areas support law enforcement functions otherwise met by municipal law enforcement services, though all law enforcement functions of the Sheriff are Countywide. The use of this district allows credit for municipal law enforcement services.

**3. Area and Services in Benefit Zone 3**

Benefit Zone 3 shall include PBCs Northern, Western, and Southern borders on the North, West, and South respectively; and the Western border of Range 40 E and the SFWM District Levee 40 on the East. No law enforcement impact fees shall be collected at this time in Benefit Zone 3 because there is no identified need for additional law enforcement capital facilities due to new development during the planning horizon on which this impact fee is based.



1 **Section 4 Establishment of Trust Funds**

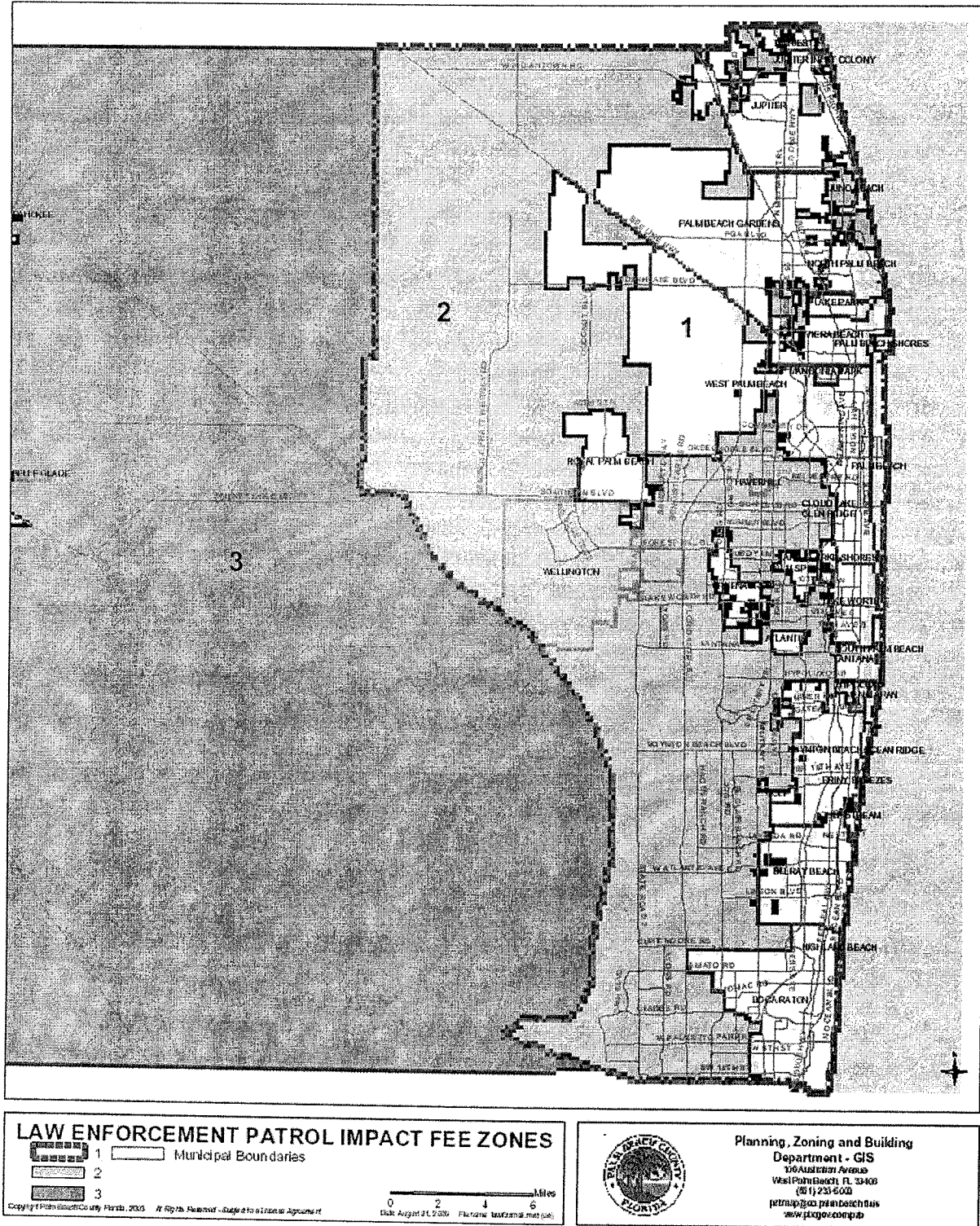
2 There are hereby established separate impact fee trust funds for each impact fee benefit zones described in Art.  
3 13.E.3, Benefit Zones.

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5 **Section 5 Use of Law Enforcement Impact Fees**

6 The Sheriff shall identify in the Sheriff's budget those new capital facilities for which law enforcement impact fees  
7 shall be spent. The funds shall remain restricted to their respective trust funds and the requirements of this Article,  
8 and the Sheriff shall ensure that the funds are expended and accounted for in accordance with this article. The  
9 Sheriff shall maintain such records and documentation necessary to allow the effective audit of the use of the law  
10 enforcement impact fees. PBCs internal auditor shall have authority to require accounting controls and  
11 documentation, and shall have the authority to audit the use of law enforcement impact fees. PBC may require  
12 special impact fee reports by the auditor performing an audit of the Sheriff's accounts.  
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Figure 13.E.5-4 - Law Enforcement Benefit Zones



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**CHAPTER F PUBLIC BUILDINGS IMPACT FEE**

**Section 1 Imposition of Fee**

Impact fees are imposed upon all land uses creating an impact on public buildings in accordance with Art. 13.A.4, Imposition of Fee, and this Section.

**Section 2 Fee Schedule**

The fee schedule for public buildings is established in Table 13.F.2-18, Public Buildings Fee Schedule. Land uses in the fee schedule shall be as defined in F.S. §195.073, and Rule 12D-8, F.A.C. To ensure that the impact fee does not exceed the cost to provide capital facilities to accommodate new development, the impact fees in the fee schedule are established at no more than 95 percent of the cost to accommodate the impact.

**Table 13.F.2-18 – Public Buildings Fee Schedule**  
**Effective 12:01 AM, 08/20/2008**

Land Use Type (Unit) Residential units by Sq. Ft.	Functional Population	Cost Per Unit	Credits	Public Buildings Impact Fee	5 percent Discount	Net Public Buildings Impact Fee
Dwelling unit, 800 sq. ft. and Under	0.8960	\$884.00	\$377.00	\$506.98	\$413.63	\$93.35
Dwelling unit, 801 - 1,399 sq. ft.	1.0840	1,070.00	456.00	613.35	500.41	112.94
Dwelling unit, 1,400 - 1,999 sq. ft.	1.2390	1,223.00	522.00	701.05	571.99	129.06
Dwelling unit, 2,000 - 3,599 sq. ft.	1.4170	1,398.00	597.00	801.76	654.21	147.55
Dwelling unit, 3,600 sq. ft. & Over	1.5560	1,536.00	655.00	880.42	718.36	162.06
Hotel/Motel Per Room	0.3500	345.00	147.00	198.04	160.17	37.87
Non-Residential per 1,000 Sq. Ft.						
Office						
50,000 & Under	0.801	\$790.00	\$337.00	\$453.23	\$366.58	\$86.65
50,001 - 99,999	0.878	866.00	370.00	496.79	401.81	94.98
100,000 - 149,999	1.095	1,081.00	461.00	619.57	501.11	118.46
150,000 - 199,999	1.067	1,053.00	440.00	603.73	488.30	115.43
200,000 - 399,999	1.053	1,039.00	443.00	595.81	481.90	113.91
400,000 - 499,999	1.044	1,030.00	440.00	590.71	477.77	112.94
Medical Office	1.702	1,680.00	717.00	963.03	778.01	184.12
Warehouse Per 1,000 sq. ft.	0.218	215.00	92.00	123.35	99.76	23.59
Gen. Industrial Per 1,000 sq. ft.	0.450	444.00	189.00	254.62	205.93	48.69
Retail Per 1,000 Sq. Ft.						
50,000 Ft. & Under	2.055	\$2,028.00	\$865.00	\$1,162.76	\$940.45	\$222.31
50,001 - 99,999	2.003	1,977.00	843.00	1,133.33	916.64	216.69
100,000 - 199,999	1.983	1,957.00	835.00	1,122.02	907.50	214.52
200,000 - 299,999	2.177	2,148.00	917.00	1,231.79	996.28	235.51
300,000 - 399,999	2.196	2,167.00	925.00	1,242.54	1,004.97	237.57
400,000 - 499,999	2.218	2,189.00	934.00	1,254.99	1,015.05	239.94

**Table 13.F.2-18 – Public Buildings Fee Schedule**  
**Effective 12:01 AM, 09/10/2010**

Land Use Type (Unit) Residential units by Sq. Ft.	Functional Population	Cost Per Unit	Credits	Public Buildings Impact Fee	Discount	Net Public Buildings Impact Fee
Dwelling unit, 800 sq. ft. and Under	0.9080	\$944.00	\$493.00	\$413.63	\$320.58	\$93.35
Dwelling unit, 801 - 1,399 sq. ft.	1.0980	1,141.00	597.00	544.80	431.86	112.94
Dwelling unit, 1,400 - 1,999 sq. ft.	1.2550	1,305.00	682.00	622.70	493.64	129.06
Dwelling unit, 2,000 - 3,599 sq. ft.	1.4360	1,493.00	780.00	712.51	564.96	147.55
Dwelling unit, 3,600 sq. ft. & Over	1.5760	1,638.00	856.00	781.08	619.00	162.06
Hotel/Motel Per Room	0.3500	364.00	190.00	173.66	135.79	37.87
Non-Residential per 1,000 Sq. Ft.						
Office						
50,000 & Under	0.801	\$833.00	\$435.00	\$397.44	\$310.89	\$86.65
50,001 - 99,999	0.878	913.00	477.00	435.65	340.67	94.98
100,000 - 149,999	1.095	1,138.00	595.00	543.31	424.85	118.46
150,000 - 199,999	1.067	1,109.00	580.00	529.43	414.00	115.43
200,000 - 399,999	1.053	1,095.00	572.00	522.47	408.56	113.91
400,000 - 499,999	1.044	1,085.00	567.00	518.01	405.07	112.94
Medical Office	1.702	1,769.00	771.00	844.49	660.37	184.12
Warehouse Per 1,000 sq. ft.	0.201	209.00	109.00	99.73	76.14	23.59
Gen. Industrial Per 1,000 sq. ft.	0.450	468.00	245.00	223.28	174.59	48.69
Retail Per 1,000 Sq. Ft.						
50,000 Ft. & Under	2.050	\$2,131.00	\$1,114.00	\$1,017.17	\$794.86	\$222.31
50,001 - 99,999	2.001	2,080.00	1,087.00	992.85	776.16	216.69
100,000 - 199,999	1.983	2,061.00	1,078.00	983.92	769.40	214.52
200,000 - 299,999	2.178	2,264.00	1,183.00	1,080.68	845.17	235.51
300,000 - 399,999	2.199	2,286.00	1,195.00	1,091.09	853.52	237.57
400,000 - 499,999	2.223	2,311.00	1,208.00	1,103.00	863.06	239.94

**Section 3 Benefit Zones**

**A. Establishment of Benefit Zones**

There is hereby established two public building impact fee benefit zones identified in Figure 13.F.5-5, Public Building Benefit Zones, and set forth as follows:

1. The boundary of Benefit Zone 1 consists of the entire PBC, including both the incorporated and unincorporated areas of the County and excluding the areas of the County in Benefit Zone 2.
2. The boundary of Benefit Zone 2 shall include PBCs Northern, Western and Southern borders on the North, West and South respectively; and the Western border of Range 40 E and the SFWM District Levee 40 on the East. No public building impact fees shall be collected at this time in Benefit Zone 2

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because there is no identified need for additional public building capital facilities due to new development during the planning horizon on which this impact fee is based.

1 **Section 4 Establishment of Trust Funds**

2 There is hereby established a separate impact fee trust funds for the impact fee benefit zones described in Art.  
3 13.F.3, Benefit Zones.

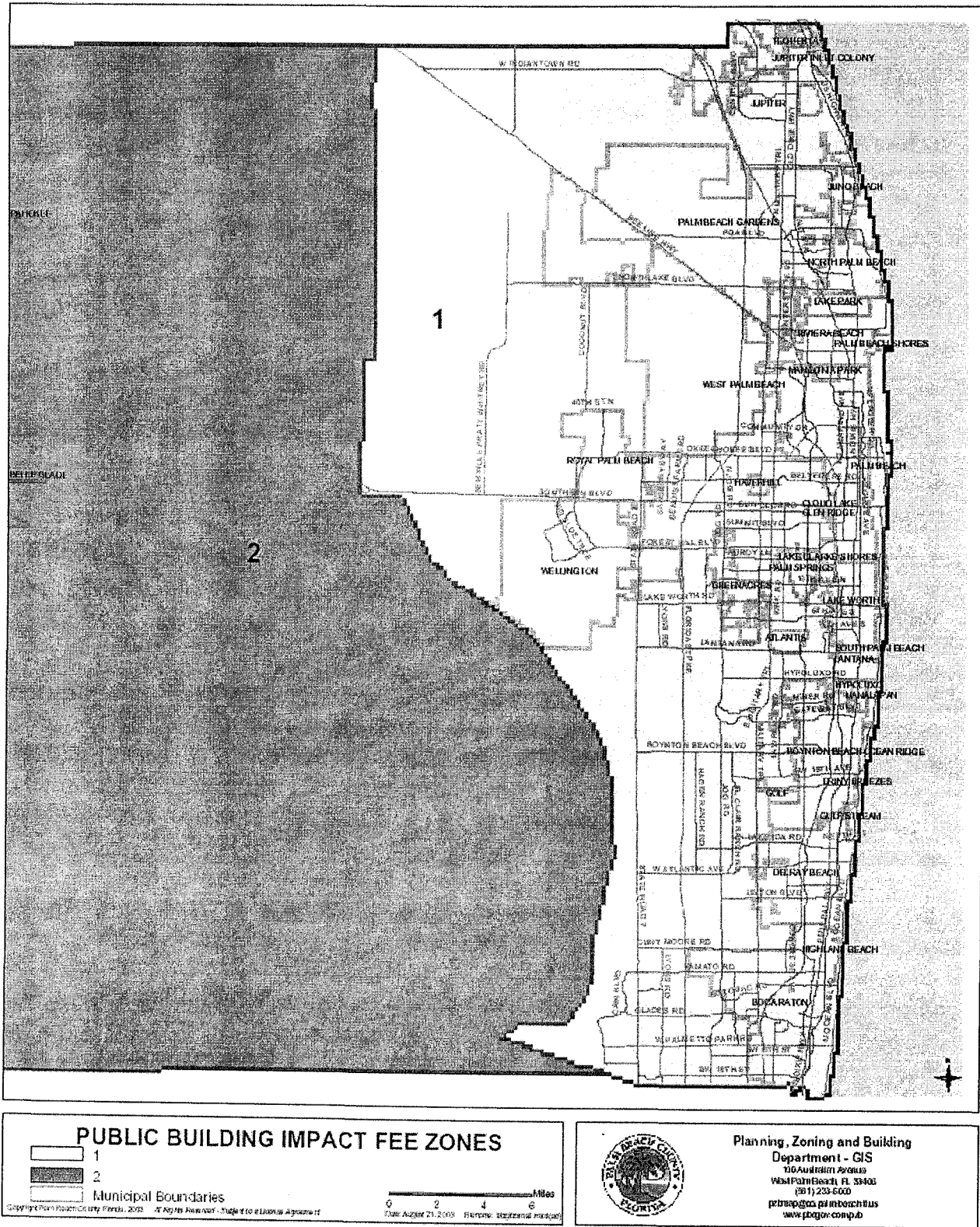
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5 **Section 5 Use of Public Buildings Impact Fees**

6 Fees paid pursuant to this Section shall be encumbered and spent only in conformance with Art. 13.A.9, Use of  
7 Impact Fees.

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Figure 13.F.5-5 – Public Buildings Benefit Zones



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3 **CHAPTER G SCHOOL IMPACT FEE**

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5 **Section 1 Imposition of Fee**

6 Impact fees are imposed upon all development creating an impact on schools in accordance with Art. 13.D.4,  
7 Establishment of Trust Funds, and this Section.

8  
9 **Section 2 Fee Schedule**

10 The fee schedules for school impact fees are established in Table 13.G.2-19, School Fee Schedule. To ensure  
11 that the impact fee does not exceed the cost to provide capital facilities to accommodate new development, the  
12 impact fees in the fee schedule are established at no more than 95 percent of the cost to accommodate the  
13 impact.

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**Table 13.G.2-19 – School Fee Schedule**  
**Effective Date 5:00 PM, 01/12/2006**

Residential units By Square Footage	Average Total Occ.	Occupancy Ages 5-17	School Impact	School Impact Fee	Discount	Net School Impact Fee
Dwelling unit, 800 sq. ft and under	1.725	0.113	0.096	\$806.60	\$40.33	\$766.27
Dwelling unit, 801 – 1,399 sq. ft	2.087	0.286	0.243	2,032.91	101.65	1,931.26
Dwelling unit, 1,400 – 1,999 sq. ft.	2.386	0.428	0.364	3,046.00	152.30	2,893.70
Dwelling unit, 2,000 – 3,599 sq. ft.	2.729	0.592	0.503	4,208.34	210.42	3,997.92
Dwelling unit, 3,600 sq. ft. and over	2.996	0.719	0.611	5,114.18	255.74	4,858.47

**Table 13.G.2-19 – School Fee Schedule**  
**Effective Date 12:01 AM, 09/10/2010**

Residential units By Square Footage	Average Total Occ.	Occupancy Ages 5-17	School Impact	School Impact Fee	Discount	Net School Impact Fee
Dwelling unit, 800 sq. ft and under	1.815	0.113	0.096	\$2,595.26	\$1,828.99	\$766.27
Dwelling unit, 801 - 1,399 sq. ft	2.196	0.286	0.243	6,569.26	4,638.00	1,931.26
Dwelling unit, 1,400 - 1,999 sq. ft.	2.510	0.428	0.364	9,840.37	6,946.67	2,893.70
Dwelling unit, 2,000 - 3,599 sq. ft.	2.871	0.592	0.503	13,598.09	9,600.16	3,997.92
Dwelling unit, 3,600 sq. ft. and over	3.152	0.719	0.611	16,517.76	11,659.29	4,858.47

**Section 3 Benefit Zones**

**A. Establishment of Benefit Zones**

There are hereby established five school impact fee benefit zones set forth as follows.

**1. Benefit Zone 1**

The boundaries of Benefit Zone 1 shall be PBCs Northern boundary on the North, the Beeline Highway/Port Road/8th Street East to Lake Worth, North along the Intracoastal Waterway to the Lake Worth Inlet and East to Atlantic Ocean on the West and South; and the Atlantic Ocean on the East.

**2. Benefit Zone 2**

The boundaries of Benefit Zone 2 shall be Beeline Highway/Port Road/8th Street East to Lake Worth, North along the Intracoastal Waterway to the Lake Worth Inlet and East to the Atlantic Ocean on the North; State Road 7 and its extension on the West; SR-804 (Boynton Beach Boulevard) and its extension on the South; and the Atlantic Ocean on the East.

**3. Benefit Zone 3**

The boundaries of Benefit Zone 3 shall be SR-804 (Boynton Beach Boulevard) and its extension on the North; SFWM District Levee 40 on the West; PBCs Southern boundary on the South; and the Atlantic Ocean on the East.

**4. Benefit Zone 4**

The boundaries of Benefit Zone 4 shall be PBCs Northern border and Beeline Highway on the North; the Western border of range 40 E on the West; SFWM District Levee 40 and Northwest 2nd Avenue (Boynton Beach) and its extension on the South; and State Road 7 and its extension on the East.

**5. Benefit Zone 5**

The boundaries of Benefit Zone 5 shall be PBCs Northern, Western and Southern borders on the North, West, and South, respectively; and the Western border of Range 40 E and the SFWM District Levee 40 on the East.

**B. Identification of Benefit Zones**

The school impact fee benefit zones are identified in Figure 13.G.5-6, School Benefit Zones. No school impact fees shall be collected at this time in Benefit Zone 5 because there is no identified need for additional schools due to new development during the planning horizon on which this impact fee is based.

**Section 4 Establishment of Trust Funds**

There are hereby established separate impact fee trust funds for each impact fee benefit zones.

**Section 5 Use of School Impact Fees**

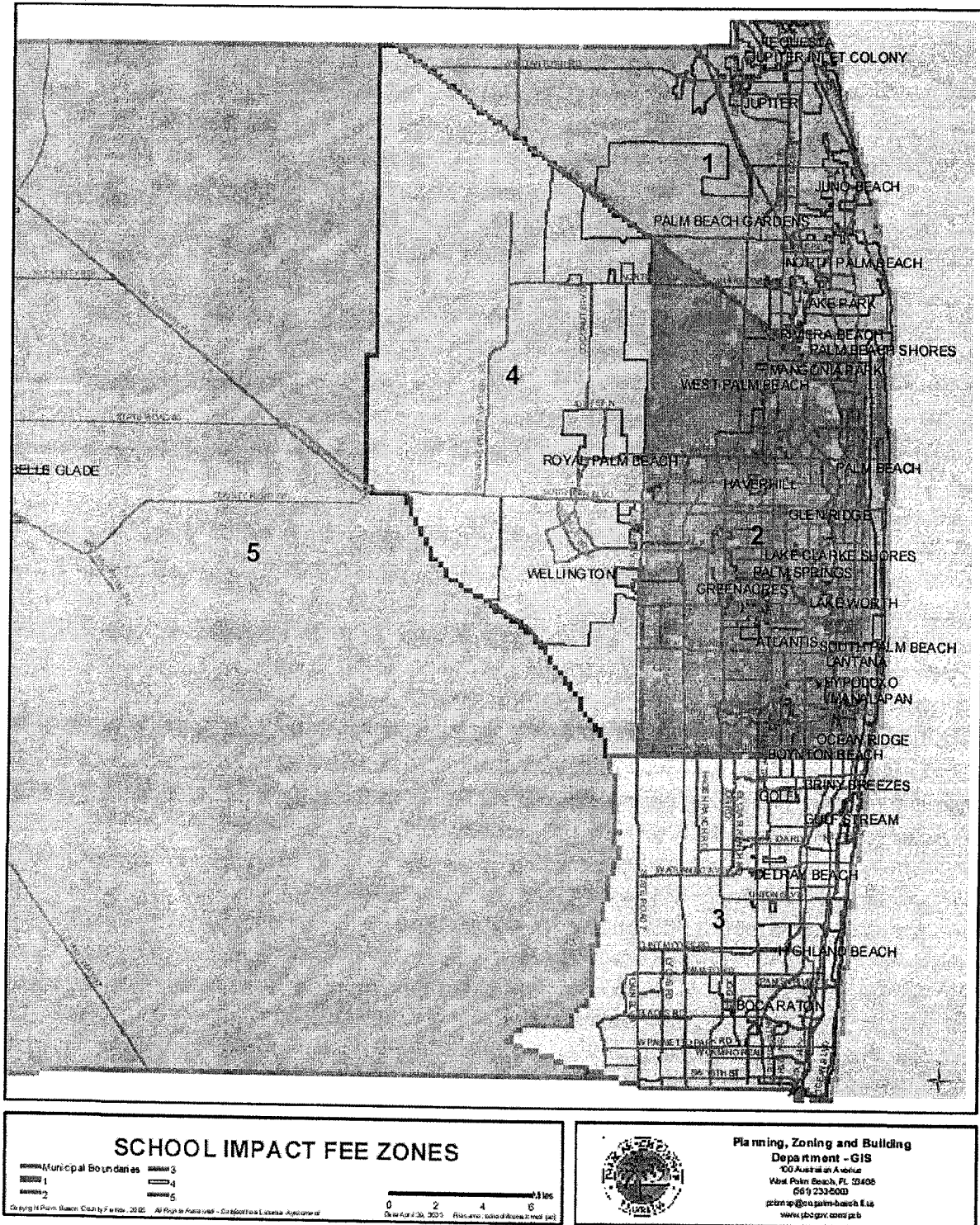
School impact fees shall be appropriated by the BCC and remitted to the School Board following the Clerk's pre-audit of such funds. The funds shall remain restricted to their respective School Board trust funds and the requirements of this article, and the School Board shall ensure that the funds are expended and accounted for in accordance with the provisions of this article. The County's internal auditor shall have the authority to require certain internal accounting controls and documentation, and shall have the authority to audit the expenditure of the funds.



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Figure 13.G.5-6 - School Benefit Zones



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1 **CHAPTER H ROAD IMPACT FEES**

2 **Section 1 Imposition of Fee**

3 Impact fees are imposed upon all land uses creating an impact on road facilities in accordance with Art. 13.A.4,  
4 Imposition of Fee, and this Section.

5  
6 **Section 2 Fee Schedule**

7 At the option of the feepayer, the amount of the impact fee may be determined by the fee schedule, established in  
8 Table 13.H.4-20, Fair Share Road Impact Fee Schedule, or by the independent calculation provided by the  
9 feepayer and approved by the Impact Fee Coordinator and the County Engineer. The impact fees in the schedule  
10 have been calculated using accepted trip generation, trip length, capture/diversion, and capital road facility costs  
11 standards, and applying the appropriate credits. Land uses not listed in the fee schedule shall be as defined in  
12 the most current edition of the Institute of Transportation Engineers Trip Generation Manual. To ensure that the  
13 impact fee does not exceed the cost to provide capital facilities to accommodate new development, the impact  
14 fees in the fee schedule are established at no more than 95 percent of the cost to accommodate the impact.

15  
16 **Section 3 Land Uses Not Specified in Fee Schedule**

17 If the type of land use for which a building permit is applied is not specified on the impact fee schedule, the Impact  
18 Fee Coordinator shall select the most comparable type of land use from the most current edition of Trip  
19 Generation, a publication of The Institute of Transportation Engineers (ITE). If the Impact Fee Coordinator  
20 determines that there is no comparable type of land use in the most current edition of Trip Generation, then the  
21 Impact Fee Coordinator shall request a determination of the impact fee from the County Engineer, who shall use  
22 the best available traffic generation data, other trip characteristics data, costs per lane mile data, and credit data.  
23 The feepayer may challenge the County Engineer's determination through the completion of an independent fee  
24 calculation study pursuant to Art. 13.A.6, Independent Fee Calculation Study.

25  
26 **Section 4 Use of Road Impact Fee Funds**

27 Fees paid pursuant to this Article shall be encumbered and spent only in conformance with Art. 13.A.9, Use of  
28 Impact Fees. Road impact fees collected in accordance with this article shall be used solely for the purpose of  
29 construction or improving roads, streets, highways and bridges on the major road network system, including but  
30 not limited to:

- 31 A. Design and construction plan preparation;
- 32 B. right-of-way acquisition;
- 33 C. construction of new through lanes;
- 34 D. construction of new turn lanes;
- 35 E. construction of new bridges;
- 36 F. construction of new drainage facilities in conjunction with new roadway construction;
- 37 G. purchase and installation of traffic signalization;
- 38 H. construction of new curbs, medians and shoulders;
- 39 I. relocating utilities to accommodate new roadway construction.

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**Table 13.H.4-20 – Fair Share Road Impact Fee Schedule**  
**Effective 12:01 AM, 08/20/2008**

<u>Type of Land Development Activity</u>	<u>Official Daily Trip Generation Per Rate Dwelling Unit or Area</u>	<u>Pass-By Trip Rate (percentage)</u>	<u>Gross Impact Fee</u>	<u>Discount</u>	<u>Net Road Impact Fee Per Unit</u>
<b>Residential:</b>					
Single family detached (per unit)	10	0 percent	\$11,335.40	\$6,513.84	\$4,821.56
Single family Attached (per unit)	7	0 percent	7,942.00	4566.91	3,375.09
Congregate Living Facility (per unit)	2.15	0 percent	2,422.00	1,385.66	1,036.34
Mobile Home (in mobile home park)	5	0 percent	5,668.00	3257.22	2,410.78
Over 55 Restricted SFD-Detached	8	0 percent	9,097.00	5,239.75	3,857.25
Over 55 Restricted Attached Home	6	0 percent	6,823.00	3,930.06	2,892.94
<b>Nonresidential per 1000 sq. ft.:</b>					
Drive-in Bank	265.21	63 percent	\$37,138.00	\$14,120.93	\$23,017.07
Mini-Warehouse	2.50	10 percent	849.00	467.29	381.71
Hotel per room	8.02	10 percent	3,030.00	1,668.07	1,361.93
Movie Theater per seat	1.76	5 percent	637.00	354.14	282.86
Racquet Club per court	40.50	5 percent	14,550.00	8,040.89	6,509.11
Church/Synagogue	9.11	5 percent	3,274.00	1,809.85	1,464.15
Day Care Center	79.26	50 percent	15,009.00	6,092.01	8,916.99
Quality Restaurant	80.95	25 percent	25,525.00	13,236.85	12,288.15
High Turnover Sit-Down Restaurant	130.34	10 percent	44,381.00	26,575.14	17,805.86
New Car Sales	37.50	15 percent	12,067.00	6341.40	5,725.60
Office Building-Medical	36.13	10 percent	12,309.00	6,792.57	5,516.43
Hospital	16.78	10 percent	5,697.00	3,134.98	2,562.02
Nursing Home	3.72	10 percent	1,274.00	706.02	567.98
Warehouse (per 1,000 sq. ft.)	4.96	10 percent	1,700.00	942.69	757.31
General Industrial (Light)	6.97	10 percent	2,363.00	1,298.80	1,064.20
<b>General Office:</b>					
10,000 sq. ft.	22.60	10 percent	\$7,700.00	\$4,249.34	\$3,450.66
50,000 sq. ft.	15.59	10 percent	5,305.00	2,924.68	2,380.32
100,000 sq. ft.	13.27	10 percent	4,517.00	2,490.90	2,026.10
150,000 sq. ft.	12.08	10 percent	4,125.00	2,280.59	1,844.41
200,000 sq. ft.	11.30	10 percent	3,851.00	2,125.67	1,725.33
400,000 sq. ft.	9.62	10 percent	3,274.00	1,805.18	1,468.82
500,000 sq. ft.	9.14	10 percent	3,124.00	1,728.47	1,395.53
600,000 sq. ft.	8.76	10 percent	2,969.00	1,631.49	1,337.51
700,000 sq. ft.	8.45	10 percent	2,881.00	1,590.90	1,290.10
800,000 sq. ft.	8.19	10 percent	2,789.00	1,538.52	1,250.48

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**Table 13.H.4-20 – Fair Share Road Impact Fee Schedule – Continued**  
**Effective 12:01 AM, 08/20/2008**

Type of Land Development Activity	Official Daily Trip Generation Per Rate Dwelling Unit or Area	Pass-By Trip Rate (percentage)	Gross Impact Fee	Discount	Net Road Impact Fee Per Unit
<b>General-Commercial Retail:</b>					
10,000 sq. ft. & Under	155.00	71 percent	\$16,978.00	\$3,243.85	\$13,734.15
50,000 sq. ft.	87.34	49 percent	16,824.00	8,965.89	7,858.11
75,000 sq. ft.	75.54	44 percent	15,917.00	9,045.37	6,871.63
100,000 sq. ft.	68.17	41 percent	15,218.00	8,962.01	6,255.99
200,000 sq. ft.	53.22	33 percent	13,489.00	8,408.25	5,080.75
300,000 sq. ft.	46.05	28 percent	12,487.00	7,927.93	4,559.07
400,000 sq. ft.	41.56	25 percent	11,826.00	7,557.82	4,268.18
500,000 sq. ft.	38.37	22 percent	11,277.00	7,200.76	4,076.24
600,000 sq. ft.	35.96	20 percent	10,852.00	6,898.86	3,953.14
800,000 sq. ft.	32.45	17 percent	10,218.00	6,416.03	3,801.97
1,000,000 sq. ft.	29.96	14 percent	9,733.00	6,006.09	3,726.91
1,200,000 sq. ft.	28.07	12 percent	9,338.00	5,643.19	3,694.81
<b>Non-Residential Short Trips:</b>					
Fast Food Restaurant	496.12	60 percent	\$37,528.00	\$15,600.67	\$21,927.33
Service Station per fueling position	168.56	70 percent	9,583.00	4,164.85	5,418.15
Convenience Store	737.99	70 percent	41,862.00	18,140.24	23,721.76
Pharmacy with Drive Thru	92.70	50 percent	8,760.00	4,200.41	4,469.59
<b>The cost per vehicular trip is:</b>					
Residential:	6 mile trip length	Gross	Net		
		\$1,133.54	\$482.46		
Non-Residential:	2 mile trip length	377.85	160.72		
Non-Residential, short trip:	1 mile trip length	188.92	80.36		

\*\*Interpolation between impact fee amounts presented in the examples is acceptable in lieu of the calculation for that development whose square footage is in the range between example square footages. The formulae are as follows:

1. Office  
 $Total\ Daily\ Trips = Ln(T) = 0.768 Ln(X) + 3.654$   
 $T = Total\ Daily\ Trips, X = Area\ in\ 1,000\ sq.\ ft., Ln = Natural\ Logarithm$
2. General-Commercial  
 $Total\ Daily\ Trips = Ln(T) = 0.643 Ln(X) + 5.866$   
 $T = Total\ Daily\ Trips, X = Area\ in\ 1,000\ sq.\ ft., Ln = Natural\ Logarithm$
3. Pass-by percent Formula (for general-commercial).  
 $Pass\ by\ percent = [0.9449 - (.1161 * LN(A))] * 100\%$   
 $A = Area\ in\ 1,000\ sq.\ ft.\ of\ leasable\ area$

**Table 13.H.4-20 – Fair Share Road Impact Fee Schedule**  
**Effective 12:01 AM, 09/10/2010**

Type of Land Development Activity	Official Daily Trip Generation Per Rate Dwelling Unit or Area	Pass-By Trip Rate (percentage)	Gross Impact Fee	Discount	Net Road Impact Fee Per Unit
<b>Residential:</b>					
Single family detached (per unit)	10	0 percent	\$7,348.00	\$2,526.44	\$4,821.56
Single family Attached (per unit)	7	0 percent	5,149.00	1,773.91	3,375.09
Congregate Living Facility (per unit)	2.02	0 percent	1,497.00	460.66	1,036.34
Mobile Home (in mobile home park)	5	0 percent	3,674.00	1,263.22	2,410.78
Over 55 Restricted SFD-Detached	8	0 percent	5,880.00	2,022.75	3,857.25
Over 55 Restricted Attached Home	6	0 percent	4,410.00	1,517.06	2,892.94
<b>Nonresidential per 1000 sq. ft.:</b>					
Drive-in Bank	148.15	47 percent	\$19,260.00	\$672.00	\$18,297.00
Mini-Warehouse	2.50	10 percent	549.00	167.29	381.71
Hotel per room	8.92	10 percent	1,964.00	602.07	1,361.93
Movie Theater per seat	1.80	5 percent	410.00	127.14	282.86
Racquet Club per court	38.70	5 percent	9,018.00	2,508.89	6,509.11
Church/Synagogue	9.11	5 percent	2,122.00	657.85	1,464.15
Day Care Center	79.26	50 percent	9,732.00	815.01	8,916.99
Quality Restaurant	89.95	44 percent	12,356.00	618.00	11,738.00
High Turnover Sit-Down Restaurant	127.15	43 percent	17,777.00	889.00	16,888.00
New Car Sales	33.34	15 percent	6,960.00	1,234.40	5,725.60
Office Building-Medical	36.13	10 percent	7,982.00	2,465.57	5,516.43
Hospital	16.50	10 percent	3,633.00	1,070.98	2,562.02
Nursing Home	2.37	10 percent	523.00	26.00	497.00
Warehouse (per 1,000 sq. ft.)	3.56	10 percent	786.00	39.00	747.00
General Industrial (Light)	6.97	10 percent	1,531.00	466.80	1,064.20
<b>General Office:</b>					
10,000 sq. ft.	22.60	10 percent	\$4,993.00	\$1,542.34	\$3,450.66
50,000 sq. ft.	15.59	10 percent	3,439.00	1,058.68	2,380.32
100,000 sq. ft.	13.27	10 percent	2,928.00	901.90	2,026.10
150,000 sq. ft.	12.08	10 percent	2,675.00	830.59	1,844.41
200,000 sq. ft.	11.30	10 percent	2,497.00	771.67	1,725.33
400,000 sq. ft.	9.62	10 percent	2,122.00	653.18	1,468.82
500,000 sq. ft.	9.14	10 percent	2,027.00	631.47	1,395.53
600,000 sq. ft.	8.76	10 percent	1,923.00	585.49	1,337.51
700,000 sq. ft.	8.45	10 percent	1,868.00	577.90	1,290.10
800,000 sq. ft.	8.19	10 percent	1,808.00	557.52	1,250.48

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**Table 13.H.4-20 – Fair Share Road Impact Fee Schedule – Continued**  
**Effective 12:01 AM, 09/10/2010**

<u>Type of Land Development Activity</u>	<u>Official Daily Trip Generation</u>  <u>Per Rate Dwelling Unit or Area</u>	<u>Pass-By Trip Rate (percentage)</u>	<u>Gross Impact Fee</u>	<u>Discount</u>	<u>Net Road Impact Fee Per Unit</u>
<b>General Commercial Retail:</b>					
10,000 sq. ft. & Under	152.03	62 percent	\$14,246.00	\$712.30	\$13,533.70
50,000 sq. ft.	86.56	47 percent	11,304.00	3,445.89	7,858.11
75,000 sq. ft.	75.1	44 percent	10,482.00	3,610.37	6,871.63
100,000 sq. ft.	67.91	40 percent	9,949.00	3,693.01	6,255.99
200,000 sq. ft.	53.28	34 percent	8,651.00	3,570.25	5,080.75
300,000 sq. ft.	46.23	30 percent	7,920.00	3,360.93	4,559.07
400,000 sq. ft.	41.80	27 percent	7,426.00	3,157.82	4,268.18
500,000 sq. ft.	38.66	25 percent	7,076.00	2,999.76	4,076.24
600,000 sq. ft.	36.27	24 percent	6,778.00	2,824.86	3,953.14
800,000 sq. ft.	32.80	21 percent	6,346.00	2,544.03	3,801.97
1,000,000 sq. ft.	30.33	19 percent	6,035.00	2,308.09	3,726.91
1,200,000 sq. ft.	28.46	17 percent	5,778.00	2,083.19	3,694.81
<b>Non-Residential Short Trips:</b>					
Fast Food Restaurant	496.12	49 percent	\$31,031.00	\$9,103.67	\$21,927.33
Service Station per fueling position	168.56	50 percent	10,336.00	4,917.85	5,418.15
Convenience Store	737.99	61 percent	35,299.00	11,577.24	23,721.76
Pharmacy with Drive Thru	88.16	50 percent	5,405.00	935.41	4,469.59
<b>The cost per vehicular trip is:</b>					
		<b>Gross</b>	<b>Net</b>		
Residential:	6 mile trip length	\$735.87	\$482.16		
Non-Residential:	2 mile trip length	245.29	169.65		
Non-Residential, short trip:	1 mile trip length	122.64	110.49		

\*\*Interpolation between impact fee amounts presented in the examples is acceptable in lieu of the calculation for that development whose square footage is in the range between example square footages. The formulae are as follows:

1. Office  
 Total Daily Trips = Ln (T) = 0.77 Ln (X) + 3.65  
 T= Total Daily Trips, X = Area in 1,000 sq. ft., Ln = Natural Logarithm
2. General Commercial  
 Total Daily Trips = Ln (T) = 0.65 Ln (X) + 5.83  
 T= Total Daily Trips, X = Area in 1,000 sq. ft., Ln = Natural Logarithm
3. Pass-by percent Formula (for general commercial).  
 Pass-by percent = [.8318 - (.093\*LN (A))\*100% (10,000 square feet or less capped at 62%)  
 A = Area in 1,000 sq. ft. of leasable area

**Section 5 Benefit Zones**

Road impact fee benefit zones are hereby established as shown in Figure 13.H.6-7, Road Benefit Zone, and incorporated herein by reference.

**Section 6 Establishment of Trust Funds**

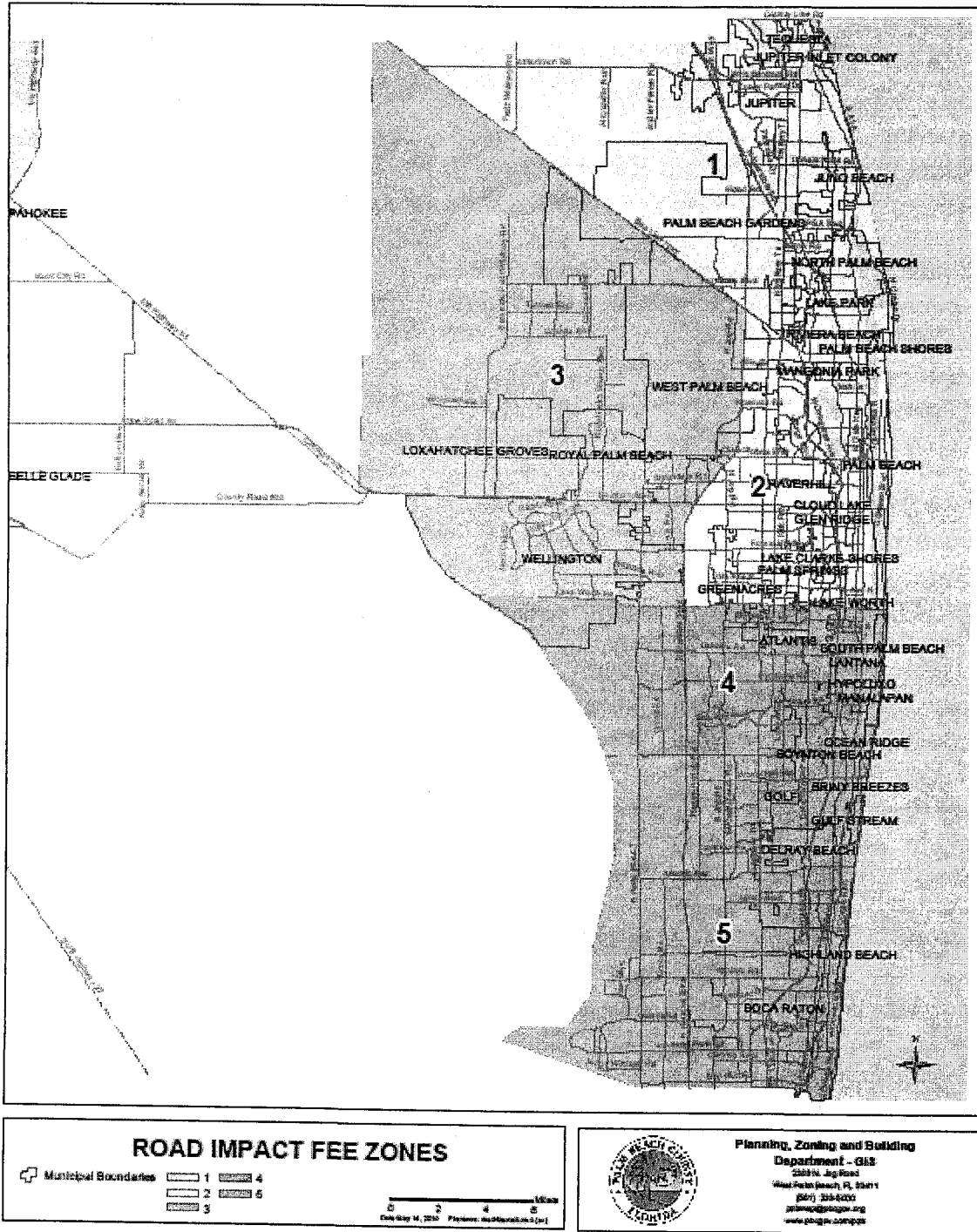
There are hereby established separate road impact fee trust funds, one for each road impact fee benefit zones as shown in Figure 13.H.6-7, Road Benefit Zones.

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Figure 13.H.6-7-Road Benefit Zones



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## Summary - 2009 Impact Fee Adjustments

Impact Fees 8/20/08	Proposed Impact Fees 2010	% of Increase
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**General Office  
@ 50,000 FT.<sup>2</sup>**

Roads	119,016.00	119,016.00	0.00%
Fire Rescue	7,527.00	7,527.00	0.00%
Public Buildings	4,332.50	4,332.50	0.00%
Law Enforcement	3,215.50	1,216.00	-62.18%
<b>Total</b>	<b>134,091.00</b>	<b>132,091.50</b>	<b>-1.49%</b>

**General Comml. Retail  
@50,000 FT.<sup>2</sup>**

Roads	392,905.50	392,905.50	0.00%
Fire Rescue	11,312.50	11,312.50	0.00%
Public Buildings	11,115.50	11,115.50	0.00%
Law Enforcement	3,527.50	2,652.88	-24.79%
<b>Total</b>	<b>418,861.00</b>	<b>417,986.38</b>	<b>-0.21%</b>

Impact Fees 8/20/08	Proposed Impact Fees 2010	% of Increase
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**Average Cost of a S.F. Home  
@ 1400 - 1999 FT.<sup>2</sup>**

Fire Rescue	528.45	528.45	0.00%
Parks	1,346.39	1,346.39	0.00%
Library	140.63	140.63	0.00%
Roads	4,821.56	4,821.56	0.00%
Public Buildings	129.06	129.06	0.00%
Law Enforcement - Patrol	170.58	170.58	0.00%
Schools	2,893.70	2,893.70	0.00%
<b>Total</b>	<b>10,030.37</b>	<b>10,030.37</b>	<b>0.00%</b>