

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

---

<b>Meeting Date:</b>	March 22, 2022	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Regular
		<input type="checkbox"/> Ordinance	<input type="checkbox"/> Public Hearing

<b>Department:</b>	Engineering & Public Works
<b>Submitted By:</b>	Engineering & Public Works
<b>Submitted For:</b>	Traffic Division

---

**I. EXECUTIVE BRIEF**

**Motion and Title: Staff recommends motion to adopt:** a Resolution amending the application fee schedule for reviewing a Traffic Impact Study for compliance with Article 12 of the Unified Land Development Code (ULDC) and a Land Use Traffic Study for compliance with Policy 3.5(d) of the Land Use Element of the Comprehensive Plan.

**SUMMARY:** All Traffic Impact Study and Land Use Traffic Study review applications must be accompanied by the associated required fee. Fees are applied countywide, including municipalities. Since the Board of County Commissioners approved the original application fees on April 15, 2008 the fees have not changed, whereas, staff costs have increased. Adopting this Resolution will amend the application fees to account for current staff review costs, as well as establish a method to adjust the fees to automatically increase to match the increase in the Consumer Price Index (CPI) on October 1<sup>st</sup> of each year. Fees will increase 10% every year until after the 5<sup>th</sup> year, when fees will increase based on the CPI. On October 21, 2021 the Engineering Department sent notice of the proposed fee changes to the Palm Beach Chapter of the Florida Engineering Society (FES) and The Gold Coast Builders Association (GCBA). A meeting with the GCBA Executive Officer was held and addressed their comments. No feedback was received from FES. Countywide (YBH)

**Background and Policy Issues:** The existing fees only cover approximately 25% of the increased costs. The adjusted fees are expected to recover about 55% of the annual costs in the first year and 87% by year five. According to the United States Bureau of Labor Statistics, the CPI has increased 41% between November 2010 and November 2021. The revised fees are based on that CPI increase. The goal of the yearly CPI adjustment is to ensure that fees align with future cost changes.

**Attachments:**

1. Resolution with Exhibits A and B (3)

---

	<i>MEL</i>	
<b>Recommended By:</b>	<i>ma</i> YBH/TEL	<i>David Z. Reid</i> County Engineer
		<i>2-9-2022</i> Date
<b>Approved By:</b>	<i>Pa</i> Assistant County Administrator	<i>2/18/22</i> Date

**II. FISCAL IMPACT ANALYSIS**

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

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures	\$ -0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	\$ -0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE POSITIONS (Cumulative)					

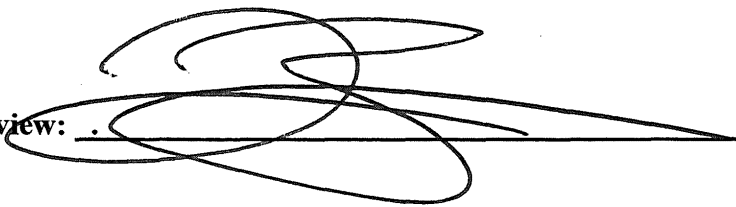
Is Item Included in Current Budget? Yes No  
 Does this item include the use of federal funds? Yes No X

**Budget Account No:**

Fund Dept Unit Object

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

\*\*Fiscal impact is indeterminable at this time. Revenues will increase based on the number of applications received each year. This resolution will amend the application fees to account for current staff review cost as well as establish a method to adjust the fees to automatically increase to match the increase in the Consumer Price Index (CPI) on October 1<sup>st</sup> of every year.



**C. Departmental Fiscal Review:**

**III. REVIEW COMMENTS**

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

Lucy Monte 2/15/22  
 OFMB 2/14/22  
 MG 2/14/22

Ann J. Jacobson 2/17/22  
 Contract Dev. and Control  
 2-17-22/aw

**B. Approved as to Form and Legal Sufficiency:**

[Signature] 2/18/22  
 Assistant County Attorney

**C. Other Department Review:**

\_\_\_\_\_  
 Department Director

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

RESOLUTION NO. 2021-\_\_\_\_\_

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE APPLICATION FEE SCHEDULE FOR REVIEWING A TRAFFIC IMPACT STUDY FOR COMPLIANCE WITH ARTICLE 12 OF THE UNIFIED LAND DEVELOPMENT CODE; AND REVIEWING A LAND USE TRAFFIC STUDY FOR COMPLIANCE WITH POLICY 3.5(d) OF THE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN.**

**WHEREAS**, Article 12.D.1.A of the Palm Beach County (COUNTY) Unified Land Development Code (ULDC) provides that prior to acceptance of any application for a site specific development order in the unincorporated area, or issuance of a site specific development order in the incorporated area, a non-refundable application fee shall be paid in accordance with the fee schedule established by the Board of County Commissioners (BCC); and

**WHEREAS**, on April 15, 2008 the BCC established application fees to offset Traffic Division (DIVISION) costs for reviewing Traffic Impact Studies for compliance with Article 12 of the ULDC, and Land Use Traffic Studies for compliance with Policy 3.5(d) of the Land Use Element of the Comprehensive Plan; and

**WHEREAS**, the application fee for the DIVISION to review and process Traffic Impact Studies is \$0.80 per net daily trip with a minimum fee of \$150; and

**WHEREAS** the application fee for the DIVISION to review and process Land Use Traffic Studies is \$0.40 per net daily trip with a minimum fee of \$75; and

**WHEREAS**, the DIVISION analyzed the current application fees and found that they cover approximately 25% of the costs incurred by the DIVISION, as shown in **Exhibit A**; and

**WHEREAS**, it is necessary to amend the fee schedule for the next five (5) years and establish future increases, commencing October 1, 2027, based on increases to the Consumer Price Index (CPI), so that fees do not lag behind costs to the COUNTY; and

**WHEREAS**, it is appropriate and desirable that the application fees be amended, as provided herein.

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

1. The foregoing recitals are true and correct and are incorporated herein.
2. The application fees for the DIVISION for reviewing Traffic Impact Studies and Land Use Traffic Studies are hereby amended, as shown in **Exhibit B**.
3. Commencing October 1, 2027, the application fees shall automatically increase by a percent equal to the percentage increase in the Consumer Price Index (CPI) from the previous COUNTY fiscal year (October 1 – September 30). The Application Fee Rates shall be rounded to the nearest ten (10) cent increment and the Minimum

Application Fee shall be rounded to the nearest ten (10) dollar increment. The County Engineer shall amend the fee schedule to reflect the CPI increases, if any, by October 31.

4. Any amendment to the application fees, other than the amendment to reflect the automatic increase pursuant to the CPI, shall require a resolution by the BCC.
5. The application fees, as amended from time to time, shall be posted in the DIVISION. All applications shall be accompanied by the required fee. Any application not accompanied by payment of the required fee shall be deemed incomplete and shall not be processed. All fees shall be nonrefundable, and shall be payable to the BCC upon submission of the application.
6. All resolutions, administrative orders, or policies in conflict with this Resolution, are hereby repealed or shall be of no further force and effect.
7. If any section, paragraph, sentence, clause, phrase, or word of this Resolution is for any reason held by the Courts to be unconstitutional, invalid, inapplicable, inoperative, or void, such holding shall not affect the remainder of this Resolution.
8. This Resolution shall become effective upon adoption by the BCC.

(Intentionally Left Blank)

The foregoing Resolution was offered by Commissioner \_\_\_\_\_ who moved for its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

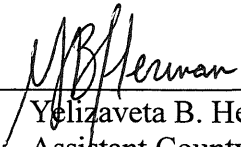
- Commissioner Robert S. Weinroth, Mayor -
- Commissioner Gregg K. Weiss, Vice Mayor -
- Commissioner Maria G. Marino -
- Commissioner Dave Kerner -
- Commissioner Maria Sachs -
- Commissioner Melissa McKinlay -
- Commissioner Mack Bernard -

The Mayor thereupon declared the Resolution duly passed and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

PALM BEACH COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA BY AND THROUGH ITS BOARD OF COUNTY COMMISSIONERS


APPROVED AS TO FORM AND LEGAL SUFFICIENCY

JOSEPH ABRUZZO, CLERK OF THE CIRCUIT COURT AND COMPTROLLER

BY:   
Yelizaveta B. Herman  
Assistant County Attorney

BY: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO TERMS AND CONDITIONS

BY:   
Motasem Al-Turk  
Traffic Division, Director

Title	Utilization (%)	Pay Grade	FY 21 Rate <sup>1</sup>	Cost <sup>1</sup>
Administrative Technician III	10	16	\$38.45	\$7,997.60
Project Coordinator II	100	38	\$72.49	\$150,779.20
Technical Assistant III	100	30	\$56.31	\$117,124.80
Professional Engineer	100	45	\$82.36	\$171,308.80
Senior Professional Engineer	10	48	\$101.21	\$21,051.68
Manager	95	49	\$112.93	\$223,149.68
Director	10	E05	\$149.28	\$31,050.24
			Total Cost	\$722,462.00

<sup>1</sup> Includes salary and all benefits

Type of Application	Location	Daily Trips	Fee Rate(\$/Daily Trip)	Minimum Application Fee	Fee Generated <sup>2</sup>
Traffic Impact Study	Unincorporated	73,114	\$0.80	\$150.00	\$81,430
	Incorporated	104,705	\$0.80	\$150.00	\$85,010
Land Use Study	Unincorporated	39,096	\$0.40	\$75.00	\$12,010
			Total Fee Generated		\$178,450
			Current Cost Recovery		25%

<sup>2</sup> Actual average yearly fee generated, including the minimum fees

<b>Table 3: Proposed Amended Application Fees and Projected Yearly Revenue (1 Year Example from October 1, 2021 through September 30, 2022)</b>					
Type of Application	Location	Average Daily Trips	Proposed Fee Rate(\$/Daily Trip)	Minimum Application Fee	Projected Revenue
Traffic Impact Study	Unincorporated	73,114	\$2.00	\$300.00	\$146,228
	Incorporated	104,705	\$2.00	\$300.00	\$209,410
Land Use Study	Unincorporated	39,096	\$1.00	\$300.00	\$39,096
			Total Fee Generated		\$394,734
			Projected Cost Recovery		55%

**APPLICATION FEE SCHEDULE AND FUTURE YEARLY PROJECTED REVENUE**

Effective Date	Application Fee Rate Traffic Impact Studies (\$/Daily Trip)	Application Fee Rate Land Use Traffic Studies (\$/Daily Trip)	Minimum Application Fee	Projected Revenue	Cost Recovery
*BCC Adoption	\$2.00	\$1.00	\$300.00	\$394,734	55%
10/1/2022	\$2.20	\$1.10	\$330.00	\$434,207	60%
10/1/2023	\$2.40	\$1.20	\$360.00	\$473,681	66%
10/1/2024	\$2.60	\$1.30	\$400.00	\$513,154	71%
10/1/2025	\$2.90	\$1.40	\$440.00	\$570,410	79%
10/1/2026	\$3.20	\$1.50	\$480.00	\$627,665	87%
October 1, 2027 and thereafter	On October 1st of each year, the Application Fees shall automatically increase by a percent equal to the percentage increase in the Consumer Price Index (CPI) from the previous Palm Beach County fiscal year (October 1 – September 30). The Application Fees shall be rounded to the nearest ten (10) cent increment and the Minimum Application Fee shall be rounded to the nearest ten (10) dollar increment.				

\*Board of County Commissioners

N:\TRAFFIC\Board\2021 Board Items\11-16-2021\Traffic Study Review Fees\Exhibit B [draft 10.12.2021].docx