# ARTICLE 13

# IMPACT FEES

Page


CHAPTER A GENERAL ..... 5

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

A. Intent ..... 5
B. Authority ..... 5
C. Findings ..... 5
D. Definitions ..... 5

Section 2 Applicability ..... 5

Section 3 Exemptions ..... 5

Section 4 Imposition of Fee ..... 6

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

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

A. General ..... 6
B. Impact Fee Schedule ..... 6
C. Land Uses Not Specified in Impact Fee Schedule ..... 6
D. Mixed Use ..... 6
E. Errors and Omissions ..... 7
F. Biennial Review ..... 7

Section 6 Independent Fee Calculation Study ..... 7

A. General ..... 7
B. Submission of Application ..... 7
C. Contents of Application ..... 7
D. Determination of Sufficiency ..... 7
E. Action by Impact Fee Coordinator ..... 8
1. Impact Fees Other Than Roads ..... 8
2. Road Impact Fees ..... 8
3. Responsibility of Feepayer ..... 8
4. Decision in Writing ..... 8
F. Covenant Running with the Land ..... 8
G. Appeal ..... 8

Section 7 Collection and Administrative Fees ..... 9

A. Timing and Collection of Payment ..... 9
1. Collected at Building Permit or Other Development Order ..... 9
2. Municipality May Require Direct Payment to County. ..... 9
3. Municipalities are Collecting Agents ..... 9
B. Administrative Fees ..... 9
C. Fees Transferred to Trust Funds ..... 9
1. Fees Collected by County ..... 9
2. Fees Collected by Municipalities ..... 9
D. Record Keeping ..... 10
E. Impact Fee Coordinator to Furnish Information and Advice to the Municipalities ..... 10

**Section 8 Benefit Zones and Trust Funds....10**

**A. Establishment of Benefit Zones....10**
**B. Establishment of Trust Funds....10**

**Section 9 Use of Impact Fees....10**

**A. Investment in Interest Bearing Accounts....10**
**B. Limitation Within Benefit Zones....10**
**C. Expenditures Shall Benefit New Development....10**
**D. Non Lapsing....10**
**E. Annual Capital Facility Programs....10**

**Section 10 Refunds....11**

**A. General....11**
**1. Non-Commencement of Construction....11**
**2. Untimely Encumbrance....11**
**3. Computational or Clerical Errors and Omissions....11**
**B. Procedure to Obtain Refund....11**
**1. Submission of Application....11**
**2. Contents of Application....11**
**3. Determination of Sufficiency....12**
**4. Action by Impact Fee Coordinator....12**

**Section 11 Credits....12**

**A. General....12**
**1. Submission of Application....12**
**2. Redevelopment of Existing Building/Change in Land Use....12**
**3. Special District Assessments....13**
**4. In-Kind Contributions....13**
**5. Credits for Contributions to Local Governments Other Than PBC....13**
**6. Special Provisions for Park Credits....14**
**7. Special Provisions for School Credits....14**
**8. Special Provisions for Road Credits....16**
**9. Application of Credits....16**
**10. Special Allocation of Credits....17**
**B. Appeal....17**
**C. Time to Claim Credit – Responsibility of Feepayer....17**

**Section 12 Covenants....18**

**Section 13 Vesting....18**

**Section 14 Action if Impact Fees are Unpaid....18**

**A. Negotiable Instrument is Invalid....18**
**B. Lien....18**
**C. Withholding Development Orders....18**
**D. Notification Construction Industry Licensing Board....18**

**CHAPTER B COUNTY DISTRICT, REGIONAL, AND BEACH PARKS IMPACT FEE....19**

**Section 1 Imposition of Fee....19**

**Section 2 Schedule of Lower Fees for Municipalities....19**

**Section 3 Fee Schedule....19**

A. Benefit Zones ..... 23
1. Establishment of Benefit Zones ..... 23
2. Identification of Benefit Zones ..... 24
B. Establishment of Trust Funds ..... 24
C. Use of Park Impact Fees ..... 24

CHAPTER C FIRE-RESCUE IMPACT FEE ..... 26

Section 1 Imposition of Fee ..... 26

Section 2 Fee Schedule ..... 26

Section 3 Benefit Zones ..... 26

A. Establishment of Benefit Zone ..... 26
1. Benefit Zone 1 ..... 26
2. Benefit Zone 2 ..... 26

Section 4 Establishment of Trust Fund ..... 27

Section 5 Use of Fire-Rescue Impact Fees ..... 27

CHAPTER D LIBRARY IMPACT FEE ..... 29

Section 1 Imposition of Fee ..... 29

Section 2 Fee Schedule ..... 29

Section 3 Benefit Zone ..... 29

A. Establishment of Benefit Zone ..... 29
1. Benefit Zone 1 ..... 29
2. Benefit Zone 2 ..... 29

Section 4 Establishment of Trust Funds ..... 30

Section 5 Use of Library Impact Fees ..... 30

CHAPTER E LAW ENFORCEMENT IMPACT FEE ..... 33

Section 1 Imposition of Fee ..... 33

Section 2 Fee Schedule ..... 33

Section 3 Benefit Zones ..... 35

A. Establishment of Benefit Zones ..... 35
1. Area and Services in Benefit Zone 1 ..... 35
2. Area and Services in Benefit Zone 2 ..... 35
3. Area and Services in Benefit Zone 3 ..... 35

Section 4 Establishment of Trust Funds ..... 35

Section 5 Use of Law Enforcement Impact Fees ..... 35

CHAPTER F PUBLIC BUILDINGS IMPACT FEE ..... 37

Section 1 Imposition of Fee ..... 37

Section 2 Fee Schedule ..... 37

Section 3 Benefit Zone ..... 38

A. Establishment of Benefit Zone ..... 38
Section 4 Establishment of Trust Funds ..... 38
Section 5 Use of Public Buildings Impact Fees ..... 38
CHAPTER G SCHOOL IMPACT FEE ..... 40
Section 1 Imposition of Fee ..... 40
Section 2 Fee Schedule ..... 40
Section 3 Benefit Zones ..... 40
A. Establishment of Benefit Zones ..... 40
1. Benefit Zone 1 ..... 40
2. Benefit Zone 2 ..... 40
3. Benefit Zone 3 ..... 40
4. Benefit Zone 4 ..... 40
5. Benefit Zone 5 ..... 40
B. Identification of Benefit Zones ..... 41
Section 4 Establishment of Trust Funds ..... 41
Section 5 Use of School Impact Fees ..... 41
CHAPTER H ROAD IMPACT FEES ..... 43
Section 1 Imposition of Fee ..... 43
Section 2 Fee Schedule ..... 43
Section 3 Land Uses Not Specified in Fee Schedule ..... 43
Section 4 Use of Road Impact Fee Funds ..... 43
Section 5 Benefit Zones ..... 47
Section 6 Establishment of Trust Funds ..... 47

(This space intentionally left blank)

# 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 Comprehensive 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. § 163.31801, 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. **[Ord. 2005-047] [Ord. 2014-025]**

**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.; consistent with the requirements in F.S. § 163.31801, and necessarily and reasonably related to the public health, safety and welfare. **[Ord. 2014-025]**

**D. Definitions**

See Art. 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. **[Ord. 2005-047]**

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 Article 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 renewal or extension has been paid by the fee payer; provided, however, that additional impact fees will not be required where the development has completed and passed all applicable rough inspections for the proposed building permit. For those land uses that do not require a building permit, the impact fee shall be paid prior to issuance of a development order that initiates impact on public facilities. Payment of the impact fee shall not relieve the fee payer from the obligation to comply with Article 2.F, CONCURRENCY, or any other portion of this Code. **[Ord. 2005-047]**

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

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

## Section 5 Computation of Impact Fee

**A. General**

At the option of the feepayer, the amount of the impact fee may be determined either by the Impact Fee schedules for each impact fee component as provided for in this Article, or by an independent calculation pursuant to Article 13.A.6, Independent Fee Calculation Study. If the amount of the impact fee for the land use is not determined in the Impact Fee schedule and the feepayer opts not to conduct an independent calculation, the impact fee shall be determined by the Impact Fee Coordinator as described in this Article. **[Ord. 2005-047]**

**B. Impact Fee Schedule**

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

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

Except for road impact fees, if the type of land development for which a building permit or other appropriate permit is applied, is not specified on the impact fee schedule, the Impact Fee Coordinator shall use the impact fee applicable to the most nearly comparable type of land use on the fee schedule. For road impact fees, the Impact Fee Coordinator shall select the most comparable type of land use from the most current edition of Trip Generation, a publication of the Institute of Transportation Engineers (ITE). The Impact Fee Coordinator shall follow the procedure pursuant to Article 13.A.6, Independent Fee Calculation Study. **[Ord. 2005-047]**

**D. Mixed Use**

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

**E. Errors and Omissions**

Errors and omissions, including computational and clerical errors, identified within four years of building permit issuance may be subject to correction by the affected parties, including the feepayer. Computational or clerical errors do not excuse the affected parties, including the feepayer, from paying all impact fees due. **[Ord. 2005-047]**

**F. Biennial Review**

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

## Section 6 Independent Fee Calculation Study

**A. General**

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

**B. Submission of Application**

The application for an independent calculation study shall be submitted to the Impact Fee Coordinator, except that an independent calculation study for road impact fees shall be submitted simultaneously to the Impact Fee Coordinator and the County Engineer. In the event that the feepayer wishes to obtain building permits prior to the Impact Fee Coordinator's final approval, the feepayer may submit an application and deposit impact fees as set forth in the impact fee schedule into an escrow account, pursuant to an escrow agreement in a form provided for by the Impact Fee Coordinator. A feepayer failing to submit an independent fee calculation study, or, if necessary, an executed escrow agreement to the Impact Fee Coordinator prior to permit issuance is deemed to have waived the right to an impact fee adjustment based on the independent fee calculation study.

**C. Contents of Application**

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

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

**D. Determination of Sufficiency**

The Impact Fee Coordinator shall determine if the application is sufficient within five working days of its receipt. If the Impact Fee Coordinator determines the application is not sufficient, a written notice shall be

mailed to the applicant specifying the deficiencies. No further action shall be taken on the application until the deficiencies are remedied.

**E. Action by Impact Fee Coordinator**

**1. Impact Fees Other Than Roads**

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

**2. Road Impact Fees**

For road impact fees, within 15 working days after the application is determined to be sufficient, the County Engineer shall review the application and, if the application clearly demonstrates (using the formulae described in this Article) that the proposed land use will create fewer trips than projected in the road impact fee component. The County Engineer shall make a written recommendation to the Impact Fee Coordinator on adjusting the road impact fee. If the Impact Fee Coordinator concurs, the Impact Fee Coordinator shall appropriately adjust the impact fee within five working days of receipt of the County Engineer's recommendation. **[Ord. 2005-047]**

**3. Responsibility of Feepayer**

The burden shall be on the feepayer to provide all relevant data, analysis and reports which would assist the Impact Fee Coordinator and, in the case of roads, the County Engineer in making a determination of the appropriate impact fee. The analysis and report must be based on generally accepted methods and the formulas for the specific impact fee component in the Impact Fee Report, or in the case of roads, the methods and formulas described in this Article and below in Article 13.H, ROAD IMPACT FEES. A feepayer wishing to provide additional information after submitting the initial independent fee calculation study must do so no later than 30 days after the date of the Impact Fee Coordinator's determination of sufficiency. The Impact Fee Coordinator will not accept additional information relevant to an independent fee calculation study after this deadline. If the impact fee is adjusted the feepayer shall provide a copy of the Impact Fee Modification Certificate at the time of permit issuance. Failure to provide a copy of the certificate at the time of permit issuance shall constitute a waiver of any adjusted impact fee. **[Ord. 2005-047]**

**4. Decision in Writing**

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

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

**F. Covenant Running with the Land**

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

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

**G. Appeal**

1. Hearing Officers, as established in Article 2.G.3.G., are hereby authorized to hear and decide appeals of decisions by the Impact Fee Coordinator concerning independent fee calculations and interpretations of Article 13, Impact Fees. **[Ord. 2014-025]**
2. An applicant shall file an appeal with the Impact Fee Coordinator by filing a letter of appeal within 15 working days of a decision by the Impact Fee Coordinator. The letter of appeal must state with specificity the reasons for the appeal and shall contain such data and documentation upon which the applicant seeks to rely. The Impact Fee Coordinator may establish a reasonable fee to be paid by the applicant upon filing an appeal. This fee shall not exceed the cost to the County in processing the appeal. **[Ord. 2005-047] [Ord. 2014-025]**

3. The Impact Fee Coordinator shall schedule a hearing before the Hearing Officer no later than 90 working days after an appeal has been filed. The Impact Fee Coordinator shall notify the applicant of the hearing date at least 15 working days in advance of the hearing and invite the applicant or the applicant's representative to attend the hearing. Any of the time limitations set forth in this paragraph may be waived upon mutual agreement of the Impact Fee Coordinator and the party filing the appeal. **[Ord. 2014-025]**
4. At the hearing, the Hearing Officer shall provide the applicant and the Impact Fee Coordinator an opportunity to present testimony and evidence, provided such information was part of the review before the Impact Fee Coordinator. The Hearing Officer shall reverse the decision of the Impact Fee Coordinator only if there is substantial competent evidence in the record that the Impact Fee Coordinator erred from the standards in this Chapter. **[Ord. 2011-016] [Ord. 2014-025]**
5. Any aggrieved party, including PBC, may appeal an order of the Hearing Officer to the Fifteenth Judicial Circuit Court of PBC. Such appeal shall not be a hearing de novo, but shall be a petition for Writ of Certiorari and the Court shall be limited to appellate review of the record created before the Hearing Officer. PBC may assess a reasonable fee for the preparation of the record to be paid by the Petitioner in accordance with F.S. §119.07, as amended from time to time. **[Ord. 2011-016] [Ord. 2014-025]**

## Section 7 Collection and Administrative Fees

### A. Timing and Collection of Payment

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

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

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

A municipality reviewing its own applications for development permits may opt to have PBC collect the impact fees, pursuant to interlocal agreement. If PBC is the permitting authority for the municipality by interlocal agreement, no additional interlocal agreement is necessary for PBC to collect impact fees for permits issued for that municipality. If PBC collects the impact fees, the municipality shall not be entitled to the administrative fee. PBC shall not charge the municipality for collecting the impact fee. The municipality shall be responsible for ensuring that all impact fees are paid before issuing any building permit or other permit. One municipality may opt to have a second municipality review development permits and collect impact fees on behalf of the municipality, provided the municipality that collects impact fees maintains separate records to account for the collection and remittance of the impact fees to PBC in accordance with this article. **[Ord. 2010-018] [Ord. 2012-003]**

**3. Municipalities are Collecting Agents**

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

### B. Administrative Fees

The local government collecting the impact fee shall be entitled to retain 3.4 percent of the funds collected as an administrative fee not to exceed the costs associated with the collection of the impact fees. **[Ord. 2008-015]**

### C. Fees Transferred to Trust Funds

**1. Fees Collected by County**

All impact fees collected by the County, less the administrative fee, shall be properly identified by benefit zone for each impact fee component and transferred daily for deposit in the appropriate impact fee trust fund to be held in separate accounts for each impact fee component and each benefit zone. **[Ord. 2010-018]**

**2. Fees Collected by Municipalities**

**a. On Time Remittance**

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

municipalities shall be deposited promptly in the appropriate impact fee trust fund. **[Ord. 2008-015]**

**b. Late Remittance**

In the event a municipality fails for two or more consecutive months or for any three months in a calendar year period to remit impact fees by the 25th calendar day of the month following the end of the month in which the impact fees are collected, the municipality shall pay simple interest at the statutory rate on the entire amount collected but not yet remitted to PBC. Interest shall accrue beginning the first day of the month following the end of the month in which the affected impact fees were collected by the municipality. For the purposes of this Section, funds shall be considered to have been remitted to PBC on the date postmarked, if transmitted by certified mail with the proper postage. **[Ord. 2005-047]**

**c. Transfer of Receipts**

If receipts are transferred in accordance with this Section, the municipalities may retain any interest earned on impact fees collected prior to the transfer of the funds to PBC in addition to the administrative fee to offset the costs of collecting, remitting and accounting for the funds. **[Ord. 2005-047] [Ord. 2008-015]**

**D. Record Keeping**

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

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

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

## Section 8 Benefit Zones and Trust Funds

**A. Establishment of Benefit Zones**

One or more impact fee benefit zones are hereby established for each impact fee component, as set forth on this Article. **[Ord. 2005-047]**

**B. Establishment of Trust Funds**

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

## Section 9 Use of Impact Fees

**A. Investment in Interest Bearing Accounts**

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

**B. Limitation Within Benefit Zones**

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

**C. Expenditures Shall Benefit New Development**

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

**D. Non Lapsing**

The respective trust funds shall be non-lapsing.

**E. Annual Capital Facility Programs**

Annually, the County Administrator shall present to the BCC a proposed capital improvement program for each public facility for which an impact fee is charged, assigning funds, including any accrued interest, from the several impact fee trust funds to specific improvement projects and related expenses. Monies,

including any accrued interest not assigned in any fiscal period shall be retained in the same impact fee trust funds until the next fiscal period, except as provided by the refund provisions of this Article.

## Section 10 Refunds

### A. General

#### 1. Non-Commencement of Construction

If a building permit or other permit requiring payment of an impact fee expires or is canceled or revoked, the structure has not been completed, and no certificate of occupancy has been issued, or if the permit is modified prior to completion of construction so as to change the land use or structure to one of lower impact than that on which the permit was originally issued, then the feepayer, or if the property has been conveyed after payment of the fee, the successor in interest to the real property, shall be entitled to a refund provided: an application for refund is submitted within three years of the payment of the impact fee; within one year of the permit's expiration, cancellation, revocation or modification, or of the event giving rise to the refund; and the impact fee paid for approval of the permit has not been encumbered or spent by PBC or the School District as applicable. PBC shall retain an additional 3.4 percent of the impact fee to offset the costs of administering the refund. **[Ord. 2010-018] [Ord. 2014-025]**

#### 2. Untimely Encumbrance

##### a. Untimely Encumbrance

Notwithstanding Article 13.A.10.A.1, Non-Commencement of Construction, above, if PBC fails to encumber the impact fees paid by the feepayer by the end of the calendar quarter immediately following six years from the date the impact fees are paid, and fails to spend the impact fee within nine years of the end of the calendar quarter in which the impact fees are paid, the feepayer, or if the property has been conveyed after payment of the fee the successor in interest to the real property, shall be entitled to a refund except that PBC shall retain an additional 3.4 percent of the impact fee to offset the costs of refund. The feepayer, or if the property has been conveyed after payment of the fee, the successor in interest shall submit an application for refund to the Impact Fee Coordinator, within one year following the end of the calendar quarter in which the right to a refund occurs. In determining whether the impact fee paid by the feepayer has been encumbered or spent, monies in the trust funds shall be considered to be expended on a first in, first out basis; that is, the first impact fees paid shall be considered the first monies withdrawn. **[Ord. 2010-018] [Ord. 2014-025]**

##### b. Notification of Potential Refund

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

#### 3. Computational or Clerical Errors and Omissions

During the period of time specified in this Article for the correction of errors and omissions, the feepayer or a successor in interest to the real property against which an impact fee was incorrectly assessed through computational or clerical error may request a refund from the Impact Fee Coordinator in the manner set forth in paragraph B of this Section. **[Ord. 2005-047]**

### B. Procedure to Obtain Refund

#### 1. Submission of Application

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

#### 2. Contents of Application

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

##### a. Receipt

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

##### b. Permit

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

##### c. Evidence

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

**d. Documents**

If the refund is requested, a notarized sworn statement that the applicant is the current owner of the land for which the impact fee was paid, a certified copy of the current deed, and a copy of the most recent ad valorem tax bill; If refund is requested due to computational or clerical error, evidence sufficient to demonstrate overpayment including but not limited to receipt indicating payment, building permit application, impact fee tables in effect at the time of payment and such other evidence deemed appropriate by the Impact Fee Coordinator. **[Ord. 2005-047] [Ord. 2014-025]**

**e. Cancellation of Permit**

If relevant, proof from the municipality that the permit has been canceled, and a copy of the permit issued by the municipality; and **[Ord. 2008-015]**

**f. Date Fund Forwarded**

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

**3. Determination of Sufficiency**

The Impact Fee Coordinator determines if the application is sufficient within five working days.

**a. Sufficiency**

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

**b. Notification**

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

**4. Action by Impact Fee Coordinator**

Within 45 working days after the application is determined sufficient, the Impact Fee Coordinator shall review and approve or deny the application based upon the standards in Article 13.A.10, Refunds. The decision of the Impact Fee Coordinator may be appealed pursuant to Art. 13.A.6.G, Appeal. **[Ord. 2008-015]**

## Section 11 Credits

**A. General**

Credit against impact fees shall be given to the feepayer, or if the property has been conveyed after payment of the fee, the successor in interest to the property for the following, as limited or permitted by specific provisions of this Section. **[Ord. 2014-025]**

**1. Submission of Application**

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

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

**a. Determination**

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

**b. Certification**

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

**c. Abandoned Use**

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

**3. Special District Assessments**

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

**4. In-Kind Contributions**

In-kind contributions made by a development to PBC shall be credited against the development's impact fees, but only to the impact fee component for which the in-kind contribution is made. For example, credits received for a park contribution may be applied only against park impact fees and not against fire-rescue impact fees. Civic Site dedications accepted by the County shall be eligible for a Public Buildings Impact Fee credit in the event a particular use is not identified by the County at DRO certification. No credit shall be given for in-kind contributions that are not new capital facilities or which were not made for capital facilities costs. **[Ord. 2008-015]**

**a. Time for Giving of Credit**

Credit shall be given for land at such time as marketable title in fee simple absolute is conveyed to the County, free of encumbrances with such documentation and requirements set by the BCC or the County Administrator for the acceptance of real property. Credit shall be given for personal property at such time as a bill of sale absolute and, where applicable, title for such property is delivered to PBC. Credit shall be given at such time as the funds are delivered to PBC. In the case of in kind road facility contribution, credit will be given when the construction is completed and accepted by PBC. Credit against road impact fees may be given before completion of the specified roadway construction if the fee payer posts security in form and amount acceptable to the County Engineer. In no event shall the amount of credit given exceed the actual cost of the construction determined by the County Engineer and the Impact Fee Coordinator to be eligible for road impact fee credit. **[Ord. 2005-047]**

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

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

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

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

**d. Valuation of In Kind Road Facility Contribution**

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

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

Contributions of or for new capital facilities to a local government other than PBC or by a special district may be given only upon an application to the Impact Fee Coordinator. Approval of the Impact Fee Coordinator must be obtained prior to the contribution. The Impact Fee Coordinator, after consultation with the agency charged with supervising the provision of the new capital facility, shall determine whether the contribution shall receive a credit based on the following standards. **[Ord. 2005-047]**

**a. Consistency**

Consistency with the Plan as to the cost, location, and size of the facility and its timing.

**b. Amount**

The amount that would be spent by PBC if it were to construct the same new capital facility.

**c. Extent**
The extent to which the new capital facility provides the same or similar functions as the new capital facility for which the credit is sought.

**d. Continuity**
The extent of control that PBC has in ensuring that the new capital facility will continue to provide the same or similar functions.

**e. Availability**
Whether the new capital facility is open or available to all persons regardless of residency.

**f. Plans**
The short and intermediate-range plans of the agency which would receive the impact fee funds regarding the timing, location, cost and size of the new capital facility.

**g. Impact**
The impact of encouraging new development in the area that would be served by the new capital facility or the ability of local government or the special district to provide other needed infrastructure and services.

**h. Pattern**
The pattern of development and its relationship to other development, infrastructure, and resources that could result from encouraging new development.

**i. Budget**
The budget of PBC and other local governments, and the allocation of revenues within those local governments.

**6. Special Provisions for Park Credits**
No credit shall be given for park contributions or dedications required by Art. 5.D.2.B, Community and Neighborhood Park Recreation Standards. No such contribution or dedication shall be used for County District, Regional or Beach Parks. Contributions for County Parks resulting from Article 2.F, CONCURRENCY, shall be credited as provided above. In-kind contributions of capital facilities which are not County District, Regional, or Beach Parks, if accepted by the County, shall be provided partial credit as follows: **[Ord. 2005-047]**

**a. Forty to Sixty Acres**
75 percent of the value at the time of conveyance, dedication, construction, placement, delivery or remittance shall be credited in accordance with the other provisions of this Section for contributions for or of County parks less than 60 acres but equal to or more than 40 acres;

**b. Twenty to Forty Acres**
50 percent of the value at the time of conveyance, dedication, construction, placement, delivery or remittance shall be credited in accordance with the other provisions of this Section for contributions for or of County parks less than 40 acres but equal to or more than 20 acres;

**c. Twenty Acres or Less**
25 percent of the value at the time of conveyance, dedication, construction, placement, delivery or remittance shall be credited in accordance with the other provisions of this Section for contributions for or of County parks less than 20 acres.

**7. Special Provisions for School Credits**

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

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

**2) Distance**
The proposed dedication shall create an appropriate distance between existing or planned schools: one mile for elementary schools, two miles for middle schools, and three miles for high schools.

**3) Hazards**

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

**4) Access**

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

**5) Safe Transit**

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

**6) Services**

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

**7) Entrances**

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

**8) Minimum Size/Dimensions**

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

**9) Bus Stops**

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

**10) Consistency**

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

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

All applications for a school credit shall be reviewed and a response issued by the Superintendent or the School Board within 60 working days of the submission of the application. If the request is approved, the Superintendent shall notify the Impact Fee Coordinator, and if other than PBC, the local government issuing the development permit. The Impact Fee Coordinator shall determine the value of the credit. No credit shall be given until the dedication is conveyed to the School Board in accordance with this section. **[Ord. 2005-047]**

**c. Conveyance to the School Board**

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

**1) Abstract of Title**

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

**2) Warranty Deed**

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

**3) Taxes**

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

**4) Insurance**

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

**d. Return of School Dedication**

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

**8. Special Provisions for Road Credits**

**a. General**

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

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

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

**b. Credits for Construction Within Site**

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

**c. Other Costs Credited**

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

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

**2) Plan Preparation**

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

**3) Costs Creditable**

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

**9. Application of Credits**

The credit shall be applied to the respective full impact fee associated with the first building permits issued for the development for which complete application was made on or after October 1, 1989, or if the credit is for roads, the date upon which the road impact fee was effective within the development, until the credit is exhausted. After such exhaustion the remainder of the impact fee for which a credit was obtained shall be paid in full. The credit shall be calculated and applied in dollar amounts and not in number of permits. No credit may be assigned, delegated, or otherwise conveyed to any development outside the boundaries of the development that originally received the credit. **[Ord. 2014-025]**

**10. Special Allocation of Credits**

Provided that the conditions of this Subsection are satisfied, the fee payer making an in-kind contribution, or its heirs, assigns or successors in interest, may have all or some portion of the resulting credit allocated to specific parcels within the development that originally received the credit. **[Ord. 2014-025]**

**a. Past Administrative Practices to Continue**

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

**b. Application for Special Allocation**

Unless expressly prohibited by a development order, any feepayer who makes an in-kind contribution may petition the BCC for a special allocation of the respective impact fee credit by filing an application with the Impact Fee Coordinator. Only one special allocation shall be made for each in-kind contribution made by the feepayer. **[Ord. 2005-047]**

**1) Parcels Identified**

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

**2) Notice Requirements**

**a) Mailing**

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

**b) Advertisement**

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

**c. The Approval Process**

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

**1) No Bona Fide Claim Presented**

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

**d. Application Fee Provided**

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

**e. Covenant**

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

**B. Appeal**

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

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

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

**Section 12 Covenants**

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

**Section 13 Vesting**

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

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

**A. Negotiable Instrument is Invalid**

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

**B. Lien**

If through error, omission, or intent, impact fees are not paid in full, PBC may file a lien against the land containing the development for which the impact fees are due in an amount equal to the amount unpaid, together with statutory interest accruing from 30 calendar days following the date written notice by certified mail, return receipt requested, is sent to the developer, permittee, or the then present property owner. Notice of the lien shall be recorded in the official records of the Clerk of the Circuit Court for PBC. The lien shall have priority over all liens, mortgages and encumbrances, except taxes. No lien shall be recorded later than three years following the date on which the building permit is issued for the development against which impact fees are due, although the debt shall remain. If the lien remains unpaid for more than 30 calendar days following the recording of the notice, it may be foreclosed in the manner provided by state law for the foreclosure of mortgages on real property. **[Ord. 2005-047]**

**C. Withholding Development Orders**

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

**D. Notification Construction Industry Licensing Board**

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

(This space intentionally left blank)

## CHAPTER B COUNTY DISTRICT, REGIONAL, AND BEACH PARKS IMPACT FEE

### Section 1 Imposition of Fee

Impact fees are imposed upon all land uses creating an impact on County District, Regional, and Beach Parks in accordance with Article 13.A.4, Imposition of Fee, and this Chapter. **[Ord. 2005-047]**

### Section 2 Schedule of Lower Fees for Municipalities

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

### Section 3 Fee Schedule

The fee schedule for County District, Regional and Beach Parks is established beginning in Table 13.B.3-2, Parks and Recreation Fee Schedule for Unincorporated PBC. 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.

The schedules are as follows:

**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 |

**Note:**

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.

(This space intentionally left blank)

**Table 13.B.3-2 - Parks and Recreation Fee Schedule for Unincorporated PBC**
**Effective 12:01 AM, 06/15/2013**

| 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 | 1.171 | $469.21 | $84.30 | $384.91 | $19.25 | $365.66 |
| Dwelling unit, 801 – 1,399 sq. ft. | 2.351 | 942.22 | 169.29 | 772.93 | 38.65 | 734.28 |
| Dwelling unit, 1,400 – 1,999 sq. ft. | 2.523 | 1,011.21 | 181.68 | 829.53 | 41.48 | 788.05 |
| Dwelling unit, 2,000 – 3,599 sq. ft. | 2.753 | 1,103.31 | 198.23 | 905.08 | 45.25 | 859.83 |
| Dwelling unit, 3,600 sq. ft. and over | 2.620 | 1,050.06 | 188,66 | 861.40 | 43.07 | 818.33 |
| Hotel/Motel Per Room | 0.875 | 350.63 | 63.00 | 287.63 | 14.38 | 273.25 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |

(This space intentionally left blank)

**Table 13.B.3-3 Park & Recreation Impact Fee Table For Schedule "A" Municipalities***
**Effective 12:01 AM, 06/15/2013**

| 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 | 1.171 | $469.21 | $84.30 | $384.91 | $19.25 | $365.66 |
| Dwelling Unit, 801 - 1,399 sq. ft. | 2.351 | 942.22 | 169.29 | 772.93 | 38.65 | 734.28 |
| Dwelling Unit, 1,400 - 1,999 sq. ft. | 2.523 | 1,011.21 | 181.68 | 829.53 | 41.48 | 788.05 |
| Dwelling Unit, 2,000 - 3,599 sq. ft. | 2.753 | 1,103.31 | 198.23 | 905.08 | 45.25 | 859.83 |
| Dwelling Unit, 3,600 sq. ft. and over | 2.620 | 1,050.06 | 188.86 | 861.40 | 43.07 | 818.33 |
| Hotel/Motel Per Room | 0.875 | 350.63 | 63.00 | 287.63 | 14.38 | 273.25 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |
| **Note:** | | | | | | |
| * 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, 06/15/2013**

| 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 | 1.171 | $441.35 | $81.71 | $359.64 | $17.98 | $341.66 |
| Dwelling unit, 801 - 1,399 sq. ft. | 2.351 | 888.28 | 164.09 | 722.19 | 36.11 | 686.08 |
| Dwelling unit, 1,400 - 1,999 sq. ft. | 2.523 | 951.17 | 176.10 | 775.07 | 38.75 | 736.32 |
| Dwelling unit, 2,000 - 3,599 sq. ft. | 2.753 | 1,037.81 | 192.14 | 845.67 | 42.28 | 803.39 |
| Dwelling unit 3,6000 sq. ft. and over | 2.620 | 987.72 | 182.87 | 804.85 | 40.24 | 764.61 |
| Hotel/Motel Per Room | 0.875 | 329.81 | 61.06 | 268.75 | 13.44 | 255.31 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |
| **Note:** | | | | | | |
| 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, 06/15/2013**

| 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 | 1.171 | $357.80 | $73.94 | $283.86 | $14.19 | $269.67 |
| Dwelling unit, 801 - 1,399 sq. ft. | 2.351 | 718.49 | 148.48 | 570,01 | 28.50 | 541.51 |
| Dwelling unit, 1,400 - 1,999 sq. ft. | 2.523 | 771.10 | 159.35 | 611.75 | 30.59 | 581.16 |
| Dwelling unit, 2,000 - 3,599 sq. ft. | 2.753 | 841.33 | 173.87 | 667.46 | 33.37 | 634.09 |
| Dwelling unit 3,6000 sq. ft. and over | 2.620 | 800.72 | 165.47 | 635.25 | 31.76 | 603.49 |
| Hotel/Motel Per Room | 0.875 | 267.37 | 55.25 | 212.12 | 10.61 | 201.51 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |
| **Note:** | | | | | | |
| * 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, 06/15/2013**

| 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 | 1.171 | $433.99 | $81.03 | $ 352.96 | $17.65 | $335.31 |
| Dwelling unit, 801 - 1,399 sq. ft. | 2.351 | 871.49 | 162.71 | 708.78 | 35.44 | 673.34 |
| Dwelling unit, 1,400 - 1,999 sq. ft. | 2.523 | 935.30 | 174.62 | 760.68 | 38.03 | 722.65 |
| Dwelling unit, 2,000 - 3,599 sq. ft. | 2.753 | 1,020.49 | 190.53 | 829.96 | 41.50 | 788.46 |
| Dwelling unit 3,6000 sq. ft. and over | 2.620 | 971.24 | 181.33 | 789.91 | 39.50 | 750.41 |
| Hotel/Motel Per Room | 0.875 | 324.31 | 60.55 | 263.76 | 13.19 | 250.57 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |
| **Note:** | | | | | | |
| * 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, 06/15/2013**

| 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 | 1.171 | $350.43 | $73.26 | $277.17 | $13.86 | $263.31 |
| Dwelling unit, 801 - 1,399 sq. ft. | 2.351 | 703.70 | 147.11 | 556.59 | 27.83 | 528.76 |
| Dwelling unit, 1,400 - 1,999 sq. ft. | 2.523 | 755.23 | 157.88 | 597.35 | 29.87 | 567.48 |
| Dwelling unit, 2,000 - 3,599 sq. ft. | 2.753 | 824.01 | 172.26 | 651.75 | 32.59 | 619.16 |
| Dwelling unit 3,6000 sq. ft. and over | 2.620 | 784.24 | 163.94 | 620.30 | 31.02 | 589.29 |
| Hotel/Motel Per Room | 0.875 | 261.87 | 54.74 | 207.13 | 10.36 | 196.77 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |
| **Note:** | | | | | | |
| * 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, 06/15/2013**

| 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 | 1.171 | $322.58 | $70.67 | $251.91 | $12.60 | $239.31 |
| Dwelling unit, 801 - 1,399 sq. ft. | 2.351 | 647.76 | 141.90 | 505.86 | 25.29 | 480.57 |
| Dwelling unit, 1,400 - 1,999 sq. ft. | 2.523 | 695.19 | 152.29 | 542.90 | 27.15 | 515.76 |
| Dwelling unit, 2,000 - 3,599 sq. ft. | 2.753 | 758.51 | 166.16 | 592.35 | 29.62 | 562.73 |
| Dwelling unit 3,6000 sq. ft. and over | 2.620 | 721.90 | 158.14 | 563.76 | 28.19 | 535.57 |
| Hotel/Motel Per Room | 0.875 | 241.05 | 52.81 | 188.24 | 9.41 | 178.83 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |
| **Note:** | | | | | | |
| * 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, 06/15/2013**

| 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 | 1.171 | $398.77 | $77.75 | $321.02 | $16.05 | $304.97 |
| Dwelling unit, 801 - 1,399 sq. ft. | 2.351 | 800.76 | 156.13 | 644.63 | 32.23 | 612.40 |
| Dwelling unit, 1,400 - 1,999 sq. ft. | 2.523 | 859.39 | 167.56 | 691.83 | 34.59 | 657.24 |
| Dwelling unit, 2,000 - 3,599 sq. ft. | 2.753 | 937.67 | 182.83 | 754.84 | 37.74 | 717.10 |
| Dwelling unit 3,6000 sq. ft. and over | 2.620 | 892.41 | 174.00 | 718.41 | 35.92 | 682.49 |
| Hotel/Motel Per Room | 0.875 | 297.99 | 58.10 | 239.89 | 11.99 | 227.90 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |
| **Note:** | | | | | | |
| * 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, 06/15/2013**

| 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 | 1.171 | $363.53 | $74.47 | $289.06 | $14.45 | $274.61 |
| Dwelling unit, 801 - 1,399 sq. ft. | 2.351 | 730.01 | 149.55 | 580.46 | 29.02 | 551.44 |
| Dwelling unit, 1,400 - 1,999 sq. ft. | 2.523 | 783.46 | 160.50 | 622.96 | 31.15 | 591.81 |
| Dwelling unit, 2,000 - 3,599 sq. ft. | 2.753 | 854.82 | 175.12 | 679.70 | 33.99 | 645.72 |
| Dwelling unit 3,6000 sq. ft. and over | 2.620 | 813.56 | 166.67 | 646.89 | 32.34 | 614.55 |
| Hotel/Motel Per Room | 0.875 | 271.66 | 55.65 | 216.01 | 10.80 | 205.21 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |
| **Note:** | | | | | | |
| * 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, 06/15/2013**

| 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 | 1.171 | $272.61 | $66.02 | $206.59 | $10.33 | $196.26 |
| Dwelling unit, 801 - 1,399 sq. ft. | 2.351 | 547.43 | 132.57 | 414.86 | 20.74 | 394.12 |
| Dwelling unit, 1,400 - 1,999 sq. ft. | 2.523 | 587.52 | 142.28 | 445.24 | 22.26 | 422.98 |
| Dwelling unit, 2,000 - 3,599 sq. ft. | 2.753 | 641.03 | 155.24 | 485.79 | 24.29 | 461.50 |
| Dwelling unit 3,6000 sq. ft. and over | 2.620 | 610.09 | 147.75 | 462.34 | 23.12 | 439.22 |
| Hotel/Motel Per Room | 0.875 | 203.72 | 49.33 | 154.39 | 7.72 | 146.67 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |
| **Note:** | | | | | | |
| * Schedule "W" municipality is Lantana. | | | | | | |

**Table 13.B.3-12 - Parks and Recreation Impact Fee Schedule for Schedule "X" Municipality***
**Effective 12:01 AM, 06/15/2013**

| 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 | 1.171 | $244.76 | $63.43 | $181.33 | $9.07 | $172.26 |
| Dwelling unit, 801 - 1,399 sq. ft. | 2.351 | 491.49 | 127.37 | 364.12 | 18.21 | 345.91 |
| Dwelling unit, 1,400 - 1,999 sq. ft. | 2.523 | 527.48 | 136.70 | 390.78 | 19.54 | 371.24 |
| Dwelling unit, 2,000 - 3,599 sq. ft. | 2.753 | 575.53 | 149.15 | 426.38 | 21.32 | 405.06 |
| Dwelling unit, 3,600 sq. ft. and over | 2.620 | 547.75 | 141.95 | 405.80 | 20.29 | 385.51 |
| Hotel/Motel Per Room | 0.875 | 182.90 | 47.40 | 135.50 | 6.78 | 128.72 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |
| **Note:** | | | | | | |
| * 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, 06/15/2013**

| 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 | 1.171 | $216.90 | $60.84 | $156.06 | $7.80 | $148.26 |
| Dwelling unit, 801 - 1,399 sq. ft. | 2.351 | 435.56 | 122.17 | 313.39 | 15.67 | 297.72 |
| Dwelling unit, 1,400 - 1,999 sq. ft. | 2.523 | 467.45 | 131.11 | 336.34 | 16.82 | 319.52 |
| Dwelling unit, 2,000 - 3,599 sq. ft | 2.753 | 510.03 | 143.06 | 366.97 | 18.35 | 348.62 |
| Dwelling unit, 3,600 sq. ft. and over | 2.620 | 485.51 | 136.15 | 349.26 | 17.46 | 331.80 |
| Hotel/Motel Per Room | 0.875 | 162.09 | 45,46 | 116.63 | 5.83 | 110.80 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |
| **Note:** | | | | | | |
| * Schedule "Y" municipalities consist of Riviera Beach, Boca Raton, Boynton Beach, Delray Beach, Lake Worth, and Jupiter. | | | | | | |

## A. Benefit Zones

### 1. Establishment of Benefit Zones

Four (4) park impact fee benefit zones are hereby established as follows:

#### a. Benefit Zone 1 (North)

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

1) Westerly along said north boundary to the west line of Range 39 East; thence
2) Southerly along said west line to the SFWM District Levee 8 Canal; thence
3) Southeasterly along said Levee 8 Canal to the south line of Township 42 South; thence
4) Easterly along said south line to the west line of Range 42 East; thence
5) Northerly along said west line to SR-710 (Beeline Highway); thence
6) Southeasterly along said SR-710 to Port Road (8th Street); thence
7) Easterly along said Port Road and its easterly extension to the Intracoastal Waterway; thence
8) Northerly along the Intracoastal Waterway to the Lake Worth inlet and east to the Atlantic Ocean; thence
9) Northerly along the water's edge of the Atlantic Ocean to the point of beginning.

#### b. Benefit Zone 2 (Central)

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

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

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

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

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

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

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

**2. Identification of Benefit Zones**

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

**B. Establishment of Trust Funds**

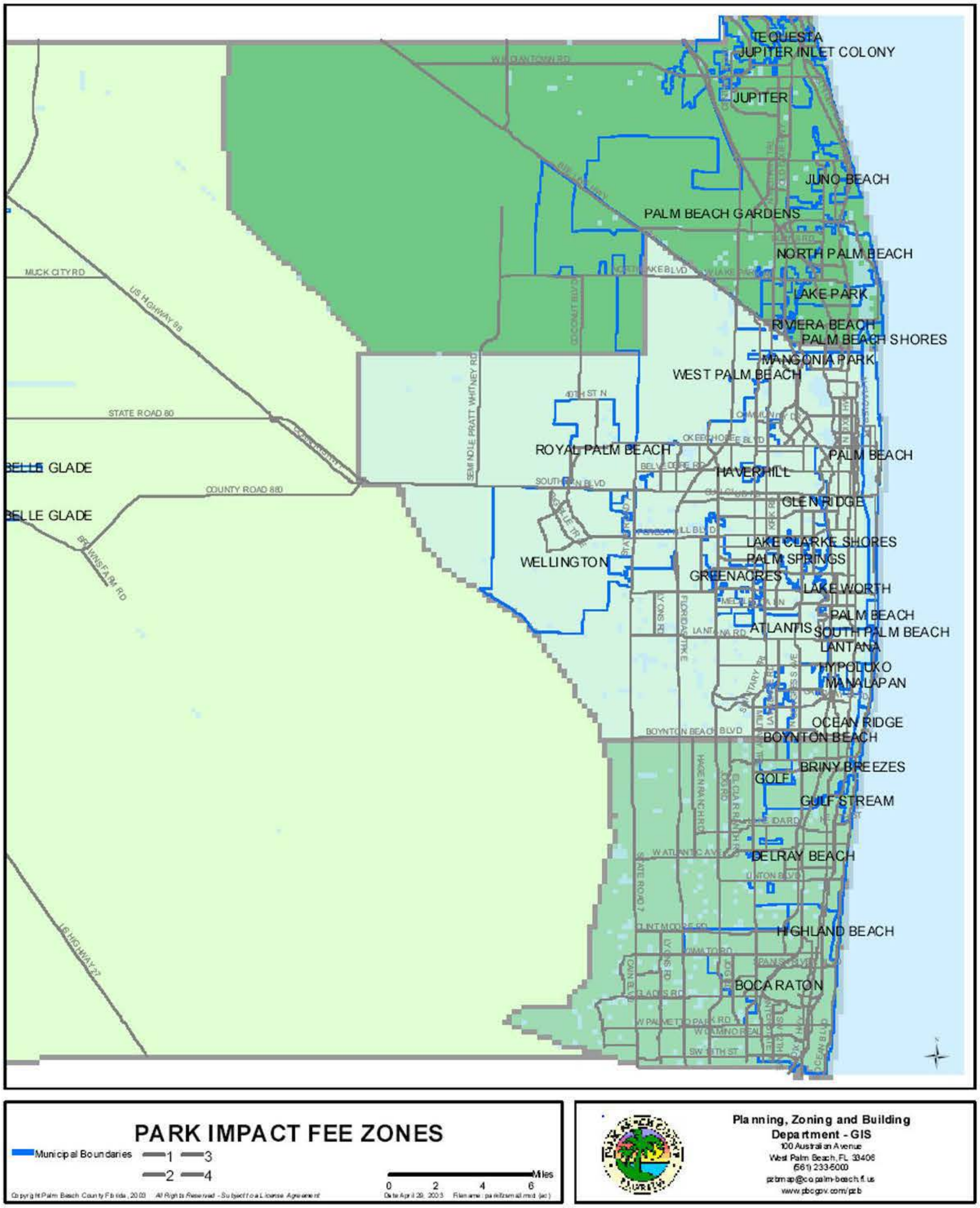
There are hereby established separate park impact fee trust funds, one for each park impact fee benefit zone.

**C. Use of Park Impact Fees**

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

(This space intentionally left blank)

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




(This space intentionally left blank)

## CHAPTER C FIRE-RESCUE IMPACT FEE

### Section 1 Imposition of Fee

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

### Section 2 Fee Schedule

The impact fee schedule for fire-rescue services is established in Table 13.C.2-14, Impact Fee Schedule. Land 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 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.C.2-14 – Fire Rescue Fee Schedule**
**Effective 12:01 AM, 06/15/2013**

| Land Use Type (Unit) Residential Units, by Type | Calls For Service | Cost Per Unit | Credits | Fire-Rescue Impact Fee | Adjustment | Net Fire-Rescue Impact Fee |
|---|---|---|---|---|---|---|
| Single Family Detached | 0.4040 | $556.26 | $0.00 | $556.26 | $556,26 | $0.00 |
| Single Family Attached | 0.4040 | 556.26 | 0.00 | 556.26 | 556.26 | 0.00 |
| Multi-Family | 0.1899 | 261.49 | 0.00 | 261.49 | 261.49 | 0.00 |
| Mobile Home | 0.1899 | 261.49 | 0.00 | 261.49 | 261.49 | 0.00 |
| Hotel/Motel Per Room | 0.7299 | 1,004.88 | 0.00 | 1,004.88 | 1004.88 | 0.00 |
| **Non-Residential** | | | | | | |
| Office 100,000 sq. ft. & Under | 0.1151 | $158.46 | $0.00 | $158.46 | $158.46 | $0.00 |
| 100,001 - 125,000 sq. ft. | 0. 1151 | 158.46 | 0.00 | 158.46 | 158.46 | 0.00 |
| 125,001 - 150,000 | 0. 1151 | 158.46 | 0.00 | 158.46 | 158.46 | 0.00 |
| 150,001 - 175,000 | 0. 1151 | 158.46 | 0.00 | 158.46 | 158.46 | 0.00 |
| 175,001 - 199,999 | 0. 1151 | 158.46 | 0.00 | 158.46 | 158.46 | 0.00 |
| Medical Office | 0. 1151 | 158.46 | 0.00 | 158.46 | 158.46 | 0.00 |
| Warehouse Per 1,000 sq. ft | 0.0414 | 56.93 | 0.00 | 56.93 | 56.93 | 0.00 |
| Gen. Industrial Per 1,000 Ft | 0.1110 | 152.82 | 0.00 | 152.82 | 152.82 | 0.00 |
| **Retail Per 1,000 Sq. Ft.** | | | | | | |
| Retail Per 1,000 Sq. Ft. | 0.1730 | $238.16 | $0.00 | $238.16 | $238.16 | $0.00 |
| 80,000 sq. ft. & Under | 0. 1730 | 238.16 | 0.00 | 238.16 | 238.16 | 0.00 |
| 80,001 - 99,999 | 0. 1730 | 238.16 | 0.00 | 238.16 | 238.16 | 0.00 |
| 100,000 – 199,999 | 0. 1730 | 238.16 | 0.00 | 238.16 | 238.16 | 0.00 |
| 200,000 – 499,999 | 0. 1730 | 238.16 | 0.00 | 238.16 | 238.16 | 0.00 |
| 500,000 – 999,999 | 0. 1730 | 238.16 | 0.00 | 238.16 | 238.16 | 0.00 |
| 1,000,000 & Over | 0. 1730 | 238.16 | 0.00 | 238.16 | 238.16 | 0.00 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |

### Section 3 Benefit Zones

**A. Establishment of Benefit Zone**

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

**1. Benefit Zone 1**

The boundaries of Benefit Zone 1 correspond to the PBC Fire-Rescue Municipal service Taxing Unit, excluding Royal Palm Beach and those portions of the County in Benefit Zone 2. **[Ord. 2005-047]**

**2. Benefit Zone 2**

The boundaries of Benefit Zone 2 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. No fire rescue impact fees shall be collected at this time in Benefit Zone 2 because there is no identified need for additional fire rescue capital facilities due to new development during the planning horizon on which this impact fee is based.

**Section 4 Establishment of Trust Fund**

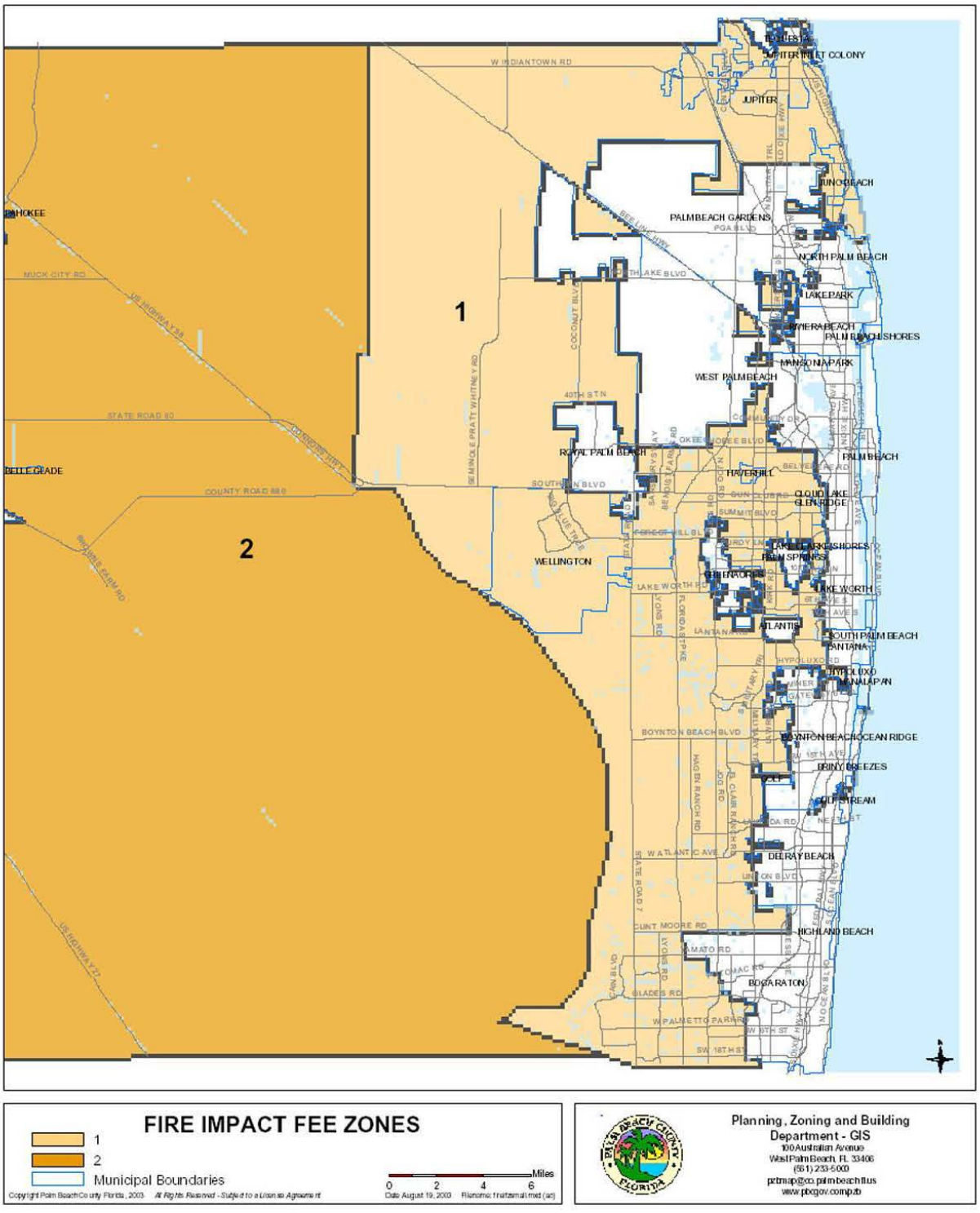
There is hereby established a separate impact fee trust funds for the impact fee benefit zones described in Art. 13.C.3.A, Establishment of Benefit Zone.

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

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

(This space intentionally left blank)

**Figure 13.C.5-2 - Fire Rescue Benefit Zones**




(This space intentionally left blank)

## CHAPTER D LIBRARY IMPACT FEE

### Section 1 Imposition of Fee

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

### Section 2 Fee Schedule

The fee schedule for library services is established in Table 13.D.2-15, Library Fee Schedule. 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.D.2-15 - Library Fee Schedule**
**Effective 12:01 AM, 06/15/2013**

| Land Use Type (Unit) Residential Units by sq. ft | Functional Population | Cost Per Unit | Credits | Library Impact Fee | Discount | Net Library Impact Fee |
|---|---|---|---|---|---|---|
| **Dwelling units:** | | | | | | |
| 800 sq. ft. and Under | 1.171 | $194.96 | $63.71 | $131.25 | $6.56 | $124.69 |
| 801 - 1,399 | 2.351 | 391.49 | 127.93 | 263.56 | 109.79 | 153.78 |
| 1,400 - 1,999 | 2.523 | 420.16 | 137.30 | 282.86 | 107.07 | 175.79 |
| 2,000 - 3,599 | 2.753 | 458.43 | 149.81 | 308.62 | 107.57 | 201.05 |
| 3,600 and Over | 2.620 | 436.30 | 142.57 | 293.73 | 72.99 | 220.74 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |

**Table 13.D.2-15 - Library Fee Schedule**
**Effective 12:01 AM, 06/15/2014**

| Land Use Type (Unit) Residential Units by sq. ft | Functional Population | Cost Per Unit | Credits | Library Impact Fee | Discount | Net Library Impact Fee |
|---|---|---|---|---|---|---|
| **Dwelling units:** | | | | | | |
| 800 sq. ft. and Under | 1.171 | $194.96 | $63.71 | $131.25 | $6.56 | $124.69 |
| 801 - 1,399 | 2.351 | 391.49 | 127.93 | 263.56 | 77.80 | 185.76 |
| 1,400 - 1,999 | 2.523 | 420.16 | 137.30 | 282.86 | 70.51 | 212.35 |
| 2,000 - 3,599 | 2.753 | 458.43 | 149.81 | 308.62 | 65.75 | 242.87 |
| 3,600 and Over | 2.620 | 436.30 | 142.57 | 293.73 | 27.08 | 266.65 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |

### Section 3 Benefit Zone

**A. Establishment of Benefit Zone**

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

**1. Benefit Zone 1**

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

**2. Benefit Zone 2**

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

(This space intentionally left blank)

### Section 4 Establishment of Trust Funds

There is hereby established a library impact fee trust funds for the benefit zones described in Article 13.D.3, Benefit Zone.

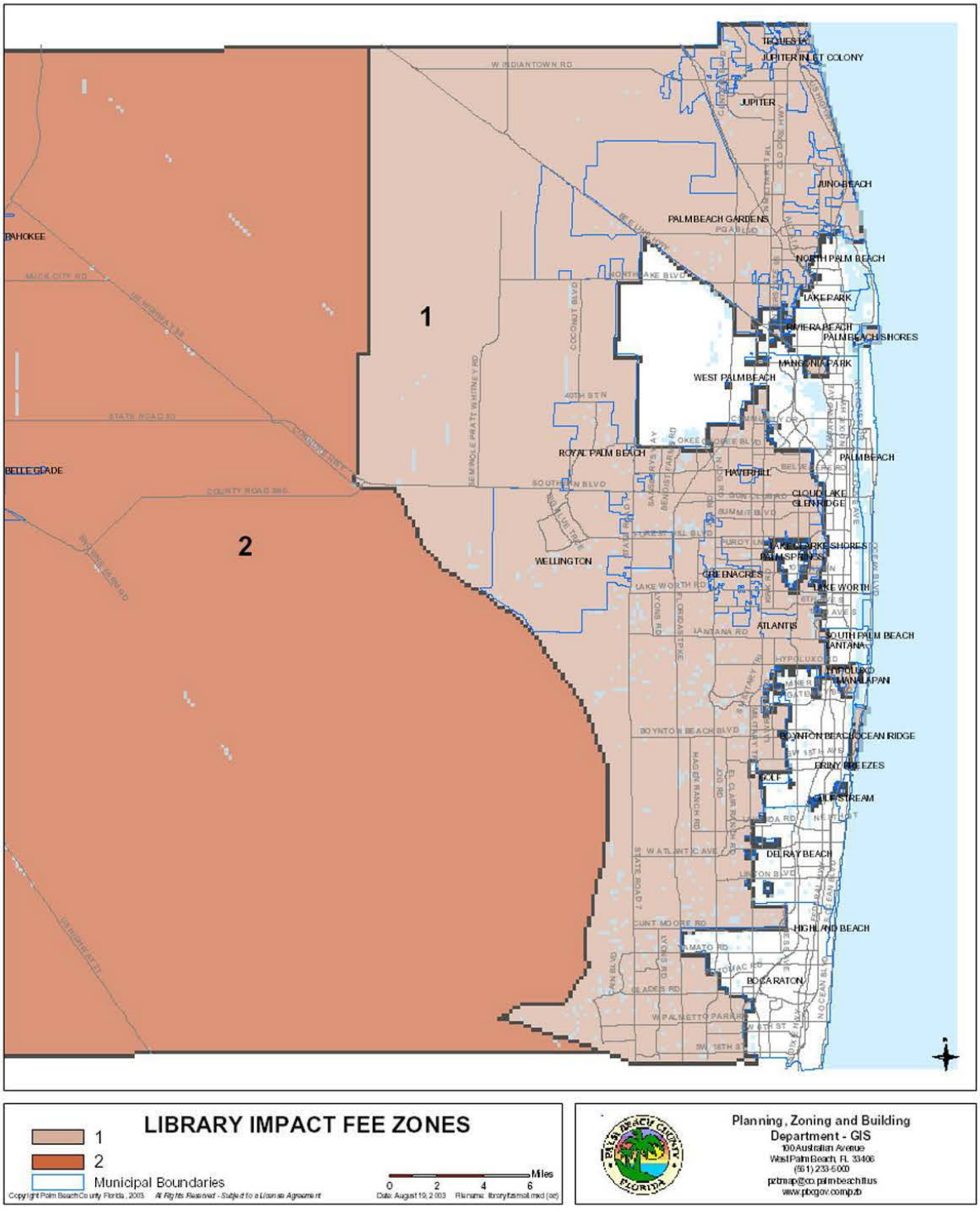
### Section 5 Use of Library Impact Fees

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

(This space intentionally left blank)

(This space intentionally left blank)

**Figure 13.D.5-3 - Library Benefit Zones**



## CHAPTER E LAW ENFORCEMENT IMPACT FEE

### Section 1 Imposition of Fee

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

### Section 2 Fee Schedule

The fee schedules for law enforcement services are established in Table 13.E.2-16, Law Enforcement Fee Schedule for Countywide Services Benefit Zone 1, and Table 13.E.2-17, Law Enforcement Patrol Fee Schedule for Unincorporated PBC Benefit Zone 2. 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.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 |
| | | | | | | |
| **Non-Residential per 1,000 sq. ft.** | | | | | | |
| Office: | | | | | | |
| 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 |
| | | | | | | |
| **Retail Per 1,000 sq. ft.** | | | | | | |
| 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 |

(This space intentionally left blank)

**Table 13.E.2-17 – Law Enforcement Patrol Fee Schedule for Unin. PBC Benefit Zone 2**
**Effective 12:01 AM, 06/15/2013**

| Land Use Type (Unit) Residential units by sq. ft. | Service Calls | Cost Per Unit | Credits | Enforcement Impact Fee | Discount | Enforcement Impact Fee |
|---|---|---|---|---|---|---|
| Single Family, Detached | 1.712 | $136.67 | $1.78 | $134.89 | $6,74 | $128.15 |
| Single Family, Attached | 1.712 | 136.67 | 1.78 | 134.89 | 6.74 | 128.15 |
| Multi-Family | 1.036 | 82.67 | 1.07 | 81.60 | 23.66 | 57.94 |
| Mobile Home | 1.036 | 82.67 | 1.07 | 81.60 | 23.66 | 57.94 |
| Hotel/Motel | 1.404 | 112.08 | 1.46 | 110.62 | 42.98 | 67.64 |
| **Non-Residential per 1,000 sq.ft.** | | | | | | |
| Office: | | | | | | |
| 100,000 & Under | 0.140 | $11.17 | $0.15 | $11.02 | $0.55 | $10.47 |
| 100,001 - 125,000 | 0.140 | 11.17 | 0.15 | 11.02 | 0.55 | 10.47 |
| 125,001 - 150,000 | 0.140 | 11.17 | 0.15 | 11.02 | 0.55 | 10.47 |
| 150,001 - 175,000 | 0.140 | 11.17 | 0.15 | 11.02 | 0.55 | 10.47 |
| 175,001 - 199,999 | 0.140 | 11.17 | 0.15 | 11.02 | 0.55 | 10.47 |
| 200,000 & Over | 0.140 | 11.17 | 0.15 | 11.02 | 0.55 | 10.47 |
| Medical Office | 0.338 | 11.17 | 0.15 | 11.02 | 0.55 | 10.47 |
| Warehouse Per 1,000 Ft. | 0.501 | 40.02 | 0.52 | 39.50 | 22.21 | 17.29 |
| Gen. Industrial Per 1,000 Ft. | 0.227 | 18.10 | 0.24 | 17.86 | 11.76 | 6.10 |
| **Retail Per 1,000 Ft.** | | | | | | |
| 80,000 & Under | 0.766 | $61.15 | $0.79 | $60.36 | $3.02 | $57.34 |
| 80,001 - 99,999 | 0.766 | 61.15 | 0.79 | 60.36 | 3.02 | 57.34 |
| 100,000 - 199,999 | 0.766 | 61.15 | 0.79 | 60.36 | 3.02 | 57.34 |
| 200,000 - 499,999 | 0.766 | 61.15 | 0.79 | 60.36 | 3.02 | 57.34 |
| 500,000 - 999,999 | 0.766 | 61.15 | 0.79 | 60.36 | 3.02 | 57.34 |
| 1,000,000 & Over | 0.766 | 61.15 | 0.79 | 60.36 | 3.02 | 57.34 |
| . | 0.766 | 61.15 | 0.79 | 60.36 | 3.02 | 57.34 |
| **[Ord, 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |
| **Note:** | | | | | | |
| 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, 06/15/2014**

| Land Use Type (Unit) Residential units by sq. ft. | Service Calls | Cost Per Unit | Credits | Enforcement Impact Fee | Discount | Enforcement Impact Fee |
|---|---|---|---|---|---|---|
| Single Family, Detached | 1.712 | $136.67 | $1.78 | $134.89 | $6,74 | $128.15 |
| Single Family, Attached | 1.712 | 136.67 | 1.78 | 134.89 | 6.74 | 128.15 |
| Multi-Family | 1.036 | 82.67 | 1.07 | 81.60 | 11.61 | 69.99 |
| Mobile Home | 1.036 | 82.67 | 1.07 | 81.60 | 11.61 | 69.99 |
| Hotel/Motel | 1.404 | 112.08 | 1.46 | 110.62 | 28.91 | 81.71 |
| **Non-Residential per 1,000 sq.ft.** | | | | | | |
| Office: | | | | | | |
| 100,000 & Under | 0.140 | $11.17 | $0.15 | $11.02 | $0.55 | $10.47 |
| 100,001 - 125,000 | 0.140 | 11.17 | 0.15 | 11.02 | 0.55 | 10.47 |
| 125,001 - 150,000 | 0.140 | 11.17 | 0.15 | 11.02 | 0.55 | 10.47 |
| 150,001 - 175,000 | 0.140 | 11.17 | 0.15 | 11.02 | 0.55 | 10.47 |
| 175,001 - 199,999 | 0.140 | 11.17 | 0.15 | 11.02 | 0.55 | 10.47 |
| 200,000 & Over | 0.140 | 11.17 | 0.15 | 11.02 | 0.55 | 10.47 |
| Medical Office | 0.338 | 11.17 | 0.15 | 11.02 | 0.55 | 10.47 |
| Warehouse Per 1,000 Ft. | 0.501 | 40.02 | 0.52 | 39.50 | 18.77 | 20.73 |
| Gen. Industrial Per 1,000 Ft. | 0.227 | 18.10 | 0.24 | 17.86 | 10.49 | 7.37 |
| **Retail Per 1,000 Ft.** | | | | | | |
| 80,000 & Under | 0.766 | $61.15 | $0.79 | $60.36 | $3.02 | $57.34 |
| 80,001 - 99,999 | 0.766 | 61.15 | 0.79 | 60.36 | 3.02 | 57.34 |
| 100,000 - 199,999 | 0.766 | 61.15 | 0.79 | 60.36 | 3.02 | 57.34 |
| 200,000 - 499,999 | 0.766 | 61.15 | 0.79 | 60.36 | 3.02 | 57.34 |
| 500,000 - 999,999 | 0.766 | 61.15 | 0.79 | 60.36 | 3.02 | 57.34 |
| 1,000,000 & Over | 0.766 | 61.15 | 0.79 | 60.36 | 3.02 | 57.34 |
| . | 0.766 | 61.15 | 0.79 | 60.36 | 3.02 | 57.34 |
| **[Ord, 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |
| **Note:** | | | | | | |
| Includes Cloud Lake, Haverhill, Glen Ridge, and Village of Golf. | | | | | | |

## Section 3 Benefit Zones

### 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 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. **[Ord. 2005-047]**
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.

## Section 4 Establishment of Trust Funds

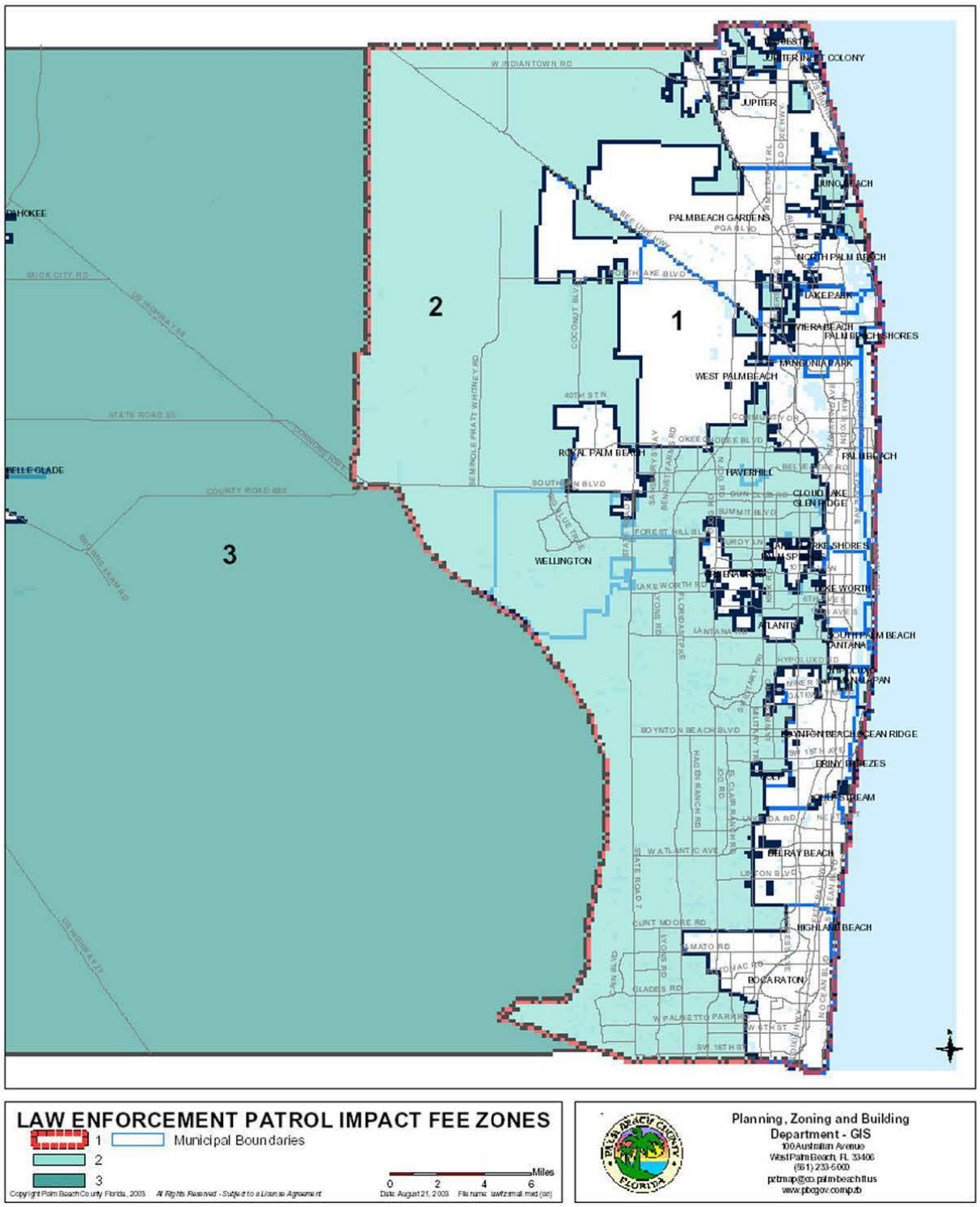
There are hereby established separate impact fee trust funds for each impact fee benefit zones described in Article 13.E.3, Benefit Zones.

## Section 5 Use of Law Enforcement Impact Fees

The Sheriff shall identify in the Sheriff's budget those new capital facilities for which law enforcement impact fees shall be spent. The funds shall remain restricted to their respective trust funds and the requirements of this article, and the Sheriff shall ensure that the funds are expended and accounted for in accordance with this article. The Sheriff shall maintain such records and documentation necessary to allow the effective audit of the use of the law enforcement impact fees. PBCs internal auditor shall have authority to require accounting controls and documentation, and shall have the authority to audit the use of law enforcement impact fees. PBC may require special impact fee reports by the auditor performing an audit of the Sheriff's accounts.

(This space intentionally left blank)

**Figure 13.E.5-4 - Law Enforcement Benefit Zones**




(This space intentionally left blank)

## 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 Article 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, 06/15/2013**

| 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 | 05850 | $579 | $229 | $350.72 | $234.03 | $116.69 |
| Dwelling unit, 801 - 1,399 sq. ft. | 1.1760 | 1,165 | 460 | 705.04 | 563.87 | 141.18 |
| Dwelling unit, 1,400 - 1,999 sq. ft | 1.2620 | 1,250 | 493 | 756,60 | 595.28 | 161.33 |
| Dwelling unit, 2,000 - 3,599 sq. ft. | 1.3770 | 1,364 | 538 | 825.54 | 641.10 | 184.44 |
| Dwelling unit, 3,600 sq. ft. & Over | 1.3100 | 1,298 | 512 | 785.38 | 582.81 | 202.58 |
| Hotel/Motel Per Room | 0.3500 | 347 | 137 | 209.84 | 162.50 | 47.34 |
| | | | | | | Non-Residential per 1,000 Sq. Ft. |
| **Office** | | | | | | |
| 50,000 & Under | 0.801 | $793 | $313 | $480.22 | $371.91 | $108.31 |
| 50,001 - 99,999 | 0.878 | 870 | 343 | 526.38 | 407.66 | 118,73 |
| 100,000 - 149,999 | 1.095 | 1,085 | 428 | 656.48 | 508.41 | 148,08 |
| 150,000 - 199,999 | 1.067 | 1,057 | 417 | 639.69 | 495.40 | 144.29 |
| 200,000 - 399,999 | 1.053 | 1,043 | 412 | 631.30 | 488.91 | 142.39 |
| 400,000 - 499,999 | 1.044 | 1,034 | 408 | 625,90 | 484.85 | 141.05 |
| Medical Office | 1.702 | 1,686 | 665 | 1,020.38 | 790.23 | 230.15 |
| Warehouse Per 1,000 sq. ft. | 0.201 | 199 | 79 | 120.50 | 91.01 | 29.49 |
| Gen. Industrial Per 1,000 sq. ft | 0.450 | 446 | 176 | 269.78 | 208.92 | 60.86 |
| **Retail Per 1,000 Sq. Ft.** | | | | | | |
| 50,000 Ft. & Under | 2.050 | $2,030 | $801 | $1,229.02 | $951.13 | $277.89 |
| 50,001 - 99,999 | 2.001 | 1,982 | 782 | 1,199.65 | 928.79 | 270.86 |
| 100,000 - 199,999 | 1.983 | 1,964 | 775 | 1,188.86 | 920.71 | 268.15 |
| 200,000 - 299,999 | 2.178 | 2,157 | 851 | 1,305.76 | 1,011.37 | 294.39 |
| 300,000 - 399,999 | 2.199 | 2,178 | 860 | 1,318.35 | 1,021.39 | 296.96 |
| 400,000 - 499,999 | 2.223 | 2,202 | 869 | 1,332.74 | 1,032.82 | 299.93 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |

(This space intentionally left blank)

**Table 13.F.2-18 – Public Buildings Fee Schedule**
**Effective 12:01 AM, 06/15/2014**

| 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 | 05850 | $579 | $229 | $350.72 | $209.76 | $140.96 |
| welling unit, 801 - 1,399 sq. ft. | 1.1760 | 1,165 | 460 | 705.04 | 534.50 | 170.54 |
| Dwelling unit, 1,400 - 1,999 sq. ft | 1.2620 | 1,250 | 493 | 756,60 | 561.72 | 194.88 |
| Dwelling unit, 2,000 - 3,599 sq. ft. | 1.3770 | 1,364 | 538 | 825.54 | 602.74 | 222.80 |
| Dwelling unit, 3,600 sq. ft. & Over | 1.3100 | 1,298 | 512 | 785.38 | 540.67 | 244.71 |
| Hotel/Motel Per Room | 0.3500 | 347 | 137 | 209.84 | 152.66 | 57.18 |
| **Non-Residential per 1,000 Sq. Ft.** | | | | | | |
| Office | | | | | | |
| 50,000 & Under | 0.801 | $793 | $313 | $480.22 | $349.38 | $130.84 |
| 50,001 - 99,999 | 0.878 | 870 | 343 | 526.38 | 382.96 | 143.42 |
| 100,000 - 149,999 | 1.095 | 1,085 | 428 | 656.48 | 477.61 | 178.87 |
| 150,000 - 199,999 | 1.067 | 1,057 | 417 | 639.69 | 465.39 | 174.30 |
| 200,000 - 399,999 | 1.053 | 1,043 | 412 | 631.30 | 459.30 | 172.00 |
| 400,000 - 499,999 | 1.044 | 1,034 | 408 | 625,90 | 455.51 | 170.39 |
| Medical Office | 1.702 | 1,686 | 665 | 1,020.38 | 742.36 | 278.02 |
| Warehouse Per 1,000 sq. ft. | 0.201 | 199 | 79 | 120.50 | 84.88 | 35.62 |
| Gen. Industrial Per 1,000 sq. ft | 0.450 | 446 | 176 | 269.78 | 196.26 | 73.52 |
| **Retail Per 1,000 Sq. Ft.** | | | | | | |
| 50,000 Ft. & Under | 2.050 | $2,030 | $801 | $1,229.02 | $893.33 | $335.69 |
| 50,001 - 99,999 | 2.001 | 1,982 | 782 | 1,199.65 | 872.45 | 327.20 |
| 100,000 - 199,999 | 1.983 | 1,964 | 775 | 1,188.86 | 864.93 | 323.93 |
| 200,000 - 299,999 | 2.178 | 2,157 | 851 | 1,305.76 | 950.14 | 355.62 |
| 300,000 - 399,999 | 2.199 | 2,178 | 860 | 1,318.35 | 959.62 | 358.73 |
| 400,000 - 499,999 | 2.223 | 2,202 | 869 | 1,332.74 | 970.43 | 362.31 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |

## Section 3 Benefit Zone

### A. Establishment of Benefit Zone

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. **[Ord. 2005-047]**
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 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.

## Section 4 Establishment of Trust Funds

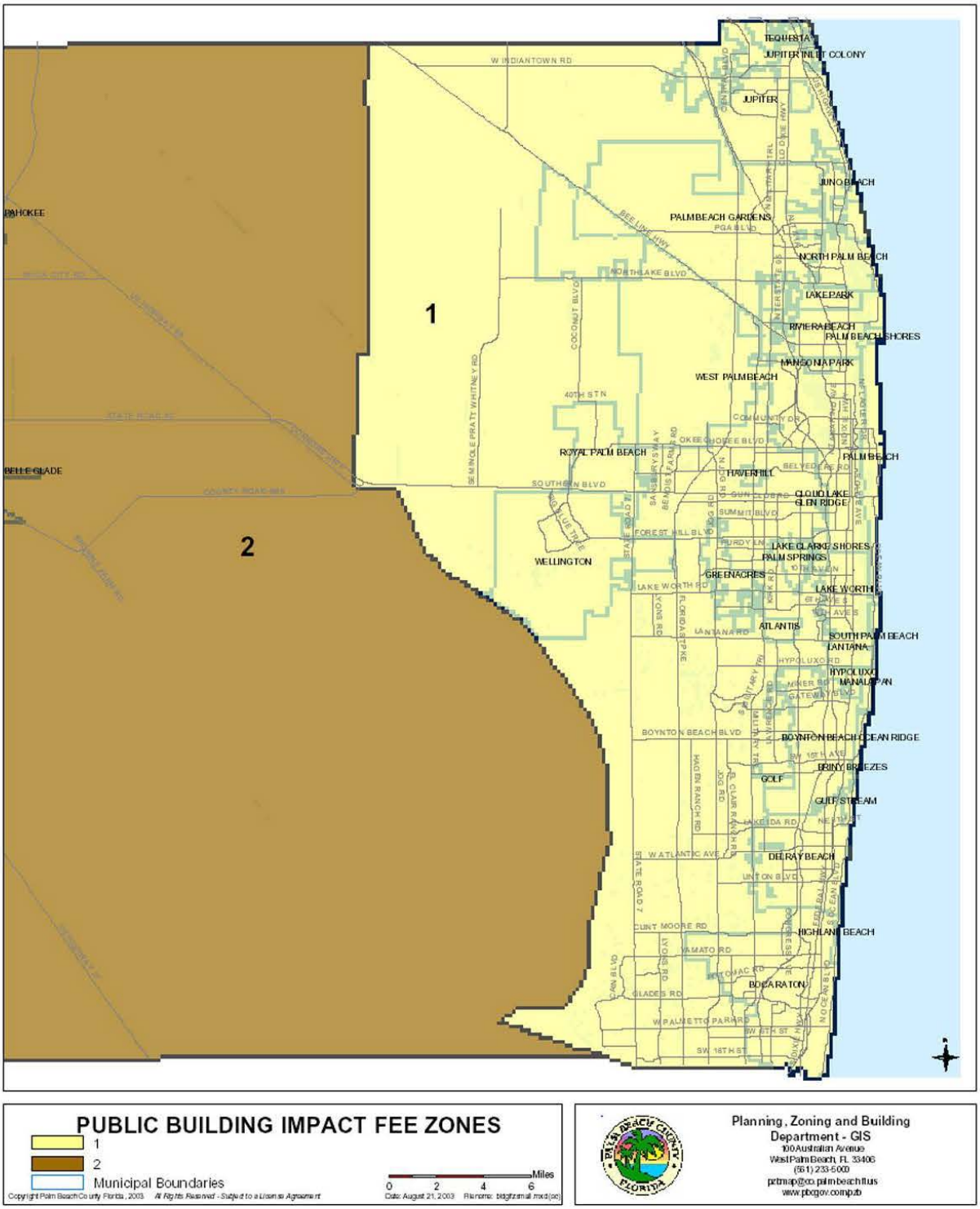
There is hereby established a separate impact fee trust funds for the impact fee benefit zones described in Article 13.F.3, Benefit Zone.

## Section 5 Use of Public Buildings Impact Fees

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

(This space intentionally left blank)

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




(This space intentionally left blank)

## CHAPTER G SCHOOL IMPACT FEE

### Section 1 Imposition of Fee

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

### Section 2 Fee Schedule

The fee schedules for school impact fees are established in Table 13.G.2.-19, School Fee Schedule. 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.G.2-19 – School Fee Schedule**
**Effective Date 12:01 AM, 06/15/2013**

| 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 | 1.171 | 0.175 | 0.152 | $835.16 | $41.76 | $793.40 |
| Dwelling unit, 801 - 1,399 sq. ft | 2.351 | 0.352 | 0.305 | 1,677.08 | 83.85 | 1,593.23 |
| Dwelling unit, 1,400 - 1,999 sq. ft. | 2.523 | 0.378 | 0.327 | 1,799.88 | 89.99 | 1,709.89 |
| Dwelling unit, 2,000 - 3,599 sq. ft. | 2.753 | 0.412 | 0.357 | 1,963.82 | 98,19 | 1,865.63 |
| Dwelling unit, 3,600 sq. ft. and over | 2.620 | 0.392 | 0.340 | 1,869.03 | 93.45 | 1,775.58 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | | |

### 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 PBC's 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; PBC's Southern boundary on the South; and the Atlantic Ocean on the East.
4. **Benefit Zone 4**
   The boundaries of Benefit Zone 4 shall be PBC's 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 PBC's 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**

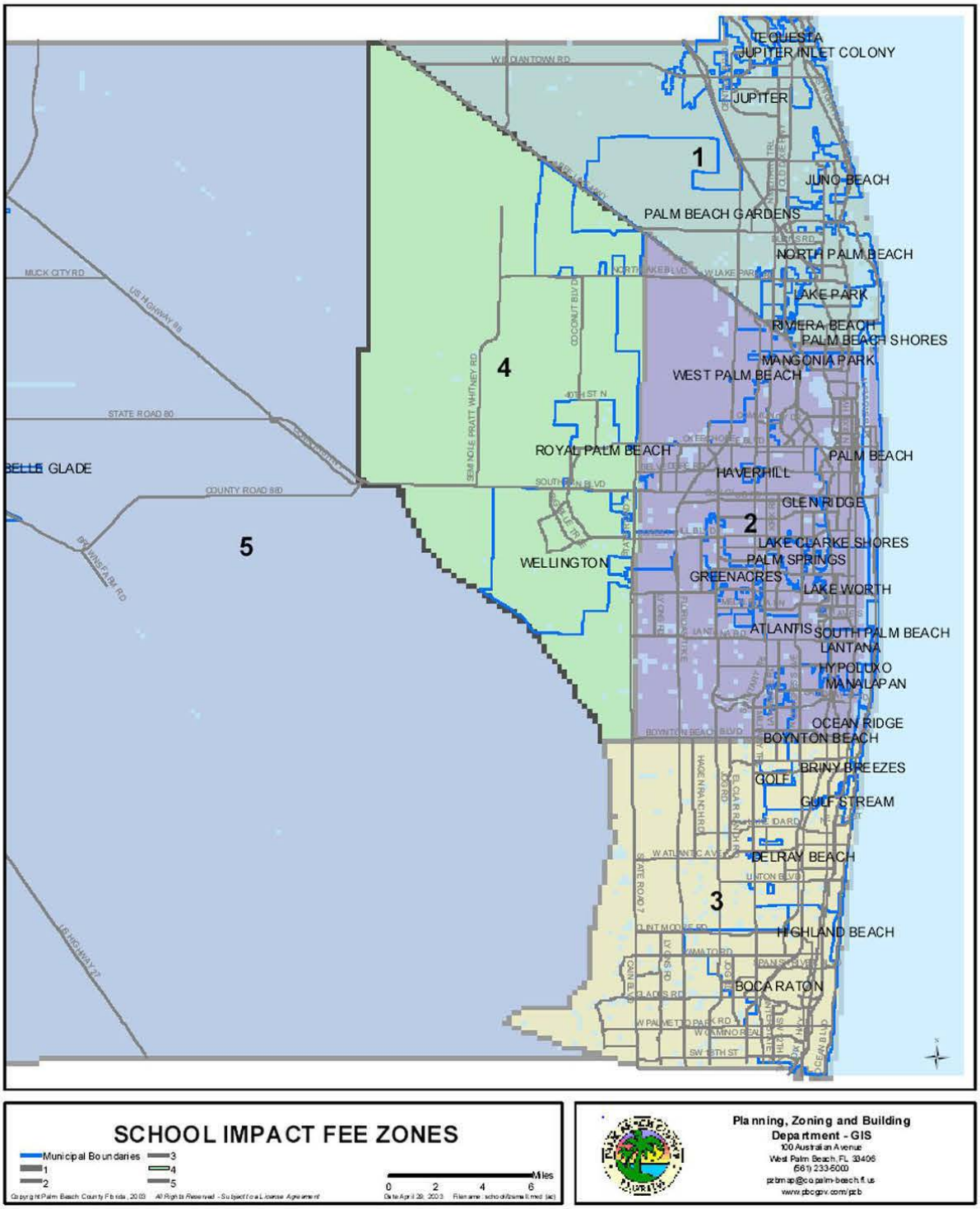
There are hereby established separate impact fee trust funds for each impact fee benefit zone.

**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.

(This space intentionally left blank)

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




(This space intentionally left blank)

## CHAPTER H ROAD IMPACT FEES

### Section 1 Imposition of Fee

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

### Section 2 Fee Schedule

At the option of the feepayer, the amount of the impact fee may be determined by the fee schedule, established in Table 13.H.4-20, Fair Share Road Impact Fee Schedule, or by the independent calculation provided by the feepayer and approved by the Impact Fee Coordinator and the County Engineer. The impact fees in the schedule have been calculated using accepted trip generation, trip length, capture/diversion, and capital road facility costs standards, and applying the appropriate credits. Land uses not listed in the fee schedule shall be as defined in the most current edition of the Institute of Transportation Engineers Trip Generation Manual. 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.

### Section 3 Land Uses Not Specified in Fee Schedule

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

### Section 4 Use of Road Impact Fee Funds

Fees paid pursuant to this Article shall be encumbered and spent only in conformance with Article 13.A.9, Use of Impact Fees collected in accordance with this article shall be used solely for the purpose of construction or improving roads, streets, highways and bridges on the major road network system, including but not limited to: **[Ord. 2005-047]**

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

(This space intentionally left blank)

**Table 13.H.4-20 – Fair Share Road Impact Fee Schedule**
**Effective 12:01 AM, 06/15/2013**

| 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 |
|---|---|---|---|---|---|
| **Residential:** | | | | | |
| Single family detached (per unit) | 10 | 0 percent | $8,592 | $2,565.05 | $6,026.95 |
| Multi-Family (per unit) | 6.65 | 0 percent | 5,714 | 1,705.76 | 4,007.92 |
| Congregate Living Facility (per unit) | 2.02 | 0 percent | 1,736 | 518.14 | 1,217.44 |
| Mobile Home (in mobile home park) | 5 | 0 percent | 4,296 | 1,282.53 | 3,013.48 |
| Over 55 Restricted SFD-Detached | 8 | 0 percent | 6,874 | 2,052.04 | 4,821.56 |
| Over 55 Restricted Multi-Family Home | 6 | 0 percent | 5,155 | 1,539.03 | 3,616.17 |
| **Nonresidential per 1000 sq. ft.:** | | | | | |
| Drive-in Bank | 148.15 | 47 percent | $22,487.98 | $1,124.40 | $15,774.44 |
| Mini-Warehouse | 2.50 | 10 percent | 644 | 192.38 | 452.02 |
| Hotel per room | 8.92 | 10 percent | 2,299 | 686.41 | 1,612.81 |
| Movie Theater per seat | 1.80 | 5 percent | 490 | 146.21 | 343.54 |
| Racquet Club per court | 40.50 | 5 percent | 11,019 | 3,289.68 | 7,729.56 |
| Church/Synagogue | 9.11 | 5 percent | 2,479 | 739.97 | 1,738.67 |
| Day Care Center | 79.26 | 50 percent | 11,350 | $3,388.43 | 7,961.60 |
| Quality Restaurant | 89.95 | 44 percent | 14,427 | 4,306.89 | 10,119.65 |
| High Turnover Sit-Down Restaurant | 127.15 | 43 percent | 20,757 | 6,196.78 | 14,560.21 |
| New Car Sales | 33.34 | 15 percent | 8,116 | 2,423.03 | 5,693.26 |
| Office Building-Medical | 36.13 | 10 percent | 9,313 | 2,780.26 | 6,532.61 |
| Hospital | 16.50 | 10 percent | 4,253 | 1,269.70 | 2,983.34 |
| Nursing Home Per Bed | 2.37 | 10 percent | 611 | 182.38 | 428.52 |
| Warehouse (per 1,000 sq. ft.) | 3.56 | 10 percent | 918 | 273.95 | 643.68 |
| General Industrial (Light) | 6.97 | 10 percent | 1,797 | 536.35 | 1,260.24 |
| **General Office:** | | | | | |
| 10,000 sq. ft. | 22.66 | 10 percent | $5,840 | $1,743.72 | $4,097.12 |
| 50,000 sq. ft. | 15.65 | 10 percent | 4,033 | 1,204.29 | 2,829.65 |
| 100,000 sq. ft. | 13.34 | 10 percent | 3,439 | 1,026.53 | 2,411.99 |
| 150,000 sq. ft. | 12.15 | 10 percent | 3,132 | 934.96 | 2,196.82 |
| 200,000 sq. ft. | 11.37 | 10 percent | 2,932 | 874.94 | 2,055.79 |
| 400,000 sq. ft. | 9.70 | 10 percent | 2,500 | 746.43 | 1,753.84 |
| 500,000 sq. ft. | 9.21 | 10 percent | 2,375 | 708.72 | 1,665.25 |
| 600,000 sq. ft. | 8.83 | 10 percent | 2,277 | 679.48 | 1,596.54 |
| 700,000 sq. ft. | 8.53 | 10 percent | 2,198 | 656.40 | 1,542.30 |
| 800,000 sq. ft. | 8.27 | 10 percent | 2,131 | 636.39 | 1,495.29 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | |

(This space intentionally left blank)

**Table 13.H.4-20 – Fair Share Road Impact Fee Schedule - Continued**
**Effective 12:01 AM, 06/15/2013**

| 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 |
|---|---|---|---|---|---|
| **General Commercial Retail:** | | | | | |
| 10,000 sq. ft. & Under | 152.03 | 62 percent | $16,648 | $4,970.06 | $11,677.86 |
| 50,000 sq. ft. | 86.56 | 47 percent | 13,189 | 3,937.30 | 9,251.24 |
| 75,000 sq. ft. | 75.1 | 43 percent | 12,255 | 3,658.53 | 8,596.23 |
| 100,000 sq. ft | 67.91 | 40 percent | 11,601 | 3,463.44 | 8,137.85 |
| 200,000 sq. ft | 53.28 | 34 percent | 10,086 | 3,011.03 | 7,074.85 |
| 300,000 sq. ft. | 46.23 | 30 percent | 9,251 | 2,761.72 | 6,489.06 |
| 400,000 sq. ft. | 41.80 | 27 percent | 8,685 | 2,592.82 | 6,092.19 |
| 500,000 sq. ft. | 38.66 | 25 percent | 8,262 | 2,466.62 | 5,795.69 |
| 600,000 sq. ft. | 36.27 | 24 percent | 7,928 | 2,366.73 | 5,560.96 |
| 800,000 sq. ft. | 32.80 | 21 percent | 7,420 | 2,215.06 | 5,204.59 |
| 1,000,000 sq. ft. | 30.33 | 19 percent | 7,043 | 2,102.47 | 4,940.05 |
| 1,200,000 sq. ft. | 28.46 | 17 percent | 6,745 | 2,013.75 | 4,731.60 |
| **Non-Residential Short Trips:** | | | | | |
| Fast Food Restaurant | 496.12 | 49 percent | $36,233 | $10,816.87 | $25,415.77 |
| Service Station per fueling position | 168.56 | 50 percent | 12,069 | 3,603.04 | 8,465.86 |
| Convenience Store | 737.99 | 61 percent | 41,215 | 12,304.38 | 28,910.89 |
| Pharmacy with Drive Thru | 88.16 | 50 percent | 6,312 | 1,884.46 | 4,427.80 |
| | | | | | |
| **The cost per vehicular trip is:** | | Gross | Net | | |
| Residential: | 6 mile trip length | $859.20 | $602.70 | | |
| Non-Residential: | 2 mile trip length | 286.40 | $200.90 | | |
| Non-Residential, short trip: | 1 mile trip length | 143.20 | $100.45 | | |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | |

**Notes**

** 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

(This space intentionally left blank)

**Table 13.H.4-20 – Fair Share Road Impact Fee Schedule**
**Effective 12:01 AM, 06/15/2014**

| 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 |
|---|---|---|---|---|---|
| **Residential:** | | | | | |
| Single family detached (per unit) | 10 | 0 percent | $8,592 | $1,311.44 | $7,280.56 |
| Multi-Family (per unit) | 6.65 | 0 percent | 5,714 | 872.11 | 4,841.57 |
| Congregate Living Facility (per unit) | 2.02 | 0 percent | 1,736 | 264.91 | 1,470.67 |
| Mobile Home (in mobile home park) | 5 | 0 percent | 4,296 | 655.72 | 3,640.28 |
| Over 55 Restricted SFD-Detached | 8 | 0 percent | 6,874 | 1,049.15 | 5,824.45 |
| Over 55 Restricted Multi-Family Home | 6 | 0 percent | 5,155 | 786.86 | 4,368.34 |
| **Nonresidential per 1000 sq. ft.:** | | | | | |
| Drive-in Bank | 148.15 | 47 percent | $22,487.98 | $3,432.45 | $19,055.53 |
| Mini-Warehouse | 2.50 | 10 percent | 644 | 98.36 | 546.04 |
| Hotel per room | 8.92 | 10 percent | 2,299 | 350.94 | 1,948.28 |
| Movie Theater per seat | 1.80 | 5 percent | 490 | 74.75 | 414.99 |
| Racquet Club per court | 40.50 | 5 percent | 11,019 | 1,681.92 | 9,337.32 |
| Church/Synagogue | 9.11 | 5 percent | 2,479 | 378.33 | 2,100.32 |
| Day Care Center | 79.26 | 50 percent | 11,350 | 1,732.41 | 9,617.62 |
| Quality Restaurant | 89.95 | 44 percent | 14,427 | 2,202.00 | 12,224.55 |
| High Turnover Sit-Down Restaurant | 127.15 | 43 percent | 20,757 | 3,168.24 | 17,588.74 |
| New Car Sales | 33.34 | 15 percent | 8,116 | 1,238.83 | 6,877.46 |
| Office Building-Medical | 36.13 | 10 percent | 9,313 | 1,421.47 | 7,891.40 |
| Hospital | 16.50 | 10 percent | 4,253 | 649.16 | 3,603.88 |
| Nursing Home Per Bed | 2.37 | 10 percent | 611 | 93.24 | 517.65 |
| Warehouse (per 1,000 sq. ft.) | 3.56 | 10 percent | 918 | 140.06 | 777.56 |
| General Industrial (Light) | 6.97 | 10 percent | 1,797 | 274.22 | 1,522.37 |
| **General Office:** | | | | | |
| 10,000 sq. ft. | 22.66 | 10 percent | $5,840 | $891.52 | $4,949.32 |
| 50,000 sq. ft. | 15.65 | 10 percent | 4,033 | $615.72 | 3,418.22 |
| 100,000 sq. ft. | 13.34 | 10 percent | 3,439 | 524.84 | 2,913.68 |
| 150,000 sq. ft. | 12.15 | 10 percent | 3,132 | 478.02 | 2,653.76 |
| 200,000 sq. ft. | 11.37 | 10 percent | 2,932 | 447.33 | 2,483.40 |
| 400,000 sq. ft. | 9.70 | 10 percent | 2,500 | 381.63 | 2,118.64 |
| 500,000 sq. ft. | 9.21 | 10 percent | 2,375 | 362.35 | $2,011.62 |
| 600,000 sq. ft. | 8.83 | 10 percent | 2,277 | 347.40 | 1,928.62 |
| 700,000 sq. ft. | 8.53 | 10 percent | 2,198 | 335.60 | 1,863.10 |
| 800,000 sq. ft. | 8.27 | 10 percent | 2,131 | 325.37 | 1,806.31 |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | |

(This space intentionally left blank)

**Table 13.H.4-20 – Fair Share Road Impact Fee Schedule - Continued**
**Effective 12:01 AM, 06/15/2014**

| 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 |
|---|---|---|---|---|---|
| **General Commercial Retail:** | | | | | |
| 10,000 sq. ft. & Under | 152.03 | 62 percent | $16,648 | $2,541.06 | $14,106.87 |
| 50,000 sq. ft. | 86.56 | 47 percent | 13,189 | 2,013.03 | 11,175.51 |
| 75,000 sq. ft. | 75.1 | 43 percent | 12,255 | 1,870.51 | 10,384.25 |
| 100,000 sq. ft | 67.91 | 40 percent | 11,601 | 1,770.76 | 9,830.53 |
| 200,000 sq. ft | 53.28 | 34 percent | 10,086 | 1,539.46 | 8,546.42 |
| 300,000 sq. ft. | 46.23 | 30 percent | 9,251 | 1,411.99 | 7,838.78 |
| 400,000 sq. ft. | 41.80 | 27 percent | 8,685 | 1,325.64 | 7,359.37 |
| 500,000 sq. ft. | 38.66 | 25 percent | 8,262 | 1,261.12 | 7,001.19 |
| 600,000 sq. ft. | 36.27 | 24 percent | 7,928 | 1,210.04 | 6,717.65 |
| 800,000 sq. ft. | 32.80 | 21 percent | 7,420 | 1,132.50 | 6,287.15 |
| 1,000,000 sq. ft. | 30.33 | 19 percent | 7,043 | 1,074.93 | 5,967.58 |
| 1,200,000 sq. ft. | 28.46 | 17 percent | 6,745 | 1,029.58 | 5,715.78 |
| **Non-Residential Short Trips:** | | | | | |
| Fast Food Restaurant | 496.12 | 49 percent | $36,233 | 5,530.37 | 30,702.27 |
| Service Station per fueling position | 168.56 | 50 percent | 12,069 | 1,842.14 | 10,226.76 |
| Convenience Store | 737.99 | 61 percent | 41,215 | 6,290.89 | 34,924.37 |
| Pharmacy with Drive Thru | 88.16 | 50 percent | 6,312 | 963.47 | 5,348.78 |
| | | | | | |
| **The cost per vehicular trip is:** | | **Gross** | **Net** | | |
| Residential: | 6 mile trip length | $859.20 | $728.06 | | |
| Non-Residential: | 2 mile trip length | $286.40 | $242.69 | | |
| Non-Residential, short trip: | 1 mile trip length | $143.20 | $121.34 | | |
| **[Ord. 2010-018] [Ord. 2011-016] [Ord. 2013-005]** | | | | | |

**Notes**

** 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

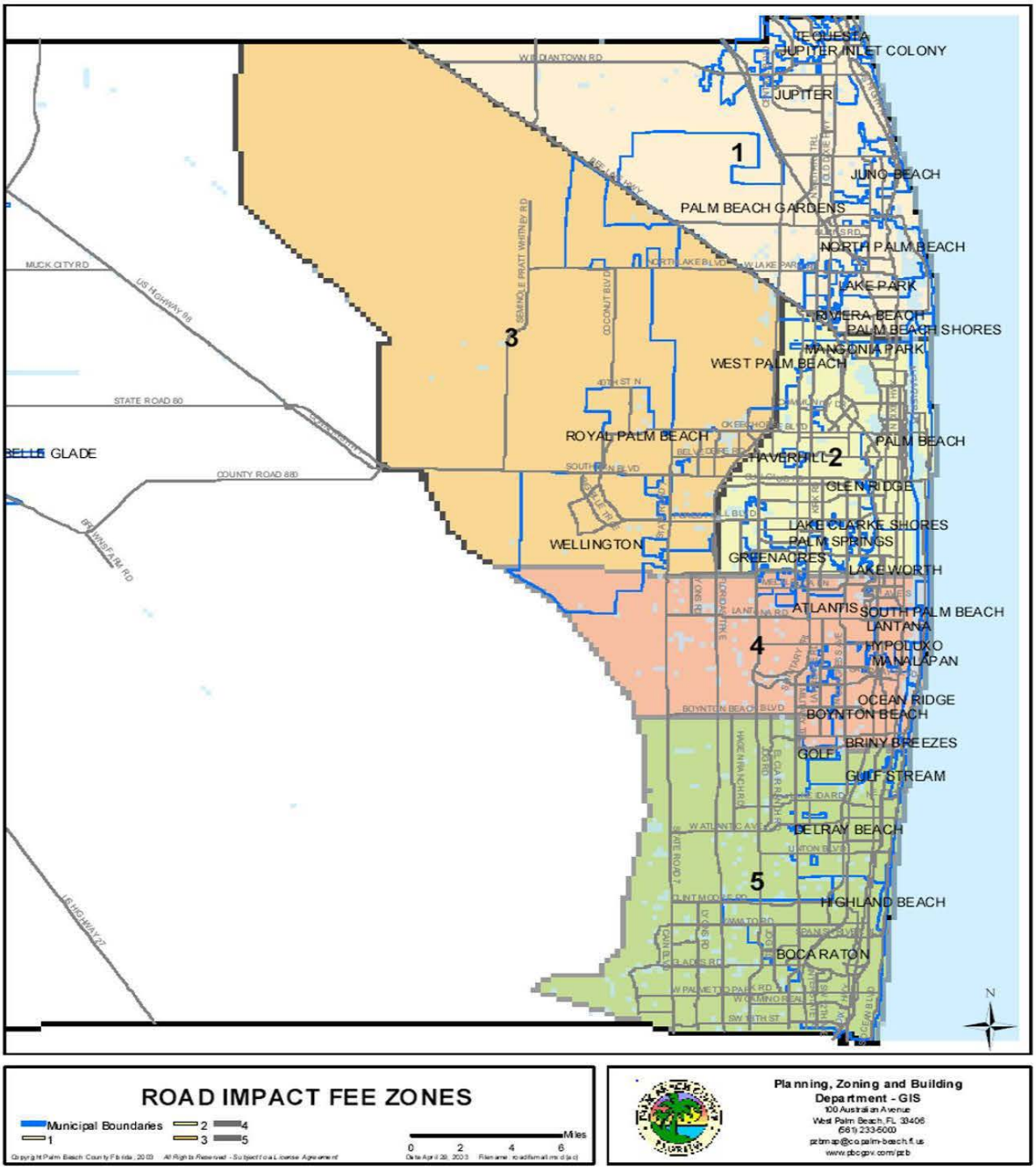
Road impact fee benefit zones are hereby established as shown in Figure 13.H.6-7, Road Benefit Zones, and incorporated herein by reference.

## 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.

(This space intentionally left blank)

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




**Amendment History:**
**[Ord. 2003-070; December 22, 2003] [Ord. 2005-047; October 3, 2005] [Ord. 2008-015; May 29, 2008] [Ord. 2010-018; July 1, 2010] [Ord. 2011-016; September 6, 2011] [Ord. 2012-003; February 1, 2012] [Ord. 2013-005; June 15, 2013] [Ord. 2014-025;September 3, 2014]**