

**ORDINANCE NO. 19-15**

**AN ORDINANCE OF THE PINELLAS COUNTY, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 150, IMPACT FEES, ARTICLE II, MULTIMODAL IMPACT FEES, SPECIFICALLY, SECTION 150-40 (C), SCHEDULE A. GENERAL FEE SCHEDULE, SCHEDULE B. DOWNTOWN AREA FEE SCHEDULE, AND SECTION 150-41 (A), PAYMENT OF FEE AND CREDITS, TO PROVIDE REDUCED FEES FOR SMALLER SINGLE FAMILY HOMES AND FOR HOUSING UNITS DESIGNATED TO LOW INCOME HOUSEHOLDS; TO PROVIDE FOR THE COLLECTION OF FEES AT PERMIT ISSUANCE; ADDING FOOTNOTES DEFINING LOW INCOME HOUSEHOLD FEE APPLICABILITY AND SQUARE FOOT CALCULATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the Pinellas County Board of County Commissioners has established that land development shall bear a proportionate cost of the provision of new or expanded capital facilities required by such development; and

WHEREAS, the Pinellas County Board of County Commissioners has determined that the transportation system in Pinellas County should adequately provide for the movement of people and goods and promote and protect public health, safety, and welfare if new development is to be accommodated; and

WHEREAS, the Pinellas County Board of County Commissioners has previously provided for multimodal transportation impact fees and their administration through the adoption of Ordinance 86-43 and subsequent amendments and their inclusion in the Pinellas County Land Development Code; and

WHEREAS, smaller single family dwelling units and low income households generate fewer vehicle trips than larger dwelling units as noted in *Trip Generation, 8<sup>th</sup> Edition: An ITE Informational Report*, Institute of Transportation Engineers, 2008; Nicholas, James C., "On the Progression of Impact Fees," *Journal of the American Planning Association*, Vol. 58, No. 4, Autumn 1992, pp. 517-525; Howell, A., Currans, K., Gehrke, S., Norton, G., & Clifton, K., "Transportation impacts of affordable housing: Informing development review with travel behavior analysis" *Journal of Transport and Land Use*, Vol. 11 No. 1, 2018 pp. 103–118; and others; and

WHEREAS, the Pinellas County Board of County Commissioners supports the provision of decent, safe and sound housing in a variety of types, sizes, locations and costs to meet the needs of current and future residents of Pinellas County; and

WHEREAS, amendments to Chapter 150 are needed to more equitably assess multimodal transportation impacts of new dwelling units; and

WHEREAS, these amendments were developed through a coordinated effort involving local governments of Pinellas County, the Pinellas Suncoast Transit Authority, Forward Pinellas and the Florida Department of Transportation, and were recommended for approval by the Forward Pinellas Technical Coordinating Committee at their June 27, 2018 meeting; and

WHEREAS, these amendments to Chapter 150 are necessary to update the unit variable for single family residential and low income households, and to add a footnote to fee schedules A and B defining low income households.

NOW, THEREFORE, BE IT ORDAINED, ON THIS 23rd DAY OF July, 2019, BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA THAT:

**SECTION 1. SECTION 150-40 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:**

Sec. 150-40. Computation of amount.

- (a) The amount of the multimodal impact fees imposed under this article will depend on a number of factors, including the type of land development activity, and several fixed elements, such as the average cost to construct one lane-mile of roadway (\$2,216,466.00) and the average capacity of one lane-mile of roadway (6,900 vehicles per day).
- (b) The following formula shall be used by the county administrator, city manager or functional equivalent to determine the impact fee per unit of development:

$$\frac{TGR \times \%NT \times TL \times CST (RF)}{CAP \times 2}$$

WHERE:

TGR	=	Trip generation rate, as per fee schedule
%NT	=	Percent new trips
TL	=	Average trip length, varies by land use
CST	=	The cost to construct one-lane mile of roadway (\$2,216,466.00)
CAP	=	The capacity of one-lane mile of roadway (6,900 vehicles per lane, per day)
2	=	Allocation of one-half the impact to the origin and one-half to the destination
RF	=	Reduction factor (.268)

- (c) At the option of the feepayer, the amount of the multimodal impact fee may be determined by the following fee schedules (Schedule A contains the impact fee rates for uses outside of designated downtown areas; Schedule B contains rates for downtown areas):

Schedule A. General Fee Schedule

Land Use Type	Unit	Trip Rate	Avg. Trip Length	Percent New Trips	Fee Per Unit
Residential					
Single-family:					
0-1,500 sq. ft.	du	6.3	5.0	1.00	\$1,356
1,501 - 2,499 sq. ft.	du	7.8	5.0	1.00	\$1,679
2,500 sq. ft. and over	du	9.6	5.0	1.00	\$2,066
0-1,500 sq. ft. LIHH	du	4.1	5.0	1.00	\$882
Multi-family	du	6.6	5.0	1.00	\$1,420
Multi-family LIHH	du	3.5	5.0	1.00	\$753
Condominium/Townhome	du	5.8	5.0	1.00	\$1,248
Efficiency apt./hotel	room	5.0	3.3	0.59	\$419
Mobile home	du	5.0	5.0	1.00	\$1,076
Licensed ACLF	bed	2.7	2.8	.74	\$241
General Office:					
0—49,999 sq. ft.	1000 sf	16.3	5.1	0.92	\$3,292
50,000—149,999 sq. ft.	1000 sf	13.7	5.1	0.92	\$2,767
150,000—299,999 sq. ft.	1000 sf	11.5	5.1	0.92	\$2,323
300,000—599,999 sq. ft.	1000 sf	10.4	5.1	0.92	\$2,100
600,000—799,999 sq. ft.	1000 sf	8.4	5.1	0.92	\$1,697
Over 800,000 sq. ft.	1000 sf	8.2	5.1	0.92	\$1,656
Research Center:					
Research center	1000 sf	6.1	5.1	0.92	\$1,232
Industrial:					
General industrial	1000 sf	7.0	5.1	0.92	\$1,414
Industrial park	1000 sf	7.0	5.1	0.92	\$1,414
Manufacturing	1000 sf	3.8	5.1	0.92	\$767
Warehousing	1000 sf	3.6	5.1	0.92	\$727
Mini-warehousing	1000 sf	2.5	3.1	0.92	\$307
Medical:					
Hospital	bed	11.8	6.4	0.77	\$2,503
Nursing home	bed	2.4	2.8	0.75	\$217

Clinic/Medical office	1000 sf	35.2	4.9	0.85	\$6,311
Veterinary clinic	1000 sf	32.8	1.9	0.70	\$1,878
Lodging:					
Hotel	room	8.2	6.4	0.71	\$1,604
Motel (budget style)	room	5.6	6.4	0.59	\$910
Resort hotel	room	18.4	5.4	0.75	\$3,208
Recreation:					
General recreation	pkg sp	3.4	6.4	0.90	\$843
Marina	boat berth	3.0	7.0	0.90	\$814
Dry dock marina	boat slip	2.1	3.6	0.90	\$293
Racquet club	1000 sf	14	3.0	0.75	\$1,356
Golf course	acre	5.0	7.1	0.90	\$1,375
Fitness center	1000 sf	27.0	4.0	0.84	\$3,905
Retail:					
Quality restaurant	1000 sf	90.0	2.5	0.82	\$7,942
Sit-down restaurant	1000 sf	127.0	1.9	0.79	\$8,205
Drive-in restaurant	1000 sf	496.0	1.7	0.54	\$19,599
Quality drive-in restaurant	1000 sf	279.7	1.7	0.75	\$15,350
Discount store (ind.)	1000 sf	56.0	1.8	0.61	\$2,647
Building materials store	1000 sf	45.2	1.7	0.61	\$2,018
Home Improvement Superstore	1000 sf	29.8	2.2	0.83	\$2,342
New and used car sales	1000 sf	33.3	2.4	0.79	\$2,718
Service station w/ conven. Market <800 sf	pump	162.8	1.9	0.23	\$3,062
Car wash	1000 sf	151.2	1.6	0.67	\$6,977
Supermarket	1000 sf	102.0	1.7	0.53	\$3,956
Convenience market (under 3,000 sf)	store	1762.9	1.5	0.25	\$28,456
Convenience market (3,000 sf or over)	1000 sf	887.1	1.5	0.25	\$14,319
Movie theater w/ matinee	screen	132.0	2.3	0.85	\$11,108
Auto repair/detailing	1000 sf	28.4	2.2	0.83	\$2,232
Furniture store	1000 sf	5.1	2.4	0.79	\$351
Retail nursery (garden ctr.)	1000 sf	36.0	1.8	0.61	\$1,701

Discount club store	1000 sf	41.8	4.0	0.89	\$6,405
Discount superstore	1000 sf	65.3	2.2	0.83	\$5,133
Video rental store (free standing)	1000 sf	13.6	2.3	0.85	\$1,144
General Commercial:					
Under 100,000 sq. ft.	1000 sf	94.7	1.7	0.49	\$3,396
100,000—199,999 sq. ft.	1000 sf	74.3	1.8	0.63	\$3,627
200,000—299,999 sq. ft.	1000 sf	58.9	2.0	0.75	\$3,803
300,000—399,999 sq. ft.	1000 sf	48.3	2.3	0.79	\$3,778
400,000—499,999 sq. ft.	1000 sf	43.0	2.5	0.80	\$3,702
500,000—999,999 sq. ft.	1000 sf	37.7	3.0	0.81	\$3,943
Over 1,000,000 sq. ft.	1000 sf	33.4	3.6	0.81	\$4,192
Services:					
Bank	1000 sf	144.0	1.6	0.30	\$2,975
Institutional:					
Church	1000 sf	9.1	3.9	0.90	\$1,375
Library (private)	1000 sf	56.0	3.9	0.90	\$8,461
Day care center	1000 sf	79.0	2.0	0.74	\$5,033
Elementary school	student	1.3	4.3	0.80	\$192
High school	student	1.7	4.3	0.90	\$283
Junior/community college	student	1.2	7.3	0.90	\$339
University	student	2.4	7.3	0.90	\$679
Airport	flights	2.0	6.0	0.90	\$465
Park	acres	36.5	6.4	0.90	\$9,050

Notes: LIHH = Low income household. Fees for LIHH are assessed as a component of affordable housing development incentive programs as certified by the local government. Single-family square footage is the heated living area square footage. General commercial unit is gross leasable area.

#### Schedule B. Downtown Area Fee Schedule

Land Use Type	Unit	Trip Rate	Avg. Trip Length	Percent New Trips	Fee Per Unit
Residential					

Single-family:					
0-1,500 sq. ft.	du	6.3	5.0	0.74	\$1,003
1,501 - 2,499 sq. ft.	du	7.8	5.0	0.74	\$1,242
2,500 sq. ft. and over	du	9.6	5.0	0.74	\$1,529
0-1,500 sq. ft. (LIHH)	du	4.1	5.0	0.74	\$653
Multi-family	du	6.6	5.0	0.74	\$972
Multi-family (LIHH)	du	3.5	5.0	0.74	\$557
Condominium/Townhome	du	5.8	5.0	0.74	\$924
Efficiency apt./hotel	room	5.0	3.3	0.59	
Mobile home	du	5.0	5.0	0.74	\$796
Licensed ACLF	bed	2.7	2.8	0.74	\$241
General Office:					
0—49,999 sq. ft.	1000 sf	16.3	5.1	0.74	\$2,648
50,000—149,999 sq. ft.	1000 sf	13.7	5.1	0.74	\$2,226
150,000—299,999 sq. ft.	1000 sf	11.5	5.1	0.74	\$1,868
300,000—599,999 sq. ft.	1000 sf	10.4	5.1	0.74	\$1,689
600,000—799,999 sq. ft.	1000 sf	8.4	5.1	0.74	\$1,365
Over 800,000 sq. ft.	1000 sf	8.2	5.1	0.74	\$1,332
Research Center:					
Research center	1000 sf	6.1	5.1	0.74	\$991
Industrial:					
General industrial	1000 sf	7.0	5.1	0.74	\$1,137
Industrial park	1000 sf	7.0	5.1	0.74	\$1,137
Manufacturing	1000 sf	3.8	5.1	0.74	\$617
Warehousing	1000 sf	3.6	5.1	0.74	\$585
Mini-warehousing	1000 sf	2.5	3.1	0.74	\$247
Medical:					
Hospital	bed	11.8	6.4	0.62	\$2,015
Nursing home	bed	2.4	2.8	0.60	\$174
Clinic/Medical office	1000 sf	35.2	4.9	0.70	\$5,197
Veterinary clinic	1000 sf	32.8	1.9	0.70	\$1,878
Lodging:					

Hotel	room	8.2	6.4	0.61	\$1,378
Motel (budget style)	room	5.6	4.0	0.61	\$588
Resort hotel	room	18.4	5.4	0.61	\$2,609
Recreation:					
General recreation	pkg sp	3.4	6.4	0.32	\$300
Marina	boat berth	3.0	7.0	0.32	\$289
Dry dock marina	boat slip	2.1	3.6	0.32	\$104
Racquet club	1000 sf	14	3.0	0.32	\$579
Fitness center	1000 sf	27.0	4.0	0.36	\$1,674
Retail:					
Quality restaurant	1000 sf	90.0	2.5	0.21	\$2,034
Sit-down restaurant	1000 sf	127.0	1.9	0.21	\$2,181
Drive-in restaurant	1000 sf	496.0	1.7	0.21	\$7,622
Quality drive-in restaurant	1000 sf	279.7	1.7	0.21	\$4,298
Discount store (ind.)	1000 sf	56.0	1.8	0.34	\$1,475
Building materials store	1000 sf	45.2	1.7	0.34	\$1,125
Home Improvement Superstore	1000 sf	29.8	2.2	0.34	\$959
New and used car sales	1000 sf	33.3	2.4	0.52	\$1,789
Service station w/ conven. market <800 sf	pump	162.8	1.9	0.23	\$3,062
Car wash	1000 sf	151.2	1.6	0.40	\$4,165
Supermarket	1000 sf	102.0	1.7	0.53	\$3,956
Convenience market (under 3,000 sf)	store	1762.9	1.5	0.25	\$28,456
Convenience market (3,000 sf or over)	1000 sf	887.1	1.5	0.25	\$14,319
Movie theater w/ matinee	screen	132.0	2.3	0.58	\$7,580
Auto repair/detailing	1000 sf	28.4	2.2	0.56	\$1,506
Furniture store	1000 sf	5.1	2.4	0.52	\$231
Retail nursery (garden ctr.)	1000 sf	36.0	1.8	0.34	\$948
Discount club store	1000 sf	41.8	4.0	0.30	\$2,159
Discount superstore	1000 sf	65.3	2.2	0.30	\$1,855
Video rental store (free standing)	1000 sf	13.6	2.3	0.32	\$431
General Commercial:					

Under 100,000 sq. ft.	1000 sf	94.7	1.7	0.30	\$2,079
100,000—199,999 sq. ft.	1000 sf	74.3	1.8	0.35	\$2,015
200,000—299,999 sq. ft.	1000 sf	58.9	2.0	0.47	\$2,383
300,000—399,999 sq. ft.	1000 sf	48.3	2.3	0.51	\$2,439
400,000—499,999 sq. ft.	1000 sf	43.0	2.5	0.53	\$2,452
500,000—999,999 sq. ft.	1000 sf	37.7	3.0	0.54	\$2,629
Over 1,000,000 sq. ft.	1000 sf	33.4	3.6	0.54	\$2,795
Services:					
Bank	1000 sf	144.0	1.6	0.30	\$2,975
Institutional:					
Church	1000 sf	9.1	3.9	0.35	\$535
Library (private)	1000 sf	56.0	3.9	0.63	\$5,923
Day care center	1000 sf	79.0	2.0	0.47	\$3,196
Elementary school	student	1.3	4.3	0.53	\$128
High school	student	1.7	4.3	0.63	\$198
Junior/community college	student	1.2	7.3	0.63	\$238
University	student	2.4	7.3	0.63	\$475
Park	acre	36.5	6.4	0.63	\$6,335

Notes: LIHH = Low income household. Fees for LIHH are assessed as a component of affordable housing development incentive programs as certified by the local government. Single-family square footage is the heated living area square footage. General commercial unit is gross leasable area.

The Downtown Area fee schedule applies to existing downtown areas geographically depicted in the attached maps including Exhibit A: Multimodal Impact Fee Districts; Exhibit B: Tarpon Springs Downtown Area District 1A; Exhibit C: Oldsmar Downtown Area District 2A; Exhibit D: Palm Harbor Downtown Area District 3A; Exhibit E: Dunedin Downtown Area District 4A; Exhibit F: Safety Harbor Downtown Area District 5A; Exhibit G: Clearwater Downtown Area District 6A; Exhibit H: Largo Downtown Area District 7A; Exhibit I: Pinellas Park Downtown Area District 10A; and Exhibit J: St. Petersburg Downtown Area District 11A. The 1990 MPO Pinellas County Transportation Impact Fee Study contains technical data indicating there are significantly fewer new vehicle trips generated for each unit of development in these areas as compared to similar land uses outside them. These areas are delineated in locally adopted redevelopment or comprehensive plans with supporting policies designed to encourage infill and redevelopment activity. New areas with similar trip generation characteristics, as described in the 1990 MPO Pinellas County Transportation Impact Fee Study, may be added to the attached exhibits through the amendment of the ordinance pursuant to the submittal of a detailed map and



documentation that such areas meet the criteria in the 1990 Pinellas County MPO Transportation Impact Fee Study.

In the case of a change of use, redevelopment, or modification of an existing use, the impact fee shall be based upon the net increase in the impact fee for the new use as compared to the impact fee for the highest previous use in existence on or after the effective date of the ordinance from which this section derives. The county administrator or city manager shall be guided in this determination by the county's transportation impact fee study (February 1990), independent study trip generation data or the Institute of Transportation Engineers' Trip Generation, sixth (or successor) edition.

(d) If a feepayer shall opt not to have the impact fee determined according to Subsections (b) and (c) of this section, then the feepayer shall prepare and submit to the county administrator, city manager or functional equivalent for approval of an independent fee calculation study for the land development activity for which a certificate of occupancy, land use permit or occupational license is sought. The traffic engineering and/or economic documentation submitted, which will require a pre-application meeting with the county administrator, city manager or functional equivalent, shall show the basis upon which the independent fee calculation was made, including but not limited to the following:

(1) Trip generation studies:

- a. Documentation of trip generation rates appropriate for the proposed land development activity.
- b. Documentation of trip length appropriate for the proposed land development activity.
- c. Documentation of trip data appropriate for the proposed land development activity.

(2) Economic documentation studies:

- a. Documentation of the cost per lane per mile for roadway construction for the proposed land development activity.
- b. Documentation of credits attributable to the proposed land development activity which the feepayer will make available to replace the portion of the service volume used by the traffic generated by the proposed land development activity.

(e) Trip generation data. Trip generation documentation other than traffic engineering or economic documentation described in Subsection 150-40(d)(1) and (2) may be submitted by the applicant in consideration of an independent fee calculation.

**SECTION 2. SECTION 150-41 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:**

Sec. 150-41. - Payment of fee and credits.

(a) The person applying for the issuance of a certificate of occupancy, land use permit or occupational license shall pay the multimodal impact fee to the county administrator, the city manager, their functional equivalent or their respective designees at the issuance of such permit. Fees for mobile homes shall be payable at the issuance of the permits which allow the mobile home to move on to a lot. The county administrator, city manager, their functional equivalent or their respective designees will have full collection authority as well as full

discretion for approval of alternative methods for calculation of impact fees on a case-by-case basis. Fees shall be collected as part of the normal permitting process of each local jurisdiction.

### Section 3. Severability

If any Section, paragraph, clause, sentence, or provision of the Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgement shall affect, impair, invalidate, or nullify the remainder of this Ordinance, but the effect therefore shall be confined to the section, paragraph, clause, sentence, or provision immediately involved in the controversy in which such judgement or decree shall be rendered.

### Section 4. Inclusion in Code.

The provisions of this Ordinance shall be included and incorporated in the Pinellas County Code, as an amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Pinellas County Code.

### Section 5. Filing of Ordinance; Effective Date.

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within 10 (ten) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing of the Ordinance with the Department of State.

APPROVED AS TO FORM

By:   
Office of the County Attorney