

**ORDINANCE NO.
19-**

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, AND SCHEDULE B. DOWNTOWN AREA FEE SCHEDULE, TO PROVIDE REDUCED FEES FOR SMALLER SINGLE FAMILY HOMES AND FOR HOUSING UNITS DESIGNATED TO LOW INCOME HOUSEHOLDS; ADDING FOOTNOTES DEFINING LOW INCOME HOUSEHOLD; 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, 8th 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 _____ DAY OF _____, 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 | Percent New | Fee Per Unit |
|---------------|------|-----------|-----------|-------------|--------------|
|---------------|------|-----------|-----------|-------------|--------------|

| | | | Length | Trips | |
|-------------------------|---------|------|--------|-------|---------|
| 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. Annual household income less than 80% State Housing Initiatives Partnership program (SHIP) income limits for Pinellas County. 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 |

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|---|------------|--------|-----|------|----------|
| 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. Annual household income less than 80% State Housing Initiatives Partnership program (SHIP) income limits for Pinellas County. 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. Severability

If any Section, Subsection, paragraph, clause, sentence, or provision of the Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

Section 3. 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 4. 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.