

**Section 150, Impact Fees,
Pinellas County
Land Development Code**

As Amended, February 22, 2011

Section 150, Impact Fees, Pinellas County Land Development Code

Sec. 150-36. Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City manager means the chief administrative officer of the involved jurisdiction and/or his designee.

County administrator means the county administrator and/or his designee.

Credits means the impact fee deductions allowed a feepayer for eligible off-site transportation improvements funded by the feepayer.

Expansion of the capacity of a road applies to all road and intersection capacity enhancements and includes but is not limited to extensions, widening, intersection improvements, drainage improvements and upgrading signalization.

External trip means any trip which has either its origin or destination at the development site and which impacts the major road network system.

Fair share fee means the fee required to be paid in accordance with this article.

Feepayer means a person commencing a land development activity which generates traffic and which requires the issuance of a certificate of occupancy, land use permit or occupational license.

Independent fee calculation study means the traffic engineering and/or economic documentation prepared by a feepayer to allow the determination of the impact fee other than by the use of the table in section 150-40(c) of this article.

Land development activity generating traffic means any construction or expansion of building(s) or structure(s), or any changes in the use of any structure(s) that attracts or produces additional vehicular trips.

Level of service is a qualitative measure that represents the collective factors of speed, travel, time, traffic interruption, freedom to maneuver, safety, driving comfort and convenience, and operating costs provided by a highway facility under a particular volume condition. Levels of service vary from A to F as described in the transportation elements of the local comprehensive plans, the Transportation Research Board's Highway Capacity Manual, and similar documents.

Off-site improvements means road improvements, other than those referenced in the definition of site-related improvements, located outside of the boundaries of the parcel proposed for development, which are required to serve the development's external trips.

Road means any public way for purposes of vehicular traffic, including the entire area within the right-of-way.

Site-related improvements means capital improvements necessary for direct access/egress to the development in question. Direct access/egress site-related improvements include but are not limited to the following:

- (1) Site driveways and roads;
- (2) Right and left turn lanes leading to those driveways;
- (3) Traffic control measure for those driveways;
- (4) Acceleration/deceleration lanes;
- (5) Median openings/closing;
- (6) Frontage roads; and
- (7) Roads necessary to provide direct access to the development.

Transportation Impact Fee District means areas from which impact fee monies are collected and expended. These districts are defined in exhibit A.

Transportation Improvement means and includes construction projects and transportation demand and system management initiatives including but not limited to:

- (1) Construction of new through lanes;
- (2) Construction of new turn lanes;
- (3) Construction of new bridges or grade separations;
- (4) Construction of new or upgrading of existing drainage facilities in conjunction with new roadway construction;
- (5) Purchase and installation of traffic signalization, including new and upgraded signalization;
- (6) Construction of curbs, medians and shoulders;
- (7) Relocating utilities to accommodate new roadway construction;
- (8) Construction of intersection improvements;

- (9) Construction of sidewalks;
- (10) Installation of on-street bicycle lanes and construction of bicycle/pedestrian trails;
- (11) Construction of transit facilities such as shelters and pullout bays;
- (12) Construction of park and ride lots;
- (13) Intelligent transportation system (ITS) projects; and
- (14) Commuter assistance programs.

Sec. 150-37. Rules of construction.

(a) The provisions of this article shall be liberally construed so as to effectively carry out its purpose in the interest of the public health, safety and welfare.

(b) For the purpose of administration and enforcement of this article, unless otherwise stated in this article, the following rules of construction shall apply to the text of this article;

- (1) Any road right-of-way used to define transportation impact fee district boundaries, as identified in exhibit A, shall be considered to be within each district it bounds for purposes of using these funds.
- (2) The land use types listed in section 150-40 shall have the same meaning as under the land use element(s) of the local comprehensive plans.

Sec. 150-38. Intent and purpose.

(a) This article is intended to implement and be consistent with the county comprehensive plan and the plans of the municipalities in the county adopted pursuant to F.S. Ch. 163.

(b) The purpose of this article is to assure that new development does not degrade existing levels of service and that new development bears a proportionate share of the cost of capital expenditures necessary to meet transportation needs as established by the county comprehensive plan, the metropolitan planning organization's long range transportation plan, and the comprehensive plans of the municipalities in the county.

Sec. 150-39. Fee Required

(a) Any person who, seeks a certificate of occupancy for land development activity or seeks to change a use by applying for issuance of an occupational license, land use permit, or municipal equivalent thereof which will generate additional traffic shall be required to pay a transportation impact fee in the manner and amount set forth in this article.

(b) No certificate of occupancy, use permit or occupational license for any activity requiring payment of an impact fee pursuant to section 150-40 shall be issued unless and until the transportation impact fee hereby required has been paid.

(c) Any person who has submitted a site plan or building permit application in accordance with local land development codes prior to the effective date of this amendatory ordinance will be subject to the terms of the ordinance that was in effect at the time the site plan or building permit application was submitted.

Sec. 150-40. Computation of amount.

(a) The amount of the transportation 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) 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)
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 transportation impact fee may be determined by the following fee schedules (schedule A contains the impact fee rates for uses outside of designated downtown/redevelopment areas; schedule B contains rates for downtown/redevelopment areas):

Schedule A. General Fee Schedule

<i>Land use type</i>	<i>Unit</i>	<i>Trip rate</i>	<i>Avg. trip length</i>	<i>Percent new trips</i>	<i>Fee per unit</i>
<i>Residential:</i>					
Single-family	du	9.6	5.0	1.00	\$2,066
Multi-family	du	6.6	5.0	1.00	\$1,420
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	\$250
<i>General Office:</i>					
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
<i>Research center:</i>					
Research center	1000 sf	6.1	5.1	0.92	\$1,232
<i>Industrial:</i>					
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
<i>Medical:</i>					
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
<i>Lodging:</i>					
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

<i>Land use type</i>	<i>Unit</i>	<i>Trip rate</i>	<i>Avg. trip length</i>	<i>Percent new trips</i>	<i>Fee per unit</i>
<i>Recreation:</i>					
General recreation	pkg sp	3.4	6.4	0.90	\$843
Marina	boat	3.0	7.0	0.90	\$814
	berth				
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
<i>Retail:</i>					
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	1000 sf	29.8	2.2	0.83	\$2,342
Superstore					
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	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

<i>Land use type</i>	<i>Unit</i>	<i>Trip rate</i>	<i>Avg. trip length</i>	<i>Percent new trips</i>	<i>Fee per unit</i>
<i>General commercial:</i>					
Under 100,000 sq. ft.	1000 sf gla	94.7	1.7	0.49	\$3,396
100,000 – 199,999 sq. ft.	1000 sf gla	74.3	1.8	0.63	\$3,627
200,000 – 299,999 sq. ft.	1000 sf gla	58.9	2.0	0.75	\$3,803
300,000 – 399,999 sq. ft.	1000 sf gla	48.3	2.3	0.79	\$3,778
400,000 – 499,999 sq. ft.	1000 sf gla	43.0	2.5	0.80	\$3,702
500,000 – 999,999 sq. ft.	1000 sf gla	37.7	3.0	0.81	\$3,943
Over 1,000,000 sq. ft.	1000 sf gla	33.4	3.6	0.81	\$4,192
<i>Services:</i>					
Bank	1000 sf	144.0	1.6	0.30	\$2,975
<i>Institutional:</i>					
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

Schedule B. Downtown Redevelopment Fee Schedule

<i>Land use type</i>	<i>Unit</i>	<i>Trip rate</i>	<i>Avg. trip length</i>	<i>Percent new trips</i>	<i>Fee per unit</i>
<i>Residential:</i>					
Single-family	du	9.6	5.0	0.74	\$1,529
Multi-family	du	6.6	5.0	0.74	\$972
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	\$250
<i>General Office:</i>					
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
<i>Research center:</i>					
Research center	1000 sf	6.1	5.1	0.74	\$991
<i>Industrial:</i>					
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
<i>Medical:</i>					
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
<i>Lodging:</i>					
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

<i>Land use type</i>	<i>Unit</i>	<i>Trip rate</i>	<i>Avg. trip length</i>	<i>Percent new trips</i>	<i>Fee per unit</i>
<i>Recreation:</i>					
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
<i>Retail:</i>					
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	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

<i>Land use type</i>	<i>Unit</i>	<i>Trip rate</i>	<i>Avg. trip length</i>	<i>Percent new trips</i>	<i>Fee per unit</i>
<i>General commercial:</i>					
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
<i>Services:</i>					
Bank	1000 sf	144.0	1.6	0.30	\$2,975
<i>Institutional:</i>					
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	acres	36.5	6.4	0.63	\$6,335

The downtown area fee schedule applies to existing downtown areas geographically depicted in the attached maps including exhibit A, Impact Fee Districts; exhibit B, St. Petersburg Downtown Area District 11A, exhibit C, Safety Harbor Downtown Area District 5A, exhibit D, Pinellas Park Downtown Area District 10A, exhibit E, Clearwater Downtown Area District 6A; exhibit F, Dunedin Downtown Area District 4A; exhibit G, Largo Downtown Area District 7A; exhibit H, Oldsmar Downtown Area District 2A; and exhibit I, Old Palm Harbor District 3A. 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 section 150-40(d)(1) and (2) may be submitted by the applicant in consideration of an independent fee calculation.

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 transportation impact fee to the county administrator, the city manager, their functional equivalent or their respective designees prior to the issuance of such permit. Fees for mobile homes shall be payable prior to 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.

(b) All funds collected under this article shall be properly identified by the transportation impact fee district, as identified in exhibit A, and promptly transferred for deposit into the

appropriate transportation impact fee trust account to be held in separate accounts as determined in section 150-42 and used solely for the purposes specified in this article.

(c) In lieu of all or part of the transportation impact fee imposed under this article, the county administrator, city manager or functional equivalent may accept the offer by a feepayer to implement all or part of a transportation improvement project consistent with the local government comprehensive plan or plans, or the metropolitan planning organization's long range transportation plan. The project(s) may be for any mode of transportation, including rail, transit, pedestrian or bicycle travel, providing that it serves to add to the capacity of the surrounding transportation circulation system or to increase mobility and reduce the dependence on automobile travel. This offer shall not include site-related improvements. These transportation improvements must be in accordance with city, county and state requirements, whichever are applicable. The feepayer shall submit an offer to make improvements in lieu of a fee payment. The offer shall include a letter detailing the improvements to be made, improvement plans and a construction cost estimate in sufficient detail to allow the county administrator, city manager or functional equivalent to determine consistency with local requirements. If the county administrator, city manager, functional equivalent or their respective designees accept such an offer, the cost of the improvement project, except for the improvements identified in sections 150-41(h), (i) and (j), shall be credited against the transportation impact fee assessed on the proposed development. Upon satisfactory completion and construction approval of the transportation improvement made in lieu of all or a portion of the impact fee due, the improvement shall be accepted by the appropriate jurisdiction for future maintenance. If the certificate of occupancy is requested prior to the completion of the approved project, then a performance bond shall be provided to the county administrator, city manager or functional equivalent to cover the balance of all work required following issuance of the certificate of occupancy.

(d) Construction of on-site trail, pedestrian or bicycle facility if part of trail, bicycle or pedestrian network identified in MPO Long Range Transportation Plan or local comprehensive plan is eligible for credit against impact fee assessment. No credit shall be given for other site-related improvements or land dedicated for related right-of-way.

(e) All transportation improvements required under a county or city approved development order issued for a new development of regional impact approved prior to the effective date of this ordinance, except for those improvements deemed as site-related or on-site, shall be credited against transportation impact fees up to the total amount of the impact fee.

(f) Mixed-use developments consisting of complementary land uses that are designed with connectivity to allow for a reduction in trip lengths and/or percent new trips are eligible for an impact fee rate adjustment based on trip generation data for similar uses.

(g) Commuter assistance programs with long-term contract facilitating ride sharing activity are eligible for an impact fee rate reduction based on the reduction in the number of single-occupant vehicle trips that would otherwise be associated with the project.

(h) Bus stop shelters, including pads, are eligible for a credit against the impact fee assessment in an amount equal to the cost of the improvement or 1 percent of the fee, whichever is greater.

(i) Construction of shared driveway(s) between adjacent properties is eligible for a credit against the impact fee assessment in an amount that is 50 percent of the construction cost for the portion of the driveway that is located off-site.

(j) Construction of shared inter-connecting parking lots is eligible for a credit against the impact fee assessment in an amount that is 50 percent of the construction cost for the portion of the parking area located off-site.

(k) Sidewalks constructed for credit against impact fee assessment must provide connection between the site and surrounding sidewalk network and/or major destination point such as a park, shopping center, school, community center, etc.

(l) Pedestrian and bicycle facilities connecting neighboring properties may be eligible for credit against impact fees for the portion of the construction that is off-site.

(m) Construction of service roads for vehicular traffic connecting adjacent developments are eligible for credit against impact fee assessment.

(n) Off-site crosswalk enhancements, including curb bulb-out at intersection, pavement marking, raised crossing are eligible for credit against impact fee assessment.

Sec. 150-42. Trust accounts established.

(a) Each municipality which collects and administers transportation impact fee funds shall establish a trust account which shall be used exclusively for funds collected under the terms of this article. Monies collected by or forwarded to the county shall be maintained in 12 separate impact fee trust accounts consistent with the districts shown in exhibit A.

(b) Funds deposited to the trust accounts established under this section must be used in accordance with the provisions of section 150-43.

Sec. 150-43. Disposition of funds.

(a) Funds collected from transportation impact fees shall be used exclusively for the purpose of projects that improve the capacity of the surrounding traffic circulation system. These projects may involve improvements to transportation modes such as transit, pedestrian and bicycle travel as well as roadway expansion. Such improvements shall be of the type as are made necessary by the new development. Specific projects to receive funds from impact fees collected shall be determined by the elected officials of the jurisdiction from where the funds were collected in accordance with Section 150-43(e). Priorities for impact fee funded

transportation improvements shall be established by the administering jurisdictions' elected officials in compliance with the adopted plans and transportation improvement program of the metropolitan planning organization or local jurisdictions.

(b) No funds collected under this article shall be used for periodic maintenance, as defined in F.S. Ch. 334, as amended.

(c) Except as provided in subsection (e) of this section, funds shall be used exclusively for transportation improvements or expansions within the transportation impact fee district from which funds were collected. Funds may also be used for projects located outside the district where they were collected provided the county has notified and received concurrence from all jurisdictions located within the transportation impact fee district where the funds were collected. Funds shall be deemed expended in the order in which they are collected.

(d) Fees, both county and municipal share, collected within a community redevelopment or tax increment financing district shall be expended within such district. Parking garages for general public purposes shall be considered eligible transportation improvements within such districts. With the concurrence of the county administrator, appropriate city manager or functional equivalent, the funds collected within a community redevelopment or tax increment financing district may be spent within the primary district.

(e) Transportation impact fees collected at the local level shall be held by the collecting jurisdiction until the end of the fiscal year in which collected. At the beginning of each new fiscal year (October 1), one-half of all fees collected, and the accrued interest thereon, less the four percent retained from the total fee collected for administrative costs, shall be forwarded to the board of county commissioners for placement in the appropriate trust account. The remaining one-half shall be deposited in the municipality's transportation impact fee trust account. All fees must be disbursed, encumbered or refunded by each jurisdiction receiving the fees in a manner consistent with this article.

(f) Transportation impact fees collected within each district may be made available for construction of improvements on the state road network in the district.

(g) Transportation impact fee funds shall be administered as an independent component of the capital improvement element of the comprehensive plan, as required by F.S. ch. 163. Each fiscal year, the county administrator, respective city managers or functional equivalents shall present to their governing boards the district improvement programs for transportation expenditures. These programs shall assign transportation improvements costs and related expenses to the trust account for specific transportation improvement projects. Monies, including any accrued interest not assigned in any fiscal year, shall be retained in the same transportation impact fee trust accounts until the next fiscal year, except as provided by the refund provisions of this article. The collecting jurisdiction (either a municipality or the county) shall retain four percent of the fees collected for administrative costs.

Sec. 150-44. Refund of fee paid.

Any funds not expended or encumbered by the end of the calendar quarter immediately following ten years from the date the transportation impact fee was paid shall, upon application of the feepayer, within 180 days of that date, be returned to the feepayer with interest at a yearly rate to be determined by the Consumer Price Index effective January 1, which is to be applied to the preceding year for each year the deposit is held.

Sec. 150-45. Exemptions.

(a) The following shall be exempted from payment of the transportation impact fee:

- (1) Alteration or expansion of an existing building where no additional units or floor area are created, use is not changed, and where no additional vehicular trips will be produced over and above that produced by the existing use.
- (2) The construction of accessory buildings or structures which will not produce additional vehicular trips over and above that produced by the principal building or use of the land.
- (3) The replacement of a building or structure with a new building or structure of the same use provided that no additional trips will be produced over and above those produced by the original building or structure.
- (4) The construction of publicly-owned facilities used primarily for traditional government uses.

Sec. 150-46. Review committee.

It is the intention of the board of county commissioners to ensure consistency in administration of the transportation impact fee ordinance. Therefore, a review committee composed of locally designated administrative officials is created to review matters which may be subject to differing interpretations arising from the administration of the article, and which are not clearly addressed by the provisions of this article. The Metropolitan Planning Organization Technical Coordinating Committee (TCC) shall serve as the review committee. The TCC shall make advisory recommendations to the administering jurisdiction on issues brought before the committee. The county metropolitan planning organization shall maintain the records of the committee and a listing of its membership. The metropolitan planning organization shall also provide staff services to the committee.

Sec. 150-47. Review of fee structure.

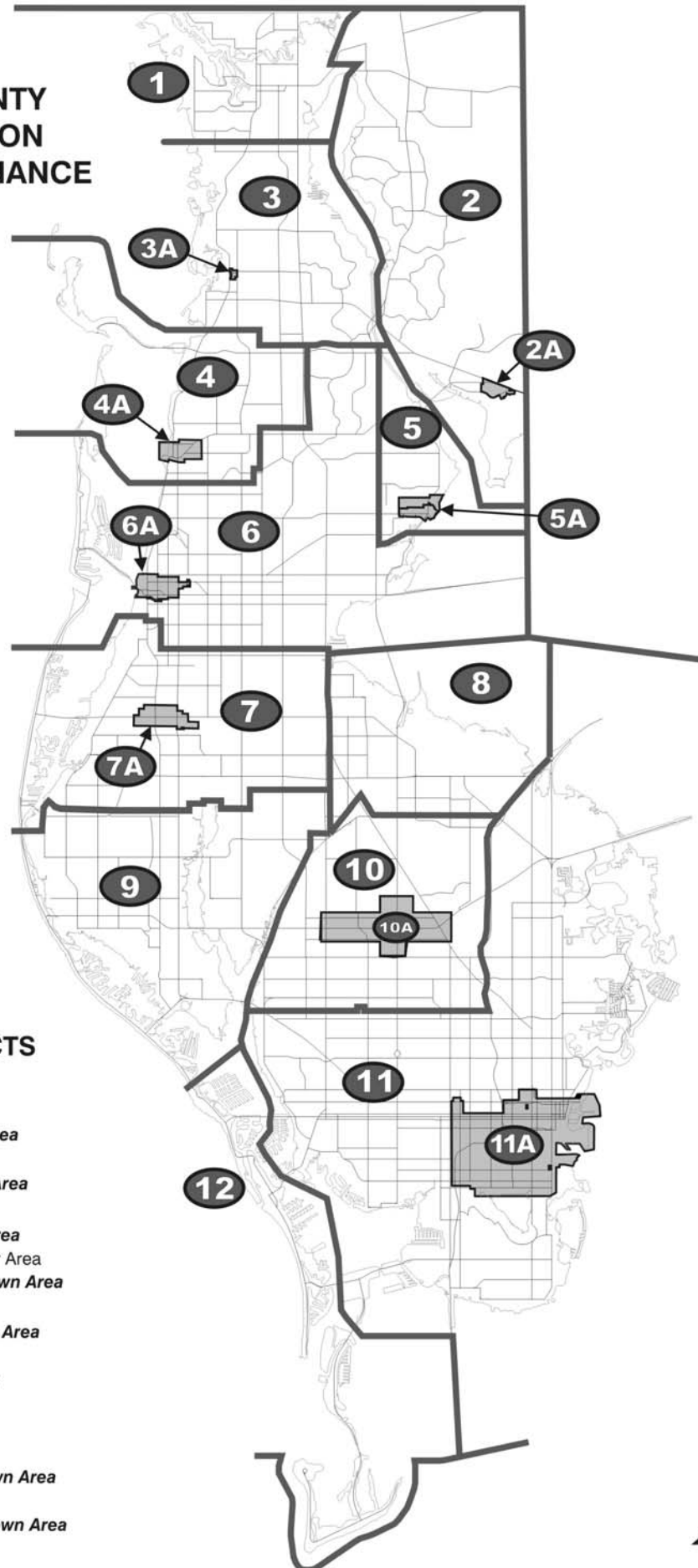
The transportation impact fee schedule shall be reviewed every two years by the board of county commissioners and the metropolitan planning organization. The review shall consider trip

generation rates and the actual construction costs for work contracted by the county and the state department of transportation within the county. The purpose of this review is to analyze the effects of inflation on the actual costs of transportation improvement projects and to ensure the fee charged new land development activity generating traffic will not exceed its fair share.

Sec. 150-49. Repeal of article.

After final adoption of this article by the board of county commissioners, this article shall be transmitted to all municipalities within the county. In the event any one municipality or group of municipalities representing ten percent or more of the total countywide population, based upon the latest population figures published by the county planning department, shall elect to exempt itself or themselves from this article, this article shall be deemed automatically repealed.

Exhibit A
PINELLAS COUNTY
TRANSPORTATION
IMPACT FEE ORDINANCE

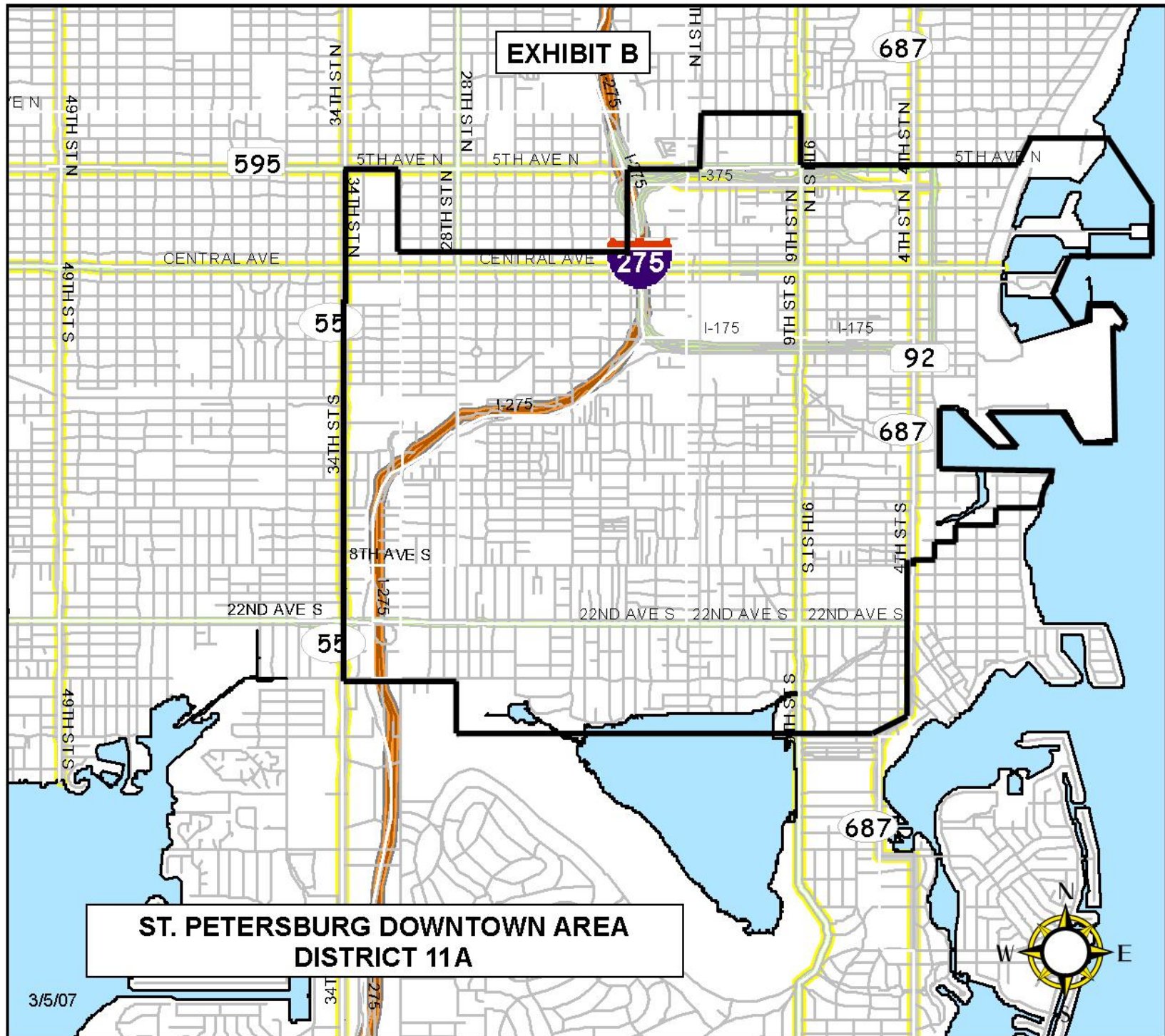


IMPACT FEE DISTRICTS

1. Greater Tarpon Springs
2. East Lake Tarpon Area
- 2A. *City of Oldsmar Downtown Area*
3. Palm Harbor Area
- 3A. *Old Palm Harbor Downtown Area*
4. Greater Dunedin
- 4A. *City of Dunedin Downtown Area*
5. Greater Safety Harbor/Oldsmar Area
- 5A. *City of Safety Harbor Downtown Area*
6. Greater Clearwater Area
- 6A. *City of Clearwater Downtown Area*
7. Greater Largo Area
- 7A. *City of Largo Downtown Area*
8. Highpoint Area
9. Greater Seminole Area
10. Greater Pinellas Park Area
- 10A. *City of Pinellas Park Downtown Area*
11. Greater St. Petersburg Area
- 11A. *City of St. Petersburg Downtown Area*
12. South County Beaches Area



May 24, 2007



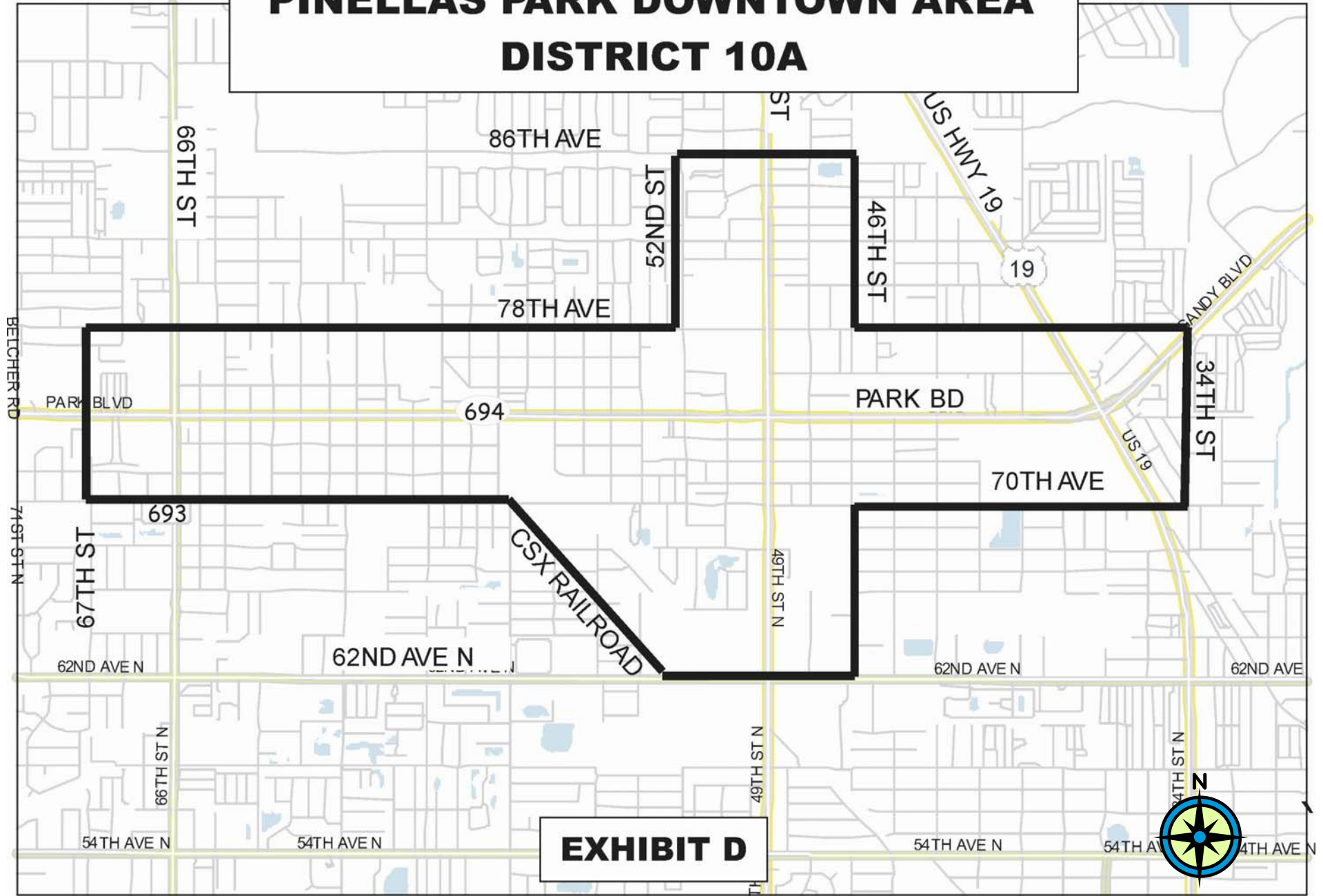
SAFETY HARBOR DOWNTOWN AREA DISTRICT 5A



EXHIBIT C



PINELLAS PARK DOWNTOWN AREA DISTRICT 10A



**CLEARWATER DOWNTOWN AREA
DISTRICT 6A**

**EXHIBIT E**

DUNEDIN DOWNTOWN AREA DISTRICT 4A

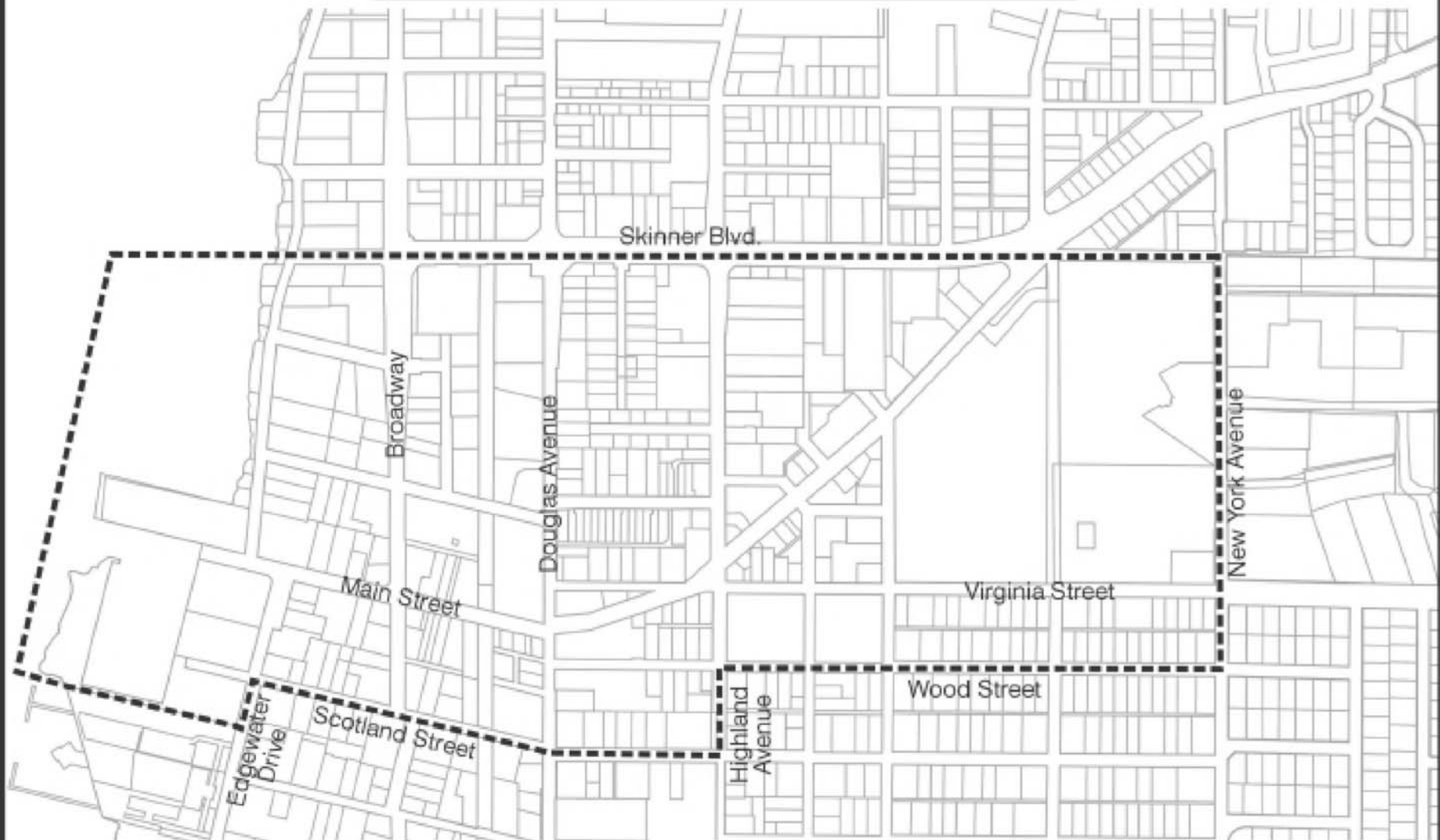


EXHIBIT F



LARGO DOWNTOWN AREA DISTRICT 7A



EXHIBIT G



OLDSMAR DOWNTOWN AREA DISTRICT 2A



EXHIBIT H

DOWNTOWN PALM HARBOR DISTRICT 3A

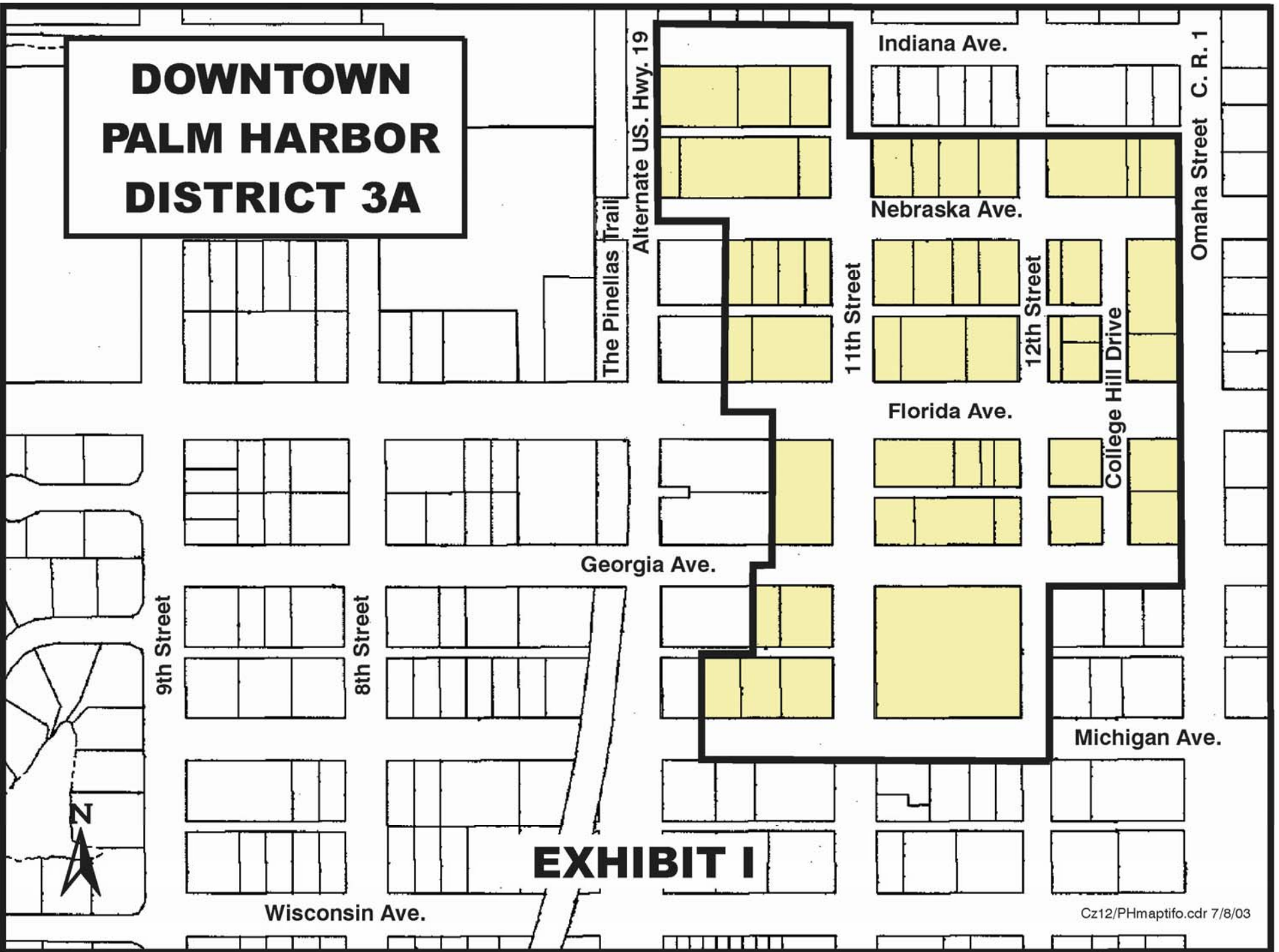


EXHIBIT I