



Staff Report

File #: 15-1070, **Version:** 1

Agenda Date: 1/26/2016

Subject:

Authority to advertise a public hearing to be held on March 29, 2016, regarding a proposed ordinance amending portions of Chapter 150, Impact Fees, of the Pinellas County Land Development Code.

Recommended Action:

Authorize the advertisement of a public hearing, tentatively scheduled for March 29, 2016, regarding a proposed ordinance amending portions of the Impact Fees chapter of the Pinellas County Land Development Code.

Strategic Plan:

Foster Continual Economic Growth and Vitality

4.3 Catalyze redevelopment through planning and regulatory programs

4.4 Invest in infrastructure to meet current and future needs

4.5 Provide safe and effective transportation systems to support the efficient flow of motorists, commerce, and regional connectivity

Summary:

The proposed amendments to Chapter 150 of the Pinellas County Land Development Code set forth the site plan requirements associated with the proposed Mobility Management System. Other proposed changes to Chapter 150 included in this Ordinance seek to change the name "transportation impact fee" to "multimodal impact fee," modify the boundaries of the impact fee districts and downtown area districts to be consistent and better coordinated with current development patterns, correct the fee schedule rate for adult congregate living facilities, and add a footnote regarding the unit of measure used for the general commercial category to calculate the multimodal impact fee.

Background Information:

In response to the 2011 Community Planning Act, which removed State-mandated transportation concurrency management requirements, the Pinellas County Metropolitan Planning Organization (MPO) endorsed the Pinellas County Mobility Management System on September 11, 2013. The Mobility Management System provides a framework for a coordinated multimodal approach to managing the traffic impact of development projects as a replacement for local transportation concurrency systems. It calls for establishing a tiered development review approach requiring larger scale projects adding new trips to the surrounding road network to implement transportation management plans (TMPs).

The cost of implementing a TMP can be applied as credit toward a project's multimodal impact fee assessment. TMPs would include strategies such as trail, sidewalk, bus stop and intersection improvements or trip reduction programs such as vanpooling or telecommuting. Smaller scale projects with limited impact on the transportation system would only be required to pay a multimodal impact fee commensurate with the number of new trips they generate. The System is also intended

to ensure consistency between County and municipal site plan review processes as they pertain to reviewing and managing the traffic impacts of development projects while increasing mobility for all users of the transportation system.

While the proposed amendments to Chapter 150 establish the Mobility Management System and multimodal impact fees and associated impact fee districts, a separate proposed Ordinance amending Chapter 134, Article VI (Concurrency System) of the Pinellas County Land Development Code repeals transportation concurrency in support of the proposed Mobility Management System. Both Ordinances are being proposed concurrently and, if adopted, would take effect at the same time.

An Ordinance including proposed amendments to the Pinellas County Comprehensive Plan providing policy support for replacing transportation concurrency with the Mobility Management System was heard by the Board on November 24, 2015 and transmitted to the State Department of Economic Opportunity (DEO) for review. Following receipt of DEO comments, a second hearing for adoption of the Ordinance amending the Comprehensive Plan is anticipated to go before the Board in March 2016. The public hearings held by the Board to consider the proposed amendments to Chapters 150 and 134 of the Pinellas County Land Development Code would be scheduled to coincide with the public hearing on the proposed amendments to the Comprehensive Plan.

This package of amendments was originally heard by the Local Planning Agency (LPA) and transmitted to the DEO by the Board in late 2014; however, it became evident after the amendments were transmitted that the all of the municipalities were not quite ready to take action on their corresponding amendment packages. This was important because the multimodal impact fee, similar to the existing countywide impact fee, is a countywide fee and approach requiring countywide agreement on both the policy and regulatory approach. Consequently, adoption of the County's original amendment package was postponed until each of the municipalities was ready to adopt their related amendment packages. At this time, with the municipalities now on a similar timeline, the County is proceeding with its amendments.

Fiscal Impact:

No additional costs will be incurred by Pinellas County in the implementation of the Mobility Management System.

Staff Member Responsible:

Gordon Beardslee, Director, Planning Department

Partners:

Municipalities
Metropolitan Planning Organization

Attachments:

Attachment 1 - Ordinance (strikethrough / underline)
Attachment 2 - Ordinance (clean copy)

ORDINANCE NO. 16-

AN ORDINANCE OF THE COUNTY OF PINELLAS ESTABLISHING A MOBILITY MANAGEMENT SYSTEM BY AMENDING CHAPTER 150, IMPACT FEES, OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE, BY CHANGING THE NAME OF ARTICLE II FROM TRANSPORTATION IMPACT FEES TO MULTIMODAL IMPACT FEES; REVISING SECTIONS 150-36 THROUGH 150-47 TO REPEAL LANGUAGE REFERRING TO TRANSPORTATION IMPACT FEES AND CONCURRENCY AND REPLACING WITH MULTIMODAL IMPACT FEES AND MOBILITY MANAGEMENT RESPECTIVELY; REVISING SECTION 150-40, COMPUTATION OF AMOUNT, TO CORRECT UNIT RATE FOR ADULT CONGREGATE LIVING FACILITY AND ADDING FOOTNOTE RELATED TO GENERAL COMMERCIAL CATEGORY; ADDING SECTION 150-48 TO ESTABLISH A MOBILITY MANAGEMENT SYSTEM; RENUMBERING AND AMENDING SECTIONS 150-48 AND 150-49; REVISING EXHIBITS "A" THROUGH "J" TO REFLECT ARTICLE II NAME CHANGE AND ADDING EXHIBIT "K", DEFICIENT ROADS; MODIFYING IMPACT FEE DISTRICTS BOUNDARIES; AND PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH OTHER RESPONSIBLE PARTIES; 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 be able to 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 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, Florida House Bill 7207, also known as the Community Planning Act, was signed into law in 2011; and

WHEREAS, the Community Planning Act removed State requirements for local government implementation of transportation concurrency management systems; and

WHEREAS, in the absence of State imposed transportation concurrency management requirements, the Pinellas County Metropolitan Planning Organization authorized a multi-jurisdictional task force to develop a countywide approach to manage the transportation impacts of development projects through local site plan review processes; and

WHEREAS, the Mobility Plan Task Force participated in the development of a countywide mobility plan through a coordinated effort involving the local governments of Pinellas County, and the Pinellas Suncoast Transit Authority, Pinellas Planning Council and Florida Department of Transportation; and

WHEREAS, the Pinellas County Mobility Plan was approved by the Pinellas County Metropolitan Planning Organization on September 11, 2013; and

WHEREAS, the Pinellas County Mobility Plan provides a more flexible and efficient alternative to the traditional form of concurrency management, which ties development approvals to maintaining adopted roadway level of service standards, while facilitating multimodal transportation solutions; and

WHEREAS, the Pinellas County Mobility Plan incorporates the assessment of impact fees as a central element in its implementation; and

WHEREAS, the Pinellas County Mobility Plan calls for renaming the Transportation Impact Fee Ordinance the Multimodal Impact Fee Ordinance to reflect the purpose of the Ordinance to improve the capacity of the countywide transportation system for all users; and

WHEREAS, amendments to Chapter 150 are needed to establish a mobility management system designed to implement the Pinellas County Mobility Plan; and

WHEREAS, changes to the multimodal impact fee district boundaries are needed to be consistent and better coordinated with development patterns; and

WHEREAS, the cities of Clearwater and Largo have requested modification to the boundaries of their downtown area districts, respectively; and

WHEREAS, the requested modifications to the Clearwater and Largo downtown districts are consistent with the terms of the Multimodal Impact Fee Ordinance regarding the application of fee schedule B; and

WHEREAS, revisions to Exhibits "A" through "J" are necessary to adjust the boundaries of the impact fee districts; and

WHEREAS, a new Exhibit "K" has been added to depict the location of deficient roadway facilities as referenced by the mobility management system; and

WHEREAS, changes are necessary to correct the unit rate for adult congregate living facility and to add a footnote to fee schedules A and B related to the unit of measure for the general commercial category.

NOW, THEREFORE, BE IT ORDAINED, ON THIS _____ DAY OF _____, 2016, BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA THAT:

SECTION 1. CHAPTER 150 ARTICLE II OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS RENAMED MULTIMODAL IMPACT FEES.

SECTION 2. SECTION 150-36 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

Note: Existing chapter text with ~~double-strikethrough-marking lines~~ indicate text that has been moved (i.e., cut) from one location within the chapter to another location. The relocated (i.e., pasted) text is indicated with double underline marking lines.

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.

Deficient facility means a road operating at peak hour level of service E or F, and/or a volume-to-capacity (v/c) ratio of 0.9 or higher with no mitigating improvements scheduled within three years.

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 Subsection 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.

Mobility management system is the process utilized by Pinellas County to implement the Pinellas County Mobility Plan. This includes the process of managing the transportation impacts of development projects and the assessment, collection and expenditure of multimodal impact fees.

Transportation Multimodal impact fee district means areas from which impact fee monies are collected and expended. These districts are defined in exhibit A.

Transportation Mobility 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.

New peak hour trip refers to a vehicle trip added to the major road network from and to a developed parcel of land during the weekday peak hour. This excludes "passer-by" or "diverted" trips, whereby the site is accessed as a secondary trip.

Off-site improvements means ~~road-transportation-related and/or -supportive~~ 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.

Pinellas County Mobility Plan is a countywide approach to managing the transportation impacts of development projects and increasing mobility for pedestrians, bicyclists, transit users and motor vehicles utilizing the multimodal impact fee ordinance and local site plan review processes.

Pre-existing use refers to the land use that occupied a parcel of land prior to the submittal of a permit/site plan application. In accordance with Section 150-40, development projects are entitled to a credit equivalent to the impact fee assessment of any land use activity that existed on the property as of 1986, the original adoption year of this Ordinance. The applicant must provide the necessary documentation to verify a pre-existing use activity not reflected in the current records of the Pinellas County Property Appraiser's Office.

Road means any public way for purposes of vehicular traffic travel, 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; and
- (8) Pedestrian and other non-motorized transportation improvements such as sidewalks, pathways and bicycle lanes 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.~~

Transportation management plan, as developed by an applicant representing a proposed development is submitted in conjunction with individual site plans seeking to utilize transportation management strategies to address their development impacts, improve the efficiency and safety of the mobility system, and increase the mobility for all users.

Transportation management plan strategies are intended to increase mobility while addressing the transportation impacts of development projects. They include, but are not limited to, density/intensity reductions, project phasing, access controls, capital improvements and/or initiatives encouraging mass transit, bicycle or pedestrian travel, ride-sharing or roadway improvements. They do not include standard requirements necessary for site plan approval or operational improvements.

Volume-to-capacity (v/c) ratio means the rate of traffic flow of an intersection approach or group of lanes during a specific time interval divided by the capacity of the approach or group of lanes.

SECTION 3. SECTION 150-37 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

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-multimodal~~ impact fee district boundaries, as identified in Exhibit A [following Section 150-4950], 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.

SECTION 4. SECTION 150-38 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

Sec. 150-38. ~~Intent, and purpose, and legislative findings.~~

- (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-mobility 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.~~

(c) The legislative findings are as follows:

(1) Florida House Bill 7207, the Community Planning Act, was legislated in 2011. The Act eliminated state mandated concurrency management requirements related to transportation facilities for local governments;

(2) In 2013, the Pinellas County Metropolitan Organization approved the Pinellas County Mobility Plan. The intent of the Mobility Plan is to replace local transportation concurrency management programs with a system that provides local governments with the means to manage the traffic impacts of development projects;

(3) The transportation element of the comprehensive plan identifies a number of highway system facilities operating under deficient level of service conditions. These require the application of mobility plan provisions in order to manage transportation impacts and to increase mobility through the use of multimodal impact fees to fund mobility improvements;

(4) Local comprehensive plans provide data, analysis, and policies supporting the management of development impacts on major roads operating with deficient level of service conditions through the application of the Pinellas County Mobility Plan and supporting land use policies;

(5) Transportation management plan strategies are important tools for local governments to manage development impacts while maximizing mobility and accessibility consistent with the comprehensive plan and Fix America's Surface Transportation (FAST) Act; and

(6) The Community Planning Act encourages the coordination of planning and growth management activities among local governments, the Metropolitan Planning Organization and regional and state government agencies.

SECTION 5. SECTION 150-39 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

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~~ multimodal 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 multimodal~~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.

SECTION 6. 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 ~~transportation~~ 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 ~~transportation~~ multimodal 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

Land Use Type	Unit	Trip Rate	Avg. Trip Length	Percent New Trips	Fee Per Unit
Residential:					
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	\$250 241
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 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
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

Note: General commercial unit is gross leasable area.

Schedule B. Downtown ~~Redevelopment~~ Area Fee Schedule

Land Use Type	Unit	Trip Rate	Avg. Trip Length	Percent New Trips	Fee Per Unit
Residential:					
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 \$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 gla	94.7	1.7	0.30	\$2,079
100,000—199,999 sq. ft.	1000 sf gla	74.3	1.8	0.35	\$2,015
200,000—299,999 sq. ft.	1000 sf gla	58.9	2.0	0.47	\$2,383
300,000—399,999 sq. ft.	1000 sf gla	48.3	2.3	0.51	\$2,439
400,000—499,999 sq. ft.	1000 sf gla	43.0	2.5	0.53	\$2,452
500,000—999,999 sq. ft.	1000 sf gla	37.7	3.0	0.54	\$2,629
Over 1,000,000 sq. ft.	1000 sf gla	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

Note: General commercial unit is gross leasable area.

The ~~downtown~~ Downtown area fee schedule applies to existing downtown areas geographically depicted in the attached maps including ~~Exhibit A, Multimodal Impact Fee Districts; exhibit Exhibit B, St. Petersburg/Tarpon Springs Downtown Area District 11A1A; exhibit Exhibit C, Safety Harbor East Lake/Oldsma~~ Downtown Area District 5A2A; exhibit Exhibit D, Pinellas Park/Palm Harbor Downtown Area District 10A3A; exhibit Exhibit E, Clearwater/Dunedin, Downtown Area District 6A4A; exhibit Exhibit F, Dunedin Safety Harbor Downtown Area District 4A5A; exhibit Exhibit G, Large Clearwater Downtown Area District 7A6A; exhibit Exhibit H, Oldsmar/Largo Downtown Area District 2A7A; and exhibit Exhibit I, Old Palm Harbor/Pinellas Park Downtown Area District 3A10A; 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 7. 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 ~~transportation-multimodal~~ 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-multimodal~~ impact fee district, as identified in Exhibit A, and promptly transferred for deposit into the appropriate ~~transportation multimodal~~ 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-multimodal~~ 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-mobility~~ 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 Subsections 150-41(h), (i) and (j), shall be credited against the ~~transportation-multimodal~~ 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-multimodal~~ 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 one 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.
- (o) Sections 150-41(c) through (f) do not apply to development projects that are subject to the requirements of Sections 150-48(c), (d) and (f).

SECTION 8. SECTION 150-42 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

Sec. 150-42. Trust accounts established.

- (a) Each municipality which collects and administers ~~transportation-multimodal~~ 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 ~~132~~ 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.

SECTION 9. SECTION 150-43 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

Sec. 150-43. Disposition of funds.

- (a) Funds collected from ~~transportation-multimodal~~ impact fees shall be used ~~exclusively~~ for the purpose of projects that improve the capacity of the surrounding traffic circulation system. ~~These and projects that 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 to support the area transportation network.~~ 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 Subsection 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-mobility~~ improvements or expansions within the ~~transportation-multimodal~~ 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 ~~multimodaltransportation~~ 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) ~~MultimodalTransportation~~ 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 ~~multimodaltransportation~~ 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) ~~MultimodalTransportation~~ impact fees collected within each district may be made available for construction of improvements on the state road network in the district.
- (g) ~~MultimodalTransportation~~ 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 ~~mobilitytransportation~~ 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 ~~multimodaltransportation~~ 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.

SECTION 10. SECTION 150-44 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

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-multimodal~~ impact fee was paid shall, upon application of the fee payer within 180 days of that date, be returned to the fee payer 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.

SECTION 11. SECTION 150-45 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

Sec. 150-45. Exemptions.

- (a) The following shall be exempted from payment of the ~~transportation-multimodal~~ 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.

SECTION 12. SECTION 150-46 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

Sec. 150-46. Review committee.

It is the intention of the board of county commissioners to ensure consistency in administration of the ~~transportation-multimodal~~ 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.

SECTION 13. SECTION 150-47 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

Sec. 150-47. Review of fee structure.

The ~~transportation-multimodal~~ 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~~mobility improvement projects and to ensure the fee charged new land development activity generating traffic will not exceed its fair share.

SECTION 14. SECTION 150-48, MOBILITY MANAGEMENT, OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS ADDED TO READ AS FOLLOWS:

Sec. 150-48. Mobility management.

- (a) Transportation management plans are required for development applications subject to the provisions in Subsections 150-48(c), (d) and (f) utilizing transportation management strategies/improvements included in an approved transportation management plan in terms of the scale of the project(s) and roadway capacity and/or mobility benefits provided shall be based primarily on the projected impact of the development project on the surrounding traffic circulation system. Specific conditions of the deficient road corridor impacted by the development shall also be considered.

Transportation management plan strategies/improvements required in accordance with

Subsections 150-48(c), (d) and (f) will be determined at the time of site plan review. Transportation management plans must be developed by the applicant and accepted by the applicable local government. If the project impacts a State Road, the applicant must also submit the transportation management plan to the Florida Department of Transportation District 7 Office. Transportation management plan strategies/improvements include, but are not limited to, those listed below. Transportation management plans seeking to implement strategies that do not involve structural improvements, such as ride-sharing and transit incentive programs, must include a monitoring program to ensure the strategies are carried out in accordance with the plan. Site-related improvements are not eligible for inclusion in transportation management plans.

- (1) *Intensity reduction.* The intensity of the proposal may be reduced through an across-the-board reduction of the permitted floor area ratio, as it would otherwise normally apply to the proposal. Other such corrective actions that would reduce the intensity of the proposal may also apply.
- (2) *Density reduction.* The density of the proposal may be decreased by a reduction in the number of units per acre below that which would otherwise normally apply to the proposal.
- (3) *Project phasing.* A project may be divided into logical phases of development by area, with later phases of the development proposal's approval withheld until the needed facilities are available.
- (4) *Outparcel deletion.* Those portions of the proposal characterized as outparcels that create separate and unique impacts may be deleted from the total proposal.
- (5) *Physical highway improvements.* A project may construct link capacity improvements, acceleration/deceleration lanes, intersection improvements or frontage roads.
- (6) *Operational improvements (signal).* This includes efforts involving signal removal or signal timing improvements.
- (7) *Access management strategies.* These include access management controls such as the preclusion of a direct connection to an LOS deficient facility, right-in/right-out driveways, alternative driveway locations, reduction of a driveway, single point access, shared access or the implementation of median controls.
- (8) *Mass transit initiatives.* A project may implement a plan to encourage transit (e.g., employer-issued bus passes). Other mass transit initiatives may include, but are not limited to the construction of bus stop amenities, bus pull-off areas and dedication of park and ride parking spaces.
- (9) *Demand management/commuter assistance.* These include efforts to encourage ride-sharing (e.g., designated parking spaces for carpools, employer-sponsored carpool program, participation in transportation management organization/initiative programs), and implementation of flexible work hours and telecommuting programs.
- (10) *Bicycle/pedestrian improvements.* These would involve structural improvements or construction of a bikeway or sidewalk connecting an existing bikeway/sidewalk network or providing access to a school, park, shopping center, etc. These improvements may also include pedestrian treatments in parking area, sidewalks connecting developments with adjacent land uses, trail improvements and bicycle rack and on-street bicycle lane installations, and the planting of trees to provide shade canopy along sidewalks.
- (11) *Intelligent transportation system improvements.* This includes improvements pertaining to computerized traffic signal systems that automatically adjust to maximize traffic flow and to permit emergency vehicles to pass through intersections quickly. It also includes freeway management systems, such as electronic message signs, and electronic fare payment on public buses that reduce passenger boarding time.
- (12) *Livable community site design features.* These include, but are not limited to, implementation of pedestrian friendly site design features such as orienting buildings toward the street and parking lots to the side or rear of buildings.

- (b) Deficient road corridors include parcels, all or a portion of which lie within a corridor as defined below.
- (1) *Sole direct access.* A condition where the only means of site ingress/egress is directly onto the road facility, regardless of the distance of that site from the facility;
 - (2) *Direct access.* A condition in which one or more existing or potential site ingress/egress points makes a direct connection to the road facility and the site is within one-half mile of the road facility; and
 - (3) *Sole indirect access.* A condition where the only point of site ingress/egress is onto a public non-arterial roadway which makes its first and shortest arterial level connection onto a road facility regardless of the distance of that site from the facility.
- (c) Development projects that generate between 51 and 300 new peak hour trips are designated as Tier 1.
- (1) Developers of Tier 1 projects located within deficient road corridors are required to submit a transportation management plan designed to address their impacts while increasing mobility and reducing the demand for single occupant vehicle travel.
 - (2) The cost of transportation management strategies implemented for Tier 1 projects are creditable toward their multimodal impact fee assessment. If the cost of the improvement exceeds the assessment, the development project would not be subject to the payment of the a multimodal impact fee per Section 150-39 and 40.
- (d) Development projects that generate more than 300 new peak hour trips are designated as Tier 2.
- (1) Developers of Tier 2 projects within deficient road corridors are required to conduct a traffic study and submit an accompanying report. The report shall include the results of the traffic study and a transportation management plan identifying improvements necessary to address the impacts of the project.
 - (2) The cost of transportation management strategies implemented for Tier 2 projects may be applied as credit toward the project's multimodal impact fee assessment or payment of the fee could be included as part of a transportation management plan.
- (e) Development projects that generate less than 51 new peak hour trips are required to pay a multimodal impact fee in accordance with Chapter 150. Such development projects are not required to submit a transportation management plan or traffic study, unless otherwise warranted.
- (f) Development projects that generate more than 50 new peak hour trips on non-deficient roads shall be reviewed by Pinellas County or municipal staffs to determine if the impacts to the project adversely affect the level of service of the surrounding road network. If it is determined that approval of the development project would diminish the level of service of the adjacent road(s) to peak hour level of service E or F or would cause the volume-to-capacity ratio to reach or exceed 0.9, a transportation management plan would be required. The applicant may submit a traffic study to verify whether their project would affect the level of service of the adjacent road(s). A transportation management plan would be required if the results of the study confirm the findings of the City or County staff. The transportation management plan for such developments shall comply with the requirements of Tier 1 or Tier 2 projects described in Sections 150-48(c) and (d) as appropriate and as determined by the presiding local government.
- (g) Determination of trip generation associated with an application for development shall be based on impact fee Schedule A or B in Section 150-40 or the latest edition of the Institute of Transportation Engineers Trip Generation Manual. As an alternative to the fee schedule and Trip Generation Manual, the applicant may submit a trip generation study in accordance with Section 150-40(d) and

(e).

- (h) Deficient road corridors are identified in the following table and in Exhibit K. The table and Exhibit K do not include deficient roads with mitigating improvements scheduled within the next three years.

Deficient Corridors include the following:

Road Segment	From	To
<u>102nd Avenue (CR 296)</u>	<u>Ridge Road</u>	<u>131st Street</u>
<u>22nd Avenue North</u>	<u>34th Street (SR 55)</u>	<u>22nd St</u>
<u>38th Avenue North (CR 184)</u>	<u>49th Street North (CR 611)</u>	<u>34th Street North</u>
<u>Alternate US 19 (SR 595)</u>	<u>Main Street (SR 580)</u>	<u>Tarpon Avenue</u>
<u>Bay Drive (SR 686)</u>	<u>Clwtr Largo Road (CR 321)</u>	<u>US 19 (SR 55)</u>
<u>Bay Pines Blvd (SR 595)</u>	<u>Park Street (CR 1)</u>	<u>East of 94th Street</u>
<u>Belcher Road (CR 501)</u>	<u>Druid Road</u>	<u>Belleair Road (CR 464)</u>
<u>Belleair Road (CR 464)</u>	<u>Keene Road (CR 1)</u>	<u>US 19 (SR 55)</u>
<u>Belleair Beach Causeway (SR 686)</u>	<u>Indian Rocks Road</u>	<u>Gulf Boulevard</u>
<u>Bryan Dairy Road (CR 296)</u>	<u>Seminole Blvd. (SR 595)</u>	<u>98th Street</u>
<u>Court Street (SR 60)</u>	<u>Missouri Avenue (SR 651)</u>	<u>Myrtle Avenue</u>
<u>Drew Street (CR 528)</u>	<u>US 19 (SR 55)</u>	<u>NE Coachman Road (SR 590)</u>
<u>East Lake Road (CR 611)</u>	<u>Woodlands Parkway</u>	<u>Keystone Road (CR 582)</u>
<u>Forest Lakes Blvd (CR 667)</u>	<u>Pine Avenue</u>	<u>Pinellas/Hillsborough CL</u>
<u>Forest Lakes Blvd (CR 667)</u>	<u>Pine Avenue</u>	<u>Pinellas/Hillsborough CL</u>
<u>Ft. Harrison Avenue</u>	<u>Belleair Road (CR 464)</u>	<u>Drew St (SR 590)</u>
<u>Gandy Blvd. (SR 694)</u>	<u>4th Street (SR 687)</u>	<u>Brighton Bay Boulevard NE</u>
<u>Gandy Blvd. (SR 694)</u>	<u>West of Dr. Martin Luther King Jr. Street North</u>	<u>Pinellas/Hillsborough CL</u>
<u>Gulf-To-Bay Blvd (SR 60)</u>	<u>Keene Road (CR 1)</u>	<u>Pinellas/Hillsborough CL</u>
<u>Gulf-To-Bay Blvd (SR 60)</u>	<u>Highland Avenue (CR 375)</u>	<u>Missouri Avenue (SR 595)</u>
<u>Interstate 275 (SR 93)</u>	<u>Gandy Blvd (SR 694)</u>	<u>Interstate 175</u>
<u>Indian Rocks Road (CR 233)</u>	<u>West Bay Drive (CR 416)</u>	<u>Walsingham Road (CR 330)</u>
<u>Keene Road (CR 1)</u>	<u>Druid Road</u>	<u>Belleair Road (CR 464)</u>
<u>Keene Road (CR 1)</u>	<u>Sunset Point Road (CR 576)</u>	<u>SR 580</u>
<u>McMullen-Booth Road (CR 611)</u>	<u>Curlew Road (SR 586)</u>	<u>Gulf-To-Bay Blvd (SR 60)</u>
<u>Memorial Causeway (SR 60)*</u>	<u>Causeway Boulevard</u>	<u>Island Way</u>
<u>Park Blvd (CR/SR 694)</u>	<u>US 19 (SR 55)</u>	<u>49th Street North</u>

<u>Park Blvd (CR/SR 694)</u>	<u>66th Street North</u>	<u>Duhme Road/113th Street North (CR 321)</u>
<u>Roosevelt Blvd (SR 686)</u>	<u>49th Street North (CR 611)</u>	<u>Ulmerton Road (SR 688)</u>
<u>SR 580</u>	<u>Phillipe Parkway (CR 590)</u>	<u>Forest Lakes Blvd. (CR 667)</u>
<u>Starkey Road (CR 1)</u>	<u>East Bay Drive (SR 686)</u>	<u>Ulmerton Road (SR 688)</u>
<u>Tampa Road (SR 584)</u>	<u>Curlew Road (SR 586)</u>	<u>SR 580</u>
<u>Tarpon Avenue (SR 582)</u>	<u>Alternate US 19 (SR 595)</u>	<u>US 19 (SR 55)</u>
<u>Ulmerton Road (SR 688)</u>	<u>49th Street North (CR 611)</u>	<u>E. Roosevelt Blvd. (SR 686)</u>
<u>US 19 (SR 55)</u>	<u>Gandy Boulevard (SR 600)</u>	<u>54th Avenue North (CR 202)</u>
<u>US 19 (SR 55)</u>	<u>Mainlands Boulevard</u>	<u>54th Avenue North (CR 202)</u>
<u>Walsingham Road</u>	<u>Ulmerton Road (SR 688)</u>	<u>Seminole Blvd (SR 595)</u>
<i>*West end of road is municipal jurisdiction</i>		

- (i) Existing levels of service (LOS) used to identify deficient road corridors are based on the annual Metropolitan Planning Organizations Level of Service Report.

SECTION 15. SECTION 150-48 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS RENUMBERED AND AMENDED TO READ AS FOLLOWS:

Sec. 150-4849. Territory embraced.

This article shall apply to the unincorporated area of the county and to the incorporated areas of the county to the extent permitted by article VIII, section 1(g) of the State Constitution and the County Charter.

SECTION 16. SECTION 150-49 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS RENUMBERED AND AMENDED TO READ AS FOLLOWS:

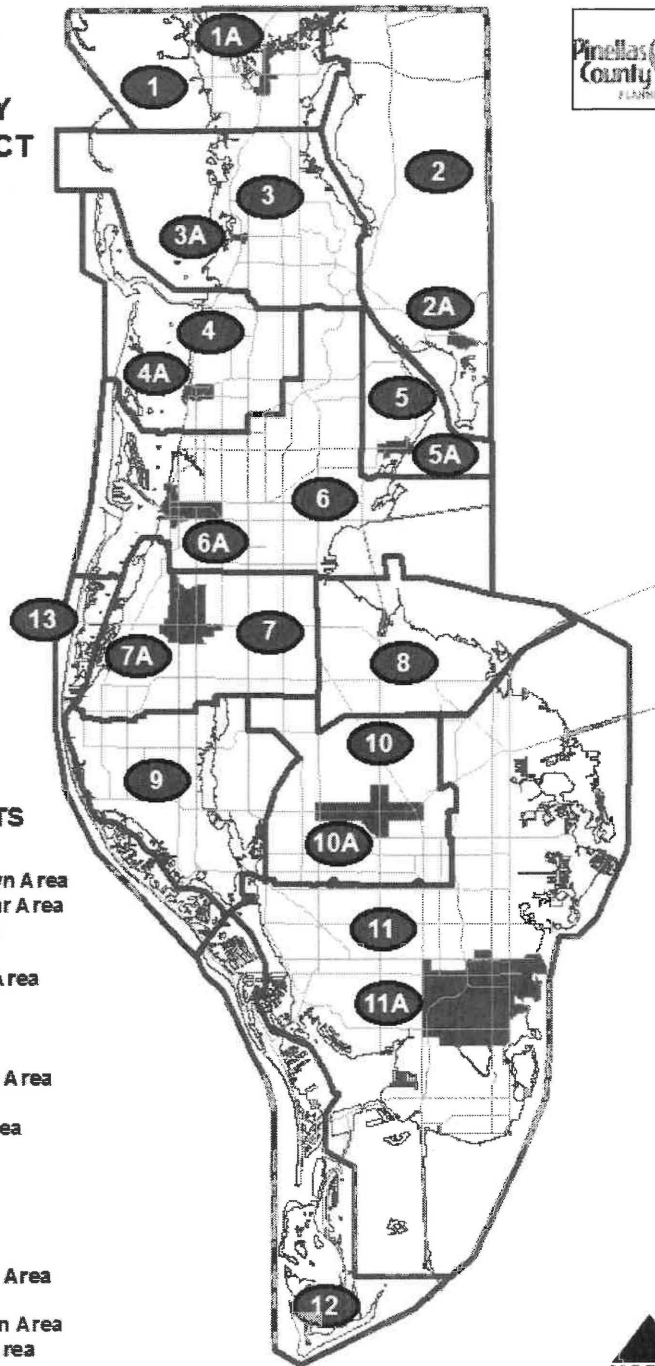
Sec. 150-4950. Repeal of article.

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.

SECTION 17. EXHIBITS A-K OF CHAPTER 150 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE ARE HEREBY AMENDED AND REPLACED OR ADDED WITH THE FOLLOWING EXHIBITS:

EXHIBIT A

PINELLAS COUNTY MULTIMODAL IMPACT FEE DISTRICTS



IMPACT FEE DISTRICTS

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





NORTH

[illegible]

**PALM HARBOR DOWNTOWN AREA
DISTRICT 3A**

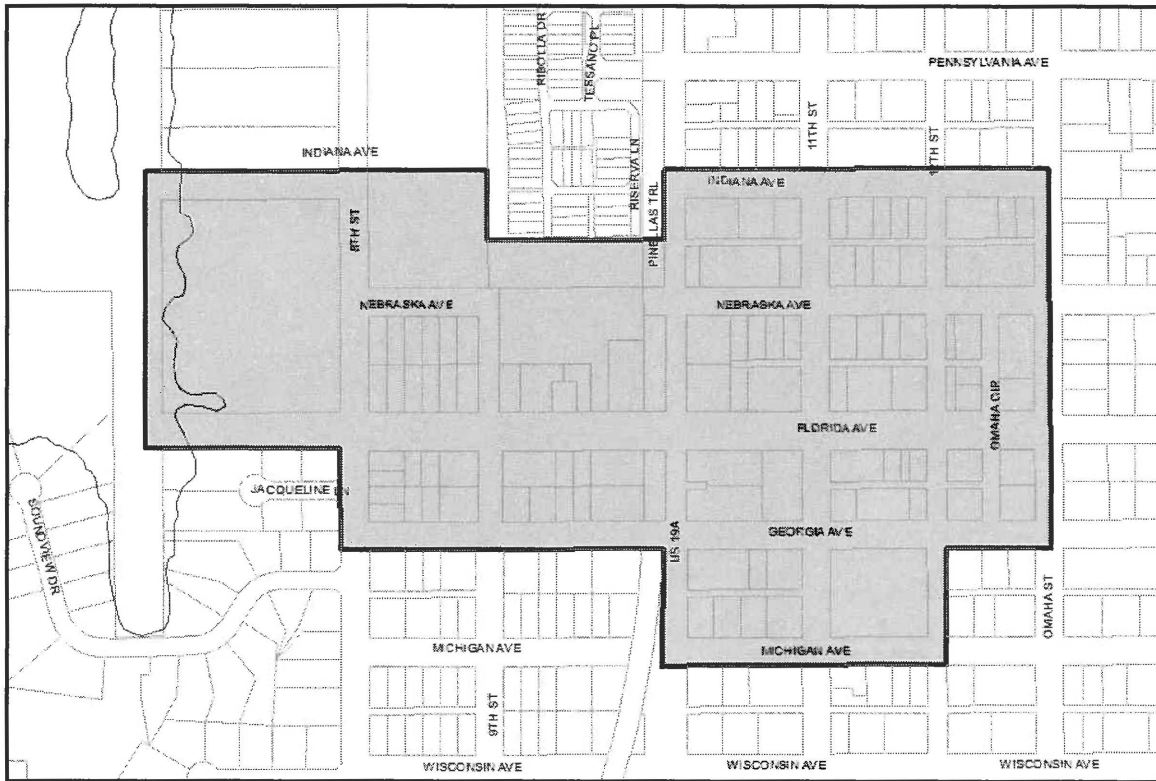


EXHIBIT D



DUNEDIN DOWNTOWN AREA DISTRICT 4A

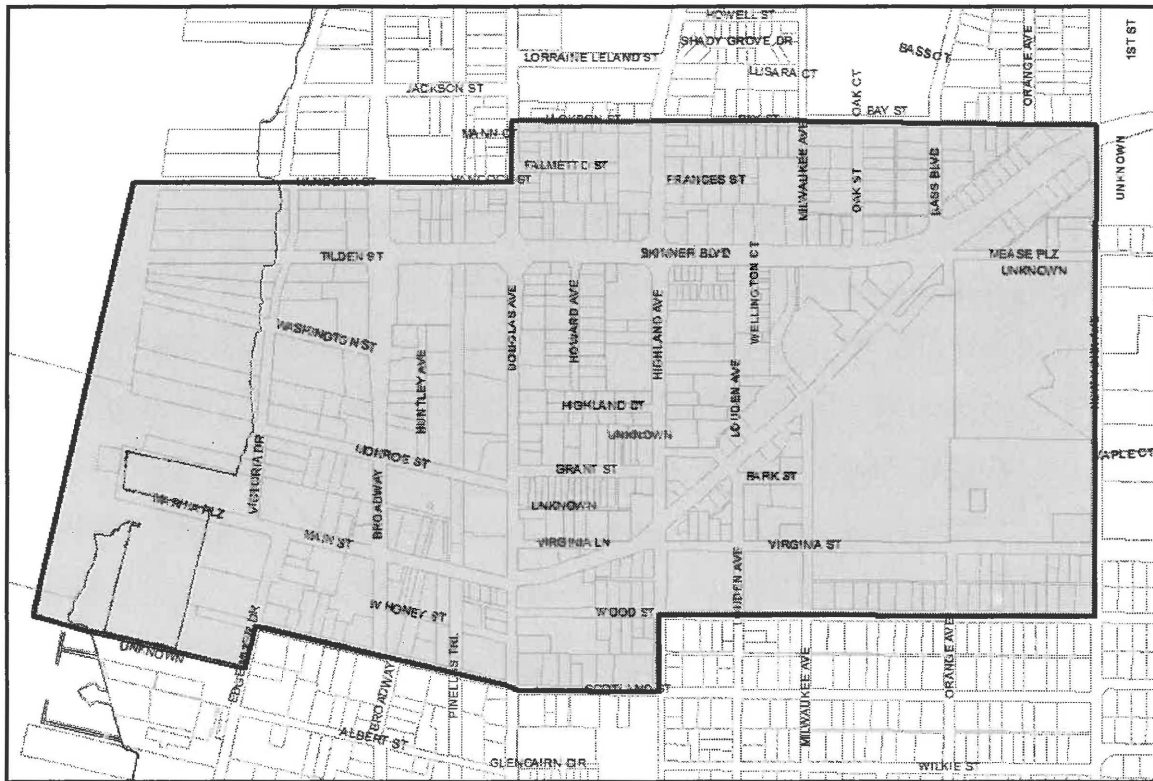


EXHIBIT E



SAFETY HARBOR DOWNTOWN AREA DISTRICT 5A

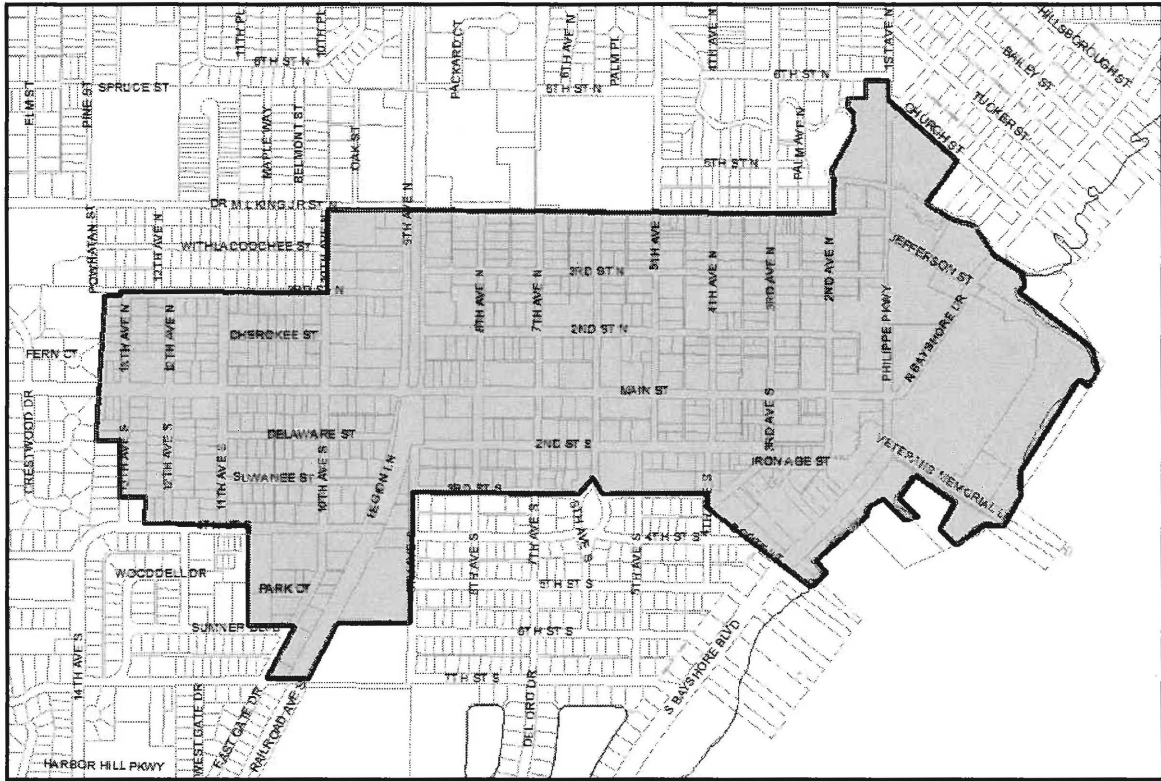


EXHIBIT F



This is a detailed street map of the City of St. Louis, Missouri. The map shows the city limits, which are outlined in black. Major highways are shown in thick black lines, and other streets are shown in thinner black lines. The map includes labels for various streets, including major thoroughfares like I-44, I-270, and I-64. It also shows the Mississippi River to the west and the city of St. Louis to the east. The map is oriented with North at the top.



NORTH



NORTH

PINELLAS PARK DOWNTOWN AREA DISTRICT 10A

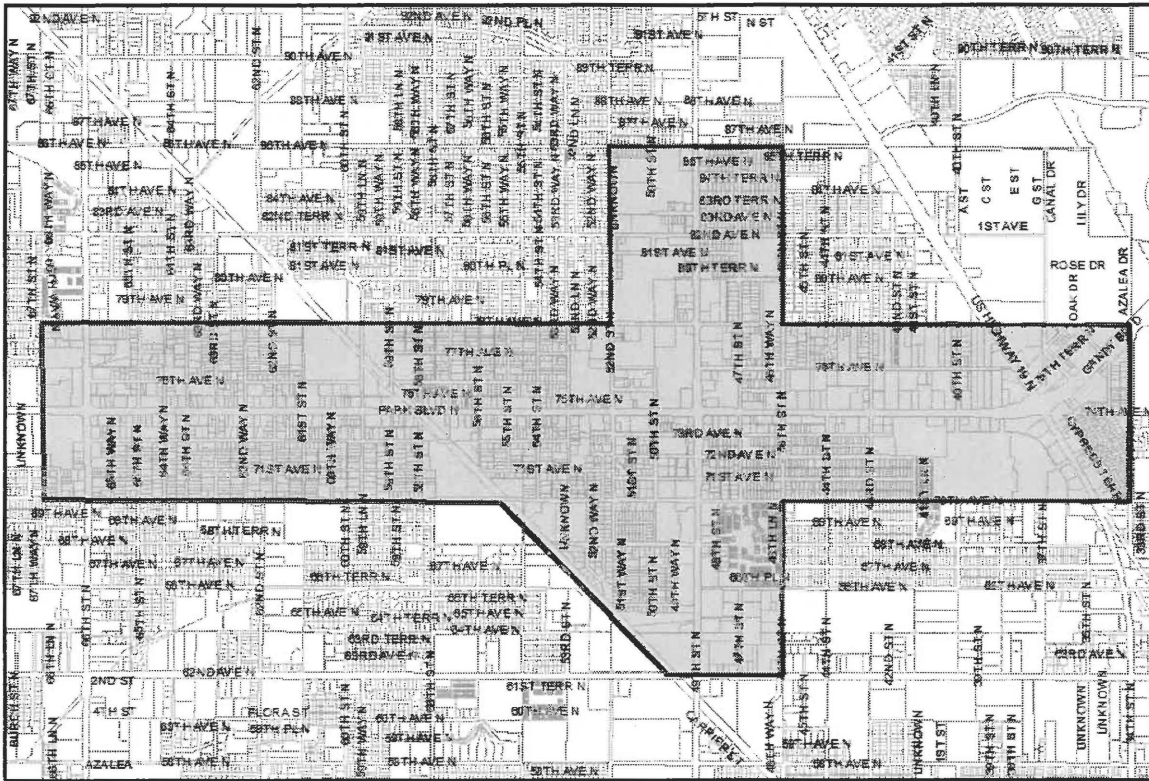


EXHIBIT I



ST. PETERSBURG DOWNTOWN AREA DISTRICT 11A

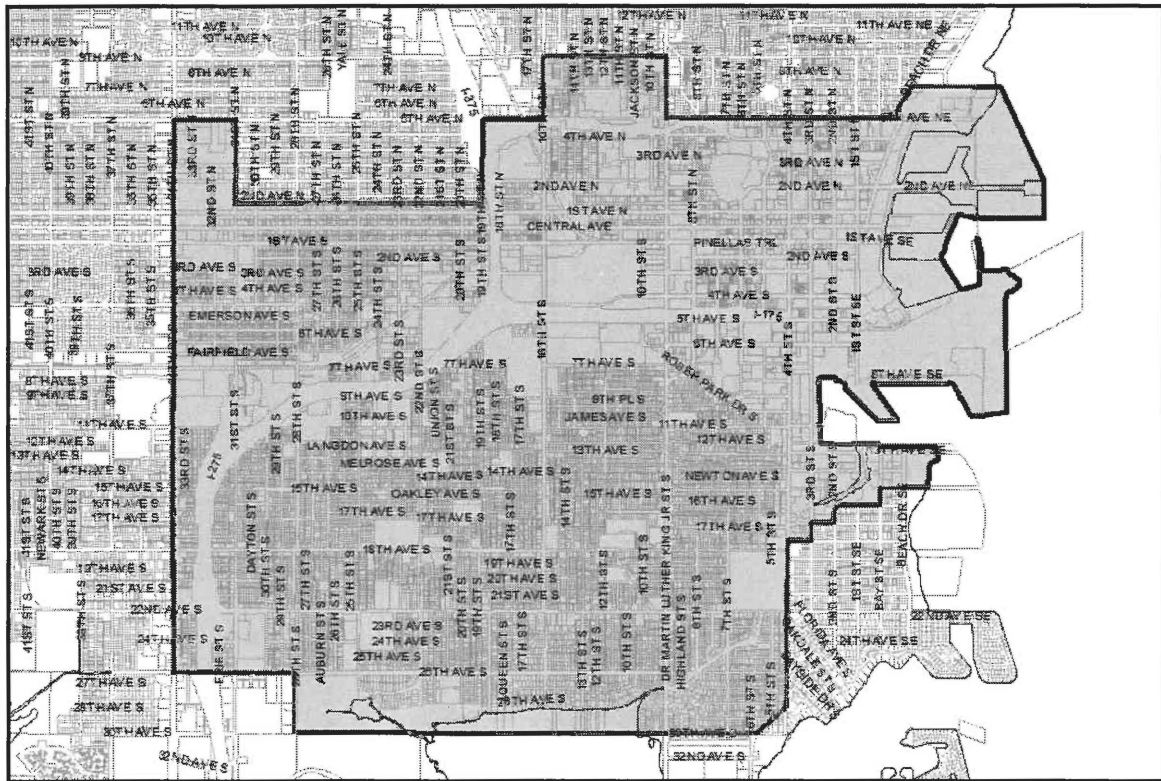


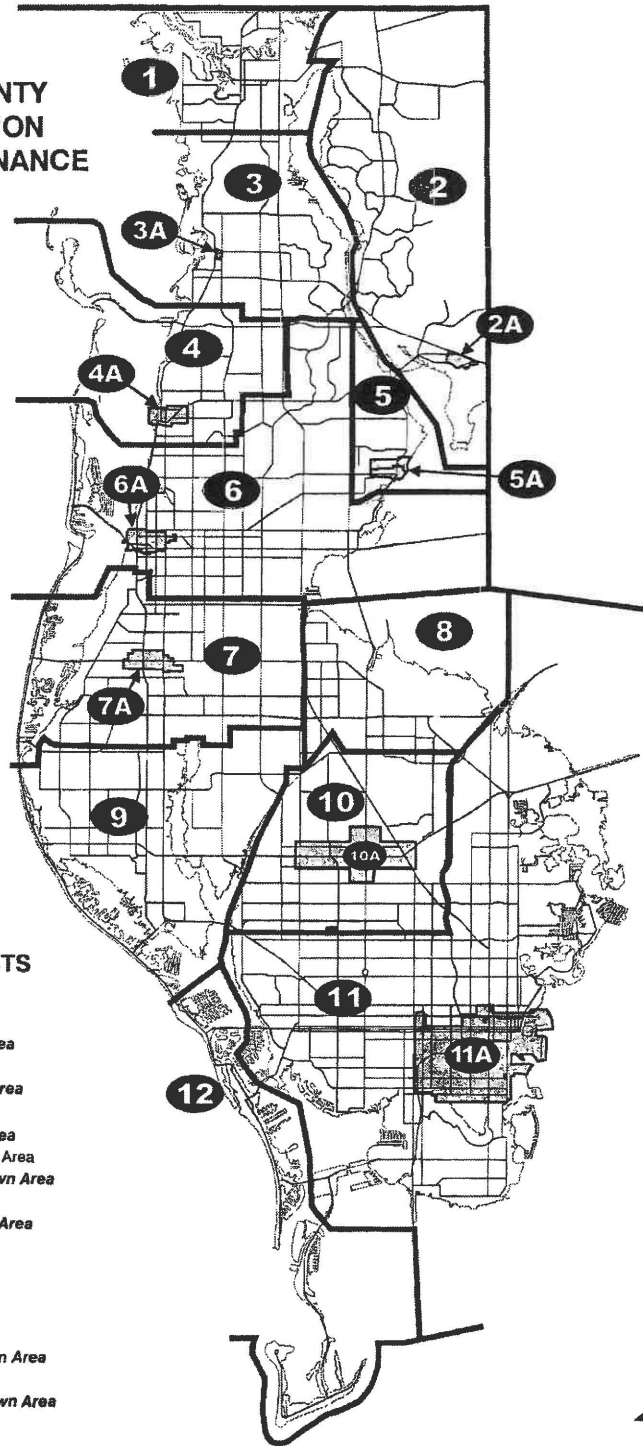
EXHIBIT J



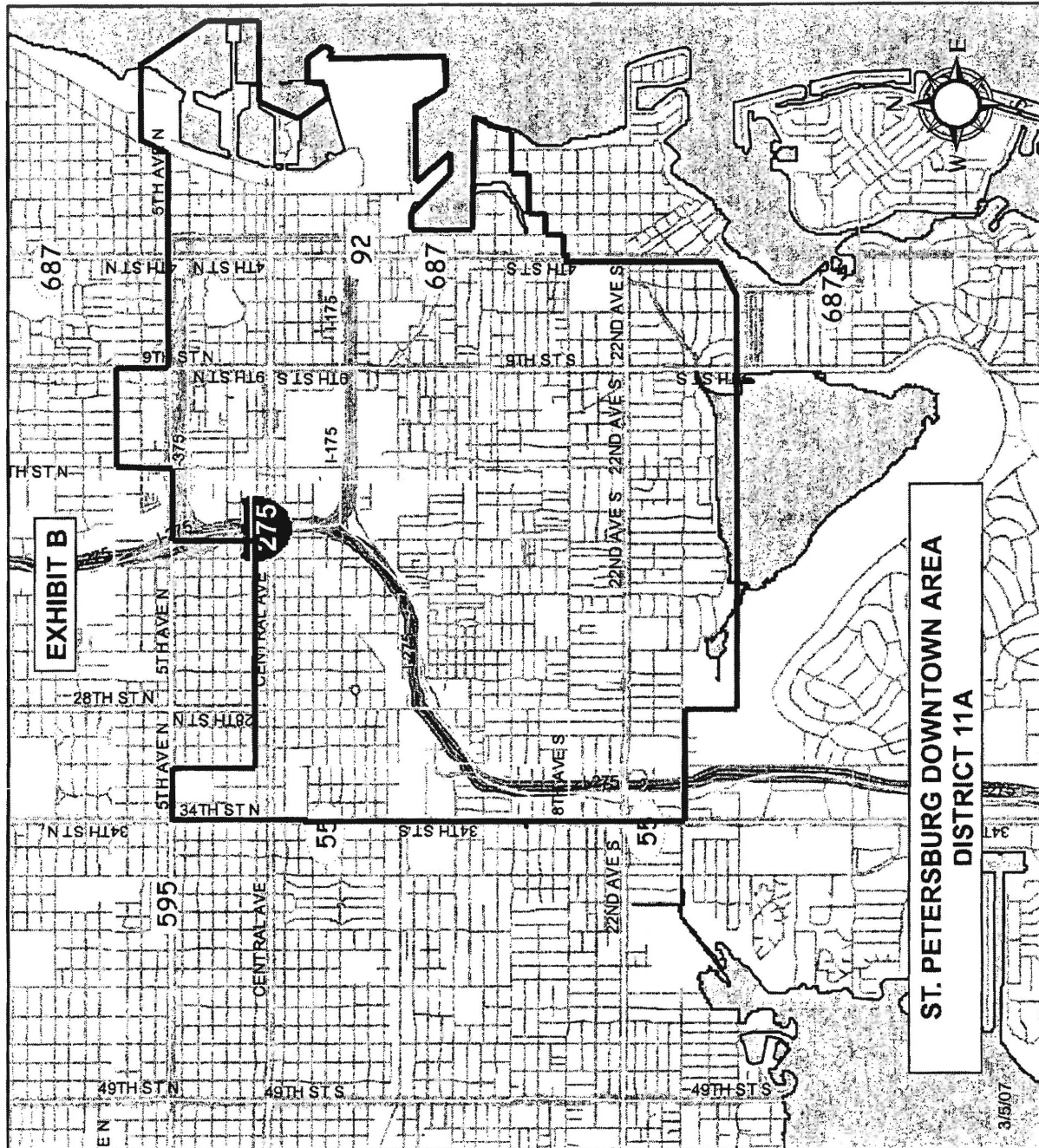
Exhibit A
PINELLAS COUNTY
TRANSPORTATION
IMPACT FEE ORDINANCE

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 NO-FEE TRANSPORTATION ZONE
DISTRICT 5A**



EXHIBIT C

**PINELLAS PARK NO-FEE TRANSPORTATION ZONE
DISTRICT 10A**

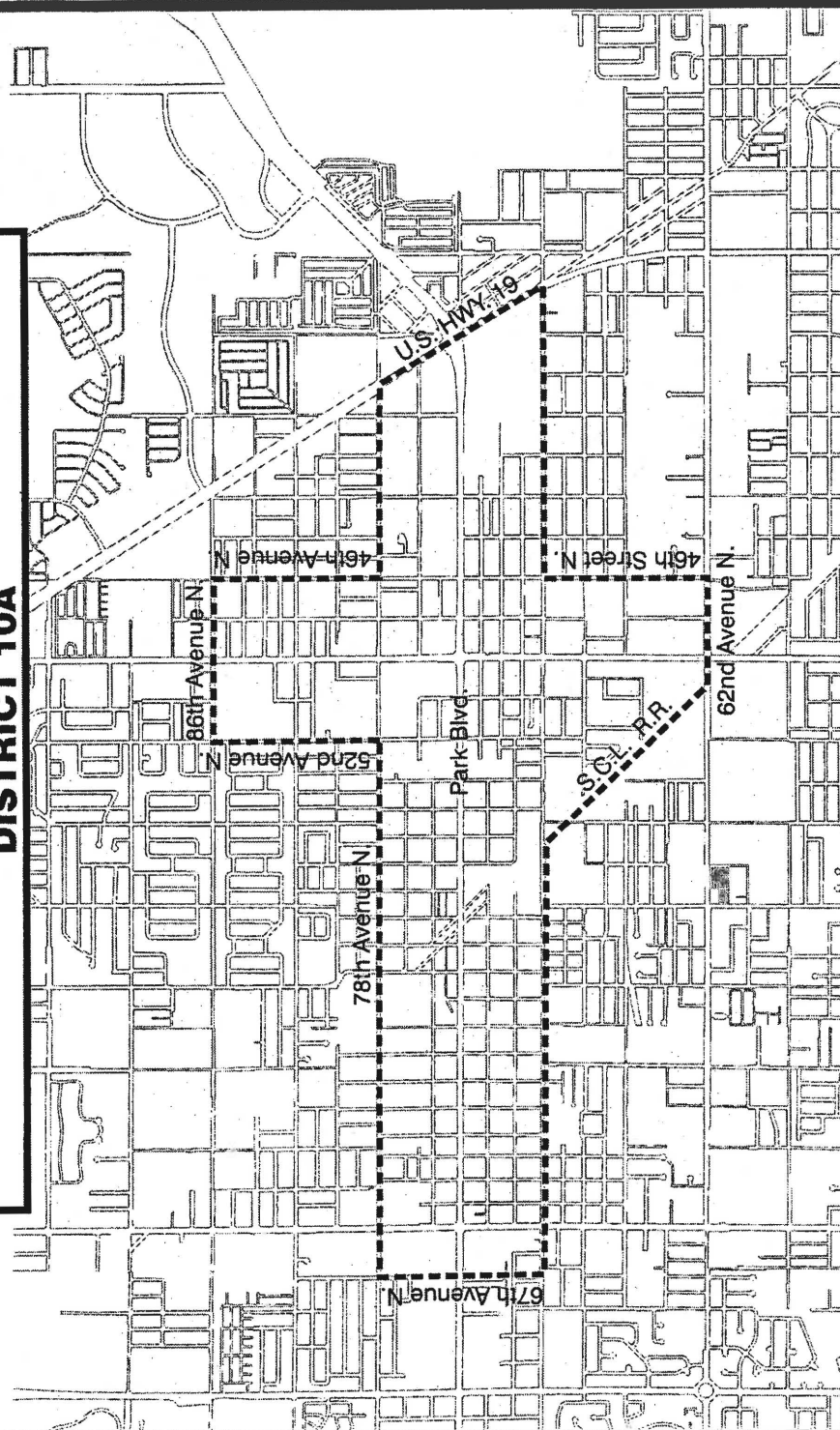


EXHIBIT D

**CLEARWATER DOWNTOWN AREA
DISTRICT 6A**



EXHIBIT E

**DUNEDIN DOWNTOWN AREA
DISTRICT 4A**



EXHIBIT F

**LARGO DOWNTOWN AREA
DISTRICT 7A**

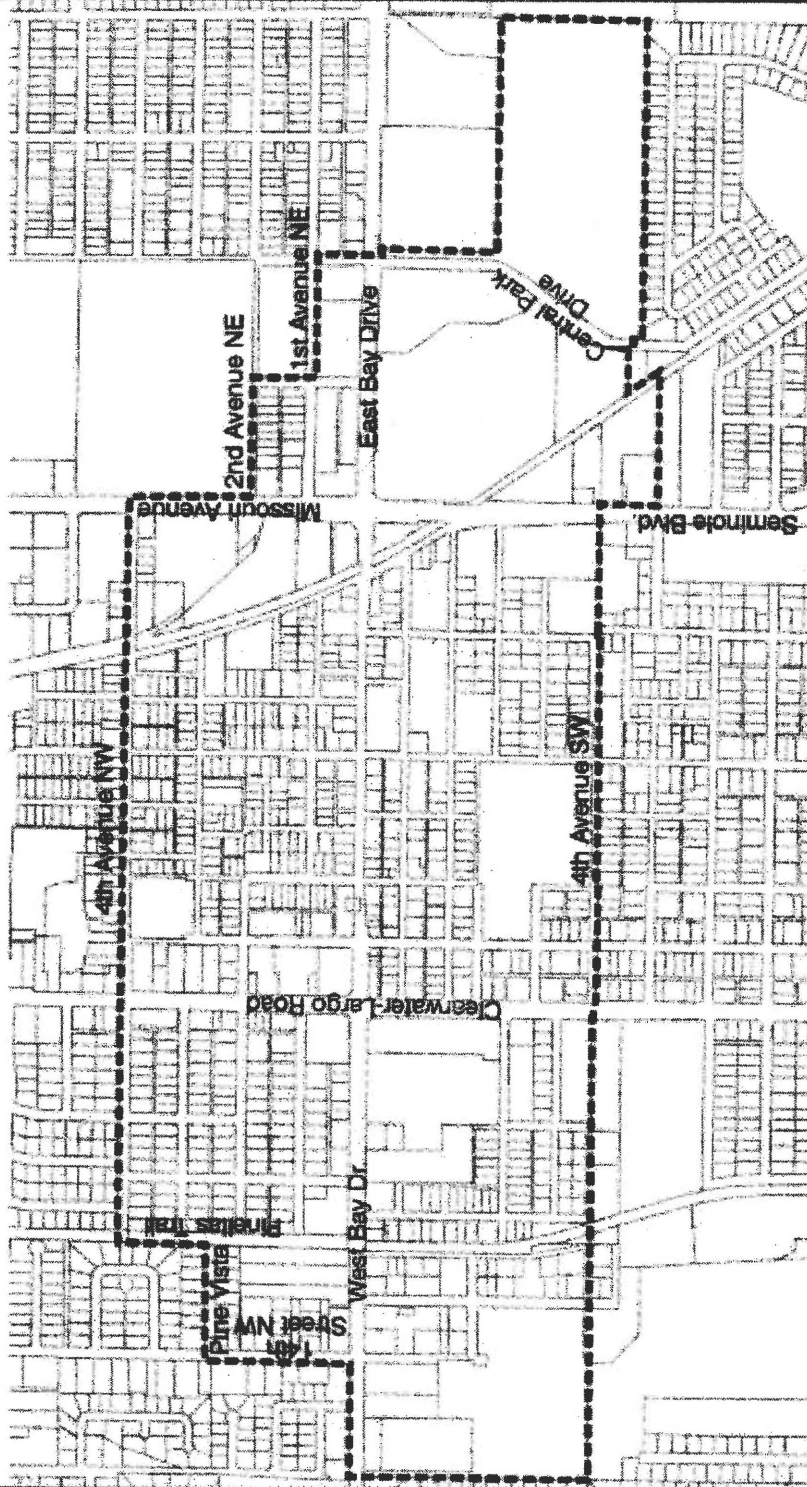


EXHIBIT G

**OLDSMAR DOWNTOWN AREA
DISTRICT 2A**

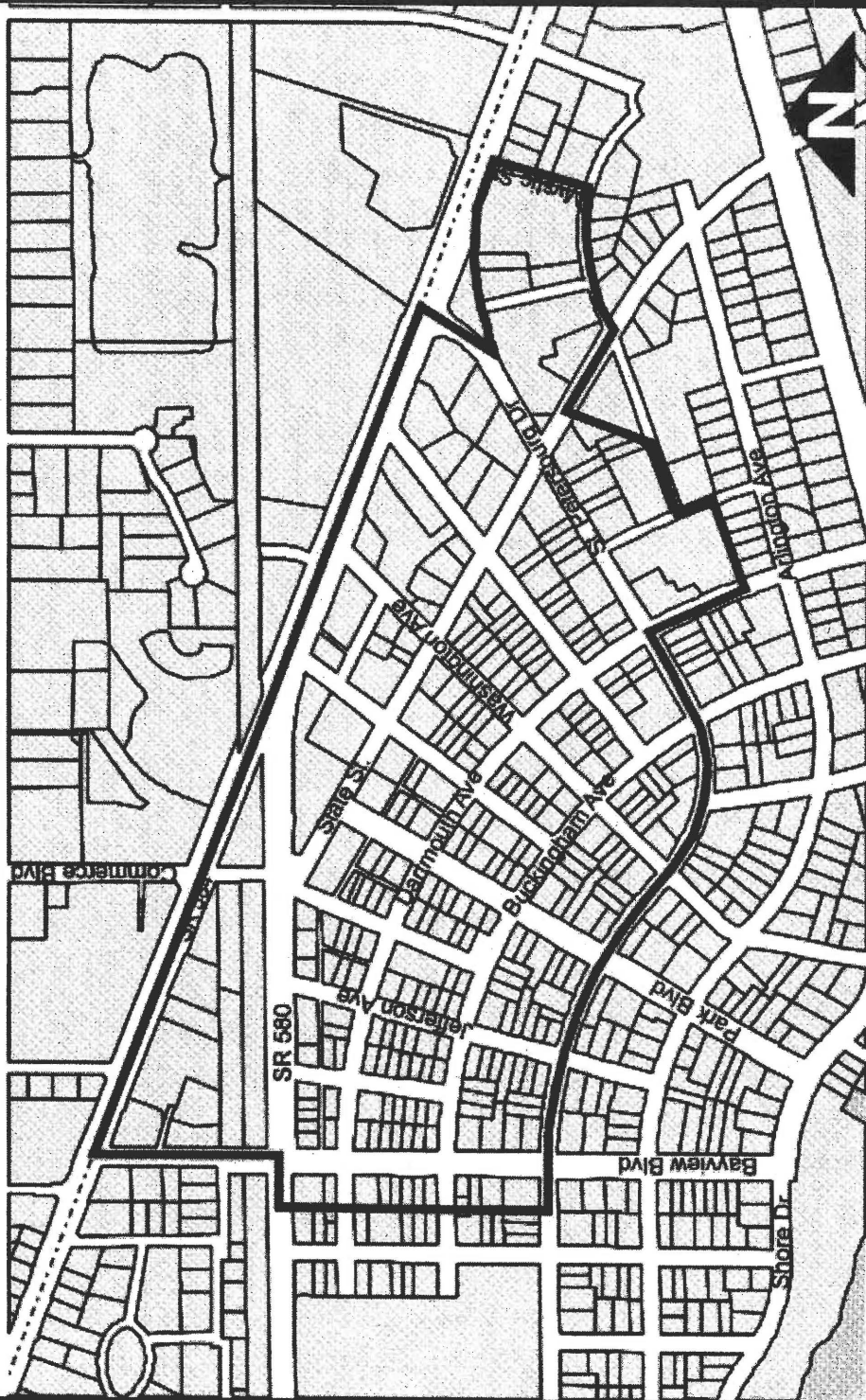
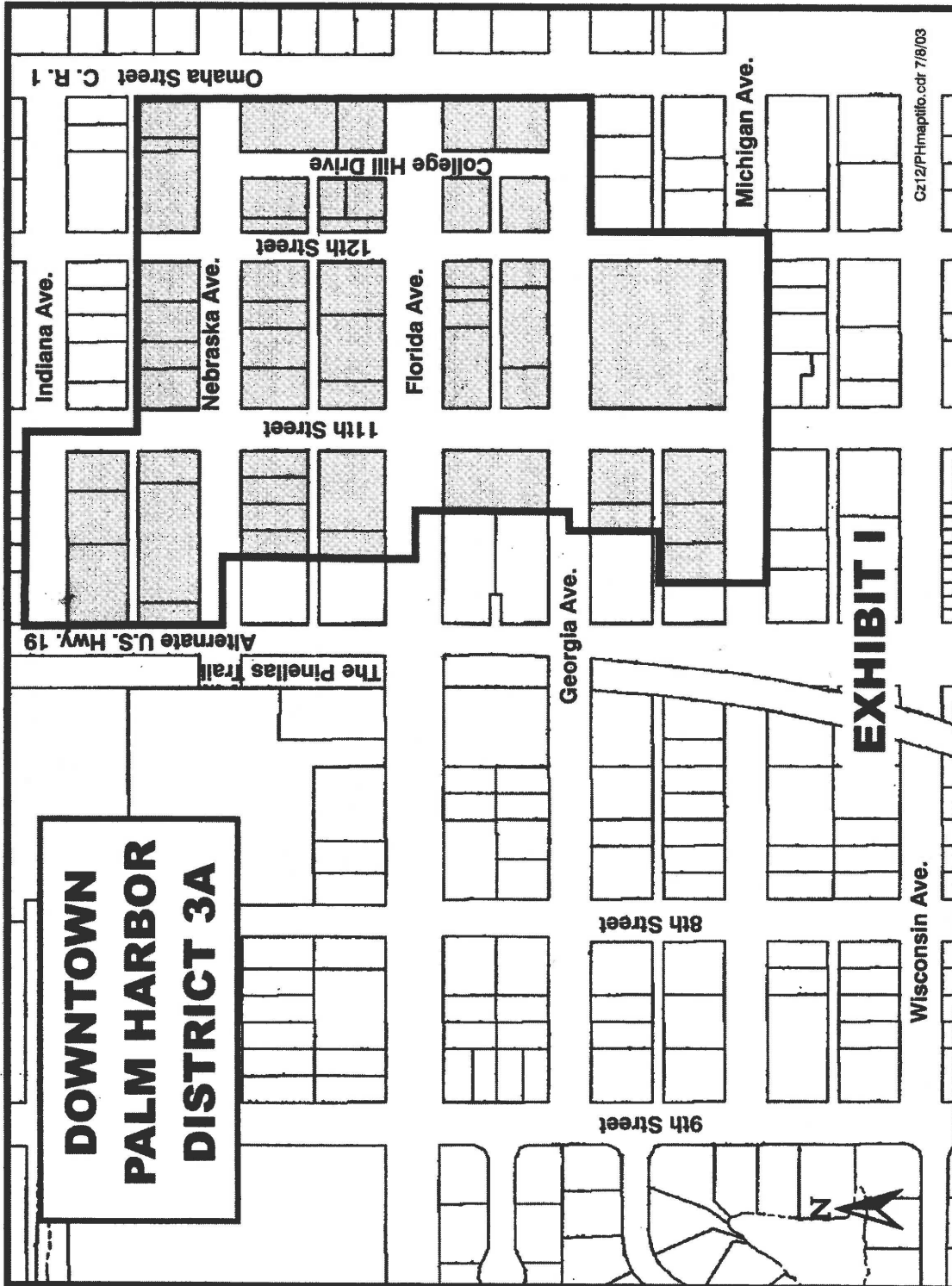


EXHIBIT H



Deficient Roads

DefRds14.pdf
9/23/14

SECTION 18. Severability

If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of the Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

SECTION 19. Inclusion in the Code

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

SECTION 20. Filing of Ordinances; Effective Date

Pursuant to Section 125.66, F.S., a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon notice of filing of the Ordinance with the Department of State or _____, whichever is later.

ORDINANCE NO. 16-

AN ORDINANCE OF THE COUNTY OF PINELLAS ESTABLISHING A MOBILITY MANAGEMENT SYSTEM BY AMENDING CHAPTER 150, IMPACT FEES, OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE, BY CHANGING THE NAME OF ARTICLE II FROM TRANSPORTATION IMPACT FEES TO MULTIMODAL IMPACT FEES; REVISING SECTIONS 150-36 THROUGH 150-47 TO REPEAL LANGUAGE REFERRING TO TRANSPORTATION IMPACT FEES AND CONCURRENCY AND REPLACING WITH MULTIMODAL IMPACT FEES AND MOBILITY MANAGEMENT RESPECTIVELY; REVISING SECTION 150-40, COMPUTATION OF AMOUNT, TO CORRECT UNIT RATE FOR ADULT CONGREGATE LIVING FACILITY AND ADDING FOOTNOTE RELATED TO GENERAL COMMERCIAL CATEGORY; ADDING SECTION 150-48 TO ESTABLISH A MOBILITY MANAGEMENT SYSTEM; RENUMBERING AND AMENDING SECTIONS 150-48 AND 150-49; REVISING EXHIBITS "A" THROUGH "J" TO REFLECT ARTICLE II NAME CHANGE AND ADDING EXHIBIT "K", DEFICIENT ROADS; MODIFYING IMPACT FEE DISTRICTS BOUNDARIES; AND PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH OTHER RESPONSIBLE PARTIES; 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 be able to 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 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, Florida House Bill 7207, also known as the Community Planning Act, was signed into law in 2011; and

WHEREAS, the Community Planning Act removed State requirements for local government implementation of transportation concurrency management systems; and

WHEREAS, in the absence of State imposed transportation concurrency management requirements, the Pinellas County Metropolitan Planning Organization authorized a multi-jurisdictional task force to develop a countywide approach to manage the transportation impacts of development projects through local site plan review processes; and

WHEREAS, the Mobility Plan Task Force participated in the development of a countywide mobility plan through a coordinated effort involving the local governments of Pinellas County, and the Pinellas Suncoast Transit Authority, Pinellas Planning Council and Florida Department of Transportation; and

WHEREAS, the Pinellas County Mobility Plan was approved by the Pinellas County Metropolitan Planning Organization on September 11, 2013; and

WHEREAS, the Pinellas County Mobility Plan provides a more flexible and efficient alternative to the traditional form of concurrency management, which ties development approvals to maintaining adopted roadway level of service standards, while facilitating multimodal transportation solutions; and

WHEREAS, the Pinellas County Mobility Plan incorporates the assessment of impact fees as a central element in its implementation; and

WHEREAS, the Pinellas County Mobility Plan calls for renaming the Transportation Impact Fee Ordinance the Multimodal Impact Fee Ordinance to reflect the purpose of the Ordinance to improve the capacity of the countywide transportation system for all users; and

WHEREAS, amendments to Chapter 150 are needed to establish a mobility management system designed to implement the Pinellas County Mobility Plan; and

WHEREAS, changes to the impact fee district boundaries are needed to be consistent and better coordinated with municipal development patterns; and

WHEREAS, the cities of Clearwater and Largo have requested modification to the boundaries of their downtown area districts, respectively; and

WHEREAS, the requested modifications to the Clearwater and Largo downtown districts are consistent with the terms of the Multimodal Impact Fee Ordinance regarding the application of fee schedule B; and

WHEREAS, revisions to Exhibits "A" through "J" are necessary to adjust the boundaries of the impact fee districts; and

WHEREAS, a new Exhibit "K" has been added to depict the location of deficient roadway facilities as referenced by the mobility management system; and

WHEREAS, changes are necessary to correct the unit rate for adult congregate living facility and to add a footnote to fee schedules A and B related to the unit of measure for the general commercial category.

NOW, THEREFORE, BE IT ORDAINED, ON THIS _____ DAY OF _____, 2016, BY THE BOARD OF COUNTY COMMISSIONERS OF PINELLAS COUNTY, FLORIDA THAT:

SECTION 1. CHAPTER 150 ARTICLE II OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS RENAMED MULTIMODAL IMPACT FEES.

SECTION 2. SECTION 150-36 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

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.

Deficient facility means a road operating at peak hour level of service E or F, and/or a volume-to-capacity (v/c) ratio of 0.9 or higher with no mitigating improvements scheduled within three years.

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 Subsection 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.

Mobility management system is the process utilized by Pinellas County to implement the Pinellas County Mobility Plan. This includes the process of managing the transportation impacts of development projects and the assessment, collection and expenditure of multimodal impact fees.

Multimodal impact fee district means areas from which impact fee monies are collected and expended. These districts are defined in exhibit A.

Mobility 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.

New peak hour trip refers to a vehicle trip added to the major road network from and to a developed parcel of land during the weekday peak hour. This excludes "passer-by" or "diverted" trips, whereby the site is accessed as a secondary trip.

Off-site improvements means transportation-related and/or -supportive 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.

Pinellas County Mobility Plan is a countywide approach to managing the transportation impacts of development projects and increasing mobility for pedestrians, bicyclists, transit users and motor vehicles utilizing the multimodal impact fee ordinance and local site plan review processes.

Pre-existing use refers to the land use that occupied a parcel of land prior to the submittal of a permit/site plan application. In accordance with Section 150-40, development projects are entitled to a credit equivalent to the impact fee assessment of any land use activity that existed on the property as of 1986, the original adoption year of this Ordinance. The applicant must provide the necessary documentation to verify a pre-existing use activity not reflected in the current records of the Pinellas County Property Appraiser's Office.

Road means any public way for purposes of travel, 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;
- (7) Roads necessary to provide direct access to the development; and
- (8) Pedestrian and other non-motorized transportation improvements such as sidewalks, pathways and bicycle lanes to provide direct access to the development.

Transportation management plan, as developed by an applicant representing a proposed development is submitted in conjunction with individual site plans seeking to utilize transportation management strategies to address their development impacts, improve the efficiency and safety of the mobility system, and increase the mobility for all users.

Transportation management plan strategies are intended to increase mobility while addressing the transportation impacts of development projects. They include, but are not limited to, density/intensity reductions, project phasing, access controls, capital improvements and/or initiatives encouraging mass transit, bicycle or pedestrian travel, ride-sharing or roadway improvements. They do not include standard requirements necessary for site plan approval or operational improvements.

Volume-to-capacity (v/c) ratio means the rate of traffic flow of an intersection approach or group of lanes during a specific time interval divided by the capacity of the approach or group of lanes.

SECTION 3. SECTION 150-37 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

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 multimodal impact fee district boundaries, as identified in Exhibit A [following Section 150-50], 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.

SECTION 4. SECTION 150-38 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

Sec. 150-38. Intent, purpose, and legislative findings.

- (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 bears a proportionate share of the cost of capital expenditures necessary to meet mobility 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.
- (c) The legislative findings are as follows:
 - (1) Florida House Bill 7207, the Community Planning Act, was legislated in 2011. The Act eliminated state mandated concurrency management requirements related to transportation facilities for local governments;
 - (2) In 2013, the Pinellas County Metropolitan Organization approved the Pinellas County Mobility Plan. The intent of the Mobility Plan is to replace local transportation concurrency management programs with a system that provides local governments with the means to manage the traffic impacts of development projects;
 - (3) The transportation element of the comprehensive plan identifies a number of highway system facilities operating under deficient level of service conditions. These require the application of mobility plan provisions in order to manage transportation impacts and to increase mobility through the use of multimodal impact fees to fund mobility improvements;
 - (4) Local comprehensive plans provide data, analysis, and policies supporting the management of development impacts on major roads operating with deficient level of service conditions through the application of the Pinellas County Mobility Plan and supporting land use policies;
 - (5) Transportation management plan strategies are important tools for local governments to manage development impacts while maximizing mobility and accessibility consistent with the comprehensive plan and Fix America's Surface Transportation (FAST) Act; and
 - (6) The Community Planning Act encourages the coordination of planning and growth management activities among local governments, the Metropolitan Planning Organization and regional and state government agencies.

SECTION 5. SECTION 150-39 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

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 multimodal 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 multimodal 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.

SECTION 6. 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	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	\$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

Note: 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	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	\$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

Note: 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 7. 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 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 multimodal impact fee district, as identified in Exhibit A, and promptly transferred for deposit into the appropriate multimodal 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 multimodal 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 mobility 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 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

Subsections 150-41(h), (i) and (j), shall be credited against the multimodal 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 multimodal 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 one 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.
- (o) Sections 150-41(c) through (f) do not apply to development projects that are subject to the requirements of Sections 150-48(c), (d) and (f).

SECTION 8. SECTION 150-42 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

Sec. 150-42. Trust accounts established.

- (a) Each municipality which collects and administers multimodal 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 13 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.

SECTION 9. SECTION 150-43 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

Sec. 150-43. Disposition of funds.

- (a) Funds collected from multimodal impact fees shall be used for the purpose of projects that improve the capacity of the surrounding traffic circulation system and projects that 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 to support the area transportation network. 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 Subsection 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 mobility improvements or expansions within the multimodal 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 multimodal 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) Multimodal 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 multimodal 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) Multimodal impact fees collected within each district may be made available for construction of improvements on the state road network in the district.
- (g) Multimodal 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 mobility 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 multimodal 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.

SECTION 10. SECTION 150-44 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

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 multimodal 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.

SECTION 11. SECTION 150-45 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

Sec. 150-45. Exemptions.

(a) The following shall be exempted from payment of the multimodal 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.

SECTION 12. SECTION 150-46 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

Sec. 150-46. Review committee.

It is the intention of the board of county commissioners to ensure consistency in administration of the multimodal 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.

SECTION 13. SECTION 150-47 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS AMENDED TO READ AS FOLLOWS:

Sec. 150-47. Review of fee structure.

The multimodal 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 mobility improvement projects and to ensure the fee charged new land development activity generating traffic will not exceed its fair share.

SECTION 14. SECTION 150-48, MOBILITY MANAGEMENT, OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS ADDED TO READ AS FOLLOWS:

Sec. 150-48. Mobility management.

- (a) Transportation management plans are required for development applications subject to the provisions in Subsections 150-48(c), (d) and (f) utilizing transportation management strategies/improvements included in an approved transportation management plan in terms of the scale of the project(s) and roadway capacity and/or mobility benefits provided shall be based primarily on the projected impact of the development project on the surrounding traffic circulation system. Specific conditions of the deficient road corridor impacted by the development shall also be considered.

Transportation management plan strategies/improvements required in accordance with Subsections 150-48(c), (d) and (f) will be determined at the time of site plan review. Transportation management plans must be developed by the applicant and accepted by the applicable local government. If the project impacts a State Road, the applicant must also submit the transportation management plan to the Florida Department of Transportation District 7 Office. Transportation management plan strategies/improvements include, but are not limited to, those listed below. Transportation management plans seeking to implement strategies that do not involve structural improvements, such as ride-sharing and transit incentive programs, must include a monitoring program to ensure the strategies are carried out in accordance with the plan. Site-related improvements are not eligible for inclusion in transportation management plans.

- (1) Intensity reduction. The intensity of the proposal may be reduced through an across-the-board reduction of the permitted floor area ratio, as it would otherwise normally apply to the proposal. Other such corrective actions that would reduce the intensity of the proposal may also apply.
- (2) Density reduction. The density of the proposal may be decreased by a reduction in the number of units per acre below that which would otherwise normally apply to the proposal.
- (3) Project phasing. A project may be divided into logical phases of development by area, with later phases of the development proposal's approval withheld until the needed facilities are available.
- (4) Outparcel deletion. Those portions of the proposal characterized as outparcels that create separate and unique impacts may be deleted from the total proposal.
- (5) Physical highway improvements. A project may construct link capacity improvements, acceleration/deceleration lanes, intersection improvements or frontage roads.
- (6) Operational improvements (signal). This includes efforts involving signal removal or signal timing improvements.
- (7) Access management strategies. These include access management controls such as the preclusion of a direct connection to an LOS deficient facility, right-in/right-out driveways, alternative driveway locations, reduction of a driveway, single point access, shared access or the implementation of median controls.
- (8) Mass transit initiatives. A project may implement a plan to encourage transit (e.g., employer-issued bus passes). Other mass transit initiatives may include, but are not limited to the construction of bus stop amenities, bus pull-off areas and dedication of park and ride parking

spaces.

- (9) Demand management/commuter assistance. These include efforts to encourage ride-sharing (e.g., designated parking spaces for carpools, employer-sponsored carpool program, participation in transportation management organization/initiative programs), and implementation of flexible work hours and telecommuting programs.
 - (10) Bicycle/pedestrian improvements. These would involve structural improvements or construction of a bikeway or sidewalk connecting an existing bikeway/sidewalk network or providing access to a school, park, shopping center, etc. These improvements may also include pedestrian treatments in parking area, sidewalks connecting developments with adjacent land uses, trail improvements and bicycle rack and on-street bicycle lane installations, and the planting of trees to provide shade canopy along sidewalks.
 - (11) Intelligent transportation system improvements. This includes improvements pertaining to computerized traffic signal systems that automatically adjust to maximize traffic flow and to permit emergency vehicles to pass through intersections quickly. It also includes freeway management systems, such as electronic message signs, and electronic fare payment on public buses that reduce passenger boarding time.
 - (12) Livable community site design features. These include, but are not limited to, implementation of pedestrian friendly site design features such as orienting buildings toward the street and parking lots to the side or rear of buildings.
- (b) Deficient road corridors include parcels, all or a portion of which lie within a corridor as defined below.
- (1) Sole direct access. A condition where the only means of site ingress/egress is directly onto the road facility, regardless of the distance of that site from the facility;
 - (2) Direct access. A condition in which one or more existing or potential site ingress/egress points makes a direct connection to the road facility and the site is within one-half mile of the road facility; and
 - (3) Sole indirect access. A condition where the only point of site ingress/egress is onto a public non-arterial roadway which makes its first and shortest arterial level connection onto a road facility regardless of the distance of that site from the facility.
- (c) Development projects that generate between 51 and 300 new peak hour trips are designated as Tier 1.
- (1) Developers of Tier 1 projects located within deficient road corridors are required to submit a transportation management plan designed to address their impacts while increasing mobility and reducing the demand for single occupant vehicle travel.
 - (2) The cost of transportation management strategies implemented for Tier 1 projects are creditable toward their multimodal impact fee assessment. If the cost of the improvement exceeds the assessment, the development project would not be subject to the payment of a multimodal impact fee per Section 150-39 and 40.
- (d) Development projects that generate more than 300 new peak hour trips are designated as Tier 2.
- (1) Developers of Tier 2 projects within deficient road corridors are required to conduct a traffic study and submit an accompanying report. The report shall include the results of the traffic study and a transportation management plan identifying improvements necessary to address the impacts of the project.
 - (2) The cost of transportation management strategies implemented for Tier 2 projects may be applied as credit toward the project's multimodal impact fee assessment or payment of the fee could be included as part of a transportation management plan.
- (e) Development projects that generate less than 51 new peak hour trips are required to pay a

multimodal impact fee in accordance with Chapter 150. Such development projects are not required to submit a transportation management plan or traffic study, unless otherwise warranted.

- (f) Development projects that generate more than 50 new peak hour trips on non-deficient roads shall be reviewed by Pinellas County or municipal staffs to determine if the impacts to the project adversely affect the level of service of the surrounding road network. If it is determined that approval of the development project would diminish the level of service of the adjacent road(s) to peak hour level of service E or F or would cause the volume-to-capacity ratio to reach or exceed 0.9, a transportation management plan would be required. The applicant may submit a traffic study to verify whether their project would affect the level of service of the adjacent road(s). A transportation management plan would be required if the results of the study confirm the findings of the City or County staff. The transportation management plan for such developments shall comply with the requirements of Tier 1 or Tier 2 projects described in Sections 150-48(c) and (d) as appropriate and as determined by the presiding local government.
- (g) Determination of trip generation associated with an application for development shall be based on impact fee Schedule A or B in Section 150-40 or the latest edition of the Institute of Transportation Engineers Trip Generation Manual. As an alternative to the fee schedule and Trip Generation Manual, the applicant may submit a trip generation study in accordance with Section 150-40(d) and (e).
- (h) Deficient road corridors are identified in the following table and in Exhibit K. The table and Exhibit K do not include deficient roads with mitigating improvements scheduled within the next three years.

Deficient Corridors include the following:

Road Segment	From	To
102nd Avenue (CR 296)	Ridge Road	131st Street
22nd Avenue North	34th Street (SR 55)	22nd St
38th Avenue North (CR 184)	49th Street North (CR 611)	34th Street North
Alternate US 19 (SR 595)	Main Street (SR 580)	Tarpon Avenue
Bay Drive (SR 686)	Clwtr Largo Road (CR 321)	US 19 (SR 55)
Bay Pines Blvd (SR 595)	Park Street (CR 1)	East of 94th Street
Belcher Road (CR 501)	Druid Road	Belleair Road (CR 464)
Belleair Road (CR 464)	Keene Road (CR 1)	US 19 (SR 55)
Belleair Beach Causeway (SR 686)	Indian Rocks Road	Gulf Boulevard
Bryan Dairy Road (CR 296)	Seminole Blvd. (SR 595)	98 th Street
Court Street (SR 60)	Missouri Avenue (SR 651)	Myrtle Avenue
Drew Street (CR 528)	US 19 (SR 55)	NE Coachman Road (SR 590)
East Lake Road (CR 611)	Woodlands Parkway	Keystone Road (CR 582)
Forest Lakes Blvd (CR 667)	Pine Avenue	Pinellas/Hillsborough CL
Forest Lakes Blvd (CR 667)	Pine Avenue	Pinellas/Hillsborough CL

Ft. Harrison Avenue	Belleair Road (CR 464)	Drew St (SR 590)
Gandy Blvd. (SR 694)	4 th Street (SR 687)	Brighton Bay Boulevard NE
Gandy Blvd. (SR 694)	West of Dr. Martin Luther King Jr. Street North	Pinellas/Hillsborough CL
Gulf-To-Bay Blvd (SR 60)	Keene Road (CR 1)	Pinellas/Hillsborough CL
Gulf-To-Bay Blvd (SR 60)	Highland Avenue (CR 375)	Missouri Avenue (SR 595)
Interstate 275 (SR 93)	Gandy Blvd (SR 694)	Interstate 175
Indian Rocks Road (CR 233)	West Bay Drive (CR 416)	Walsingham Road (CR 330)
Keene Road (CR 1)	Druid Road	Belleair Road (CR 464)
Keene Road (CR 1)	Sunset Point Road (CR 576)	SR 580
McMullen-Booth Road (CR 611)	Curlew Road (SR 586)	Gulf-To-Bay Blvd (SR 60)
Memorial Causeway (SR 60)*	Causeway Boulevard	Island Way
Park Blvd (CR/SR 694)	US 19 (SR 55)	49 th Street North
Park Blvd (CR/SR 694)	66 th Street North	Duhme Road/113 th Street North (CR 321)
Roosevelt Blvd (SR 686)	49 th Street North (CR 611)	Ulmerton Road (SR 688)
SR 580	Phillipe Parkway (CR 590)	Forest Lakes Blvd. (CR 667)
Starkey Road (CR 1)	East Bay Drive (SR 686)	Ulmerton Road (SR 688)
Tampa Road (SR 584)	Curlew Road (SR 586)	SR 580
Tarpon Avenue (SR 582)	Alternate US 19 (SR 595)	US 19 (SR 55)
Ulmerton Road (SR 688)	49 th Street North (CR 611)	E. Roosevelt Blvd. (SR 686)
US 19 (SR 55)	Gandy Boulevard (SR 600)	54 th Avenue North (CR 202)
US 19 (SR 55)	Mainlands Boulevard	54 th Avenue North (CR 202)
Walsingham Road	Ulmerton Road (SR 688)	Seminole Blvd (SR 595)
*West end of road is municipal jurisdiction		

- (i) Existing levels of service (LOS) used to identify deficient road corridors are based on the annual Metropolitan Planning Organizations Level of Service Report.

SECTION 15. SECTION 150-48 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS RENUMBERED AND AMENDED TO READ ASFOLLOWS:

Sec. 150-49. Territory embraced.

This article shall apply to the unincorporated area of the county and to the incorporated areas of the county to the extent permitted by article VIII, section 1(g) of the State Constitution and the County Charter.

SECTION 16. SECTION 150-49 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE IS RENUMBERED AND AMENDED TO READ ASFOLLOWS:

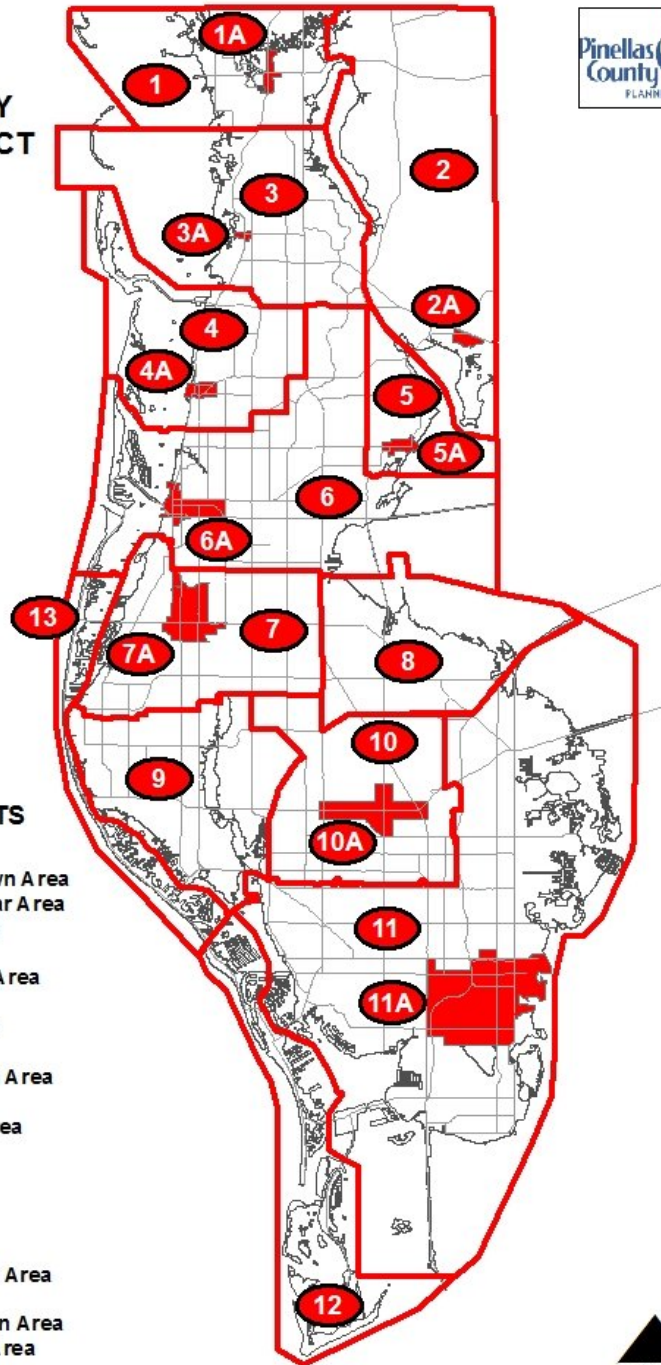
Sec. 150-50. Repeal of article.

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.

SECTION 17. EXHIBITS A-K OF CHAPTER 150 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE ARE HEREBY AMENDED AND REPLACED OR ADDED WITH THE FOLLOWING EXHIBITS:

EXHIBIT A

PINELLAS COUNTY MULTIMODAL IMPACT FEE DISTRICTS



IMPACT FEE DISTRICTS

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



[illegible]

[illegible]

**PALM HARBOR DOWNTOWN AREA
DISTRICT 3A**

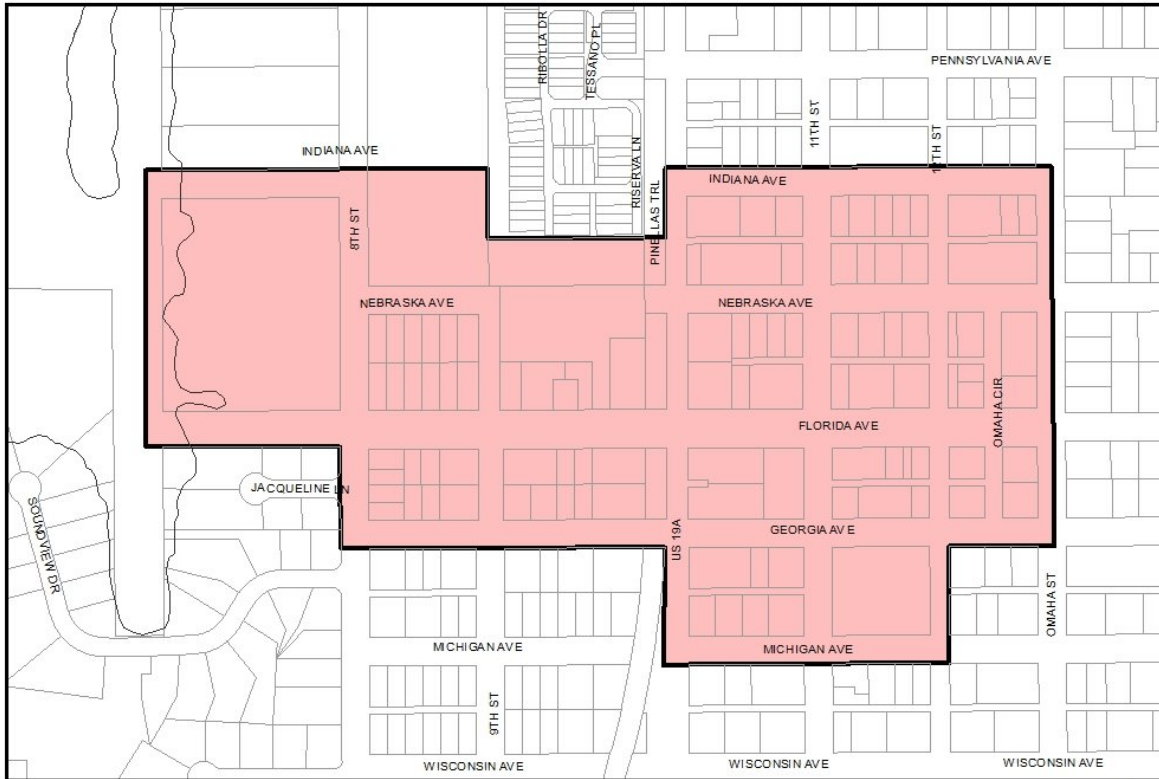


EXHIBIT D



DUNEDIN DOWNTOWN AREA DISTRICT 4A

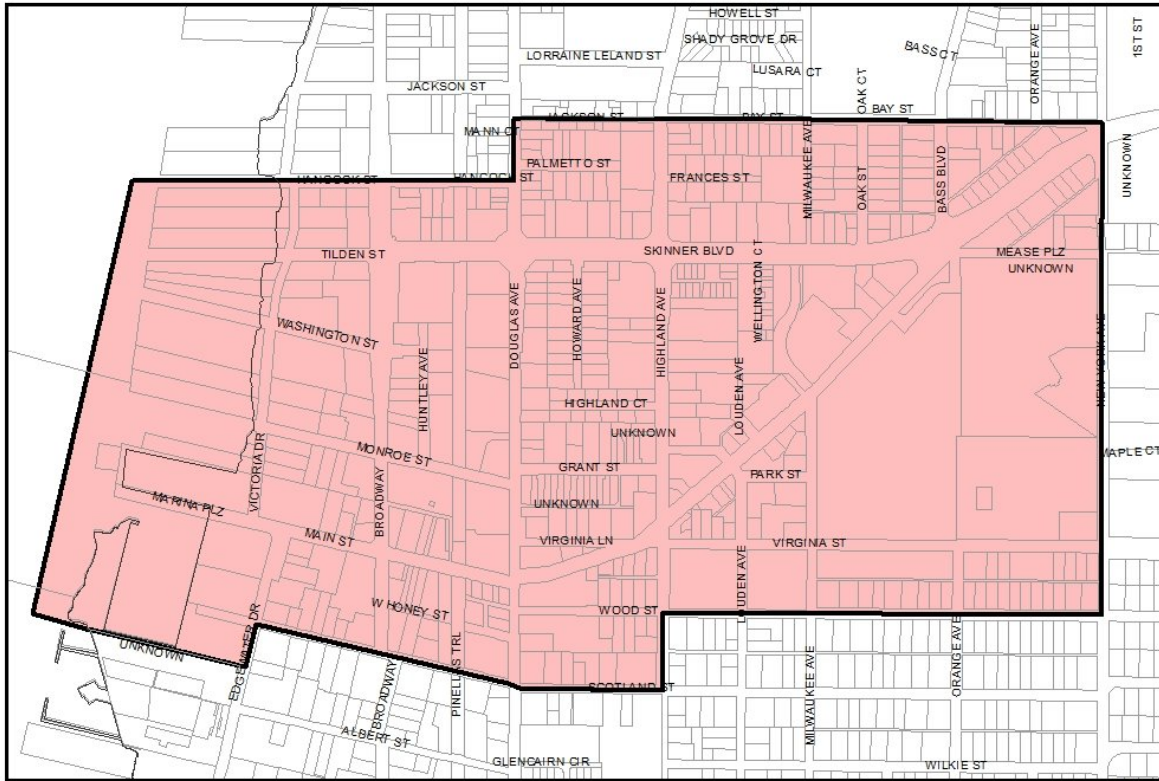


EXHIBIT E



**SAFETY HARBOR DOWNTOWN AREA
DISTRICT 5A**

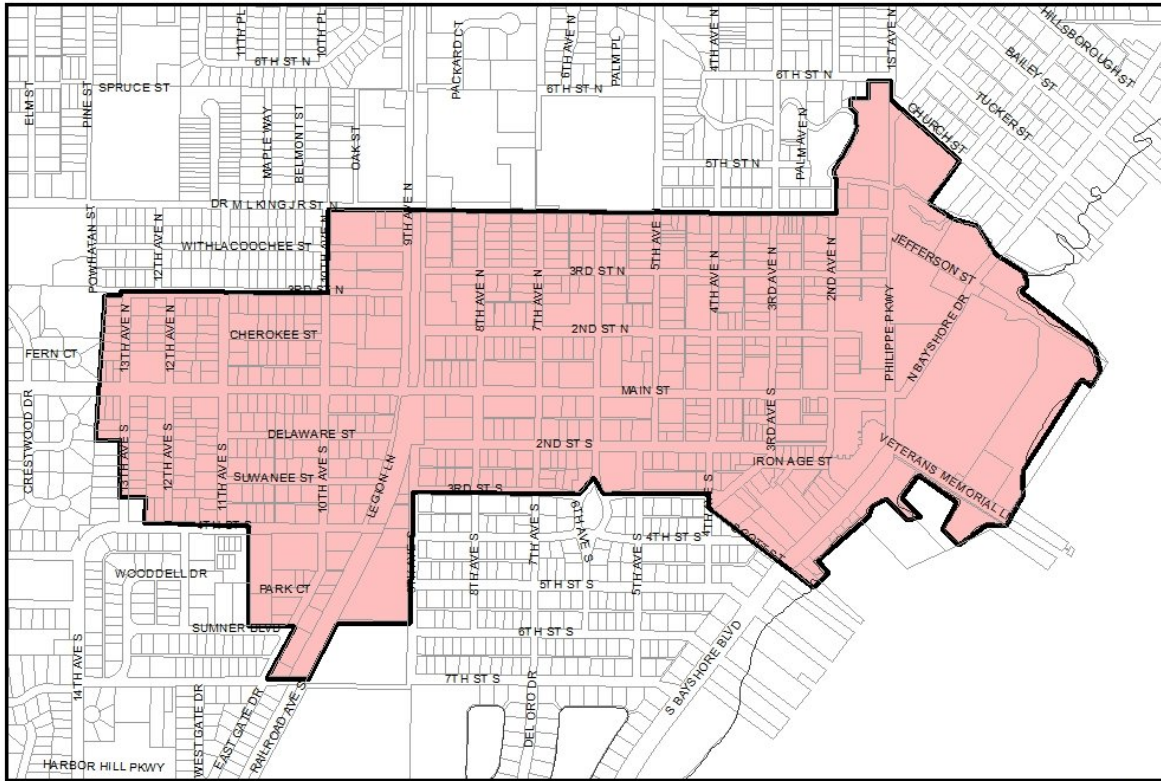


EXHIBIT F



This map illustrates the Central Business District (CBD) of St. Louis, Missouri, highlighted in red. The CBD is bounded by the Mississippi River to the west, the Gateway Arch and downtown skyline to the east, and various streets to the north and south. Key streets shown include Market St, Main St, and various numbered streets. The map also shows surrounding areas and the city's overall layout.



LARGO DOWNTOWN AREA DISTRICT 7A

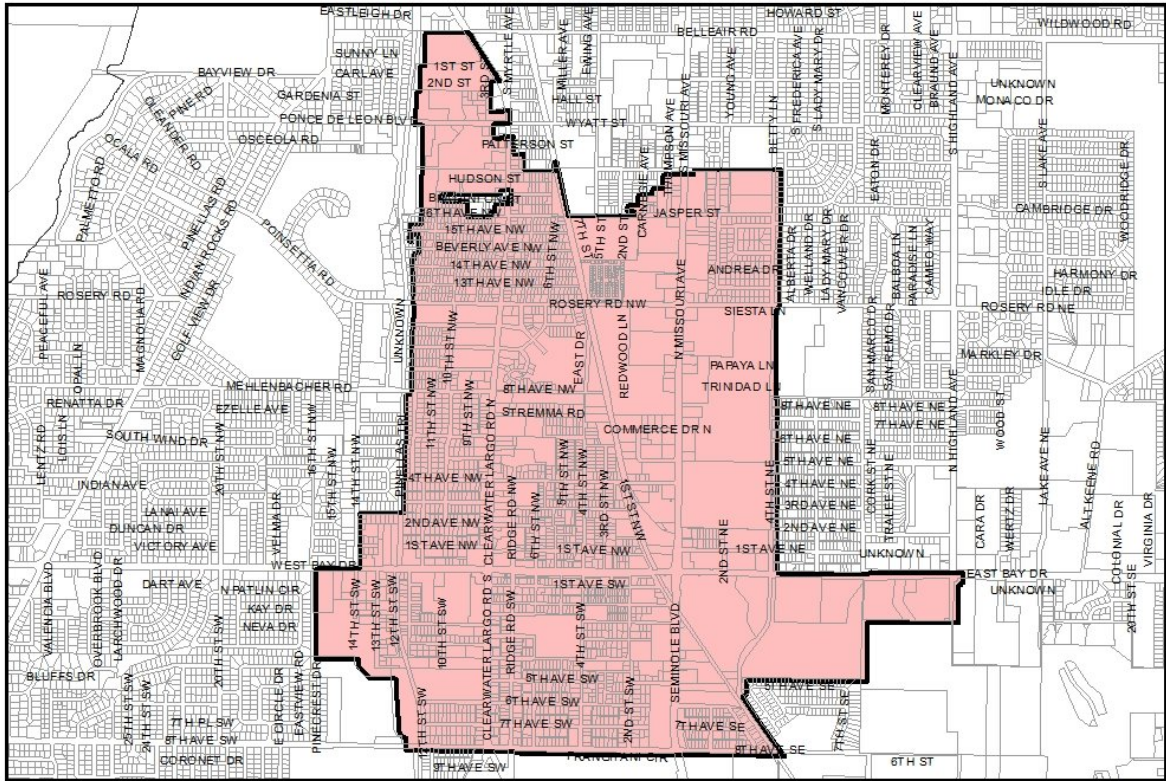


EXHIBIT H



PINELLAS PARK DOWNTOWN AREA DISTRICT 10A

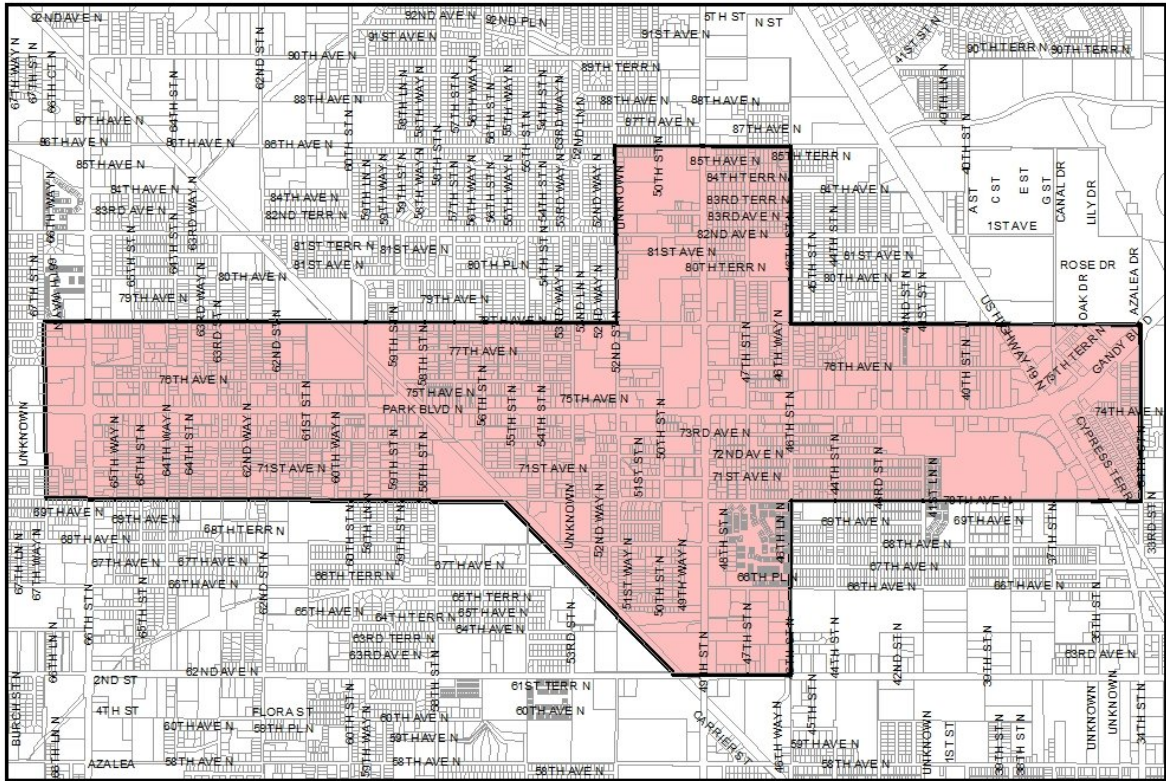


EXHIBIT I



ST. PETERSBURG DOWNTOWN AREA DISTRICT 11A

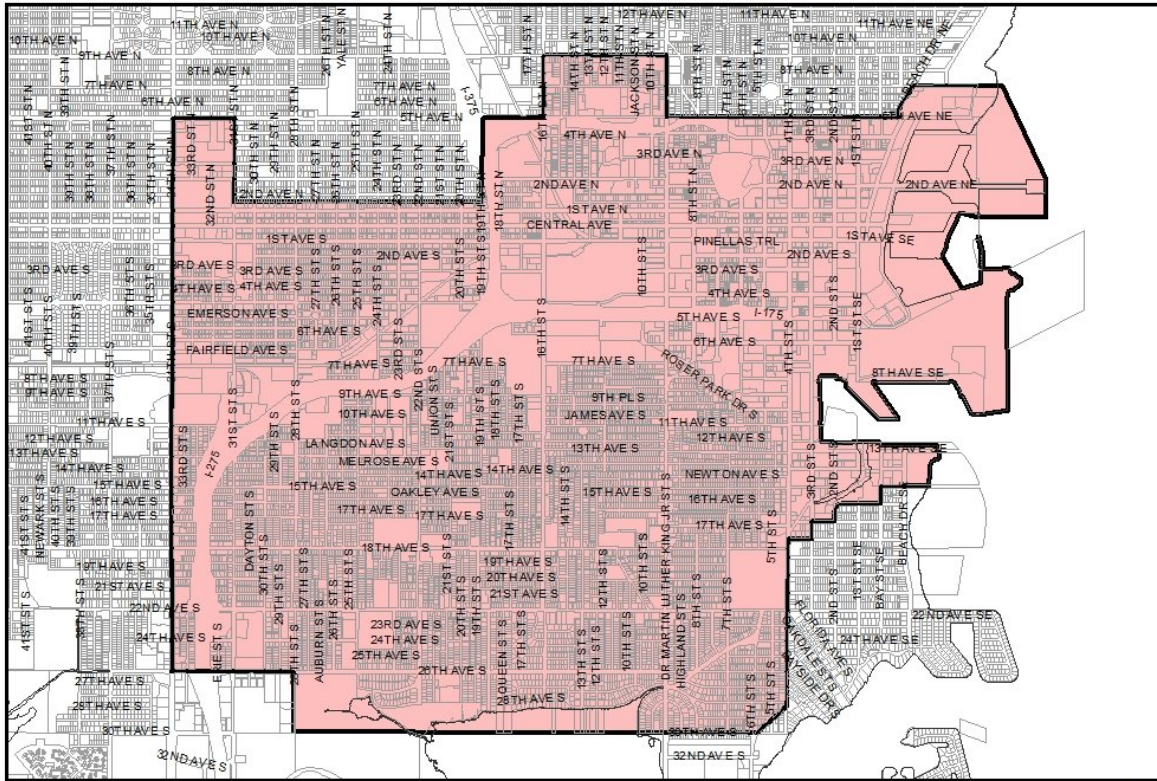


EXHIBIT J



Deficient Roads



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SECTION 18. Severability

If any section, paragraph, subdivision, clause, sentence, or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of the Ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

SECTION 19. Inclusion in the Code

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

SECTION 20. Filing of Ordinances; Effective Date

Pursuant to Section 125.66, F.S., a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon notice of filing of the Ordinance with the Department of State or _____, whichever is later.