

## **ORDINANCE 2005- 015**

### **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF INDIAN RIVER COUNTY, FLORIDA, ADOPTING TITLE X, IMPACT FEES, AND AMENDING CODE SECTION 953, FAIR SHARE ROADWAY IMPROVEMENTS, OF THE CODE OF INDIAN RIVER COUNTY TO PROVIDE FOR ASSESSING AND COLLECTING IMPACT FEES**

**WHEREAS**, the Board of County Commissioners has the authority to adopt this title pursuant to Article VIII, Florida Constitution, and Florida Statutes Chapters 125 and 163; and

**WHEREAS**, this title is intended to implement and be consistent with the county comprehensive plan; and

**WHEREAS**, the purpose of this title is to regulate the use and development of land so as to ensure that new development bears a proportionate share of the cost of the capital expenditures necessary to provide emergency services facilities, correctional facilities, public buildings, law enforcement facilities, library facilities, solid waste facilities, park and recreation facilities, public education facilities and traffic/transportation facilities in the county; and

**WHEREAS**, the existing emergency services facilities; correctional facilities; public buildings; law enforcement facilities; library facilities; solid waste facilities; park and recreation facilities; public education facilities; and traffic facilities are not sufficient to accommodate anticipated new development without decreasing the existing levels of service of those facilities; and

**WHEREAS**, measurable level of service standards are established in the County's comprehensive Plan or need to be established for each of the above listed public services; and

**WHEREAS**, existing revenue sources are not sufficient to fund capital improvements necessary to accommodate new development; and

**WHEREAS**, new development creates an increased need and demand for services and facilities and therefore should contribute its fair share of the costs of providing new facilities necessary to accommodate new development; and

**WHEREAS**, impact fees provide a reasonable method of ensuring that new development pays its fair share of the capital costs of public services and facilities necessary to accommodate the new development and new development will derive a substantial benefit from facilities funded by impact fees; and

**WHEREAS**, the revenue received from the impact fees set forth in this chapter shall not be used to correct existing deficiencies; and

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**WHEREAS**, the impact fees set forth in this title establish a fair and conservative method of assessing new development its fair share costs for capacity producing capital improvements; and

**WHEREAS**, the Board approves and accepts the underlying studies as a reasonable basis for the fees; and

**WHEREAS**, the impact fees set forth in this title will not fully pay for the costs of capital improvements necessitated by new development, and the county recognizes that the shortfall will have to come from other revenue sources; and

**WHEREAS**, the administrative charges set forth in this title are reasonable and necessary charges in order to efficiently administer the duties mandated by this title.

**NOW THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Indian River County, that Chapter 953 of the Indian River Code is hereby amended as follows:

**CHAPTER 953. FAIR SHARE ROADWAY IMPROVEMENTS** Is repealed and replaced by Chapter 1010, Indian River County Traffic Facilities and Fair Share Roadway Improvements Ordinance, except to the extent necessary to implement traffic impact fees under the exemption set forth in this ordinance.

**NOW THEREFORE, BE IT FURTHER ORDAINED** by the Board of County Commissioners of Indian River County, that Title X of the Indian River Code is hereby created as follows:

**TITLE X**

**IMPACT FEES**

- CHAPTER 1000. PURPOSE AND INTENT**
- CHAPTER 1001. DEFINITIONS**
- CHAPTER 1002. EMERGENCY SERVICES FACILITIES**
- CHAPTER 1003. CORRECTIONAL FACILITIES**
- CHAPTER 1004. PUBLIC BUILDINGS**
- CHAPTER 1005. LAW ENFORCEMENT**
- CHAPTER 1006. LIBRARY FACILITIES**
- CHAPTER 1007. SOLID WASTE FACILITIES**
- CHAPTER 1008. PARKS AND RECREATION FACILITIES**
- CHAPTER 1009. PUBLIC EDUCATION FACILITIES**
- CHAPTER 1010. TRAFFIC FACILITIES**
- CHAPTER 1011. ADMINISTRATIVE CHARGES**
- CHAPTER 1012. RULES OF CONSTRUCTION**

CHAPTERS 1000 THROUGH 1012 ARE ATTACHED HERETO AND INCORPORATED HEREBY

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Effective date: This ordinance shall become effective on July 1, 2005.

Exemption: Consistent with Article I, Section 10 of the United States and State of Florida Constitutions, complete building permit applications received after July 1, 2005, shall be assessed in accordance with the prior impact fee schedule ordinance 2004-015 (codified as Chapter 953) if they meet the following conditions:

- 1) A valid contract has been executed prior to July 1, 2005; and
- 2) A copy of the executed contract together with a copy of the cancelled check for deposit monies is submitted to the Community Development Department; and
- 3) The application of the ordinance would impair the obligations of the contract.

This Exemption shall expire July 1, 2006, unless further extended by a duly enacted ordinance.

This ordinance was advertised in the Press Journal on the 2nd day of May, 2005, for a public hearing on 17th day of May, 2005, at which time it was moved for adoption by Commissioner Neuberger, and seconded by Commissioner Wheeler, and adopted by the following vote:


Chairman Thomas S. Lowther	<u>Aye</u>
Vice Chairman Arthur R. Neuberger	<u>Aye</u>
Commissioner Wesley S. Davis	<u>Aye</u>
Commissioner Gary C. Wheeler	<u>Aye</u>
Commissioner Sandra L. Bowden	<u>Aye</u>

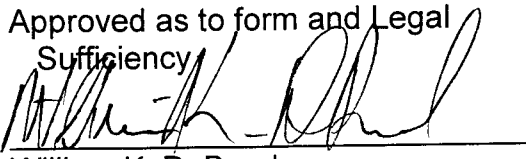
The Chairman thereupon declared the ordinance duly passed and adopted this 17th day of May, 2005.

Attest: J. K. Barton, Clerk

By   
Deputy Clerk

INDIAN RIVER COUNTY, FLORIDA  
by its Board of County Commissioners

By   
Thomas S. Lowther, Chairman

Approved as to form and Legal  
Sufficiency  
  
William K. DeBaal  
Assistant County Attorney

BCC Approved:  
  
May 17, 2005

**TITLE X**

**IMPACT FEES**

**CHAPTER 1000. PURPOSE AND INTENT**

**CHAPTER 1001. DEFINITIONS**

**CHAPTER 1002. EMERGENCY SERVICES FACILITIES**

**CHAPTER 1003. CORRECTIONAL FACILITIES**

**CHAPTER 1004. PUBLIC BUILDINGS**

**CHAPTER 1005. LAW ENFORCEMENT**

**CHAPTER 1006. LIBRARY FACILITIES**

**CHAPTER 1007. SOLID WASTE FACILITIES**

**CHAPTER 1008. PARKS AND RECREATION FACILITIES**

**CHAPTER 1009. PUBLIC EDUCATION FACILITIES**

**CHAPTER 1010. TRAFFIC FACILITIES**

**CHAPTER 1011. ADMINISTRATIVE CHARGES**

**CHAPTER 1012. RULES OF CONSTRUCTION**

## **CHAPTER 1000. PURPOSE AND INTENT**

<b>Section 1000.01.</b>	<b>Short title.</b>
<b>Section 1000.02.</b>	<b>Authority.</b>
<b>Section 1000.03.</b>	<b>Intent and purpose.</b>
<b>Section 1000.04.</b>	<b>Findings.</b>
<b>Section 1000.05.</b>	<b>Severability.</b>
<b>Section 1000.06.</b>	<b>Imposition.</b>
<b>Section 1000.07.</b>	<b>Exemptions and Credits.</b>
<b>Section 1000.08.</b>	<b>Computation.</b>
<b>Section 1000.09.</b>	<b>Payment.</b>
<b>Section 1000.10.</b>	<b>Trust funds.</b>
<b>Section 1000.11.</b>	<b>Use of funds.</b>
<b>Section 1000.12.</b>	<b>Donations in lieu of payment.</b>
<b>Section 1000.13.</b>	<b>Review.</b>
<b>Section 1000.14.</b>	<b>Appeals.</b>
<b>Section 1000.15.</b>	<b>Refund of fees paid.</b>

### **Section 1000.01 Short Title.**

Title X shall be known and may be cited as the Indian River County Impact Fee Ordinance.

### **Section 1000.02 Authority.**

(1) The board of county commissioners has the authority to adopt this title pursuant to Article VIII, Florida Constitution, and Florida Statutes Chapters 125 and 163.

(2) Whenever any provision of this title refers to or cites a section of chapter 125 or Chapter 163, Florida Statutes, it shall be deemed to refer to those sections, as amended.

### **Section 1000.03. Intent and purpose.**

(1) This title is intended to implement and be consistent with the county comprehensive plan.

(2) The purpose of this title is to regulate the use and development of land so as to ensure that new development bears a proportionate share of the cost of the capital expenditures necessary to provide emergency services facilities, correctional facilities, public buildings, law enforcement facilities, library facilities, solid waste facilities, park and recreation facilities, public education facilities and traffic/transportation facilities in the county.

### **Section 1000.04. Findings.**

The board of county commissioners makes the following findings and determinations:

(1) The existing emergency services facilities; correctional facilities; public buildings; law enforcement facilities; library facilities; solid waste facilities; park and recreation facilities; public education facilities; and traffic facilities are not sufficient to accommodate anticipated new development without decreasing the existing levels of service of those facilities.

(2) Measurable level of service standards are established in the County's comprehensive Plan or need to be established for each of the above listed public services.

(3) Existing revenue sources are not sufficient to fund capital improvements necessary to accommodate new development.

(4) New development creates an increased need and demand for services and facilities and therefore should contribute its fair share of the costs of providing new facilities necessary to accommodate new development.

(5) Impact fees provide a reasonable method of ensuring that new development pays its fair share of the capital costs of public services and facilities necessary to accommodate the new development and new development will derive a substantial benefit from facilities funded by impact fees.

(6) The revenue received from the impact fees set forth in this chapter shall not be used to correct existing deficiencies.

(7) The impact fees set forth in this chapter establish a fair and conservative method of assessing new development its fair share costs for capacity producing capital improvements. The Board approves and accepts the underlying studies as a reasonable basis for the fees.

(8) The impact fees set forth in this title will not fully pay for the costs of capital improvements necessitated by new development, and the county recognizes that the shortfall will have to come from other revenue sources.

(9) The administrative charges set forth in this title are reasonable and necessary charges in order to efficiently administer the duties mandated by this title.

#### **Section 1000.05. Severability.**

If any section, phrase, sentence or portion of this title is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this title.

#### **Section 1000.06. Imposition.**

(1) Any person, who after the effective date of this ordinance seeks to develop land by applying for a building permit or an initial concurrency certificate, shall be assessed impact fees and shall be required to pay all applicable impact fees in the manner and amount set forth in this title.

(2) No building permit or initial concurrency certificate for any activity requiring payment of impact fees pursuant to this title shall be issued unless and until all impact fees required by this title have been paid.

(3) Any person, who after the effective date of this ordinance applies for an initial concurrency certificate or for a permit to set up a new mobile home, shall be assessed impact fees and shall be required to pay all applicable impact fees in the manner and amount set forth in this title.

(4) No permit or initial concurrency certificate for the set up of a new mobile home requiring payment of impact fees pursuant to this title shall be issued unless and until all impact fees required by this title have been paid.

#### **Section 1000.07. Exemptions and credits.**

(1) *Exemptions.* The following activities shall be exempted from payment of impact fees levied under this title:

- (A) Alteration or expansion of an existing building where no additional units are created, where no additional square footage of building is created, or where the use is not changed.
- (B) The construction of accessory buildings or structures where no additional units are created.
- (C) The replacement of an existing residential unit with a new unit of the same type, same square footage and same use.
- (D) The replacement of a nonresidential building or structure with a new building or structure of the same size and same use.
- (E) Changes in the use of an existing non-residential building or structure provided there is no expansion of the existing building or structure and the change results in a reduction in the intensity of use.
- (F) The expansion of a single family residential unit where the expansion would not result in the unit's new total square footage changing the unit's impact fee category from a lower fee category to a higher fee category.

An exemption must be claimed by the feepayer at the time of the issuance of a building permit or mobile home permit or initial concurrency certificate. Any exemption not so claimed shall be deemed to be waived by the feepayer.

(2) *Credits.* No credit shall be given for site-related improvements.

**Section 1000.08. Computation.**

(1) The amount of the fees imposed by this title shall be determined by the fee schedule attached as Appendix A to this title and incorporated by reference herein, or the manner set forth in subsection 1000.08(3).

(2) If a building permit or an initial concurrency certificate application is submitted for a type of development activity which is not specified on the fee schedule attached as Appendix A, the county administrator or his designee shall use the fee applicable to the most nearly comparable type of land use on the fee schedule. In the case of a change in land use, the impact fee shall be based upon the net increase in the impact fee for the new use as compared to the previous use. No refunds shall be issued for a change in land use that results in a decrease in impact fees; however, any impact fee credits remaining will run with the land and may be utilized as part of future development or a change of use for the site.

(3) If a feepayer objects to the amount of any impact fees determined according to subsection (1) or (2) of this section, then the feepayer shall submit a written notice of objection to the Community Development director. The objection shall include an independent fee calculation study for the land development activity for which a building permit or an initial concurrency certificate is sought. The independent fee calculation study shall follow the prescribed methodologies and formats for such a study generally accepted by professionals in the field of expertise for the impact fee at issue. The objection shall be accompanied by an application fee in an amount determined by the Board of County Commissioners.

(A) Within thirty days of receipt, the Community Development director shall sustain or over rule the objection. If the objection is over ruled, the feepayer may appeal following the procedure outlined in Chapter 100.06 of this code. If the objection is sustained, the feepayer shall pay the accepted amount pursuant to Chapter 1000.09 of this title.

**Section 1000.09. Payment.**

(1) The person applying for a building permit, mobile home set up permit or an initial concurrency certificate shall pay the impact fees assessed pursuant to this Title to the county Community Development Department or to the participating municipality prior to the issuance of a building permit, mobile home set up permit or an initial concurrency certificate.

(2) In accordance with Ch. 1000.12, a feepayer may, in lieu of paying all or part of the impact fees, offer to donate land or construct all or part of a capital improvements project shown in the county Capital Improvements Plan.

**Section 1000.10. Trust funds.**

(1) The following impact fee trust funds are hereby established:

(A) an emergency services facilities impact fee trust fund for the emergency services impact fee. Funds withdrawn from this account must be used in accordance with the provisions of section 1002.04.

(B) a correctional facilities impact fee trust fund. Funds withdrawn from this account must be used in accordance with the provisions of section 1003.04.

(C) a public building development impact fee trust fund. Funds withdrawn from this account must be used in accordance with the provisions of section 1004.04.

(D) a law enforcement facilities impact fee trust fund. Funds withdrawn from this account must be used in accordance with the provisions of section 1005.04.

(E) a library facilities impact fee trust fund. Funds withdrawn from this account must be used in accordance with the provisions of section 1006.04.

(F) a Solid Waste Facilities impact fee trust fund. Funds withdrawn from this account must be used in accordance with the provisions of section 1007.04.

(G) a Parks and Recreation Facilities impact fee trust fund. Funds withdrawn from this account must be used in accordance with the provisions of section 1008.04.

(H) a Public Education Facilities impact fee trust fund. Funds withdrawn from this account must be used in accordance with the provisions of section 1009.04.

(I) a Traffic impact fee trust fund. Funds withdrawn from this account must be used in accordance with the provisions of section 1010.05.

(J) an Administrative charge trust fund. Funds withdrawn from this account must be used in accordance with the provisions of section 1011.

(2) All funds collected shall be properly identified and promptly transferred to the County for deposit in the designated impact fee trust fund, to be held in the account as indicated in section 1000.11 and used solely for the purposes specified in this title.

**Section 1000.11. Use of funds.**

(1) All funds collected from the impact fees set forth in this title shall be used for the purpose of constructing or acquiring capital improvements to emergency services facilities, correctional facilities, public buildings, law enforcement facilities, library facilities, solid waste facilities, park and recreation facilities, public education facilities and traffic facilities in the county under the jurisdiction of the Indian River Board of County Commissioners, and not for maintenance or operations. Such construction, acquisitions and improvements shall be the type as are made necessary by new growth and development in the county.



(2) Funds shall be used exclusively for capital improvements within Indian River County. Funds shall be expended in the order in which they are collected.

(3) In addition to the impact fees assessed by this title, the feepayer shall pay an administrative charge equal to three percent (3%) of the impact fees assessed by the County or by the participating municipality in order to off-set the cost of administering the impact fee program.

(4) Each participating municipality shall be entitled to retain two percent (2%) of the funds collected under this title to compensate them for the administrative expense of administering this title.

#### **Section 1000.12. Donations in lieu of payment.**

(1) In lieu of a feepayer paying all or part of the impact fees assessed in this Title, the county administrator may accept an offer by a feepayer to donate land or construct all or part of a capital improvements project shown in the adopted County's Seven Year Capital Improvements Program, the Municipal Planning Organization's 20 year transportation plan, the School Board's educational facilities plan or adopted municipal capital improvement program. This offer shall not include the construction of any site-related improvements. Such construction must comply with all applicable building standards and be approved in advance by the county administrator. In making such an offer, the feepayer shall submit a project description in sufficient detail, including competitive bids if so requested, to allow the county administrator to establish an engineering and construction cost estimate. The county administrator shall credit this estimated cost or the actual cost of this construction, whichever is lower, against the impact fees otherwise due. The offer shall not constitute payment of the impact fees unless and until it is accepted by the county administrator and the feepayer has dedicated or conveyed any and all land pursuant to the offer as accepted and has posted security, as provided in this section, for the construction of any and all other capital improvements pursuant to the offer as accepted. Security in the form of an irrevocable letter of credit or cash escrow agreement shall be posted with the board of county commissioners in an amount equal to 125 percent of the full cost of such construction. If the Capital Improvements Program construction project will not be constructed within one year of the acceptance of the offer by the county administrator, the amount of the security shall be increased by fifteen percent for each year or fraction thereof of the life of the security. The security shall be reviewed and approved by the county attorney's office prior to acceptance of the security by the county administrator.

#### **Section 1000.13. Review.**

(1) Each fiscal period, the county administrator shall present a proposed capital improvements program (CIP) to the board of county commissioners for: emergency services facilities, correctional facilities, public buildings, law enforcement facilities, library facilities, solid waste facilities, park and recreation facility, public education facilities and traffic facilities. This CIP shall assign funds, including any accrued interest, from the facilities impact fee trust funds to specific facility improvement projects and related expenses. Monies, including any accrued interest, not assigned in any fiscal year shall be retained in the same facility impact fee trust fund until the next fiscal year, except as provided by the refund provisions of this chapter.

(2) The fee schedules contained in this title shall be reviewed by the board of county commissioners at least once every third year.

**Section 1000.14. Appeals.**

The county administrator shall hear appeals relating to the amount of an impact fee or an impact fee credit. Together with a notice of appeal, the applicant shall submit adequate documentation to confirm the basis for the appeal. The county administrator shall follow the appeal procedures outlined in Chapter 100.06 of this code.

**Section 1000.15. Refund of fees paid.**

(1) If a building permit or an initial-1 year concurrency certificate is revoked, expired, or is withdrawn, then the feepayer, successors or assigns, shall be entitled to a refund of the impact fees paid with interest as a result of its revocation, expiration or withdrawal, except that the county shall retain a fee established by resolution to offset the costs of refunding. Impact fees paid in conjunction with an initial-5 year concurrency certificate cannot be refunded, however, any such impact fees paid will run as a credit with the land.

(2) Any funds not expended or encumbered by the end of the calendar quarter immediately following six years from the date that an impact fee payment was received shall, upon application of the current owner, be returned to the current owner with interest at the rate earned by the County on the funds. Refunds not requested within one year of the end of the six year holding period shall be deemed waived.

## **CHAPTER 1001. DEFINITIONS**

<b>Section 1001.01</b>	<b>Title</b>
<b>Section 1001.02</b>	<b>Purpose and Intent.</b>
<b>Section 1001.03</b>	<b>Definitions in Alphabetical Order.</b>

### **Section 1001.01 Title**

This chapter and the terms and definitions contained herein shall be known as the “Indian River County Impact Fee Definitions Chapter.”

### **Section 1001.02 Purpose and Intent.**

It is the purpose of this chapter to maintain the definitions of terms for the Impact Fee Regulations for Indian River County.

### **Section 1001.03 Definitions in Alphabetical Order.**

*Capital Improvement* means land acquisition, construction, purchase of buildings, site improvement, architecture and engineering services, purchase of vehicles and equipment with at least a five year life expectancy, and consultant’s fees, but excludes maintenance and operation.

*Developer* means any person who seeks to develop land for future construction by: applying for a change in land use, residential density, or zoning; applying for approval of any site plan or subdivision plat; applying for development approval subject to the requirements of F.S. § 380.06; applying for an initial concurrency certificate; and/or applying for a land alteration permit, building permit, or certificate of occupancy.

*Feepayer* means a person commencing a land development activity by applying for a building permit or an initial concurrency certificate.

CHAPTER 1002. EMERGENCY SERVICES FACILITIES

**Section 1002.01. Short title; statutory authority; applicability.**

**Section 1002.02. Findings.**

**Section 1002.03. Computation.**

**Section 1002.04. Use of funds.**

**Section 1002.01. Short title; statutory authority; applicability.**

(1) This chapter shall be known and may be cited as the Indian River County Emergency Services Facilities Impact Fee Ordinance.

(2) This chapter shall apply to all of Indian River County except for that property located within the Town of Indian River Shores.

**Section 1002.02. Findings.**

In addition to those findings and determinations found in Chapter 1000, the board of county commissioners makes the following findings and determinations:

(1) The existing emergency services system is not sufficient to accommodate anticipated new development without decreasing the existing levels of service.

(2) Existing revenue sources are not sufficient to fund capital improvements necessary to accommodate new development.

(3) The emergency services facilities level of service standard for the county is .089 Stations per 1,000 permanent plus weighted peak seasonal countywide population, excluding Indian River Shores.

**Section 1002.03. Computation.**

(1) The amount of the fees imposed by this chapter shall be determined by the fee schedule attached as Appendix A to this title and incorporated by reference herein, or by the manner set forth in subsection 1000.08(3).

**Section 1002.04. Use of funds.**

(1) All funds collected from emergency services facilities impact fees shall be used for the purpose of capital improvements to emergency services facilities under the jurisdiction of the county and not for maintenance or operations. Such acquisitions and improvements shall be those which are necessary to accommodate new growth and development in the county.

(2) Funds shall be used exclusively for capital improvements in the areas of Indian River County from which the funds are collected. Funds shall be expended in the order in which they are collected.

## CHAPTER 1003. CORRECTIONAL FACILITIES

- Section 1003.01. Short title; statutory authority; applicability.**  
**Section 1003.02. Findings.**  
**Section 1003.03. Computation.**  
**Section 1003.04. Use of funds.**

### **Section 1003.01. Short title; statutory authority; applicability.**

(1) This chapter shall be known and may be cited as the Indian River County Correctional Facilities Impact Fee Ordinance.

(2) This chapter shall apply to the entire county, including the municipalities within the county, to the extent permitted by Article VIII, § 1(f), Florida Constitution.

### **Section 1003.02. Findings.**

In addition to those findings and determinations found in Chapter 1000, the board of county commissioners makes the following findings and determinations:

(1) The existing correctional facilities are not sufficient to accommodate anticipated new development without decreasing the existing levels of service.

(2) Existing revenue sources are not sufficient to fund capital improvements necessary to accommodate new development.

(3) The correctional facilities level of service standard for the county is 4.50 inmate beds per 1,000 permanent plus weighted peak seasonal countywide population.

### **Section 1003.03. Computation.**

The amount of the fees imposed by this chapter shall be determined by the fee schedule attached as Appendix A to this title and incorporated by reference herein, or by the manner set forth in subsection 1000.08(3).

### **Section 1003.04. Use of funds.**

(1) All funds collected from correctional facilities impact fees shall be used for the purpose of capital improvements to correctional facilities under the jurisdiction of the county and not for maintenance or operations. Such acquisitions and improvements shall be those which are necessary to accommodate new growth and development in the county.

(2) Funds shall be used exclusively for capital improvements in the areas of Indian River County from which the funds are collected. Funds shall be expended in the order in which they are collected.

CHAPTER 1004. PUBLIC BUILDINGS DEVELOPMENT

- Section 1004.01. Short title; statutory authority; applicability.**
- Section 1004.02. Findings.**
- Section 1004.03. Computation.**
- Section 1004.04. Use of funds.**

**Section 1004.01. Short title; statutory authority; applicability.**

(1) This chapter shall be known and may be cited as the Indian River County Public Buildings Development Impact Fee Ordinance.

(2) This chapter shall apply to the entire county, including the municipalities within the county, to the extent permitted by Article VIII, § 1(f), Florida Constitution.

**Section 1004.02. Findings.**

In addition to those findings and determinations found in Chapter 1000, the board of county commissioners makes the following findings and determinations:

(1) The existing public buildings are not sufficient to accommodate anticipated new development without decreasing the existing levels of service.

(2) The public building level of service standard for the county is 1.99 building square feet per capita for permanent plus weighted peak seasonal countywide population.

(3) Existing revenue sources are not sufficient to fund capital improvements necessary to accommodate new development.

**Section 1004.03. Computation.**

The amount of the fees imposed by this chapter shall be determined by the fee schedule attached as Appendix A to this title and incorporated by reference herein, or by the manner set forth in subsection 1000.08(3).

**Section 1004.04. Use of funds.**

(1) All funds collected from public building development impact fees shall be used for the purpose of capital improvements to public building development under the jurisdiction of the Indian River County, under the jurisdiction of the county, and not for maintenance or operations. Such acquisitions and improvements shall be those which are necessary to accommodate new growth and development in the county.

(2) Funds shall be used exclusively for capital improvements in the areas of Indian River County from which the funds are collected. Funds shall be expended in the order in which they are collected.

CHAPTER 1005. LAW ENFORCEMENT

- Section 1005.01. Short title; statutory authority; applicability.**
- Section 1005.02. Findings.**
- Section 1005.03. Computation.**
- Section 1005.04. Use of funds.**

**Section 1005.01. Short title; statutory authority; applicability.**

(1) This chapter shall be known and may be cited as the Indian River County Law Enforcement Impact Fee Ordinance.

(2) This chapter shall apply to only the unincorporated areas of Indian River County.

**Section 1005.02. Findings.**

In addition to those findings and determinations found in Chapter 1000, the board of county commissioners makes the following findings and determinations:

(1) Existing law enforcement is not sufficient to accommodate anticipated new development without decreasing the existing levels of service.

(2) The law enforcement facilities level of service standard for the county is 2.09 officers per 1,000 permanent plus weighted peak seasonal unincorporated county population.

(3) Existing revenue sources are not sufficient to fund capital improvements necessary to accommodate new development.

**Section 1005.03. Computation.**

The amount of the fees imposed by this chapter shall be determined by the fee schedule attached as Appendix A to this title and incorporated by reference herein, or by the manner set forth in subsection 1000.08(3).

**Section 1005.04. Use of funds.**

(1) All funds collected from law enforcement facilities impact fees shall be used for the purpose of capital improvements to law enforcement facilities under the jurisdiction of the county and not for maintenance or operations. Such acquisitions and improvements shall be those which are necessary to accommodate new growth and development in the county.

(2) Funds shall be used exclusively for capital improvements in the areas of Indian River County from which the funds are collected. Funds shall be expended in the order in which they are collected.

CHAPTER 1006. LIBRARY FACILITIES

- Section 1006.01. Short title; statutory authority; applicability.**
- Section 1006.02. Findings.**
- Section 1006.03. Computation.**
- Section 1006.04. Use of funds.**

**Section 1006.01. Short title; statutory authority; applicability.**

(1) This chapter shall be known and may be cited as the Indian River County Library Facilities Impact Fee Ordinance.

(2) This chapter shall apply to the entire county, including the municipalities within the county, to the extent permitted by Article VIII, § 1(f), Florida Constitution.

**Section 1006.02. Findings.**

In addition to those findings and determinations found in Chapter 1000, the board of county commissioners makes the following findings and determinations:

(1) The existing library system is not sufficient to accommodate anticipated new development without decreasing the existing levels of service.

(2) The library facilities level of service standard for the county is 580 square feet of library space per 1,000 permanent plus weighted peak seasonal countywide population, 3,200 library materials per 1,000 permanent plus weighted peak seasonal countywide population, 0.7 computers per 1,000 permanent plus weighted peak seasonal countywide population, and 0.2 other library equipment items per 1,000 permanent plus weighted peak seasonal countywide population.

(3) Existing revenue sources are not sufficient to fund capital improvements necessary to accommodate new development.

**Section 1006.03. Computation.**

The amount of the fees imposed by this chapter shall be determined by the fee schedule attached as Appendix A to this title and incorporated by reference herein, or by the manner set forth in subsection 1000.08(3).

**Section 1006.04. Use of funds.**

(1) All funds collected from the library facilities impact fees shall be used for the purpose of capital improvements to library facilities under the jurisdiction of the county and not for maintenance or operations. Such acquisitions and improvements shall be those which are necessary to accommodate new growth and development in the county.

(2) Funds shall be used exclusively for capital improvements in the areas of Indian River County from which the funds are collected. Funds shall be expended in the order in which they are collected.



## **CHAPTER 1007. SOLID WASTE FACILITIES**

**Section 1007.01. Short title; statutory authority; applicability.**

**Section 1007.02. Findings.**

**Section 1007.03. Computation.**

**Section 1007.04. Use of Funds.**

### **Section 1007.01. Short title; statutory authority; applicability.**

(1) This chapter shall be known and may be cited as the Indian River County Solid Waste Facilities Impact Fee Ordinance.

(2) This chapter shall apply to the entire county, including the municipalities within the county, to the extent permitted by Article VIII, § 1(f), Florida Constitution.

### **Section 1007.02. Findings.**

In addition to those findings and determinations found in Chapter 1000, the board of county commissioners makes the following findings and determinations:

(1) The existing solid waste facilities are not sufficient to accommodate anticipated new development without decreasing the existing levels of service.

(2) The solid waste facilities level of service standard for the county is 2.2 tons or 3.67 cubic yards per capita for permanent plus weighted peak seasonal countywide population per year.

(3) Existing revenue sources are not sufficient to fund capital improvements necessary to accommodate new development.

### **Section 1007.03. Computation.**

The amount of the fees imposed by this chapter shall be determined by the fee schedule attached as Appendix A to this title and incorporated by reference herein, or by the manner set forth in subsection 1000.08(3).

### **Section 1007.04. Use of funds.**

(1) All funds collected from the Solid Waste Facilities impact fees shall be used for the purpose of capital improvements to Solid Waste Facilities under the jurisdiction of the County and not for maintenance or operations. Such acquisitions and improvements shall be those which are necessary to accommodate new growth and development in the county.

(2) Funds shall be used exclusively for capital improvements in the areas of Indian River County from which the funds are collected. Funds shall be expended in the order in which they are collected.

## **CHAPTER 1008. PARKS AND RECREATION FACILITIES**

- Section 1008.01. Short title; statutory authority; applicability.**
- Section 1008.02. Findings.**
- Section 1008.03. Computation.**
- Section 1008.04. Use of funds.**

### **Section 1008.01. Short title; statutory authority; applicability.**

(1) This chapter shall be known and may be cited as the Indian River County Parks and Recreation Facilities Impact Fee Ordinance.

(2) This chapter shall apply to only unincorporated Indian River County.

### **Section 1008.02. Findings.**

In addition to those findings and determinations found in Chapter 1000, the board of county commissioners makes the following findings and determinations:

(1) The existing Parks and Recreation Facilities are not sufficient to accommodate anticipated new development without decreasing the existing levels of service.

(2) The park and recreation level of service standard for the county is 6.61 acres per 1,000 permanent plus weighted peak seasonal unincorporated county population.

(3) Existing revenue sources are not sufficient to fund capital improvements necessary to accommodate new development.

### **Section 1008.03. Computation.**

The amount of the fees imposed by this chapter shall be determined by the fee schedule attached as Appendix A to this title and incorporated by reference herein, or by the manner set forth in subsection 1000.08(3).

### **Section 1008.04. Use of funds.**

(1) All funds collected from the Parks and Recreation Facilities impact fee shall be used for the purpose of capital improvements to Parks and Recreation Facilities under the jurisdiction of the County, and not for maintenance or operations. Such acquisitions and improvements shall be those which are necessary to accommodate new growth and development in the county.

(2) Funds shall be used exclusively for capital improvements in the areas of Indian River County from which the funds are collected. Funds shall be expended in the order in which they are collected.

## **CHAPTER 1009. PUBLIC EDUCATION FACILITIES**

- Section 1009.01. Short title; statutory authority; applicability.**  
**Section 1009.02. Findings.**  
**Section 1009.03. Computation.**  
**Section 1009.04. Use of funds.**

### **Section 1009.01. Short title; statutory authority; applicability.**

(1) This chapter shall be known and may be cited as the Indian River County Public Education Facilities Impact Fee Ordinance.

(2) This chapter shall apply to the entire county, including the municipalities within the county, to the extent permitted by Article VIII, § 1(f), Florida Constitution.

### **Section 1009.02. Findings.**

In addition to those findings and determinations found in Chapter 1000, the board of county commissioners makes the following findings and determinations:

(1) The existing public education facilities are not sufficient to accommodate anticipated new development without decreasing the existing levels of service.

(2) The public education facilities level of service standard for Elementary Schools is 144.71 building square footage per student station, for Middle Schools is 117.26 building square footage per student station, for High Schools is 147.57 building square footage per student station, and overall, the county wide weighted average level-of-service standard for all schools is 139.07 building square footage per student station.

(3) Existing revenue sources are not sufficient to fund capital improvements necessary to accommodate new development.

### **Section 1009.03. Computation.**

The amount of the fees imposed by this chapter shall be determined by the fee schedule attached as Appendix A to this title and incorporated by reference herein, or by the manner set forth in subsection 1000.08(3).

### **Section 1009.04. Use of funds.**

(1) All funds collected from Public Education Facilities impact fees shall be used for the purpose of capital improvements to Public Education Facilities under the jurisdiction of the School Board of Indian River County, Florida, and not for maintenance or operations. Such acquisitions and improvements shall be those which are necessary to accommodate new growth and development in the county.

(2) Funds shall be used exclusively for capital improvements in the areas of Indian River County from which the funds are collected. Funds shall be expended in the order in which they are collected.

**CHAPTER 1010. TRAFFIC FACILITIES AND FAIR SHARE ROADWAY IMPROVEMENTS**

**Sec. 1010.01. Short title; statutory authority; applicability.**

**Sec. 1010.02. Findings.**

**Sec. 1010.03. Establishment of a fee schedule.**

**Sec. 1010.04. Credit against payment of traffic impact fees.**

**Sec. 1010.05. Use of funds collected and trust funds.**

**Section 1010.01. Short title; statutory authority; applicability.**

(1) This chapter shall be known and may be cited as the "Indian River County Traffic Facilities and Fair Share Roadway Improvements Ordinance."

(2) The board of county commissioners has authority to adopt this chapter through its general non-charter home rule powers pursuant to Article VIII of the 1968 Florida Constitution, as amended, and Section 125 and 163, Florida Statutes.

(3) This chapter shall apply to the unincorporated area of Indian River County, and to the incorporated areas of Indian River County.

**Section 1010.02. Findings.**

(1) In addition to those findings and determinations found in Chapter 1000, the board of county commissioners makes the following findings and determinations:

(2) The existing traffic facilities are not sufficient to accommodate anticipated new development without decreasing the existing levels of service.

(3) The traffic facilities level of service standard for the county is "D" on all roadways during peak hour, peak season, peak direction conditions.

**Section 1010.03 Establishment of a fee schedule.**

(1) Any person who shall initiate any new land development activity generating traffic shall pay a "fair share roadway improvements fee" for the land development activity as established by the fee schedule attached as Appendix A to this title and incorporated by reference herein, or the manner set forth in subsection 1010.03(2).

(2) As an alternative to the fee schedule, a feepayer may opt to conduct an individual assessment of fiscal impact of land development activity on the major road network. Such assessment shall be based on a traffic impact analysis. For individual assessments, the following criteria shall apply:

- (A) The "fair share roadway improvements fee" shall be determined by the individual assessment of the fiscal impact of land development on the major road network if:
  1. Any person commencing land development activity generating traffic which increases demand chooses to have the fee determined by the individual assessment and pays to the county an individual assessment review fee as established by the board of county commissioners by ordinance or resolution; or
  2. The proposed land development activity requires a development of regional impact or building permit and the county administrator or his designee determines the nature, timing or location of the proposed development makes it likely to

generate impacts costing substantially more to accommodate than the amount of the fee that would be generated by the use of the fee schedule.

- (B) The individual assessment shall be undertaken through the submission of a traffic impact analysis, which shall include the following information:
  - 1. The projected trip generation rates for the proposed land development activity based on the average daily traffic of the proposed land development activity. Trip generation rates shall be assessed on an average annual basis, and on a peak hour, peak season, peak direction basis. The trip generation rates shall be based upon local empirical surveys of trip generation rates for the same or similar land use types that meet methodological standards acceptable to the transportation engineering profession. If local empirical surveys are not available, state and/or national trip generation rate information may be used, if it is based on methodological standards acceptable to the transportation engineering profession;
  - 2. The projected trip length and percent new trips for the proposed land development activity based on surveys of similar land use types. Trip length and percent new trips information shall be based upon local empirical surveys of similar land use types or data compiled by the county administrator or his designee for average trip lengths and percent new trips for similar land use types. If local empirical surveys are not available, state and/or national trip length and present new trips information may be used, if it is based on methodological standards acceptable to the transportation engineering profession.
  - 3. The resulting impact fee for the proposed land development activity will be calculated using the trip generation rate, trip rate, trip length, and percent new trips developed in the preceding sections, along with the current impact fee equation construction cost and credit equation factors.
- (C) Prior to conducting an individual assessment, the applicant and/or his transportation planner or engineer must schedule a pre-application conference with the county traffic engineer or his designee to review the type of data and analysis needed and acceptable to the county. The traffic impact analysis performed pursuant to section 1010.03(2) shall be submitted by the developer of the proposed land development activity and shall be prepared by qualified professionals in the field of transportation planning or engineering. When completed, the traffic impact analysis shall be submitted to the county administrator, or his designee.
- (D) Within twenty (20) days of receipt of a traffic impact analysis, the county administrator or his designee shall determine if it is complete. If the county administrator determines the application is not complete, he shall send a written statement specifying the deficiencies by certified mail to the person submitting the application. Unless the deficiencies are corrected, the county administrator shall take no further action on the traffic impact analysis.
- (E) When the county administrator determines that the traffic impact analysis is complete, he shall notify the applicant of its completeness within (5) days, and he shall review the analysis within twenty (20) days. If it is not reviewed within these timeframes, then the item will be scheduled for the next available board of county commissioners meeting.
- (F) If on the basis of generally recognized principles of traffic engineering it is determined in the individual assessment that the county's cost to accommodate the

proposed land development activity is substantially different from the fee set down in section 1000.08(1), the amount of the "fair share roadway improvement fee" shall be varied from that in the fee schedule to an amount consistent with the amount determined in the individual assessment.

**Section 1010.04. Credit against payment of traffic impact fees.**

(1) Any person who shall commence any land development activity generating traffic may apply for a credit against any fee owed pursuant to the provisions of this chapter for any improvement listed on the 20 year Capital Improvement Plan of Indian River County or the 20 year Capital Improvement Plan of any municipality participating in this chapter, including any contribution, payment or construction made pursuant to a development order issued by Indian River County or any participating municipality pursuant to its local development regulation or Section 380.06, Florida Statutes, or any additional development requirement imposed by the Florida Land and Water Adjudicatory Commission on a development of regional impact.

(2) The credit shall be in an amount equal to the market value of the capital improvement on the date of the contribution, payment, construction or land dedication. No credit shall exceed the fee for the proposed impact generating activity imposed by this chapter, unless a credit (developer's) agreement is completed which provides use of excess credits and stipulates how the excess credits will be applied toward additional lands owned by a developer within the same traffic impact fee benefit district.

(3) No credit shall be granted for any costs, contribution, payment, construction or land received by Indian River County or any municipality participating in this chapter where such costs were incurred or contributions made in relation to development for which a building permit was issued prior to March 1, 1986.

(4) No credit shall be granted for any costs, contribution, payment, construction or land received by Indian River County or any municipality participating in this chapter if said costs, contribution, payment, construction or land dedication is received or made before a credit agreement is approved by the county administrator or his designee and is fully executed by all applicable parties. Any claim for credit not so made and approved shall be deemed waived.

(5) The determination of any credit amount shall be undertaken through the submission of a proposed credit agreement, on an application form provided by the county, to the county director of community development for initial review before submission to the county administrator. Within twenty (20) days of receipt of a proposed credit agreement, the community development director or his designee shall determine if the proposal is complete. If it is determined that the proposed agreement is not complete, the director of community development or his designee shall send a written statement to the applicant outlining the deficiencies. The county shall take no further action on the proposed credit agreement until all application submittal deficiencies have been corrected or otherwise settled.

(6) Once the proposal is determined to be complete, the county administrator or his designee shall, within thirty (30) days of such a determination, review the proposed agreement, and shall approve said agreement if the provisions and requirements of this chapter are satisfied.

- (A) No credit shall be given for site-related improvements or site-related right-of-way dedications.
- (B) Site-related improvements are capital improvements and right-of-way dedications for direct access to and/or within a development. Direct access improvements include, but are not limited to, the following:

1. Access roads leading to and from the development;
  2. The paving and/or improvement of a thoroughfare plan roadway segment, where such improvement is necessary to provide paved access to and from the project, if the roadway segment is not scheduled to be improved within five (5) years from the time of the credit agreement, as shown on the adopted capital improvements program;
  3. Driveways and roads within the development;
  4. Acceleration and deceleration lanes, and right and left turn lanes leading to those roads and driveways within the development;
  5. Traffic control devices (including signs, marking, channelization and signals) for those roads and driveways within the development.
- (C) No credit shall be given for improvements or right-of-way dedications unless such improvement(s) or dedication(s) meets an expansion need of the county's road network system and is identified either in the county's twenty-year transportation capital improvements program or in the transportation capital improvements program of a municipality participating in this chapter.

(7) All required right-of-way dedications and/or roadway improvements which are compensable and made by a fee payer subsequent to October 9, 1992, shall be creditable against road impact fees otherwise due or to become due for the development that prompted the county or the municipality to require such dedications or roadway improvements. Such credits shall be determined as provided as set forth herein.

(8) Credit for the dedication of non-site related right-of-way shall be valued on the date of the dedication at one hundred fifteen (115) percent of the most recent assessed value by the Indian River County property appraiser or, at the option of the fee payer, by fair market value established by an independent private appraisal approved by the county public works department and at no expense to the county. Credit for the dedication of right-of-way shall be provided when a credit agreement has been approved by the county administrator or his designee and when the property has been conveyed at no charge to and accepted by the county or, if appropriate, a municipality participating in this chapter in a manner satisfactory to the governing body to which the dedication is made. As part of the referenced county credit agreement, the applicant shall supply to the county at his or her own expense, the following:

- (A) A drawing and legal description of the land; and
- (B) A certificate of title or title search of the land.

(9) To receive a credit for construction of non-site related road improvements, an applicant shall submit to the county director of community development a proposed credit agreement application pursuant to this chapter, along with engineering drawings specifications, and construction cost estimates prepared and certified by a duly qualified and licensed Florida Engineer. The county director of community development or his designee will coordinate review and approval of the application with the county public works director. The county public works director shall determine credit for roadway construction based on either these costs estimates or an alternative engineering criterion and construction cost estimate if the county public works director determines that such estimates submitted by the applicant are either unreliable, inaccurate or in excess of normal construction costs for such project.

(10) Credit for non-site related construction is limited to capital improvements. A capital improvement includes engineering design studies, land surveys, permitting, and construction of all necessary features for any road construction project including, but not limited to:

- (A) Construction of new through lanes;
- (B) Construction of new turn lanes (not related to the project site);
- (C) Construction of new bridges;
- (D) Construction of new drainage facilities in conjunction with new roadway construction;
- (E) Purchase and installation of traffic signalization, including new upgraded signalization and other traffic control devices (not related to the project site);
- (F) Construction of curbs, medians, and shoulders (not related to the project site); and
- (G) Relocating utilities to accommodate new roadway construction.

(11) In order to maintain the pro rata or proportionate share purpose of the Fair Share Roadway Improvement Ordinance, it is necessary that a uniform method be used countywide in determining credit against fee. Therefore, the county, when considering compensation or credit for road right-of-way, shall apply the right-of-way standards it has established in the unincorporated areas throughout the entire county. Accordingly, dedication of the minimum local road width (sixty (60) feet with swale; fifty (50) feet with curb and gutter) is non-compensable, thus putting the unincorporated areas and the incorporated areas in the same posture and thereby maintaining the integrity of the pro rata or proportionate share concept.

(12) Credits shall not be transferable from one project or development to another without the approval of the county administrator or his designee. Credit transfers may be approved only when the project or development where the credits are being transferred from is within the same impact fee district as the project or development where the credits are being transferred to.

**Section 1010.05. Use of funds collected and trust funds.**

(1) Intent. Any "fair share roadway improvement fees" collected pursuant to the terms of this article are expressly designated for accommodation of impacts reasonably attributable to the proposed land development activity generating traffic as hereinafter provided in this section.

(2) There is hereby established the "fair share roadway improvements trust fund" (trust fund) for the purpose of ensuring that the fees collected pursuant to this chapter are designated for the accommodation of impacts reasonably attributable to the proposed land development activity generating traffic and are consistent with the Indian River County Comprehensive Plan. The trust fund shall be divided into three (3) separate trust accounts, one for each district as shown on the current impact fee benefit district map which is attached hereto and incorporated herein by reference. Impact fees collected and deposited into the original nine (9) trust accounts prior to the effective date of this ordinance shall be expended in the original district in which they were collected until all funds within said districts have been expended according to the provisions of this ordinance. The original impact fee district boundaries are shown on the interim impact fee benefit district map which is attached hereto and incorporated herein by reference.

(3) "Fair share roadway improvement fees" collected pursuant to this chapter shall be paid into the trust accounts established for the district in which the new land development activity is proposed.

(4) Expenditure of fair share fees in trust accounts.

- (A) Proceeds from the trust accounts shall be used exclusively for capital expansion of the county's major road network system as identified on the county's and/or other municipalities' Thoroughfare Plan Maps, in the district from which the monies have come, and in a manner consistent with the Indian River County



Comprehensive Plan except that, until the trust fund accounts of the nine (9) original benefit districts have been expended, the following percent of proceeds from the nine (9) trust accounts may be used outside the district boundaries for capacity expansion of bridge facilities and their access roads connecting Orchid Island and the mainland: District I--thirty-one (31) percent; District II--nineteen (19) percent; District III--eight (8) percent; District IV--nine (9) percent; District V--ten (10) percent; District VI--four (4) percent; District VII--four (4) percent; District VIII--ten (10) percent; and District IX--five (5) percent.

- (B) Any funds in each of the trust accounts on deposit, not immediately necessary for expenditure, shall be invested in interest-bearing assets. All income derived from these investments shall be retained in the applicable trust account.
- (C) Each year, at the time the annual county budget is reviewed, the county administrator or his designee shall propose appropriations to be spent from the trust accounts. Any amounts not appropriated from the trust accounts by the county administrator or his designee, together with any interest earning shall be carried over in the specific trust account to the following fiscal period.

## CHAPTER 1011. ADMINISTRATIVE CHARGES

**Section 1011.01. Short title; statutory authority; applicability.**

**Section 1011.02. Findings.**

**Section 1011.03. Computation.**

**Section 1011.04. Use of funds.**

### **Section 1011.01. Short title; statutory authority; applicability.**

(1) This chapter shall be known and may be cited as the Indian River County Impact Fee Administrative Charges Ordinance.

(2) This chapter shall apply to all areas of the county including municipalities and the incorporated areas of the county to the extent permitted by Article VIII, § 1(f), Florida Constitution.

### **Section 1011.02. Findings.**

In addition to those findings and determinations found in Chapter 1000, the board of county commissioners makes the following findings and determinations:

(1) The existing governmental staff and facilities are not sufficient to implement, assess or collect impact fee assessed in this title.

(2) Existing revenue sources are not sufficient to fund the costs of collecting impact fees associated with new development.

(3) The administrative charge equal to three percent (3%) of the impact fees assessed to the County or to the participating municipality in order to off-set the cost of administering the impact fee program is reasonable and necessary to administer the impact fee program.

(4) Each participating municipality shall be entitled to retain two percent (2%) of the funds collected under this title to compensate them for the administrative expense of administering this title, which is reasonable and necessary to collect impact fees assessed by this title.

### **Section 1011.03. Computation.**

The amount of the fees imposed by this chapter shall be determined by the fee schedule attached as Appendix A to this title and incorporated by reference herein, or by the manner set forth in subsection 1000.08(3).

### **Section 1011.04. Use of funds.**

(1) All funds collected by this chapter shall be used for the purpose of administering the impact fee collection program and not for maintenance or operations of other programs.

(2) Funds shall be expended in the order in which they are collected.

## CHAPTER 1012. RULES OF CONSTRUCTION

<b>Section 1012.01.</b>	<b>Title</b>
<b>Section 1012.02.</b>	<b>Purpose and Intent.</b>
<b>Section 1012.03.</b>	<b>Rules of construction.</b>

### **Section 1012.01 Title**

This chapter shall be known as the “Indian River County Impact Fees, Rules of Construction Chapter.

### **Section 1012.02 Purpose and Intent.**

It is the purpose of this chapter to set forth the rules of construction for all of Title X, Impact Fees Regulations for Indian River County.

### **Section 1012.03. Rules of construction.**

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

(2) For the purposes of administration and enforcement of this title, unless otherwise stated in this title, the following rules of construction shall apply:

- (A) In case of any difference of meaning or implication between the text of Title X and any caption, illustration, summary table or illustrative table, the text shall control.
- (B) The term "shall" is always mandatory and not discretionary; the term "may" is permissive.
- (C) Words used in the present tense shall include the future; and words in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- (D) The term "used for" includes the term "arranged for," "designed for," "maintained for" or "occupied for."
- (E) The term "person" includes an individual, a corporation, a partnership, an incorporated association or any other similar entity.
- (F) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction "and," "or" or "either . . . or," the conjunction shall be interpreted as follows:
  - 1. The term "and" indicates that all the connected terms, conditions, provisions or events shall apply.
  - 2. The term "or" indicates that the connected items, conditions, provisions or events may apply singularly or in any combination.
  - 3. The term "either . . . or" indicates that the connected items, conditions, provisions or events shall apply singularly but not in combination.
- (G) The word "includes" shall not limit a term to the specific example, but is intended to extend its meaning to all other instances or circumstances of like kind or character.
- (H) The term "county administrator" means the county administrator or the county officials he may designate to carry out the administration of this Title.
- (I) The land use types listed in Title X shall have same meaning as under Title IX.

## Unincorporated Indian River County Impact Fee Schedule (Effective July 1, 2005)

Land Use	Impact Unit	Net Impact Fee									Total Net Impact Fee	Administration Fee @ 2.5%	Total Impact Fee			
		Transportation	Correctional Facilities	Solid Waste	Public Buildings	Fire/EMS	Law Enforcement	Library	Schools	Park and Recreation						
<b>Residential</b>																
Single Family																
Lower than 1,500 sf (under air)	du	\$3,452	\$151.31	\$75.42	\$182.92	\$247.34	\$217.71	\$430.04	\$1,755.96	\$1,301.87	\$7,814.57	\$195.36	\$8,009.93			
1,500 to 2,499 sf (under air)	du	\$5,202	\$169.98	\$75.42	\$205.72	\$277.92	\$244.66	\$483.26	\$1,755.96	\$1,462.88	\$9,877.80	\$246.95	\$10,124.75			
2,500 sf or Greater (under air)	du	\$5,838	\$184.39	\$75.42	\$222.89	\$301.30	\$265.29	\$524.11	\$1,755.96	\$1,586.78	\$10,754.14	\$268.85	\$11,022.99			
Accessory Single Family	du	\$2,842	\$100.33	\$56.57	\$121.37	\$176.14	\$147.81	\$285.20	\$500.18	\$884.07	\$5,113.67	\$127.84	\$5,241.51			
Multi Family	du	\$2,842	\$100.33	\$56.57	\$121.37	\$176.14	\$147.81	\$285.20	\$500.18	\$884.07	\$5,113.67	\$127.84	\$5,241.51			
Mobile Home	du	\$1,957	\$122.82	\$75.42	\$148.59	\$181.59	\$157.51	\$349.14	\$622.57	\$942.13	\$4,556.77	\$113.92	\$4,670.69			
<b>Transient, Assisted, Group</b>																
Hotel	Room	\$3,271	\$99.13	\$21.21	\$228.77	\$159.62	\$139.80				\$3,919.53	\$97.99	\$4,017.52			
Motel	Room	\$1,764	\$99.13	\$21.21	\$228.77	\$159.62	\$139.80				\$2,412.53	\$60.31	\$2,472.84			
Nursing Home	Bed	\$560	\$106.88	\$33.18	\$312.14	\$172.10	\$150.74				\$1,335.04	\$33.38	\$1,368.42			
ACLF	Bed	\$449	\$106.88	\$62.04	\$312.14	\$172.10	\$150.74				\$1,252.90	\$31.32	\$1,284.22			
<b>Office and Financial</b>																
Medical Office	1,000 sf	\$15,553	\$185.81	\$117.85	\$1,274.79	\$299.19	\$262.06				\$17,692.70	\$442.32	\$18,135.02			
Bank	1,000 sf	\$16,289	\$211.89	\$117.85	\$1,453.79	\$341.21	\$298.86				\$18,712.60	\$467.82	\$19,180.42			
Bank w/Drive-in	1,000 sf	\$27,607	\$173.66	\$117.85	\$1,191.43	\$279.68	\$244.97				\$29,614.59	\$740.36	\$30,354.95			
Office 50,000 GSF or less	1,000 sf	\$7,348	\$153.00	\$94.28	\$1,049.70	\$246.28	\$215.71				\$9,106.97	\$227.67	\$9,334.64			
Office greater than 50,000 GSF	1,000 sf	\$5,326	\$80.86	\$94.28	\$554.64	\$130.26	\$114.09				\$6,300.13	\$157.50	\$6,457.63			
<b>Industrial</b>																
Manufacturing	1,000 sf	\$1,533	\$54.68	\$235.70	\$375.16	\$88.07	\$77.14				\$2,363.75	\$59.09	\$2,422.84			
Warehouse	1,000 sf	\$1,958	\$42.03	\$47.14	\$288.36	\$67.68	\$59.28				\$2,462.49	\$61.56	\$2,524.05			
Mini-Warehouse	1,000 sf	\$1,003	\$8.28	\$18.86	\$40.46	\$13.36	\$11.70				\$1,095.66	\$27.39	\$1,123.05			
General Industrial	1,000 sf	\$2,797	\$74.71	\$235.70	\$512.47	\$120.24	\$105.32				\$3,845.44	\$96.14	\$3,941.58			
Concrete Plant	Acre	\$6,261	\$164.68	\$213.36	\$1,129.88	\$265.09	\$232.19				\$8,266.20	\$206.66	\$8,472.86			
Sand Mining	Acre	\$803	\$21.11	\$213.36	\$144.91	\$33.93	\$29.72				\$1,246.03	\$31.15	\$1,277.18			
<b>Retail, Gross Square Feet</b>																
Retail 50,000 GSF or less	1,000 sf	\$9,837	\$312.49	\$235.70	\$1,531.27	\$503.11	\$440.66				\$12,860.23	\$321.51	\$13,181.74			
Retail 50,001 GSF to 100,000 GSF	1,000 sf	\$7,813	\$311.61	\$235.70	\$1,527.11	\$501.70	\$439.43				\$10,828.55	\$270.71	\$11,099.26			
Retail 100,001 GSF to 200,000 GSF	1,000 sf	\$6,860	\$318.81	\$235.70	\$1,562.41	\$513.31	\$449.59				\$9,939.82	\$248.50	\$10,188.32			
Retail over 200,000 GSF	1,000 sf	\$6,977	\$217.79	\$235.70	\$1,067.36	\$350.70	\$307.17				\$9,155.72	\$228.89	\$9,384.61			
Gas Station	Fuel pos	\$6,694	\$188.05	\$39.13	\$921.46	\$302.89	\$265.29				\$8,410.82	\$210.27	\$8,621.09			
New and Used Car Sales	1,000 sf	\$13,212	\$186.30	\$117.85	\$912.88	\$299.90	\$262.67				\$14,991.60	\$374.79	\$15,366.39			
Quality Restaurant	1,000sf	\$20,072	\$738.41	\$329.98	\$3,618.66	\$1,189.04	\$1,041.45				\$26,989.54	\$674.74	\$27,664.28			
Restaurant	1,000 sf	\$26,646	\$800.55	\$329.98	\$3,922.95	\$1,289.07	\$1,129.06				\$34,117.61	\$852.94	\$34,970.55			
Fast Food Rest w/ Drive-Thru	1,000 sf	\$41,971	\$862.61	\$329.98	\$4,227.25	\$1,389.09	\$1,216.67				\$49,996.60	\$1,249.92	\$51,246.52			
Supermarket	1,000 sf	\$13,288	\$221.74	\$424.26	\$1,086.73	\$357.03	\$312.71				\$15,690.47	\$392.26	\$16,082.73			
Car Wash	Bays	\$17,232	\$206.01	\$76.60	\$1,009.49	\$331.72	\$290.54				\$19,146.36	\$478.66	\$19,625.02			
Convenience Store	1,000 sf	\$26,459	\$463.20	\$424.26	\$2,269.82	\$745.88	\$653.29				\$31,015.45	\$775.39	\$31,790.84			
Furniture Store	1,000 sf	\$1,592	\$34.67	\$235.70	\$169.92	\$55.90	\$48.96				\$2,137.15	\$53.43	\$2,190.58			

## Unincorporated Indian River County Impact Fee Schedule (Effective July 1, 2005)

Land Use	Impact Unit	Net Impact Fee								Total Net Impact Fee	Administration Fee @ 2.5%	Total Impact Fee	
		Transportation	Correctional Facilities	Solid Waste	Public Buildings	Fire/EMS	Law Enforcement	Library	Schools				Park and Recreation
<b>Recreational</b>													
Golf Course	hole	\$13,090	\$266.70	\$37.53	\$1,306.92	\$429.45	\$376.15				\$15,506.75	\$387.67	\$15,894.42
Racquet Club/Health Club/Dance Studio	1,000 sf	\$6,556	\$259.21	\$117.85	\$1,270.38	\$417.33	\$365.52				\$8,986.29	\$224.66	\$9,210.95
County Park	Acre	\$769	\$16.63	\$84.85	\$81.41	\$26.72	\$23.40				\$1,002.01	\$25.05	\$1,027.06
Tennis Court	Court	\$11,368	\$253.33	\$18.32	\$1,241.45	\$408.01	\$357.36				\$13,646.47	\$341.16	\$13,987.63
Marina	Berths	\$1,132	\$16.69	\$45.21	\$81.90	\$26.90	\$23.56				\$1,326.26	\$33.16	\$1,359.42
<b>Governmental</b>													
Post Office	1,000 sf	\$16,518	\$193.60	\$94.28	\$1,106.83	\$311.68	\$272.99				\$18,497.38	\$462.43	\$18,959.81
Library	1,000 sf	\$20,023	\$187.61	\$94.28	\$919.25	\$302.01	\$264.52				\$21,790.67	\$544.77	\$22,335.44
Government Office Building <sup>(1)</sup>	1,000 sf	\$27,663	\$284.31	\$94.28		\$457.76	\$400.94				\$28,900.29	\$722.51	\$29,622.80
Government Office Complex <sup>(1)</sup>	1,000 sf	\$11,205	\$148.07	\$94.28		\$238.37	\$208.78				\$11,894.50	\$297.36	\$12,191.86
Jail <sup>(1)</sup>	Bed	\$449		\$15.56	\$465.88	\$153.11	\$134.11				\$1,217.66	\$30.44	\$1,248.10
<b>Miscellaneous</b>													
Day Care Center	1,000 sf	\$10,555	\$110.12	\$235.70	\$755.46	\$177.37	\$155.36				\$11,989.01	\$299.73	\$12,288.74
Hospital	1,000 sf	\$6,267	\$170.91	\$82.97	\$837.60	\$275.29	\$241.12				\$7,874.89	\$196.87	\$8,071.76
Veterinary Clinic	1,000 sf	\$4,189	\$178.27	\$117.85	\$1,223.06	\$287.07	\$251.43				\$6,246.68	\$156.17	\$6,402.85
Church	1,000 sf	\$3,016	\$58.15	\$33.00	\$284.92	\$93.70	\$82.07				\$3,567.84	\$89.20	\$3,657.04
Movie Theater	Screen	\$26,940	\$925.42	\$188.14	\$4,534.97	\$1,490.17	\$1,305.20				\$35,383.90	\$884.60	\$36,268.50
School (Elementary and Middle)	Student	\$141	\$10.25	\$11.61	\$70.37	\$16.52	\$14.47				\$264.22	\$6.61	\$270.83
School (High)	Student	\$513	\$13.08	\$13.12	\$89.74	\$21.09	\$18.48				\$668.51	\$16.71	\$685.22
School (College)	Student	\$1,008	\$11.38	\$13.12	\$77.97	\$18.28	\$16.01				\$1,144.76	\$28.62	\$1,173.38
Fire Station <sup>(1)</sup>	1,000 sf	\$1,158	\$69.10	\$94.28	\$338.62		\$97.46				\$1,757.46	\$43.94	\$1,801.40

(1) Government uses are exempt from paying impact fees used to develop that same use. This is because legally, if the development does not create a demand for the facility, or indeed, mitigates the need for the facility, it should not pay the fee. In other words, a new jail will not pay the correctional facilities impact fee, a new fire/EMS station will not pay the fire/EMS impact fee, and a new government office building or office complex will not pay the public buildings impact fee, etc. Specific government uses that are not included in the schedule, such as a sheriff's office, will be classified under government office building or complex as appropriate. These uses will not pay the impact fee used to develop them (e.g., a sheriff's office will not pay the law enforcement impact fee, etc.).

**City of Fellsmere, Town of Orchid, City of Sebastian, and City of Vero Beach Impact Fee Schedule**  
(Effective July 1, 2005)

Land Use	Impact Unit	Net Impact Fee							Total Net Impact Fee	Administration Fee @ 2.5%	Total Impact Fee
		Transportation	Correctional Facilities	Solid Waste	Public Buildings	Fire/EMS	Library	Schools			
<b>Residential</b>											
Single Family											
Lower than 1,500 sf (under air)	du	\$3,452	\$151.31	\$75.42	\$182.92	\$247.34	\$430.04	\$1,755.96	\$6,294.99	\$157.37	\$6,452.36
1,500 to 2,499 sf (under air)	du	\$5,202	\$169.98	\$75.42	\$205.72	\$277.92	\$483.26	\$1,755.96	\$8,170.26	\$204.26	\$8,374.52
2,500 sf or Greater (under air)	du	\$5,838	\$184.39	\$75.42	\$222.89	\$301.30	\$524.11	\$1,755.96	\$8,902.07	\$222.55	\$9,124.62
Accessory Single Family	du	\$2,842	\$100.33	\$56.57	\$121.37	\$176.14	\$285.20	\$500.18	\$4,081.79	\$102.05	\$4,183.84
Multi Family	du	\$2,842	\$100.33	\$56.57	\$121.37	\$176.14	\$285.20	\$500.18	\$4,081.79	\$102.05	\$4,183.84
Mobile Home	du	\$1,957	\$122.82	\$75.42	\$148.59	\$181.59	\$349.14	\$622.57	\$3,457.13	\$86.43	\$3,543.56
<b>Transient, Assisted, Group</b>											
Hotel	Room	\$3,271	\$99.13	\$21.21	\$228.77	\$159.62			\$3,779.73	\$94.49	\$3,874.22
Motel	Room	\$1,764	\$99.13	\$21.21	\$228.77	\$159.62			\$2,272.73	\$56.81	\$2,329.54
Nursing Home	Bed	\$560	\$106.88	\$33.18	\$312.14	\$172.10			\$1,184.30	\$29.61	\$1,213.91
ACLF	Bed	\$449	\$106.88	\$62.04	\$312.14	\$172.10			\$1,102.16	\$27.55	\$1,129.71
<b>Office and Financial</b>											
Medical Office	1,000 sf	\$15,553	\$185.81	\$117.85	\$1,274.79	\$299.19			\$17,430.64	\$435.76	\$17,866.40
Bank	1,000 sf	\$16,289	\$211.89	\$117.85	\$1,453.79	\$341.21			\$18,413.74	\$460.34	\$18,874.08
Bank w/Drive-in	1,000 sf	\$27,607	\$173.66	\$117.85	\$1,191.43	\$279.68			\$29,369.62	\$734.24	\$30,103.86
Office 50,000 GSF or less	1,000 sf	\$7,348	\$153.00	\$94.28	\$1,049.70	\$246.28			\$8,891.26	\$222.29	\$9,113.55
Office greater than 50,000 GSF	1,000 sf	\$5,326	\$80.86	\$94.28	\$554.64	\$130.26			\$6,186.04	\$154.65	\$6,340.69
<b>Industrial</b>											
Manufacturing	1,000 sf	\$1,533	\$54.68	\$235.70	\$375.16	\$88.07			\$2,286.61	\$57.16	\$2,343.77
Warehouse	1,000 sf	\$1,958	\$42.03	\$47.14	\$288.36	\$67.68			\$2,403.21	\$60.08	\$2,463.29
Mini-Warehouse	1,000 sf	\$1,003	\$8.28	\$18.86	\$40.46	\$13.36			\$1,083.96	\$27.10	\$1,111.06
General Industrial	1,000 sf	\$2,797	\$74.71	\$235.70	\$512.47	\$120.24			\$3,740.12	\$93.50	\$3,833.62
Concrete Plant	Acre	\$6,261	\$164.68	\$213.36	\$1,129.88	\$265.09			\$8,034.01	\$200.85	\$8,234.86
Sand Mining	Acre	\$803	\$21.11	\$213.36	\$144.91	\$33.93			\$1,216.31	\$30.41	\$1,246.72
<b>Retail, Gross Square Feet</b>											
Retail 50,000 GSF or less	1,000 sf	\$9,837	\$312.49	\$235.70	\$1,531.27	\$503.11			\$12,419.57	\$310.49	\$12,730.06
Retail 50,001 GSF to 100,000 GSF	1,000 sf	\$7,813	\$311.61	\$235.70	\$1,527.11	\$501.70			\$10,389.12	\$259.73	\$10,648.85
Retail 100,001 GSF to 200,000 GSF	1,000 sf	\$6,860	\$318.81	\$235.70	\$1,562.41	\$513.31			\$9,490.23	\$237.25	\$9,727.48
Retail over 200,000 GSF	1,000 sf	\$6,977	\$217.79	\$235.70	\$1,067.36	\$350.70			\$8,848.55	\$221.21	\$9,069.76
Gas Station	Fuel pos	\$6,694	\$188.05	\$39.13	\$921.46	\$302.89			\$8,145.53	\$203.64	\$8,349.17
New and Used Car Sales	1,000 sf	\$13,212	\$186.30	\$117.85	\$912.88	\$299.90			\$14,728.93	\$368.22	\$15,097.15
Quality Restaurant	1,000sf	\$20,072	\$738.41	\$329.98	\$3,618.66	\$1,189.04			\$25,948.09	\$648.70	\$26,596.79
Restaurant	1,000 sf	\$26,646	\$800.55	\$329.98	\$3,922.95	\$1,289.07			\$32,988.55	\$824.71	\$33,813.26
Fast Food Rest w/ Drive-Thru	1,000 sf	\$41,971	\$862.61	\$329.98	\$4,227.25	\$1,389.09			\$48,779.93	\$1,219.50	\$49,999.43
Supermarket	1,000 sf	\$13,288	\$221.74	\$424.26	\$1,086.73	\$357.03			\$15,377.76	\$384.45	\$15,762.21
Car Wash	Bays	\$17,232	\$206.01	\$76.60	\$1,009.49	\$331.72			\$18,855.82	\$471.40	\$19,327.22
Convenience Store	1,000 sf	\$26,459	\$463.20	\$424.26	\$2,269.82	\$745.88			\$30,362.16	\$759.05	\$31,121.21
Furniture Store	1,000 sf	\$1,592	\$34.67	\$235.70	\$169.92	\$55.90			\$2,088.19	\$52.20	\$2,140.39

**City of Fellsmere, Town of Orchid, City of Sebastian, and City of Vero Beach Impact Fee Schedule**  
(Effective July 1, 2005)

Land Use	Impact Unit	Net Impact Fee						Total Net Impact Fee	Administration Fee @ 2.5%	Total Impact Fee
		Transportation	Correctional Facilities	Solid Waste	Public Buildings	Fire/EMS	Library			
<b>Recreational</b>										
Golf Course	hole	\$13,090	\$266.70	\$37.53	\$1,306.92	\$429.45		\$15,130.60	\$378.26	\$15,508.86
Racquet Club/Health Club/Dance Studio	1,000 sf	\$6,556	\$259.21	\$117.85	\$1,270.38	\$417.33		\$8,620.77	\$215.52	\$8,836.29
County Park	Acre	\$769	\$16.63	\$84.85	\$81.41	\$26.72		\$978.61	\$24.46	\$1,003.07
Tennis Court	Court	\$11,368	\$253.33	\$18.32	\$1,241.45	\$408.01		\$13,289.11	\$332.23	\$13,621.34
Marina	Berths	\$1,132	\$16.69	\$45.21	\$81.90	\$26.90		\$1,302.70	\$32.56	\$1,335.26
<b>Governmental</b>										
Post Office	1,000 sf	\$16,518	\$193.60	\$94.28	\$1,106.83	\$311.68		\$18,224.39	\$455.61	\$18,680.00
Library	1,000 sf	\$20,023	\$187.61	\$94.28	\$919.25	\$302.01		\$21,526.15	\$538.15	\$22,064.30
Government Office Building <sup>(1)</sup>	1,000 sf	\$27,663	\$284.31	\$94.28		\$457.76		\$28,499.35	\$712.49	\$29,211.84
Government Office Complex <sup>(1)</sup>	1,000 sf	\$11,205	\$148.07	\$94.28		\$238.37		\$11,685.72	\$292.14	\$11,977.86
Jail <sup>(1)</sup>	Bed	\$449		\$15.56	\$465.88	\$153.11		\$1,083.55	\$27.09	\$1,110.64
<b>Miscellaneous</b>										
Day Care Center	1,000 sf	\$10,555	\$110.12	\$235.70	\$755.46	\$177.37		\$11,833.65	\$295.84	\$12,129.49
Hospital	1,000 sf	\$6,267	\$170.91	\$82.97	\$837.60	\$275.29		\$7,633.77	\$190.85	\$7,824.62
Veterinary Clinic	1,000 sf	\$4,189	\$178.27	\$117.85	\$1,223.06	\$287.07		\$5,995.25	\$149.89	\$6,145.14
Church	1,000 sf	\$3,016	\$58.15	\$33.00	\$284.92	\$93.70		\$3,485.77	\$87.15	\$3,572.92
Movie Theater	Screen	\$26,940	\$925.42	\$188.14	\$4,534.97	\$1,490.17		\$34,078.70	\$851.96	\$34,930.66
School (Elementary and Middle)	Student	\$141	\$10.25	\$11.61	\$70.37	\$16.52		\$249.75	\$6.25	\$256.00
School (High)	Student	\$513	\$13.08	\$13.12	\$89.74	\$21.09		\$650.03	\$16.25	\$666.28
School (College)	Student	\$1,008	\$11.38	\$13.12	\$77.97	\$18.28		\$1,128.75	\$28.22	\$1,156.97
Fire Station <sup>(1)</sup>	1,000 sf	\$1,158	\$69.10	\$94.28	\$338.62			\$1,660.00	\$41.50	\$1,701.50

(1) Government uses are exempt from paying impact fees used to develop that same use. This is because legally, if the development does not create a demand for the facility, or indeed, mitigates the need for the facility, it should not pay the fee. In other words, a new jail will not pay the correctional facilities impact fee, a new fire/EMS station will not pay the fire/EMS impact fee, and a new government office building or office complex will not pay the public buildings impact fees.

## Town of Indian River Shores Impact Fee Schedule (Effective July 1, 2005)

Land Use	Impact Unit	Net Impact Fee						Total Net Impact Fee	Administration Fee @ 2.5%	Total Impact Fee
		Transportation	Correctional Facilities	Solid Waste	Public Buildings	Library	Schools			
<b>Residential</b>										
Single Family										
Lower than 1,500 sf (under air)	du	\$3,452	\$151.31	\$75.42	\$182.92	\$430.04	\$1,755.96	\$6,047.65	\$151.19	\$6,198.84
1,500 to 2,499 sf (under air)	du	\$5,202	\$169.98	\$75.42	\$205.72	\$483.26	\$1,755.96	\$7,892.34	\$197.31	\$8,089.65
2,500 sf or Greater (under air)	du	\$5,838	\$184.39	\$75.42	\$222.89	\$524.11	\$1,755.96	\$8,600.77	\$215.02	\$8,815.79
Accessory Single Family	du	\$2,842	\$100.33	\$56.57	\$121.37	\$285.20	\$500.18	\$3,905.65	\$97.64	\$4,003.29
Multi Family	du	\$2,842	\$100.33	\$56.57	\$121.37	\$285.20	\$500.18	\$3,905.65	\$97.64	\$4,003.29
Mobile Home	du	\$1,957	\$122.82	\$75.42	\$148.59	\$349.14	\$622.57	\$3,275.54	\$81.89	\$3,357.43
<b>Transient, Assisted, Group</b>										
Hotel	Room	\$3,271	\$99.13	\$21.21	\$228.77			\$3,620.11	\$90.50	\$3,710.61
Motel	Room	\$1,764	\$99.13	\$21.21	\$228.77			\$2,113.11	\$52.83	\$2,165.94
Nursing Home	Bed	\$560	\$106.88	\$33.18	\$312.14			\$1,012.20	\$25.30	\$1,037.50
ACLF	Bed	\$449	\$106.88	\$62.04	\$312.14			\$930.06	\$23.25	\$953.31
<b>Office and Financial</b>										
Medical Office	1,000 sf	\$15,553	\$185.81	\$117.85	\$1,274.79			\$17,131.45	\$428.29	\$17,559.74
Bank	1,000 sf	\$16,289	\$211.89	\$117.85	\$1,453.79			\$18,072.53	\$451.81	\$18,524.34
Bank w/Drive-in	1,000 sf	\$27,607	\$173.66	\$117.85	\$1,191.43			\$29,089.94	\$727.25	\$29,817.19
Office 50,000 GSF or less	1,000 sf	\$7,348	\$153.00	\$94.28	\$1,049.70			\$8,644.98	\$216.12	\$8,861.10
Office greater than 50,000 GSF	1,000 sf	\$5,326	\$80.86	\$94.28	\$554.64			\$6,055.78	\$151.40	\$6,207.18
<b>Industrial</b>										
Manufacturing	1,000 sf	\$1,533	\$54.68	\$235.70	\$375.16			\$2,198.54	\$54.96	\$2,253.50
Warehouse	1,000 sf	\$1,958	\$42.03	\$47.14	\$288.36			\$2,335.53	\$58.39	\$2,393.92
Mini-Warehouse	1,000 sf	\$1,003	\$8.28	\$18.86	\$40.46			\$1,070.60	\$26.76	\$1,097.36
General Industrial	1,000 sf	\$2,797	\$74.71	\$235.70	\$512.47			\$3,619.88	\$90.50	\$3,710.38
Concrete Plant	Acre	\$6,261	\$164.68	\$213.36	\$1,129.88			\$7,768.92	\$194.22	\$7,963.14
Sand Mining	Acre	\$803	\$21.11	\$213.36	\$144.91			\$1,182.38	\$29.56	\$1,211.94
<b>Retail, Gross Square Feet</b>										
Retail 50,000 GSF or less	1,000 sf	\$9,837	\$312.49	\$235.70	\$1,531.27			\$11,916.46	\$297.91	\$12,214.37
Retail 50,001 GSF to 100,000 GSF	1,000 sf	\$7,813	\$311.61	\$235.70	\$1,527.11			\$9,887.42	\$247.19	\$10,134.61
Retail 100,001 GSF to 200,000 GSF	1,000 sf	\$6,860	\$318.81	\$235.70	\$1,562.41			\$8,976.92	\$224.42	\$9,201.34
Retail over 200,000 GSF	1,000 sf	\$6,977	\$217.79	\$235.70	\$1,067.36			\$8,497.85	\$212.45	\$8,710.30
Gas Station	Fuel pos	\$6,694	\$188.05	\$39.13	\$921.46			\$7,842.64	\$196.06	\$8,038.70
New and Used Car Sales	1,000 sf	\$13,212	\$186.30	\$117.85	\$912.88			\$14,429.03	\$360.73	\$14,789.76
Quality Restaurant	1,000sf	\$20,072	\$738.41	\$329.98	\$3,618.66			\$24,759.05	\$618.98	\$25,378.03
Restaurant	1,000 sf	\$26,646	\$800.55	\$329.98	\$3,922.95			\$31,699.48	\$792.49	\$32,491.97
Fast Food Rest w/ Drive-Thru	1,000 sf	\$41,971	\$862.61	\$329.98	\$4,227.25			\$47,390.84	\$1,184.77	\$48,575.61
Supermarket	1,000 sf	\$13,288	\$221.74	\$424.26	\$1,086.73			\$15,020.73	\$375.51	\$15,396.24
Car Wash	Bays	\$17,232	\$206.01	\$76.60	\$1,009.49			\$18,524.10	\$463.10	\$18,987.20
Convenience Store	1,000 sf	\$26,459	\$463.20	\$424.26	\$2,269.82			\$29,616.28	\$740.41	\$30,356.69
Furniture Store	1,000 sf	\$1,592	\$34.67	\$235.70	\$169.92			\$2,032.29	\$50.81	\$2,083.10



## Town of Indian River Shores Impact Fee Schedule (Effective July 1, 2005)

Land Use	Impact Unit	Net Impact Fee					Total Net Impact Fee	Administration Fee @ 2.5%	Total Impact Fee
		Transportation	Correctional Facilities	Solid Waste	Public Buildings	Library			
<b>Recreational</b>									
Golf Course	hole	\$13,090	\$266.70	\$37.53	\$1,306.92		\$14,701.15	\$367.53	\$15,068.68
Racquet Club/Health Club/Dance Studio	1,000 sf	\$6,556	\$259.21	\$117.85	\$1,270.38		\$8,203.44	\$205.09	\$8,408.53
County Park	Acre	\$769	\$16.63	\$84.85	\$81.41		\$951.89	\$23.80	\$975.69
Tennis Court	Court	\$11,368	\$253.33	\$18.32	\$1,241.45		\$12,881.10	\$322.03	\$13,203.13
Marina	Berths	\$1,132	\$16.69	\$45.21	\$81.90		\$1,275.80	\$31.90	\$1,307.70
<b>Governmental</b>									
Post Office	1,000 sf	\$16,518	\$193.60	\$94.28	\$1,106.83		\$17,912.71	\$447.81	\$18,360.52
Library	1,000 sf	\$20,023	\$187.61	\$94.28	\$919.25		\$21,224.14	\$530.60	\$21,754.74
Government Office Building <sup>(1)</sup>	1,000 sf	\$27,663	\$284.31	\$94.28			\$28,041.59	\$701.04	\$28,742.63
Government Office Complex <sup>(1)</sup>	1,000 sf	\$11,205	\$135.82	\$94.28			\$11,435.10	\$285.88	\$11,720.98
Jail <sup>(1)</sup>	Bed	\$449		\$15.56	\$465.88		\$930.44	\$23.26	\$953.70
<b>Miscellaneous</b>									
Day Care Center	1,000 sf	\$10,555	\$110.12	\$235.70	\$755.46		\$11,656.28	\$291.41	\$11,947.69
Hospital	1,000 sf	\$6,267	\$170.91	\$82.97	\$837.60		\$7,358.48	\$183.96	\$7,542.44
Veterinary Clinic	1,000 sf	\$4,189	\$178.27	\$117.85	\$1,223.06		\$5,708.18	\$142.70	\$5,850.88
Church	1,000 sf	\$3,016	\$58.15	\$33.00	\$284.92		\$3,392.07	\$84.80	\$3,476.87
Movie Theater	Screen	\$26,940	\$925.42	\$188.14	\$4,534.97		\$32,588.53	\$814.71	\$33,403.24
School (Elementary and Middle)	Student	\$141	\$10.25	\$11.61	\$70.37		\$233.23	\$5.83	\$239.06
School (High)	Student	\$513	\$13.08	\$13.12	\$89.74		\$628.94	\$15.72	\$644.66
School (College)	Student	\$1,008	\$11.38	\$13.12	\$77.97		\$1,110.47	\$27.76	\$1,138.23
Fire Station	1,000 sf	\$1,158	\$69.10	\$94.28	\$338.62		\$1,660.00	\$41.50	\$1,701.50

(1) Government uses are exempt from paying impact fees used to develop that same use. This is because legally, if the development does not create a demand for the facility, or indeed, mitigates the need for the facility, it should not pay the fee. In other words, a new jail will not pay the correctional facilities impact fee and a new government office building or office complex will not pay the public buildings impact fees.

# Appendix B

