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ORDINANCE 17, 2011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING ARTICLE III. DEVELOPMENT REVIEW PROCEDURES, DIVISION 4. CITYWIDE IMPACT FEES, OF CHAPTER 78. LAND DEVELOPMENT. OF THE CITY CODE OF ORDINANCES BY REPEALING SECTION 78-92. FEES. AND READOPTING SAME, AS REVISED, IN ORDER TO UPDATE IMPACT FEES PURSUANT TO SECTION 78-95. REVIEW.; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 78. LAND DEVELOPMENT. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance 17, 2000, adopted on June 2, 2000, and amended by Ordinance 31, 2000 on December 5, 2000, and further amended by Ordinance 11, 2001 on August 2, 2001, and Ordinance 38, 2004 on September 30, 2004, imposes impact fees within the corporate limits of the City; and

WHEREAS, Section 78-95. Review. of the Code of Ordinances requires that the schedule of each impact fee be reviewed periodically to update costs, credits, and generation rates, and that where the review warrants a change in impact fees, the Division shall be amended; and

WHEREAS, this Ordinance for petition LDRA-11-07-000041 was reviewed by the Planning, Zoning, and Appeals Board, sitting as the Local Planning Agency, at a public hearing on August 23, 2011, and the Board recommended approval by a vote of 7 to 0; and

WHEREAS, the City Council deems approval of this Ordinance to be in the best interests of the health, safety, and welfare of the residents and citizens of the City of Palm Beach Gardens and the public at large.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA that:

SECTION 1. Chapter 78. Land Development. of the Code of Ordinances of the City of Palm Beach Gardens, Florida is hereby amended at Section 78-92. Fees. by repealing Section 78-92. and readopting same, as revised; providing that Section 78-92. shall hereafter read as follows:

Sec. 78-92. Fees.

The amount of the impact fees shall be determined by the schedules contained herein, unless established by an independent calculation pursuant to section 78-93.

Schedule 1: Fire Protection and EMS Cost Schedule**TABLE INSET:**

RESIDENTIAL UNITS:	OCCUPANTS	COST PER UNIT	CREDITS	NET COST
800 Feet and Under	1.815	\$308	\$62	\$247
801 - 1,399	2.196	\$373	\$75	\$298
1,400 - 1,999	2.510	\$426	\$85	\$341
2,000 - 3,599	2.871	\$488	\$98	\$390
3,600 and Over	3.152	\$535	\$107	\$428
NON-RESIDENTIAL:	CALLS FOR SERVICE	COST PER UNIT	CREDITS	NET COST
Financial Institution Per 1,000 FT ²	0.087	\$312	\$62	\$249
Hotel per Room	0.073	\$261	\$52	\$209
Movie Theater Per Seat	0.002	\$6	\$1	\$5
Adult/Continuing Care Facility per 1,000 FT ² •	0.391	\$1,395	\$279	\$1,115
Racquet Club Per Court	0.064	\$230	\$46	\$184
Place of Worship per 1,000 FT ²	0.064	\$230	\$46	\$184
Day Care Center Per 1,000 FT ²	0.076	\$272	\$54	\$217
Quality Restaurant Per 1,000 FT ²	0.076	\$272	\$54	\$217
High Turnover Sit-Down Rest. Per 1,000 Ft	0.076	\$272	\$54	\$217
Fast Food Restaurant per 1,000 FT ²	0.076	\$272	\$54	\$217
New Car Sales Per 1,000 FT ²	0.077	\$275	\$55	\$220
Office Per 1,000 FT ² - All	0.064	\$230	\$46	\$184
Medical Buildings:				
Medical Offices Per 1,000 FT ²	0.064	\$230	\$46	\$184
Hospitals Per 1,000 FT ²	0.138	\$494	\$99	\$395
Industrial Buildings:				
Gen. Industrial Per 1,000 FT ²	0.098	\$349	\$70	\$279
Mini-Warehouse Per 1,000 FT ²	0.101	\$359	\$72	\$287
Warehousing Per 1,000 FT ²	0.101	\$359	\$72	\$287
General Commercial Retail Per 1,000 FT ² :	0.075	\$267	\$54	\$214
Pharmacy per 1,000 FT ²	0.075	\$267	\$54	\$214
Gas Station Per Fueling Stn.	0.060	\$215	\$43	\$172
Convenience Retail per 1,000 FT ²	0.075	\$267	\$54	\$214
Automotive Repair Shop per 1,000 FT ²	0.077	\$275	\$55	\$220
Car Wash per Bay	0.077	\$275	\$55	\$220
Carpet Store per 1,000 FT ²	0.075	\$267	\$54	\$214
Cemetery per Acre	0.075	\$267	\$54	\$214
Funeral Home per 1,000 FT ²	0.075	\$267	\$54	\$214

RESIDENTIAL UNITS:	OCCUPANTS	COST PER UNIT	CREDITS	NET COST
Furniture Store per 1,000 FT ²	0.075	\$267	\$54	\$214
General Recreation per Acre	0.098	\$349	\$70	\$279
Oil and Lube Shop per Bay	0.362	\$1,292	\$259	\$1,033
Veterinary Clinic per 1,000 FT ²	0.064	\$230	\$46	\$184

*Includes nursing homes

Schedule 2: Police Protection Cost Schedule

TABLE INSET:

	Occupants	COST PER UNIT	CREDITS	NET COST
RESIDENTIAL UNITS:				
800 Feet and Under	1.815	\$455	\$132	\$323
801 - 1,399	2.196	\$551	\$160	\$391
1,400 - 1,999	2.510	\$629	\$182	\$447
2,000 - 3,599	2.871	\$720	\$209	\$511
3,600 and Over	3.152	\$790	\$229	\$561
NON-RESIDENTIAL:				
Financial Institution Per 1,000 FT ²	0.6871	\$327	\$95	\$232
Hotel per Room	0.6871	\$327	\$95	\$232
Movie Theater Per Seat	0.0165	\$8	\$2	\$6
Adult/Continuing Care Facility per 1,000 FT ² *	0.6345	\$302	\$87	\$214
Racquet Club Per Court	0.3626	\$172	\$50	\$122
Place of Worship per 1,000 FT ²	0.6345	\$302	\$87	\$214
Day Care Center Per 1,000 FT ²	0.6345	\$302	\$87	\$214
Quality Restaurant Per 1,000 FT ²	0.7252	\$345	\$100	\$245
High Turnover Sit-Down Rest. Per 1,000 Ft	0.7252	\$345	\$100	\$245
Fast Food Restaurant per 1,000 FT ²	0.7252	\$345	\$100	\$245
New Car Sales Per 1,000 FT ²	0.7252	\$345	\$100	\$245
Office Per 1,000 FT ² - all	0.6345	\$302	\$87	\$214
Medical Buildings:				
Medical Offices Per 1,000 FT ²	0.6345	\$302	\$87	\$214
Hospitals Per 1,000 FT ²	0.6345	\$302	\$87	\$214
Industrial Buildings:				
Gen. Industrial Per 1,000 FT ²	0.0578	\$27	\$8	\$19
Mini-Warehouse Per 1,000 FT ²	0.1198	\$57	\$17	\$40
Warehousing Per 1,000 FT ²	0.1198	\$57	\$17	\$40
General Commercial Retail Per 1,000 FT² - all				
Pharmacy per 1,000 FT ²	0.7252	\$345	\$100	\$245
Gas Station Per Fueling Stn.	0.1813	\$86	\$25	\$61

	Occupants	COST PER UNIT	CREDITS	NET COST
Convenience Retail per 1,000 FT ²	0.7252	\$345	\$100	\$245
Automotive Repair Shop per 1,000 FT ²	0.7252	\$345	\$100	\$245
Car Wash per Bay	0.3626	\$172	\$50	\$122
Carpet Store per 1,000 FT ²	0.7252	\$345	\$100	\$245
Cemetery per Acre	0.0000	\$0	\$0	\$0
Funeral Home per 1,000 FT ²	0.6345	\$302	\$87	\$214
Furniture Store per 1,000 FT ²	0.7252	\$345	\$100	\$245
General Recreation per Acre	0.6345	\$302	\$87	\$214
Oil and Lube Shop per Bay	0.3626	\$172	\$50	\$122
Veterinary Clinic per 1,000 FT ²	0.6345	\$302	\$87	\$214

*includes nursing homes

Schedule 3: Parks and Recreation Cost Schedule

TABLE INSET:

RESIDENTIAL UNITS BY SIZE (includes multi-family and mobile homes)	Occupants	Total Cost	Credit	Net Cost
800 Feet and Under	1.815	\$2,859	\$497	\$2,362
801 - 1,399	2.196	\$3,459	\$601	\$2,858
1,400 - 1,999	2.51	\$3,953	\$687	\$3,267
2,000 - 3,599	2.871	\$4,522	\$786	\$3,737
3,600 and Over	3.152	\$4,965	\$862	\$4,102
Hotel/Motel per room	0.875	\$1,378	\$239	\$1,139
Adult/Continuing Care Facility per 1,000 FT ² **	0.908	\$1,430	\$248	\$1,182

*Includes square footage heated and under A/C

** Includes nursing homes

Schedule 4: Road Cost Schedule

TABLE INSET:

LAND USE TYPE (UNIT)	NEW ROADS (Lane Miles)	ROAD COSTS		NET COST
		Const. Cost*	Credit	
RESIDENTIAL:				
800 Feet and Under	0.00063	\$1,250.55	\$226.15	\$1,024
801 - 1,399	0.00076	\$1,508.60	\$273.63	\$1,235
1,400 - 1,999	0.00087	\$1,726.95	\$312.75	\$1,414
2,000 - 3,599	0.00100	\$1,985.00	\$357.73	\$1,627
3,600 and Over	0.00109	\$2,163.65	\$392.75	\$1,771
NON-RESIDENTIAL:				
Financial Institution Per 1,000 FT ²	0.00198	\$3,930	\$711	\$3,219
Hotel per Room	0.00029	\$576	\$104	\$471
Movie Theater Per Seat	0.00006	\$119	\$22	\$97

LAND USE TYPE (UNIT)	NEW ROADS (Lane Miles)	ROAD COSTS		NET COST
		Const. Cost*	Credit	
Adult/Continuing Care Facility per 1,000 FT ² **	0.00011	\$218	\$41	\$178
Racquet Club Per Court	0.00139	\$2,759	\$499	\$2,260
Place of Worship per 1,000 FT ²	0.00031	\$615	\$112	\$503
Day Care Center Per 1,000 FT ²	0.00143	\$2,839	\$514	\$2,324
Quality Restaurant Per 1,000 FT ²	0.00244	\$4,843	\$876	\$3,968
High Turnover Sit-Down Rest. Per 1,000 Ft	0.00230	\$4,566	\$825	\$3,740
Fast Food Restaurant per 1,000 FT ²	0.00448	\$8,893	\$1,610	\$7,283
New Car Sales Per 1,000 FT ²	0.00102	\$2,025	\$368	\$1,657
Office Per 1,000 FT ² :				
50,000 FT ² & Under	0.00043	\$854	\$155	\$699
50,001 - 99,999 FT ²	0.00048	\$953	\$173	\$780
100,000 - 149,999 FT ²	0.00043	\$854	\$155	\$699
150,000 - 199,999 FT ²	0.00039	\$774	\$141	\$633
200,000 - 399,999 FT ²	0.00037	\$734	\$132	\$602
400,000 - 499,999 FT ²	0.00031	\$615	\$112	\$503
500,000 - 599,999 FT ²	0.00030	\$596	\$107	\$489
600,000 - 699,999 FT ²	0.00028	\$556	\$102	\$453
700,000 - 799,999 FT ²	0.00027	\$536	\$99	\$437
800,000 FT ² or more	0.00027	\$536	\$96	\$440
Medical Buildings:				
Medical Offices Per 1,000 FT ²	0.00117	\$2,322	\$422	\$1,900
Hospitals Per 1,000 FT ²	0.00054	\$1,072	\$193	\$879
Industrial Buildings:				
Gen. Industrial Per 1,000 FT ²	0.00023	\$457	\$81	\$375
Mini-Warehouse Per 1,000 FT ²	0.00008	\$159	\$29	\$130
Warehousing Per 1,000 FT ²	0.00012	\$238	\$42	\$197
General Commercial Retail Per 1,000 FT ² :				
50,000 FT ² or Less	0.00134	\$2,660	\$482	\$2,178
50,001 - 99,999 FT ²	0.00137	\$2,719	\$491	\$2,229
100,000 - 199,999 FT ²	0.00123	\$2,442	\$441	\$2,001
200,000 - 299,999 FT ²	0.00116	\$2,303	\$418	\$1,885
300,000 - 399,999 FT ²	0.00111	\$2,203	\$399	\$1,804
400,000 - 499,999 FT ²	0.00107	\$2,124	\$384	\$1,740
500,000 - 599,999 FT ²	0.00103	\$2,045	\$371	\$1,674
600,000 - 699,999 FT ²	0.00100	\$1,985	\$360	\$1,625
700,000 - 999,999 FT ²	0.00099	\$1,965	\$354	\$1,611
1,000,000 FT ² or More	0.00095	\$1,886	\$342	\$1,544
Pharmacy per 1,000 FT ²	0.00159	\$3,156	\$572	\$2,584
Gas Station Per Fueling Stn.	0.00091	\$1,806	\$328	\$1,478
Convenience Retail per 1,000 FT ²	0.00400	\$7,940	\$1,437	\$6,503
Automotive Repair Shop per 1,000 FT ²	0.00022	\$437	\$81	\$356
Car Wash per Bay	0.00150	\$2,978	\$539	\$2,439

LAND USE TYPE (UNIT)	NEW ROADS (Lane Miles)	ROAD COSTS		NET COST
		Const. Cost*	Credit	
Carpet Store per 1,000 FT ²	0.00013	\$258	\$46	\$212
Cemetery per Acre	0.00009	\$179	\$31	\$148
Funeral Home per 1,000 FT ²	0.00023	\$457	\$82	\$375
Furniture Store per 1,000 FT ²	0.00010	\$199	\$35	\$164
General Recreation per Acre	0.00031	\$615	\$111	\$504
Oil and Lube Shop per Bay	0.00072	\$1,429	\$260	\$1,170
Veterinary Clinic per 1,000 FT ²	0.00059	\$1,171	\$213	\$958

* Right of Way cost not included in net cost.

**Includes nursing homes

1
2 **SECTION 2.** All ordinances or parts of ordinances in conflict be and the same are
3 hereby repealed.

4
5 **SECTION 3.** Should any section or provision of this Ordinance or any portion
6 thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction
7 to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

8
9 **SECTION 4.** Specific authority is hereby given to codify this Ordinance.

10
11 **SECTION 5.** This Ordinance shall become effective February 2, 2012, which is
12 ninety (90) days after adoption, as required.

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16 (The remainder of this page intentionally left blank)

PASSED this 6th day of OCTOBER, 2011, upon first reading.

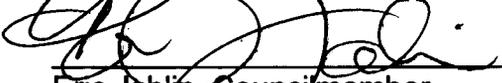
PASSED AND ADOPTED this 3rd day of NOVEMBER, 2011, upon second and final reading.

CITY OF PALM BEACH GARDENS	FOR	AGAINST	ABSENT
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BY: <u></u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Levy, Mayor			

<u></u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert G. Premuroso, Vice Mayor			

<u></u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joseph R. Russo, Councilmember			

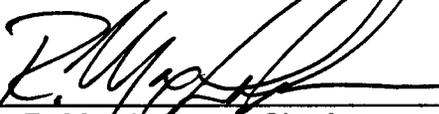
<u></u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eric Jablin, Councilmember			

<u></u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marcie Tinsley, Councilmember			

ATTEST:

BY: <u></u>
Patricia Snider, CMC, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: <u></u>
R. Max Lonman, City Attorney

