



# STAFF REPORT

Regular City Commission Meeting

March 28, 2024

**To:** Elected Officials

**From:** Dale L. Martin, City Manager

**Date:** March 28, 2024

**Item Name:** Ordinance 2024-04 an ordinance of the City of Flagler Beach, Florida, relating to impact fees; adopting the Fee Study dated July 18, 2023 prepared by Tischler Bise; increasing the amounts to be charged for Water and Wastewater Impact Fees; adopting new Police, Fire, Library, and Parks and Recreation Impact Fees; establishing an administrative charge consistent with state law; amending regulations pertaining to the collection, use, and timing of payments of Water, Wastewater, Police, Fire, Library, and Parks and Recreation Impact Fees; providing for notice of increased and new fees; providing for codification; providing for severability and conflicts, and providing an effective date – First Reading.

**Background:** The City has retained the services of Tischler Bise to review and recommend revisions to the City’s schedule of impact fees. In general, “impact fees” are authorized by the State of Florida for communities to provide funding for the expansion of specific services related to growth. The fees collected must be used solely for the purpose collected and are restricted for new services required (desired) as a result of growth.

State statutes provide for a process to implement new or revised fees and the City will comply with those provisions of timely implementation.

The City Attorney may have additional comments.

**Fiscal Impact:** The proposed fees will likely be implemented no sooner than August 1, 2024.

**Staff Recommendation:** Staff recommends approval of proposed Ordinance 2024-04, First Reading.

**Attachments:** Proposed Ordinance 2024-04  
Exhibit A Impact Fee Study

ORDINANCE NO. 2024-04

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**AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, RELATING TO IMPACT FEES; ADOPTING THE FEE STUDY PREPARED BY TISCHLER BISE; INCREASING THE AMOUNTS TO BE CHARGED FOR WATER AND WASTEWATER IMPACT FEES; ADOPTING NEW POLICE, FIRE, LIBRARY, AND PARKS AND RECREATION IMPACT FEES; ESTABLISHING AN ADMINISTRATIVE CHARGE CONSISTENT WITH STATE LAW; AMENDING REGULATIONS PERTAINING TO THE COLLECTION, USE, AND TIMING OF PAYMENTS OF WATER, WASTEWATER, POLICE, FIRE, LIBRARY, AND PARKS AND RECREATION IMPACT FEES; PROVIDING FOR NOTICE OF INCREASED AND NEW FEES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND CONFLICTS, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, under its home rule powers and pursuant to §163.31801, *Florida Statutes*, the City of Flagler Beach may impose impact fees to ensure that new development pays for its proportional share of capital facilities required by such new development; and

**WHEREAS**, the City of Flagler Beach last amended its water and wastewater impact fee program in 2012; and

**WHEREAS**, the City Commission of the City of Flagler Beach has studied the necessity for and implications of the adoption of an ordinance updating the water and wastewater impact fees and adopting police, fire, library, and parks and recreation impact fees and has retained a professional consulting firm to prepare a study relating to these fees (the “Study”) to determine the proportionate demand that new development generates for additional water, wastewater, police, fire, library, and parks and recreation facilities and improvements; and

**WHEREAS**, the Study has been presented to and reviewed by the City Commission of the City of Flagler Beach, and it has been determined: (1) water, wastewater, police, fire, library, and parks and recreation impact fees are necessary to offset the costs associated with meeting future demands for the City’s water, wastewater, police, fire, library, and parks facilities pursuant to the

30 projections set forth in the Study; (2) that the new impact fees bear a reasonable relationship to  
31 the burden imposed upon the City to provide infrastructure and facilities to meet the demand of  
32 new City residents; (3) that impact fee revenues will provide a direct benefit to such new City  
33 residents reasonably related to the fees assessed; (4) that an essential nexus exists between  
34 projected new development and the need for additional facilities and infrastructure to be funded  
35 with impact fees and the benefits that accrue to new development paying the fees; (5) that the  
36 amount of the impact fees are roughly proportional to the *pro rata* share of the additional  
37 facilities and infrastructure needed to serve new development; and

38       **WHEREAS**, §163.31801, *Florida Statutes* requires impact fee increases to be implemented  
39 in annual increments as directed by the statute; and

40       **WHEREAS**, Section 163.31801, *Florida Statutes* requires that local governments ensure  
41 that collection of an impact fee not be required to occur earlier than the date of issuance of  
42 issuance of the building permit for the property that is subject to the fee; and

43       **WHEREAS**, the fees adopted herein are consistent with the maximum increase and phase-  
44 in provisions of Section 163.31801, *Florida Statutes*;

45       **WHEREAS**, the decisions of the City Commission as set forth herein are reasonable and  
46 prudent steps pertaining to sound growth management which have been taken for the benefit  
47 of the citizens of the City, both present and future; and

48       **WHEREAS**, the City is projected to significantly grow in population and further  
49 economically develop in the future; and

50           **WHEREAS**, this Ordinance contains an administrative framework to ensure that the  
51 benefit of facilities and infrastructure funded with impact fees will accrue proportionately to new  
52 development paying the fees; and

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54           **WHEREAS**, Section 163.3202(3), *Florida Statutes*, encourages the use of innovative  
55 land use regulations and impact fees by local governments to manage growth and to provide the  
56 necessary public facilities and for the imposition by local governments of impact fees on  
57 development to fund the capital cost of facilities necessitated by such development; and

58           **WHEREAS**, requiring future growth to contribute its fair share of the costs necessary to  
59 fund required capital improvements and additions is an integral and vital part of the regulatory  
60 plan of growth management in the City and is a practice consistent with sound and generally  
61 accepted growth management, fiscal and public administration practices and principles; and

62           **WHEREAS**, for clarity and ease of reference all impact fees provisions shall be located in  
63 a new Chapter 12 of the Code of Ordinances entitled “Impact Fees” and deletion of the existing  
64 provisions related to water and wastewater impact fees contained herein is a relocation of the  
65 provisions establishing and regulating those impact fees, not a repeal of said impact fees.

66           Note: Underlined words constitute the new text of the City of Flagler Beach Code of  
67 Ordinances, asterisks (\*\*\*) indicate an omission from the original text of the Code of Ordinances,  
68 City of Flagler Beach, which is intended to remain unchanged, and ~~striketrough~~ constitutes  
69 deletions from the original Code of Ordinances.

70           **NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Flagler Beach,  
71 Florida, as follows:

72 **SECTION 1.** The above recitals, or “Whereas” clauses, are hereby adopted as the City  
73 Commission’s legislative findings and are incorporated herein by reference.

74 **SECTION 2.** Chapter 12 of the Flagler Beach Code of Ordinances is hereby created as follows:  
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76 **CHAPTER 12 – IMPACT FEES**

77 **ARTICLE I. ADOPTION OF FEE STUDY AND RATIONAL NEXUS**

78 (a) The city commission hereby adopts by reference the Impact Fee Study  
79 dated February 8, 2024 as prepared by Tischler Bise relating to the capital costs of the  
80 City of Flagler Beach to meet facilities and infrastructure needs related to the impacts of  
81 new development for water, wastewater, police, fire, library parks and recreation, and  
82 administrative services.

83 (b) The city commission finds that there is a reasonable connection, or rational  
84 nexus, between the need for new or expanded facilities and infrastructure in the city and  
85 the growth in population anticipated within the city. In addition, the city commission  
86 finds there is a reasonable connection, or rational nexus, between the anticipated  
87 expenditures of the police impact fees collected and the benefits accruing to anticipated  
88 new development.

89 **ARTICLE II. DEFINITIONS**

90 The following words, terms and phrases, when used in this chapter, shall have  
91 the meaning ascribed to them in this section, except where the context clearly  
92 indicates a different meaning, or except as otherwise provided.

93 Applicant means any person, developer, builder or entity which requires public  
94 services as a result of development for the benefit of itself or a prospective future  
95 occupant.

96 Building is any structure, either temporary or permanent, designed or built for  
97 the support, enclosure shelter or protection of persons, chattels or property of any  
98 kind. This term shall include trailers, mobile homes or any other vehicles serving in any  
99 way the function of a building. This term shall not include temporary construction  
100 sheds or trailers erected to assist in construction and maintained during the time of a  
101 construction.

102 Nonresidential includes all land uses not otherwise specified as residential or  
103 exempted as set forth herein. This shall include, but is not limited to day care facilities,  
104 residential care facilities, nursing homes, boarding houses, educational facilities,  
105 cultural facilities, churches, all commercial uses, all transient lodging and  
106 entertainment facilities except those which are temporary in nature, all automotive  
107 facilities and/or structures, all miscellaneous business uses and services and all  
108 industrial uses.

109 Owner of record means the most recent owner of a parcel of property  
110 appearing in the official records of Flagler County, Florida.

111 Residential means multifamily dwelling units, mobile homes, and single-family  
112 detached houses.

113 **ARTICLE III. GENERAL TERMS RELATED TO COLLECTION AND ACCOUNTING OF IMPACT FEE**  
114 **FUNDS**

115           (a) There are established capital fund accounts for impact fees, to be  
116 generally designated as the "Impact Fee Capital Improvement Trust Fund for the  
117 Extension of Primary Water Systems," "Impact Fee Capital Improvement Trust Fund for  
118 the Extension of Primary Wastewater Systems," "Police Impact Fee Account," "Fire  
119 Impact Fee Account," "Library Impact Fee Account, and "Parks and Recreation Impact  
120 Fee Account." Each capital fund account for impact fees shall continue to be maintained  
121 separate and apart from all other accounts of the city. The monies deposited into the  
122 impact fee capital fund accounts shall be used solely for the purposes allowed by Florida  
123 Statutes and as set forth in this chapter.

124           (b) Funds on deposit in impact fee accounts established within this article  
125 shall not be used for any expenditure that would be classified as an operational  
126 expense, a maintenance expense or a repair expense.

127           (c) Any funds on deposit in an impact fee account not immediately  
128 necessary for expenditure shall be invested in interest-bearing accounts. Applicants  
129 shall not receive a credit for or be entitled to interest from the investment of such  
130 funds, except as otherwise required in this chapter.

131           (d) An applicant may request an estimate of impact fees which may be  
132 imposed by filing a written request to the city. Any estimate which the city provides is  
133 non-binding and may be subject to change when the impact fees become due and  
134 payable pursuant to this chapter. Non-binding estimates are for the sole benefit of the  
135 prospective applicant and neither bind the city, nor preclude it from making  
136 amendments or revisions to any provisions of this chapter. No vested rights, legal

137 entitlements, or equitable estoppel accrue by reason of a non-binding estimate. A  
138 non-binding fee estimate does not constitute a final decision and may not be appealed  
139 pursuant to this chapter.

140 (e) Any person who disagrees with a decision or interpretation of this  
141 chapter may appeal to the city manager or designee by filing a written notice of  
142 appeal within ten (10) days after the date of the action or decision complained of. The  
143 written notice of appeal shall set forth concisely the action or decision appealed as  
144 well as the grounds upon which the appeal is based. The city manager or designee  
145 shall consider all facts material to the appeal and render a written decision within  
146 thirty (30) days of receiving the appeal. Any person who disagrees with the decision of  
147 the city manager or designee may appeal to the city commission by filing a written  
148 notice of appeal with the city manager's office setting forth concisely the decision  
149 appealed within ten (10) days after the date of the city manager's decision. The appeal  
150 shall be set for the next available city commission meeting for consideration. The city  
151 commission's written decision shall constitute final administrative review

152 (f) Failure to pay an impact fee when determined by the city that an  
153 obligation is required to satisfy the impact of development may result in the amount  
154 due becoming a lien against the property. The city shall provide a written notice of the  
155 impact fee due by personal service, certified, return receipt requested United States  
156 Mail or Federal Express or other equivalent overnight letter delivery company. Upon  
157 failure to pay the impact fee within thirty (30) days of the date of the notice, a notice  
158 of lien may be served upon the applicant owing impact fees and recorded in official

159 records of Flagler County, Florida. Such lien may be foreclosed in the manner  
160 provided by law, and there shall be added to the amount of such lien all costs incident  
161 to such proceedings including reasonable attorney's fees

162 (g) If impact fees have not been expended or encumbered by the end of  
163 the calendar quarter immediately following ten (10) years from the date the fees were  
164 paid, upon application of the fee payer of proof of payment, or proof of the date the  
165 development permit was approved by the city and that development was never  
166 begun, the fees shall be returned with interest at the rate determined by the city  
167 based upon the average interest earning rate incurred by the city in accordance with  
168 the following procedure:

169 (1) The present owner must petition the city Commission for the  
170 refund within one (1) year following the end of the calendar quarter  
171 immediately following ten (10) years from the date on which the fee was  
172 received.

173 (2) The petition must be submitted to the city manager and must  
174 contain:

175 (i) A notarized sworn statement that the petitioner is the  
176 current owner of the property;

177 (ii) A copy of the dated receipt issued for payment of the fee  
178 or other document evidencing the date the development was approved  
179 by the city, which development was never begun;

180 (iii) A certified copy of the latest recorded deed; and

181 (iv) A copy of the most recent ad valorem tax bill.  
 182 If reimbursement is approved, the city shall remit to the petitioner within sixty (60)  
 183 days of approval. In determining whether a petitioner is entitled to a refund, it shall be  
 184 assumed that impact fees are expended or encumbered in the same order in which  
 185 they were received (that is, "first in, first out"). No refund shall be made of any  
 186 administrative fee authorized and collected pursuant to this chapter.

187 (h) Any change in the use of property shall require payment of an impact  
 188 fee in an amount equal to any increase in density or intensity.

189 (i) All impact fee revenues expended from an impact fee fund shall be used  
 190 for the purpose of providing growth necessitated capital improvements and acquiring,  
 191 designing, constructing, extending, expanding, relocating, and/or separating capital  
 192 facilities and infrastructure determined by the city commission to be necessary to  
 193 serve new development.

194 (j) The City shall be exempt from impact fee charges.

195 **ARTICLE IV. POTABLE WATER IMPACT FEE**

196 (a) Any applicant who seeks to develop land or make improvements to real  
 197 property shall pay the following potable water impact fees in the manner and amount  
 198 established and computed pursuant to this article.

199 (b) Subject to the phase-in of fees pursuant to Section 163.31801, Florida  
 200 Statutes, as set forth in paragraph (c) below, impact fees charged and collected for  
 201 potable water shall be as follows:

<u>Meter Size and Type</u>	<u>Capacity Ratio</u>	<u>Total Impact Fee to be Collected after Phase-In<sup>1</sup></u>	<u>Existing Impact Fee at Time of Adoption<sup>2</sup></u>	<u>Increase Over Existing</u>
<u>0.75 Displacement</u>	<u>1.00</u>	<u>\$3,007</u>	<u>\$2,509</u>	<u>\$498</u>
<u>1.00 Displacement</u>	<u>1.67</u>	<u>\$5,022</u>	<u>\$4,190</u>	<u>\$832</u>
<u>1.50 Displacement</u>	<u>3.33</u>	<u>\$10,015</u>	<u>\$8,356</u>	<u>\$1,659</u>
<u>2.00 Displacement</u>	<u>5.33</u>	<u>\$16,029</u>	<u>\$13,374</u>	<u>\$2,655</u>
<u>3.00 Singlejet</u>	<u>10.67</u>	<u>\$32,089</u>	<u>\$26,773</u>	<u>\$5,316</u>
<u>3.00 Compound</u>	<u>10.67</u>	<u>\$32,089</u>	<u>\$26,773</u>	<u>\$5,316</u>
<u>3.00 Turbine</u>	<u>11.67</u>	<u>\$35,096</u>	<u>\$29,282</u>	<u>\$5,814</u>
<u>4.00 Singlejet</u>	<u>16.67</u>	<u>\$50,133</u>	<u>\$41,828</u>	<u>\$8,305</u>
<u>4.00 Compound</u>	<u>16.67</u>	<u>\$50,133</u>	<u>\$41,828</u>	<u>\$8,305</u>
<u>4.00 Turbine</u>	<u>21.00</u>	<u>\$63,155</u>	<u>\$52,693</u>	<u>\$10,462</u>
<u>6.00 Singlejet</u>	<u>33.33</u>	<u>\$100,236</u>	<u>\$83,631</u>	<u>\$16,604</u>
<u>6.00 Compound</u>	<u>33.33</u>	<u>\$100,236</u>	<u>\$83,631</u>	<u>\$16,604</u>
<u>6.00 Turbine</u>	<u>43.33</u>	<u>\$130,310</u>	<u>\$108,723</u>	<u>\$21,586</u>
<u>8.00 Compound</u>	<u>53.33</u>	<u>\$160,383</u>	<u>\$62,396</u>	<u>\$31,198</u>
<u>8.00 Turbine</u>	<u>93.33</u>	<u>\$163,794</u>	<u>\$133,815</u>	<u>\$26,568</u>
<u>10.00 Turbine</u>	<u>140.00</u>	<u>\$421,032</u>	<u>\$351,287</u>	<u>\$69,746</u>

<sup>1</sup> AWWA Manual of Water Supply Practices M-1, 7<sup>th</sup> Ed.

<sup>2</sup> Base meter fee is the current water fee and then is scaled up using the proposed meter capacity ratio

<u>12.00 Turbine</u>	<u>176.67</u>	<b><u>\$531,313</u></b>	<u>\$443,299</u>	<u>\$88,014</u>
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203           (c) Implementation of the increased fees provided herein shall be phased in

204 over two equal installments. During the twelve month period beginning August 1, 2024,

205 the impact fee to be collected shall be the Existing Impact Fee at Time of Adoption amount

206 plus one-half (1/2) of the Increase Over Existing amount. During the twelve month period

207 beginning August 1, 2025, the impact fee to be collected shall be the Total Impact Fee to

208 be Collected after Phase-In.

209 **ARTICLE V. WASTEWATER IMPACT FEE**

210           (a) Any applicant who seeks to develop land or make improvements to real

211 property shall pay the following wastewater impact fees in the manner and amount

212 established and computed pursuant to this article.

213           (b) Subject to the phase-in of fees pursuant to Section 163.31801, Florida

214 Statutes, as set forth in paragraph (c) below, impact fees charged and collected for

215 wastewater shall be as follows:

<u>Meter Size and</u>  <u>Type</u>	<u>Capacity Ratio</u>	<b><u>Total Impact</u></b>  <b><u>Fee to be</u></b>  <b><u>Collected after</u></b>  <b><u>Phase-In<sup>3</sup></u></b>	<u>Existing</u>  <u>Impact Fee</u>  <u>at Time of</u>  <u>Adoption<sup>4</sup></u>	<u>Increase Over</u>  <u>Existing</u>
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<sup>3</sup> AWWA Manual of Water Supply Practices M-1, 7<sup>th</sup> Ed.  
<sup>4</sup> Base meter fee is the current sewer fee and then is scaled up using the proposed meter capacity ratio

<u>0.75 Displacement</u>	<u>1.00</u>	<b><u>\$3,806</u></b>	<u>\$3,083</u>	<u>\$723</u>
<u>1.00 Displacement</u>	<u>1.67</u>	<b><u>\$6,356</u></b>	<u>\$5,148</u>	<u>\$1,208</u>
<u>1.50 Displacement</u>	<u>3.33</u>	<b><u>\$12,673</u></b>	<u>\$10,265</u>	<u>\$2,408</u>
<u>2.00 Displacement</u>	<u>5.33</u>	<b><u>\$20,284</u></b>	<u>\$16,430</u>	<u>\$3,855</u>
<u>3.00 Singlejet</u>	<u>10.67</u>	<b><u>\$40,607</u></b>	<u>\$32,890</u>	<u>\$7,717</u>
<u>3.00 Compound</u>	<u>10.67</u>	<b><u>\$40,607</u></b>	<u>\$32,890</u>	<u>\$7,717</u>
<u>3.00 Turbine</u>	<u>11.67</u>	<b><u>\$44,412</u></b>	<u>\$35,973</u>	<u>\$8,440</u>
<u>4.00 Singlejet</u>	<u>16.67</u>	<b><u>\$63,441</u></b>	<u>\$51,385</u>	<u>\$12,056</u>
<u>4.00 Compound</u>	<u>16.67</u>	<b><u>\$63,441</u></b>	<u>\$51,385</u>	<u>\$12,056</u>
<u>4.00 Turbine</u>	<u>21.00</u>	<b><u>\$79,920</u></b>	<u>\$64,733</u>	<u>\$15,187</u>
<u>6.00 Singlejet</u>	<u>33.33</u>	<b><u>\$126,844</u></b>	<u>\$102,740</u>	<u>\$24,104</u>
<u>6.00 Compound</u>	<u>33.33</u>	<b><u>\$126,844</u></b>	<u>\$102,740</u>	<u>\$24,104</u>
<u>6.00 Turbine</u>	<u>43.33</u>	<b><u>\$164,901</u></b>	<u>\$133,565</u>	<u>\$31,336</u>
<u>8.00 Compound</u>	<u>53.33</u>	<b><u>\$202,958</u></b>	<u>\$202,958</u>	<u>\$38,568</u>
<u>8.00 Turbine</u>	<u>93.33</u>	<b><u>\$355,186</u></b>	<u>\$287,690</u>	<u>\$67,496</u>
<u>10.00 Turbine</u>	<u>140.00</u>	<b><u>\$532,798</u></b>	<u>\$431,550</u>	<u>\$101,248</u>
<u>12.00 Turbine</u>	<u>176.67</u>	<b><u>\$672,353</u></b>	<u>\$544,585</u>	<u>\$127,767</u>

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(c) Implementation of the increased fees provided herein shall be phased in over four equal installments. During the twelve month period beginning August 1, 2024, the impact fee to be collected shall be the Existing Impact Fee at Time of Adoption amount plus one-half (1/2) of the Increase Over Existing amount. During the twelve month period

222 beginning August 1, 2025, the impact fee to be collected shall be the Total Impact Fee to  
223 be Collected after Phase-In.

224 **ARTICLE VI. POLICE IMPACT FEE**

225 (a) Any applicant who seeks to develop land or make improvements to real  
226 property shall pay the following police impact fees in the manner and amount established  
227 and computed pursuant to this article.

228 (b) Beginning August 1, 2024, the police impact fee to be charged and  
229 collected shall be as follows:

<b><u>Residential Fee per Unit</u></b>	
<b><u>Square Footage</u></b>	<b><u>Impact Fee to be Collected</u></b>
<u>1,100 or less</u>	<u>\$455</u>
<u>1,101 to 1,500</u>	<u>\$717</u>
<u>1,501 to 2,000</u>	<u>\$905</u>
<u>2,001 to 2,500</u>	<u>\$1,054</u>
<u>2,501 to 3,000</u>	<u>\$1,176</u>
<u>3,001 to 3,500</u>	<u>\$1,281</u>
<u>3,501 or more</u>	<u>\$1,373</u>

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<b><u>Nonresidential Fee per 1,000 Square Feet</u></b>	
<b><u>Development Type</u></b>	<b><u>Impact Fee to be Collected</u></b>

<u>Industrial</u>	<u>\$381</u>
<u>Commercial</u>	<u>\$1,911</u>
<u>Office &amp; Other Services</u>	<u>\$848</u>
<u>Institutional</u>	<u>\$1,166</u>

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232 **ARTICLE VII. FIRE IMPACT FEE**

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(a) Any applicant who seeks to develop land or make improvements to real property shall pay the following fire impact fees in the manner and amount established and computed pursuant to this article.

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(b) Beginning August 1, 2024, the fire impact fee to be charged and collected shall be as follows:

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<b><u>Residential Fee per Unit</u></b>	
<u>Square Footage</u>	<u>Impact Fee to be Collected</u>
<u>1,100 or less</u>	<u>\$538</u>
<u>1,101 to 1,500</u>	<u>\$849</u>
<u>1,501 to 2,000</u>	<u>\$1,071</u>
<u>2,001 to 2,500</u>	<u>\$1,247</u>
<u>2,501 to 3,000</u>	<u>\$1,392</u>
<u>3,001 to 3,500</u>	<u>\$1,516</u>
<u>3,501 or more</u>	<u>\$1,625</u>

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<b><u>Nonresidential Fee per 1,000 Square Feet</u></b>	
<b><u>Development Type</u></b>	<b><u>Impact Fee to be Collected</u></b>
<b><u>Industrial</u></b>	<b><u>\$451</u></b>
<b><u>Commercial</u></b>	<b><u>\$2.261</u></b>
<b><u>Office &amp; Other Services</u></b>	<b><u>\$1,003</u></b>
<b><u>Institutional</u></b>	<b><u>\$1,380</u></b>

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240 **ARTICLE VIII. LIBRARY IMPACT FEE**

241 (a) Any applicant who seeks to develop land or make improvements to real  
 242 property for residential development shall pay the following library impact fees in the  
 243 manner and amount established and computed pursuant to this article.

244 (b) Beginning August 1, 2024, the library impact fee to be charged and  
 245 collected shall be as follows:

<b><u>Residential Fee per Unit</u></b>	
<b><u>Square Footage</u></b>	<b><u>Impact Fee to be Collected</u></b>
<b><u>1,100 or less</u></b>	<b><u>\$123</u></b>
<b><u>1,101 to 1,500</u></b>	<b><u>\$193</u></b>
<b><u>1,501 to 2,000</u></b>	<b><u>\$244</u></b>
<b><u>2,001 to 2,500</u></b>	<b><u>\$284</u></b>
<b><u>2,501 to 3,000</u></b>	<b><u>\$317</u></b>

<u>3,001 to 3,500</u>	<u>\$345</u>
<u>3,501 or more</u>	<u>\$370</u>

246

247 **ARTICLE IX. PARKS AND RECREATION IMPACT FEE**

248 (a) Any applicant who seeks to develop land or make improvements to real  
249 property for residential development shall pay the following parks and recreation impact  
250 fees in the manner and amount established and computed pursuant to this article.

251 (b) Beginning August 1, 2024, the parks and recreation impact fee to be  
252 charged and collected shall be as follows:

<b><u>Residential Fee per Unit</u></b>	
<b><u>Square Footage</u></b>	<b><u>Impact Fee to be Collected</u></b>
<u>1,100 or less</u>	<u>\$539</u>
<u>1,101 to 1,500</u>	<u>\$850</u>
<u>1,501 to 2,000</u>	<u>\$1,073</u>
<u>2,001 to 2,500</u>	<u>\$1,250</u>
<u>2,501 to 3,000</u>	<u>\$1,395</u>
<u>3,001 to 3,500</u>	<u>\$1,519</u>
<u>3,501 or more</u>	<u>\$1,628</u>

253

254 **ARTICLE X. ADMINISTRATIVE FEE**

255 Beginning August 1, 2024, the administrative fee charged and collected for new  
256 development shall be as follows:

<b><u>Residential Fee per Unit</u></b>	
<b><u>Square Footage</u></b>	<b><u>Administrative Charge</u></b>
<u>1,100 or less</u>	<b><u>\$3</u></b>
<u>1,101 to 1,500</u>	<b><u>\$5</u></b>
<u>1,501 to 2,000</u>	<b><u>\$6</u></b>
<u>2,001 to 2,500</u>	<b><u>\$7</u></b>
<u>2,501 to 3,000</u>	<b><u>\$8</u></b>
<u>3,001 to 3,500</u>	<b><u>\$8</u></b>
<u>3,501 or more</u>	<b><u>\$9</u></b>

257

<b><u>Nonresidential Fee per 1,000 Square Feet</u></b>	
<b><u>Development Type</u></b>	<b><u>Administrative Charge</u></b>
<u>Industrial</u>	<b><u>\$4</u></b>
<u>Commercial</u>	<b><u>\$6</u></b>
<u>Office &amp; Other Services</u>	<b><u>\$9</u></b>
<u>Institutional</u>	<b><u>\$8</u></b>

258

259 **SECTION 3.** Appendix “A,” “Land Development Regulations” of the City of Flagler Beach, Code  
260 of Ordinances is amended by deleting existing Sections 5.03.87 through 5.03.93 which is being  
261 replaced by portions of the new language in Section 2, above.

262 **Sec. 5.03.87. Impact Fee.**

263 **Sec. 5.03.88. Definitions.**

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

267 ~~*Combination accounts.* Accounts that contain both residential and commercial facilities~~  
268 ~~served through a common meter may be treated as nonresidential.~~

269 ~~*Equivalent living unit.* The following is a definition of equivalent living unit (E.L.U.)~~

270 ~~(1) *Residential—Single family.* Each single family residence served by the city through~~  
271 ~~a single sewer service and/or water meter shall be one (1) equivalent living unit.~~

272 ~~(2) *Residential—Rooms, combinations of rooms, etc.* Each residential room,~~  
273 ~~combination of rooms, apartment, or prepared mobile home space, that includes~~  
274 ~~connection points for sewer and/or water service that is owner-occupied, offered~~  
275 ~~separately for rent as a rental unit, or vacant, shall be one (1) equivalent living unit.~~

276 ~~(3) *Nonresidential, commercial and industrial.* For nonresidential uses not specifically~~  
277 ~~defined elsewhere in this article, the number of equivalent living units shall be computed~~  
278 ~~by the building official using the fixture unit count as defined in the following table:~~

<del>Fixture Units</del>	<del>E.L.U.</del>	<del>Fixture Units</del>	<del>E.L.U.</del>
<del>1—15</del>	<del>1</del>	<del>241—340</del>	<del>8</del>
<del>16—30</del>	<del>2</del>	<del>341—480</del>	<del>9</del>
<del>31—60</del>	<del>3</del>	<del>481—620</del>	<del>10</del>

<del>61</del> —80	4	<del>621</del> —800	11
<del>81</del> —100	5	<del>801</del> —1000	12
101—160	6	1001—1300	13
161—240	7	1301—1650	14

279

280

For each additional increment of seven hundred fifty (750) fixture units, add one (1) E.L.U.

281

~~Expansion of an existing connection. If a building permit is issued for an existing~~

282

~~connection which will increase water or sewer demand, or if a building changes from~~

283

~~residential to nonresidential occupancy, the total number of E.L.U.'s for the old and new~~

284

~~parts of the facility shall be computed as outlined in the definition of "equivalent living~~

285

~~unit." The number of new E.L.U.'s shall be determined by subtracting the old E.L.U.'s from~~

286

~~the total number of E.L.U.'s in the entire facility. The impact fee will be assessed on the~~

287

~~number of new E.L.U.'s. As an example, if an existing building contained one hundred fifty~~

288

~~(150) fixture units and it was expanded to three hundred (300) fixture units, the impact~~

289

~~fee would equal (8 E.L.U.'s — 6 E.L.U.'s) or 2 E.L.U.'s.~~

290

~~Sanitary sewer facilities. A sanitary sewer system includes two (2) broad categories or~~

291

~~subsystems, which are:~~

292

~~(1) — Primary systems:~~

293

~~a. — Plant facilities:~~

294

~~i. — Treatment plants;~~

295

~~ii. — Effluent disposal facilities.~~

296

~~b. — Transmission facilities:~~

- 297 i. ~~Master pump stations;~~
- 298 ii. ~~Force mains;~~
- 299 iii. ~~Interceptors.~~
- 300 ~~(2) Secondary or local collection systems:~~
- 301 a. ~~House laterals;~~
- 302 b. ~~Eight inch or smaller collector sewers;~~
- 303 c. ~~Lift stations;~~
- 304 d. ~~Low pressure sewer mains;~~
- 305 e. ~~Eight inch or smaller force mains.~~

306 ~~Water facilities. A water facility system includes two (2) broad categories or subsystems,~~  
307 ~~which are:~~

- 308 ~~(1) Primary systems:~~
- 309 a. ~~Plant facilities:~~
- 310 i. ~~Wells and well pumps;~~
- 311 ii. ~~Raw water mains;~~
- 312 iii. ~~Treatment plans;~~
- 313 b. ~~Transmission facilities:~~
- 314 i. ~~High service pumps;~~
- 315 ii. ~~Storage and re-pumping;~~
- 316 iii. ~~Transmission mains.~~

317 ~~Cross reference(s) General definitions, § 1-2.~~  
318 ~~Sec. 5.03.89. Purpose.~~

319 ~~(a) This article is to establish procedures to facilitate the orderly expansion of the~~  
320 ~~city's water supply system and wastewater treatment system.~~

321 ~~(b) In order to fund primary capital improvements, several combined methods of~~  
322 ~~financing will be necessary, one (1) of which is an impact fee defined as "a new building's~~  
323 ~~contribution toward its equitable share of the cost of capital improvements required to~~  
324 ~~serve new users."~~

325 ~~(c) All secondary facilities shall be provided by the customer or developer in~~  
326 ~~accordance with the Uniform Extension Policy to facilitate the orderly expansion of this~~  
327 ~~portion of the water and sewer systems.~~

328 ~~Sec. 5.03.90. Reserved.~~

329 ~~Sec. 5.03.91. Fee schedule.~~

330 ~~(a) There is hereby imposed an impact fee based on the city commission's~~  
331 ~~determination of the equitable portion of the system upon the equivalent living unit~~  
332 ~~responsible for the need for additional system financing.~~

333 ~~(b) The fee for each equivalent living unit connected to the system shall be as follows:~~

334 ~~(1) Water impact fee for primary systems:~~

<del>Plant facilities</del>	<del>\$ 320.00</del>
<del>Transmission facilities</del>	<del>—850.00</del>
<del>—Total</del>	<del>—1,170.00</del>

335  
336 ~~(2) Sewer impact fee for primary systems:~~

Plant facilities	\$ 725.00
Transmission facilities	—515.00
—Total	—1,240.00

337

338

~~(c) — Each additional equivalent living unit occasioned by changes in property usage subsequent to the effective date of this section shall be subject to an additional impact fee computed in accordance with the foregoing criteria.~~

339

340

341

~~(d) — There shall be an annual adjustment of rates as set forth in Ordinance No. 2000-08 [2000-28], such adjustment shall be calculated by using the annual indexing factor based on the Engineering News Record (ENR) Construction Cost Index. The resulting fee will become effective each October 1, starting October 1, 2002, and will be valid for the new fiscal year.~~

342

343

344

345

346

**Sec. 5.03.92. Imposing fee; when payable; penalty for nonpayment**

347

~~(a) — The fee in Section 5.03.91 shall be imposed on every equivalent living unit connected to the water or sewer system whether those units are new or existing as follows:~~

348

349

350

~~(1) — On every new connection or addition to the water or sewer system where the building permit was issued on October 5, 1979, and subsequent thereto;~~

351

352

~~(2) — On every equivalent living unit connecting to the water or sewer system as it existed on October 5, 1979 (excepting there from any equivalent living unit for which a building permit was issued prior to October 5, 1979);~~

353

354

355 ~~(3) — On every equivalent living unit connecting to the water or sewer system and not~~  
356 ~~having obtained final building inspection as of September 25, 1980.~~

357 ~~(b) — The fee in Section 5.03.91 shall be imposed on every equivalent living unit~~  
358 ~~constructed or connected in areas served by the existing sewer or water system as well~~  
359 ~~as in those areas that will be on an extension of the local collection and distribution~~  
360 ~~system as well as those areas where the local facilities have been installed by the~~  
361 ~~developer.~~

362 ~~(c) — Except as otherwise provided in this article, impact fees shall be due and payable~~  
363 ~~as follows:~~

364 ~~(1) — In full, upon application for the building permit;~~

365 ~~(2) — If building permit has already been issued, the fees shall be paid within six (6)~~  
366 ~~months from the date the permit was issued or upon request for final inspection by the~~  
367 ~~building official, whichever occurs sooner;~~

368 ~~(3) — Regardless of method or time of payment, no final inspection shall be made or~~  
369 ~~approved, nor shall a certificate of occupancy be issued until all such fees are paid in full;~~

370 ~~(4) — All deferred impact fee payments and all delinquent impact fees shall bear interest~~  
371 ~~at the rate of four point seven five (4.75) percent per annum, compounded monthly from~~  
372 ~~the effective date of this section or from the date due, whichever occurs later.~~

373 ~~(d) — For those equivalent residential units that:~~

374 ~~(1) — Obtained a building permit on October 5, 1979 and thereafter, and have obtained~~  
375 ~~a final building inspection as of October 23, 1980;~~

376 ~~(2) Are existing structures in areas that will be on future extensions of the local~~  
377 ~~collection and distribution system, a deferred payment plan, known as monthly payback,~~  
378 ~~is hereby established as follows:~~

379 a. ~~For each water and sewer connection, the city shall receive thirty five dollars and~~  
380 ~~seventy nine cents (\$35.79) per month. This is in addition to all other rates and fees. This~~  
381 ~~fee shall be paid every month until the balance of the fee has been paid. In addition, all~~  
382 ~~"monthly payback" accounts open on each May 1, commencing May 1, 1981, shall be~~  
383 ~~assessed a service fee of twenty five dollars (\$25.00) in order to defray the administrative~~  
384 ~~expense of the monthly payback system. The owner of the E.L.U. can pay the remaining~~  
385 ~~amount due on the account at any time during the payback period;~~

386 b. ~~For each water connection, the city shall receive seventeen dollars and seventy~~  
387 ~~six cents (\$17.76) per month. This is in addition to all other rates and fees. This fee shall~~  
388 ~~be paid every month until the balance of the fee has been paid. In addition, all "monthly~~  
389 ~~payback" accounts open on each May 1, commencing May 1, 1981, shall be assessed a~~  
390 ~~service fee of twenty five dollars (\$25.00) in order to defray the administrative expense~~  
391 ~~of the monthly payback system. The owner of the E.L.U. can pay during the payback~~  
392 ~~period;~~

393 c. ~~For each sewer connection, the city shall receive eighteen dollars and three cents~~  
394 ~~(\$18.03) per month. This is in addition to all other rates and fees. This fee shall be paid~~  
395 ~~every month until the balance of the fee has been paid. In addition, all "monthly payback"~~  
396 ~~accounts open on each May 1, commencing May 1, 1981, shall be assessed a service fee~~

397 ~~of twenty five dollars (\$25.00) in order to defray the administrative expense of the~~  
398 ~~monthly payback system. The owner of the E.L.U. can pay during the payback period;~~  
399 ~~d. The monthly payback and service fee will be added to the monthly water and~~  
400 ~~sewer bill for the unit and will be the owner's responsibility to ensure payment whether~~  
401 ~~or not the unit is owner or tenant occupied.~~

402 ~~(e) Nonpayment of the impact fee including the monthly pay back where applicable~~  
403 ~~shall be grounds for discontinuing service.~~

404 ~~(f) The impact fee is comprised of two (2) separate fees, i.e., water and sewer. In~~  
405 ~~areas where only one (1) of these services is available, the applicable fee for the other~~  
406 ~~service or for both services if neither was available at the time of construction will be~~  
407 ~~imposed when service is made available.~~

408 **~~Sec. 5.03.93. Liens.~~**

409 ~~All charges due under this article shall be the obligation of the record owner of the~~  
410 ~~equivalent residential unit, irrespective of actual occupancy, and shall constitute a lien~~  
411 ~~against the property until paid. Notice of such lien need not be recorded in the official~~  
412 ~~records of the county in order to be effective, but the city may cause such a notice to~~  
413 ~~be recorded. If such charges are not promptly paid when due, such lien may be~~  
414 ~~foreclosed in the manner provided by law, and there shall be added to the amount of~~  
415 ~~such lien all costs incident to such proceedings including reasonable attorney's fees.~~

416 **SECTION 4.** The City Clerk is directed to post notice on the City’s website informing interested  
417 parties of this ordinance and the new and increased impact fees contemplated herein.

418 **SECTION 5.** Codification. It is the intent of the City Commission of the City of Flagler Beach that  
419 the provisions of Section 2 of this Ordinance shall be codified. The codifier is granted broad and  
420 liberal authority in renumbering and codifying the provisions of Section 2 of this Ordinance;  
421 article and section numbers assigned throughout are suggested by the City.

422 **SECTION 6.** Severability. If any section, sentence, phrase, word or portion of this Ordinance is  
423 determined to be invalid, unlawful or unconstitutional, said determination shall not be held to  
424 invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or  
425 portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

426 **SECTION 7.** Conflicts. In any case where a provision of this Ordinance is found to be in conflict  
427 with a provision of any other existing ordinance of this City, the provision which establishes the  
428 higher standards for the promotion and protection of the health and safety of the people shall  
429 prevail.

430 **SECTION 8.** Effective Date. **This Ordinance shall become effective on October 1, 2024**, which  
431 date is more than ninety (90) days from the date of adoption of this Ordinance, pursuant to the  
432 requirements of §163.31801, Florida Statutes.

433  
434 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2024, by the City Commission of the  
435 City of Flagler Beach, Florida.

436  
437  
438 \_\_\_\_\_  
439 Patti King, Mayor

440  
441  
442 ATTEST:

443  
444 By: \_\_\_\_\_  
445 Penny Overstreet, City Clerk

**Exhibit A Ordinance  
2024-04  
Impact Fee Study**

**Prepared for:  
Flagler Beach, Florida**

**February 8, 2024**



**4701 Sangamore Road  
Suite 5240  
Bethesda, MD 20816  
301.320.6900  
[www.TischlerBise.com](http://www.TischlerBise.com)**

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**EXECUTIVE SUMMARY**

Flagler Beach, Florida, contracted with TischlerBise to update its impact fees pursuant to Florida Statutes § 163.31801. Cities in Florida may assess impact fees to offset infrastructure costs necessitated by future growth. Impact fees are one-time payments used to construct system improvements needed to accommodate future development. The fee represents future development's proportionate share of infrastructure costs. Impact fees may be used for infrastructure improvements or debt service for growth-related infrastructure. In contrast to general taxes, impact fees may not be used for operations, maintenance, replacement, or correcting existing deficiencies.

**FLORIDA IMPACT FEE ENABLING LEGISLATION**

The authority for Florida counties to adopt and collect impact fees to offset the demands future development creates for new infrastructure is well established. *St. Johns County v. Northeast Florida Builders Association* (583 So. 2d 635, 638 Fla. 1991) states, "The use of impact fees has become an accepted method of paying for public improvements that must be constructed to serve new growth."<sup>1</sup> State statutes specifically "encourage the use of innovative land development regulations which include provisions such as [...] impact fees," and Florida courts have upheld local government's authority to adopt fees under general home rule and police power theories.<sup>2</sup>

In 2006, the Florida legislature passed the "Florida Impact Fee Act," which recognized impact fees as "an outgrowth of the home rule power of a local government to provide certain services within its jurisdiction." § 163.31801(2), Fla. Stat. The statute - concerned mostly with procedural and methodological limitations - did not expressly allow or disallow any particular public facility type from being funded with impact fees. The Act did specify procedural and methodological prerequisites, most of which were common to the practice already. Subsequent amendments to the Act, in 2009, removed prior notice requirements for impact fee reductions (but not increases) and purported to elevate the standard of judicial review. Under Florida law, impact fees must comply with the "dual rational nexus" test, which requires "a reasonable connection, or rational nexus, between the need for additional capital facilities and the growth in service units generated by new development. In addition, the government must show a reasonable connection, or rational nexus, between the expenditures of the funds collected and the benefits accruing to the subdivision," *St. Johns County*, 583 So.2d at 637 (quoting *Hollywood, Inc.* 431 So. 2d at 611-12). Impact fee calculation studies, generally speaking, establish the pro rata, or proportionate, "need" for new infrastructure and implementing ordinances to ensure that new growth paying the fees receive a pro rata "benefit" from their expenditure.

In the most recent amendments to the Florida Impact Fee Act, House Bill 750 (2021) specified that impact fees can only be used for fixed capital expenditures, revised requirements for crediting contributions against the collection of impact fees, and restricted impact fee increases. Among the increase restrictions, an adopted increase of 25 percent or less must be phased over two years; increases between 25-50 percent must be phased over four years; no increase can exceed 50 percent; and impact fees cannot be

<sup>1</sup>Citing *Home Builders & Contractors Association v. Palm Beach City.*, 446 So.2d 140 (Fla. 4th DCA 1984); *Hollywood, Inc. v. Broward County*, 431 So.2d 606 (Fla. 4th DCA 1983).

<sup>2</sup>See §163.3202(3), Fla. Stat.; see also *Home Builders & Contractors Association*, 446 So.2d 140.

**DRAFT Impact Fee Study**  
Flagler Beach, Florida

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increased more than once every four years. The restrictions can be bypassed if the jurisdiction complies with the impact fee rational nexus test; can demonstrate extraordinary circumstances; and the jurisdiction hold two publicly noticed workshops the need to exceed the limitations; and the increase is approved by no less than two-thirds vote of the governing body.

Flagler Beach is updating its impact fees related to police, fire, park and recreation, libraries, water, and wastewater in order to fund capital facilities needed to meet the demand created by future development. The need for these services, and the infrastructure necessary to provide them, is driven by development; therefore, as vacant lands within Flagler Beach develop, or as existing uses expand, the demand imposed upon Flagler Beach for additional capital facilities increases proportionately.

The need for additional capacity for future development is further shown through an established level-of-service standard and Flagler Beach's existing capital improvement plan. *Hollywood, Inc.*, 431 So.2d at 611 (holding that a plan for providing facilities at a reasonable level of service demonstrates "a reasonable connection between the need for additional park facilities and the growth in population"). Capital facilities necessary to provide this infrastructure have been provided by Flagler Beach to date; however, Flagler Beach will need to provide new residents and visitors with the same levels of service. The expenditures required to maintain existing levels of service are not necessitated by existing development, but rather by future development.

Furthermore, through the implementation of Flagler Beach's capital improvement plans, future development paying impact fees will receive a pro rata benefit from new facilities built with those fees. In addition, Flagler Beach's impact fee ordinance, including any amendments necessary to implement the fees recommended in this study, earmarks impact fees solely for capital facilities necessary to accommodate future development.

Finally, there are several steps Flagler Beach will take to ensure ongoing compliance with applicable Florida laws related to impact fees. First, it will continue to update and implement plans for expending impact fee revenues on the types of facilities TischlerBise has used to develop the fees in this study. In Florida, this is typically satisfied through the Capital Improvement Plan (CIP) and Capital Improvements Element (CIE) framework. Also, Flagler Beach will update its existing impact fee ordinance to ensure compliance with the approach used here and any developments in statutory and case law since Flagler Beach's fees were last updated. This update will address, among other things, earmarking of impact fee revenues, limitations on the use of revenues, revisions related to developer credits, and ongoing compliance with other city and state law requirements.

**CONCEPTUAL DEVELOPMENT FEE CALCULATION**

In contrast to project-level improvements, impact fees fund growth-related infrastructure that will benefit multiple development projects, or the entire service area (usually referred to as system improvements). The first step is to determine an appropriate demand indicator for the particular type of infrastructure. The demand indicator measures the number of service units for each unit of development. For example, an appropriate indicator of the demand for parks is population growth and the increase in population can be estimated from the average number of persons per housing unit. The second step in the impact fee formula is to determine infrastructure improvement units per service unit, typically called level-of-service

(LOS) standards. In keeping with the park example, a common LOS standard is improved park acres per person. The third step in the impact fee formula is the cost of various infrastructure units. To complete the park example, this part of the formula would establish a cost per acre for land acquisition and/or park improvements.

### **GENERAL METHODOLOGIES**

Impact fees for the capital improvements made necessary by new development must be based on the same level of service provided to existing development in the service area. There are three basic methodologies used to calculate impact fees that examine the past, present, and future status of infrastructure. The objective of evaluating these different methodologies is to determine the best measure of the demand created by new development for additional infrastructure capacity. Each methodology has advantages and disadvantages in a particular situation and can be used simultaneously for different capital improvements.

Reduced to its simplest terms, the process of calculating impact fees involves two main steps: (1) determining the cost of development-related capital improvements and (2) allocating those costs equitably to various types of development. In practice, though, the calculation of impact fees can become quite complicated because of the many variables involved in defining the relationship between development and the need for facilities within the designated service area. The following paragraphs discuss basic methodologies for calculating impact fees and how those methodologies can be applied.

- **Cost Recovery** (past improvements) - The rationale for recoupment, often called cost recovery, is that new development is paying for its share of the useful life and remaining capacity of facilities already built, or land already purchased, from which new development will benefit. This methodology is often used for utility systems that must provide adequate capacity before new development can take place.
- **Incremental Expansion** (concurrent improvements) - The incremental expansion methodology documents current LOS standards for each type of public facility, using both quantitative and qualitative measures. This approach assumes there are no existing infrastructure deficiencies or surplus capacity in infrastructure. New development is only paying its proportionate share for growth-related infrastructure. Revenue will be used to expand or provide additional facilities, as needed, to accommodate new development. An incremental expansion methodology is best suited for public facilities that will be expanded in regular increments to keep pace with development.
- **Plan-Based** (future improvements) - The plan-based methodology allocates costs for a specified set of improvements to a specified amount of development. Improvements are typically identified in a long-range facility plan and development potential is identified by a land use plan. There are two basic options for determining the cost per demand unit: (1) total cost of a public facility can be divided by total demand units (average cost), or (2) the growth-share of the public facility cost can be divided by the net increase in demand units over the planning timeframe (marginal cost).

**Evaluation of Credits**

Regardless of the methodology, a consideration of credits is integral to the development of a legally defensible impact fee. There are two types of credits that should be addressed in impact fee studies and ordinances. The first is a revenue credit due to possible double payment situations, which could occur when other revenues may contribute to the capital costs of infrastructure covered by the impact fee. This type of credit is integrated into the fee calculation, thus reducing the fee amount. The second is a site-specific credit or developer reimbursement for dedication of land or construction of system improvements. This type of credit is addressed in the administration and implementation of the impact fee program. For ease of administration, TischlerBise normally recommends developer reimbursements for system improvements.

**IMPACT FEE COMPONENTS**

Figure 1 summarizes service areas, methodologies, and infrastructure components for each fee category. There is a single, citywide service area for all impact fees.

**Figure 1: Proposed Impact Fee Service Areas, Methodologies, and Cost Components**

Category	Service Area	Methodology	Infrastructure Component	Population	Cost Component
Library	Citywide	N/A	Facilities	N/A	Population
Parks and Recreation	Citywide	N/A	Amenities	N/A	Population
Police Services	Citywide	N/A	Facilities, Vehicles	N/A	Population, Vehicle Trips
Fire	Citywide	N/A	Facilities, Vehicles	N/A	Population, Vehicle Trips
Water	Citywide	Treatment Plant	N/A	Wells, Storage, Transmission	EDU
Wastewater	Citywide	N/A	N/A	System Upgrades	EDU
Administrative Charge	Citywide	N/A	N/A	Administrative Costs	Population, Jobs

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**MAXIMUM SUPPORTABLE IMPACT FEES**

Impact fees for residential development will be assessed per dwelling unit, based on the size of the unit, and nonresidential fees will be assessed per 1,000 square feet of floor area, based on the land use. Water and Wastewater fees will be assessed based on meter size. Flagler Beach may adopt fees that are less than the proposed fees shown below; however, a reduction in impact fee revenue will necessitate an increase in other revenues, a decrease in planned capital improvements, and/or a decrease in Flagler Beach's LOS standards. All costs in the Impact Fee Study are in current dollars with no assumed inflation rate over time.

**Figure 2: Maximum Supportable Impact Fees**

Residential Fees per Unit						
Dwelling Unit Type	Water	Wastewater	Fire	Police	Accident/Police	Total
1,100 or less	\$123	\$539	\$538	\$455	\$3	<b>\$1,658</b>
1,101 to 1,500	\$193	\$850	\$849	\$717	\$5	<b>\$2,614</b>
1,501 to 2,000	\$244	\$1,073	\$1,071	\$905	\$6	<b>\$3,299</b>
2,001 to 2,500	\$284	\$1,250	\$1,247	\$1,054	\$7	<b>\$3,841</b>
2,501 to 3,000	\$317	\$1,395	\$1,392	\$1,176	\$8	<b>\$4,288</b>
3,001 to 3,500	\$345	\$1,519	\$1,516	\$1,281	\$8	<b>\$4,670</b>
3,501 or more	\$370	\$1,628	\$1,625	\$1,373	\$9	<b>\$5,005</b>

Nonresidential Fees per 1,000 Square Feet						
Development Type	Water	Wastewater	Fire	Police	Accident/Police	Total
Industrial	\$0	\$0	\$451	\$381	\$4	<b>\$836</b>
Commercial	\$0	\$0	\$2,261	\$1,911	\$6	<b>\$4,177</b>
Office & Other Services	\$0	\$0	\$1,003	\$848	\$9	<b>\$1,860</b>
Institutional	\$0	\$0	\$1,380	\$1,166	\$8	<b>\$2,554</b>

Meter Size and Type	Water	Wastewater	Total
0.75 Displacement	\$3,007	\$3,806	<b>\$6,813</b>
1.00 Displacement	\$5,022	\$6,356	<b>\$11,378</b>
1.50 Displacement	\$10,015	\$12,673	<b>\$22,688</b>
2.00 Displacement	\$16,029	\$20,284	<b>\$36,314</b>
3.00 Singlejet	\$32,089	\$40,607	<b>\$72,695</b>
3.00 Compound	\$32,089	\$40,607	<b>\$72,695</b>
3.00 Turbine	\$35,096	\$44,412	<b>\$79,509</b>
4.00 Singlejet	\$50,133	\$63,441	<b>\$113,574</b>
4.00 Compound	\$50,133	\$63,441	<b>\$113,574</b>
4.00 Turbine	\$63,155	\$79,920	<b>\$143,075</b>
6.00 Singlejet	\$100,236	\$126,844	<b>\$227,080</b>
6.00 Compound	\$100,236	\$126,844	<b>\$227,080</b>
6.00 Turbine	\$130,310	\$164,901	<b>\$295,210</b>
8.00 Compound	\$160,383	\$202,958	<b>\$363,341</b>
8.00 Turbine	\$280,678	\$355,186	<b>\$635,864</b>
10.00 Turbine	\$421,032	\$532,798	<b>\$953,830</b>
12.00 Turbine	\$531,313	\$672,353	<b>\$1,203,665</b>

1. AWWA Manual of Water Supply Practices M-1, 7th Edition

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**POLICE IMPACT FEES**

**METHODOLOGY**

The Police impact fees include components for police facilities and police vehicles. The incremental expansion methodology is used for all components.

**SERVICE AREA**

Flagler Beach plans to provide a uniform level of service citywide; therefore, the police impact fees will be assessed in a citywide service area.



**PROPORTIONATE SHARE**

Impact fees should not exceed a proportionate share of the capital cost needed to provide capital facilities to the development. The police impact fees allocate the cost of capital facilities between residential and nonresidential development using functional population. Based on 2019 estimates from the U.S. Census Bureau's OnTheMap web application (the latest year available), residential development accounts for approximately 76 percent of functional population and nonresidential development accounts for the remaining 24 percent.

**Figure PI: Proportionate Share**

Demand Units in 2019				
<b>Residential</b>			Demand Hours/Day	Person Hours
Population	5,002			
		7).		
Residents Not Working	3,231		20	64,620
Employed Residents	1,771			
Employed in Flagler Beach	218		14	3,052
Employed outside Flagler Beach	1,553		14	21,742
			Residential Subtotal	89,414
			Residential Share	76%
<b>Nonresidential</b>				
Non-working Residents	3,231		4	12,924
Jobs Located in Flagler Beach	1,517			
Residents Employed in Flagler Beach	218		10	2,180
Non-Resident Workers (inflow commuters)	1,299		10	12,990
			Nonresidential Subtotal	28,094
			Nonresidential Share	24%
			Total	117,508

Source: U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics, Version 6.8 (employment).

**DEMAND UNITS**

Residential impact fees are calculated on a per capita basis, then converted to an appropriate amount for each size of housing unit based on the number of persons per housing unit (PPHU). As shown in Figure P2, the current PPHU factors range from 1.04 persons per unit units that are 1,100 square feet or less, to 3.14 persons per units that are 3,501 square feet or more. These factors are based on the U.S. Census Bureau's 2016-2020 American Community Survey 5-year estimates (further discussed in Appendix B).

Nonresidential Police impact fees are calculated on a per vehicle trip basis, then converted to an appropriate amount for each type of nonresidential development based on the number of vehicle trip ends generated per 1,000 square feet of floor area. Trip generation rates are used because vehicle trips are highest for retail developments, such as shopping centers, and lowest for industrial development.

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Office and institutional trip rates fall between the other two categories. This ranking of trip rates is consistent with the relative demand for police services from nonresidential development. Other possible nonresidential demand indicators, such as employment or floor area, will not accurately reflect the demand for service. For example, if employees per thousand square feet were used as the demand indicator, police impact fees would be disproportionately high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses. If floor area were used as the demand indicator, police impact fees would be disproportionately high for industrial development.

A trip end represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway). Trip ends for nonresidential development are calculated per thousand square feet and require an adjustment factor to avoid double counting each trip at both the origin and destination points. As shown below, the current vehicle trip generation factors per 1,000 square feet of floor area are 2.44 trips for industrial, 12.21 trips for commercial, 5.42 trips for office and other service, and 7.45 trips for institutional. These factors are defined in *Trip Generation, 11<sup>th</sup> Edition*, published in 2021 by the Institute of Transportation Engineers (further discussed in Appendix A).

**Figure P2: Service Units**

Residential Development			
Development Type	Persons per Housing Unit <sup>1</sup>		
1,100 or less	1.04		
1,101 to 1,500	1.64		
1,501 to 2,000	2.07		
2,001 to 2,500	2.41		
2,501 to 3,000	2.69		
3,001 to 3,500	2.93		
3,501 or more	3.14		

Nonresidential Development			
Development Type	AWVTE per 1,000 Sq. Ft. <sup>1</sup>	Trip Rate Adjustment	AWVT per 1,000 Sq. Ft. <sup>1</sup>
Industrial	4.87	50%	2.44
Commercial	37.01	33%	12.21
Office & Other Services	10.84	50%	5.42
Institutional	22.59	33%	7.45

1. See Land Use Assumptions

**LEVEL-OF-SERVICE ANALYSIS**

**Police Facilities – Incremental Expansion**

Flagler Beach will maintain current levels of service by incrementally expanding police facilities. As Figure P3 indicates, Flagler Beach’s existing Police Station is 5,451 square feet. To allocate the proportionate share of demand to residential and nonresidential development, this analysis uses functional population outlined in Figure P1. Flagler Beach’s existing level of service for residential development is 0.5655 square feet per person (5,451 square feet X 76 percent residential share / 7,326 persons). For nonresidential development, the existing LOS is 0.2023 square feet per vehicle trip (5,451 square feet X 24 percent nonresidential share / 6,466 nonresidential vehicle trips).

This analysis uses a construction cost of \$520 per square foot. For police facilities, the cost is \$294.07 per person (0.5655 square feet per person X \$520 per square foot) and \$105.21 per vehicle trip (0.2023 square feet per vehicle trip X \$520 per square foot).

**Figure P3: Existing Level of Service**

Description	Square Feet
Main Station	5,451

Cost Factors	
Cost per Square Foot	\$520

Level-of-Service (LOS) Standards	
Existing Square Feet	5,451
<b>Residential</b>	
Residential Share	76%
2023 Peak Population	7,326
Square Feet per Person	0.5655
Cost per Person	\$294.07
<b>Nonresidential</b>	
Nonresidential Share	24%
2023 Vehicle Trips	6,466
Square Feet per Vehicle Trip	0.2023
Cost per Vehicle Trip	\$105.21

Source: Flagler Beach Police Department

**Police Vehicles – Incremental Expansion**

As indicated in Figure P4, Flagler Beach has an inventory of 23 police vehicles. This fleet will need to be expanded as the City hires additional officers to serve new growth. To allocate the proportionate share of demand to residential and nonresidential development, this analysis uses functional population outlined in Figure P1. Flagler Beach’s existing level of service for residential development is 0.0024 units per person (23 units X 76 percent residential share / 7,326 persons). For nonresidential development, the existing LOS is 0.0009 units per vehicle trip (23 units X 24 percent nonresidential share / 6,466 nonresidential vehicle trips).

Based on information from Flagler Beach staff, the cost for a new vehicle is \$60,000 – this includes the cost of the vehicle and any equipment needed to place the vehicle into service (i.e., decals, lights, radios, computers, etc.). For police vehicles, the cost is \$143.17 per person (0.0024 units per person X \$60,000 per unit) and \$51.22 per vehicle trip (0.0009 units per vehicle trip X \$60,000 per unit).

**Figure P4: Existing Level of Service**

Description	Vehicles
Police Vehicles	23

Cost Factors	
Cost per Vehicle	\$60,000

Level-of-Service (LOS) Standards	
Existing Vehicles	23
Residential	
Residential Share	76%
2023 Peak Population	7,326
Vehicles per Person	0.0024
Cost per Person	\$143.17
Nonresidential	
Nonresidential Share	24%
2023 Vehicle Trips	6,466
Vehicles per Vehicle Trip	0.0009
Cost per Vehicle Trip	\$51.22

Source: Flagler Beach Police Department

**PROJECTED DEMAND FOR POLICE INFRASTRUCTURE**

**Police Facilities – Incremental Expansion**

Projected demand for police facilities over the next 10 years is shown below in Figure P5. Based on a projected population increase of 6,769 persons, future residential development demands approximately 3,828 square feet of police facilities (6,769 additional persons X 0.5655 square feet per person). With projected nonresidential vehicle trip growth of 8,156 vehicle trips, future nonresidential development demands approximately 1,650.3 square feet of police facilities (8,156 additional vehicle trips X 0.2023 square feet per vehicle trip). Future development demands approximately 5,478.3 square feet of police facilities at a cost of \$2,848,705 (5,478.3 square feet X \$520 per square foot).

**Figure P5: Projected Demand for Police Facilities**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Sq Ft
Police Facilities	0.5655 Square Feet	per Person	\$520
	0.2023 Square Feet	per Vehicle Trip	

Demand for Police Facilities					
Year	Peak Population	Vehicle Trips	Square Feet		
			Residential	Nonresidential	Total
2023	7,326	6,466	4,142.8	1,308.2	5,451.0
2024	8,002	7,281	4,525.6	1,473.3	5,998.8
2025	8,679	8,097	4,908.4	1,638.3	6,546.7
2026	9,356	8,913	5,291.1	1,803.3	7,094.5
2027	10,033	9,728	5,673.9	1,968.4	7,642.3
2028	10,710	10,544	6,056.7	2,133.4	8,190.1
2029	11,387	11,360	6,439.5	2,298.4	8,738.0
2030	12,064	12,175	6,822.3	2,463.5	9,285.8
2031	12,741	12,991	7,205.1	2,628.5	9,833.6
2032	13,418	13,806	7,587.9	2,793.5	10,381.5
2033	14,095	14,622	7,970.7	2,958.6	10,929.3
10-Yr Increase	6,769	8,156	3,828.0	1,650.3	5,478.3

Growth-Related Expenditures	\$1,990,534	\$858,171	\$2,848,705
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**Police Vehicles – Incremental Expansion**

Projected demand for police vehicles over the next 10 years is shown below in Figure P6. Based on a projected population increase of 6,769 persons, future residential development demands approximately 16.2 police vehicles (6,769 additional persons X 0.0024 units per person). With projected nonresidential vehicle trip growth of 8,156 vehicle trips, future nonresidential development demands approximately 7.0 police vehicles (8,156 additional vehicle trips X 0.0009 units per vehicle trip). Future development demands approximately 23.1 police vehicles at a cost of \$1,386,906 (23.1 units X \$60,000 per unit).

**Figure P6: Projected Demand for Police Vehicles**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
Police Vehicles	0.0024 Vehicles	per Person	\$60,000
	0.0009 Vehicles	per Vehicle Trip	

Demand for Police Vehicles					
Year	Peak Population	Vehicle Trips	Vehicles		
			Residential	Nonresidential	Total
2023	7,326	6,466	17.5	5.5	23.0
2024	8,002	7,281	19.1	6.2	25.3
2025	8,679	8,097	20.7	6.9	27.6
2026	9,356	8,913	22.3	7.6	29.9
2027	10,033	9,728	23.9	8.3	32.2
2028	10,710	10,544	25.6	9.0	34.6
2029	11,387	11,360	27.2	9.7	36.9
2030	12,064	12,175	28.8	10.4	39.2
2031	12,741	12,991	30.4	11.1	41.5
2032	13,418	13,806	32.0	11.8	43.8
2033	14,095	14,622	33.6	12.5	46.1
10-Yr Increase	6,769	8,156	16.2	7.0	23.1

Growth-Related Expenditures	\$969,101	\$417,805	\$1,386,906
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**CREDITS**

As the City has no outstanding debt on its police facilities, a credit for future principal payments is not included. If elected officials make a legislative policy decision to fully fund growth-related costs from impact fees, there will be no potential double-payment from other revenue sources.

**POLICE IMPACT FEES**

Infrastructure components and cost factors for police impact fees are summarized in the upper portion of Figure P7. The cost for police impact fees is \$437.24 per person and \$156.43 per vehicle trip.

Police impact fees for residential development are assessed according to the number of persons per household. The 2,001 square feet to 2,500 square feet fee of \$1,054 is calculated using a cost of \$437.24 per person multiplied by 2.41 persons per household.

Police impact fees for nonresidential development are assessed according to the number of vehicle trips generated per 1,000 square feet of floor area. The industrial fee of \$381 per 1,000 square feet is calculated using a cost of \$156.43 per vehicle trip multiplied by 2.44 vehicle trips per 1,000 square feet of industrial development.

**Figure P7: Schedule of Police Impact Fees**

Fee Component	Cost per Person	Cost per Trip
Police Facilities	\$294.07	\$105.21
Police Vehicles	\$143.17	\$51.22
<b>Total</b>	<b>\$437.24</b>	<b>\$156.43</b>

Residential Fees per Unit		
Development Type	Persons per Household <sup>1</sup>	Proposed Fees
1,100 or less	1.04	\$455
1,101 to 1,500	1.64	\$717
1,501 to 2,000	2.07	\$905
2,001 to 2,500	2.41	\$1,054
2,501 to 3,000	2.69	\$1,176
3,001 to 3,500	2.93	\$1,281
3,501 or more	3.14	\$1,373

Nonresidential Fees per 1000 Square Feet		
Development Type	Avg Weekday Vehicle Trips <sup>1</sup>	Proposed Fees
Industrial	2.44	\$381
Commercial	12.21	\$1,911
Office & Other Services	5.42	\$848
Institutional	7.45	\$1,166

1. See Land Use Assumptions

**POLICE IMPACT FEE REVENUE**

Projected fee revenue shown below is based on the development projections in Appendix B and the police impact fees shown on the previous page. To estimate single family revenue the 2,001 square feet to 2,500 square feet fee is used, and for multi-family the less than 1,100 square feet fee is used. If development occurs at a more rapid rate than projected, the demand for infrastructure will increase and impact fee revenue will increase at a corresponding rate. If development occurs at a slower rate than projected, the demand for infrastructure will also decrease, along with impact fee revenue. Over the next 10 years, projected impact fee revenues equals approximately \$4.5 million and projected expenditures equal approximately \$4.2 million. Based on the actual mix of future residential construction, the projected police fee revenue shown below may change.

**Figure P8: Projected Police Impact Fee Revenue**

Fee Component	Growth Share	Existing Share	Total
Police Facilities	\$2,848,705	\$0	\$2,848,705
Police Vehicles	\$1,386,906	\$0	\$1,386,906
<b>Total</b>	<b>\$4,235,611</b>	<b>\$0</b>	<b>\$4,235,611</b>

		Single Family \$1,054 per unit	Multi-Family \$455 per unit	Industrial \$380.92 per sq ft	Commercial \$1,910.58 per sq ft	Office & Other \$847.88 per sq ft	Institutional \$1,166.17 per sq ft
Year		Hsg Unit	Hsg Unit	KSF	KSF	KSF	KSF
Base	2023	3,012	775	54	373	208	88
Year 1	2024	3,318	779	61	420	235	99
Year 2	2025	3,624	783	67	467	261	110
Year 3	2026	3,930	787	74	514	287	121
Year 4	2027	4,236	791	81	561	314	132
Year 5	2028	4,542	795	88	608	340	143
Year 6	2029	4,848	799	95	655	366	154
Year 7	2030	5,154	803	101	702	392	165
Year 8	2031	5,460	807	108	749	419	176
Year 9	2032	5,766	810	115	796	445	187
Year 10	2033	6,072	814	122	843	471	198
10-Year Increase		3,060	39	68	470	263	111
Projected Revenue		\$3,224,465	\$17,734	\$25,857	\$898,164	\$222,881	\$129,039

Projected Fee Revenue	\$4,518,140
Total Expenditures	\$4,235,610

**FIRE IMPACT FEES**

**METHODOLOGY**

The Fire impact fees include components for fire facilities and fire Apparatus. The incremental expansion methodology is used for all components.

**SERVICE AREA**

Flagler Beach plans to provide a uniform level of service citywide; therefore, the fire impact fees will be assessed in a citywide service area.



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 Flagler Beach, Florida

**PROPORTIONATE SHARE**

Impact fees should not exceed a proportionate share of the capital cost needed to provide capital facilities to the development. The fire impact fees allocate the cost of capital facilities between residential and nonresidential development using functional population. Based on 2019 estimates from the U.S. Census Bureau’s OnTheMap web application (the latest year available), residential development accounts for approximately 76 percent of functional population and nonresidential development accounts for the remaining 24 percent.

**Figure F1: Proportionate Share**

Demand Units in 2019				
<b>Residential</b>	Population	5,002		
	Residents Not Working	3,231	Demand Hours/Day	Person Hours
	Employed Residents	1,771	20	64,620
	Employed in Flagler Beach	218	14	3,052
	Employed outside Flagler Beach	1,553	14	21,742
	<b>Residential Subtotal</b>			<b>89,414</b>
	<b>Residential Share</b>			<b>76%</b>
<b>Nonresidential</b>	Non-working Residents	3,231	4	12,924
	Jobs Located in Flagler Beach	1,517		
	Residents Employed in Flagler Beach	218	10	2,180
	Non-Resident Workers (inflow commuters)	1,299	10	12,990
	<b>Nonresidential Subtotal</b>			<b>28,094</b>
	<b>Nonresidential Share</b>			<b>24%</b>
	<b>Total</b>			<b>117,508</b>

Source: U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics, Version 6.8 (employment).

**DEMAND UNITS**

Residential impact fees are calculated on a per capita basis, then converted to an appropriate amount for each size of housing unit based on the number of persons per housing unit (PPHU). As shown in Figure F2, the current PPHU factors range from 1.04 persons per unit units that are 1,100 square feet or less, to 3.14 persons per units that are 3,501 square feet or more. These factors are based on the U.S. Census Bureau’s 2016-2020 American Community Survey 5-year estimates (further discussed in Appendix B).

Nonresidential fire impact fees are calculated on a per vehicle trip basis, then converted to an appropriate amount for each type of nonresidential development based on the number of vehicle trip ends generated per 1,000 square feet of floor area. Trip generation rates are used because vehicle trips are highest for retail developments, such as shopping centers, and lowest for industrial development. Office and

institutional trip rates fall between the other two categories. This ranking of trip rates is consistent with the relative demand for fire and emergency medical services from nonresidential development. Other possible nonresidential demand indicators, such as employment or floor area, will not accurately reflect the demand for service. For example, if employees per thousand square feet were used as the demand indicator, fire impact fees would be disproportionately high for office and institutional development because offices typically have more employees per 1,000 square feet than retail uses. If floor area were used as the demand indicator, fire impact fees would be disproportionately high for industrial development.

A trip end represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway). Trip ends for nonresidential development are calculated per thousand square feet and require an adjustment factor to avoid double counting each trip at both the origin and destination points. As shown below, the current vehicle trip generation factors per 1,000 square feet of floor area are 2.44 trips for industrial, 12.21 trips for commercial, 5.42 trips for office and other service, and 7.45 trips for institutional. These factors are defined in *Trip Generation, 11<sup>th</sup> Edition*, published in 2021 by the Institute of Transportation Engineers (further discussed in Appendix A).

**Figure F2: Service Units**

Residential Development			
Development Type	Persons per Housing Unit <sup>1</sup>		
1,100 or less	1.04		
1,101 to 1,500	1.64		
1,501 to 2,000	2.07		
2,001 to 2,500	2.41		
2,501 to 3,000	2.69		
3,001 to 3,500	2.93		
3,501 or more	3.14		

Nonresidential Development			
Development Type	AWVTE per 1,000 Sq Ft <sup>1</sup>	Trip Rate Adjustment	AWVT per 1,000 Sq Ft <sup>1</sup>
Industrial	4.87	50%	2.44
Commercial	37.01	33%	12.21
Office & Other Services	10.84	50%	5.42
Institutional	22.59	33%	7.45

1. See Land Use Assumptions

**LEVEL-OF-SERVICE ANALYSIS**

**Fire Facilities – Incremental Expansion**

Flagler Beach will maintain current levels of service by incrementally expanding Fire facilities. As Figure F3 indicates, Flagler Beach’s existing Fire Station is 5,451 square feet. To allocate the proportionate share of demand to residential and nonresidential development, this analysis uses functional population outlined in Figure F1. Flagler Beach’s existing level of service for residential development is 0.5655 square feet per person (5,451 square feet X 76 percent residential share / 7,326 persons). For nonresidential development, the existing LOS is 0.2023 square feet per vehicle trip (5,451 square feet X 24 percent nonresidential share / 6,466 nonresidential vehicle trips).

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This analysis uses a construction cost of \$520 per square foot. For Fire facilities, the cost is \$294.07 per person (0.5655 square feet per person X \$520 per square foot) and \$105.21 per vehicle trip (0.2023 square feet per vehicle trip X \$520 per square foot).

**Figure F3: Existing Level of Service**

Description	Square Feet
Main Station	5,451

Cost Factors	
Cost per Square Foot	\$520

Level-of-Service (LOS) Standards	
Existing Square Feet	5,451
<b>Residential</b>	
Residential Share	76%
2023 Peak Population	7,326
Square Feet per Person	0.5655
Cost per Person	\$294.07
<b>Nonresidential</b>	
Nonresidential Share	24%
2023 Vehicle Trips	6,466
Square Feet per Vehicle Trip	0.2023
Cost per Vehicle Trip	\$105.21

Source: Flagler Beach

### Fire Apparatus – Incremental Expansion

As indicated in Figure F4, Flagler Beach has an inventory of 16 Fire Apparatus. This fleet will need to be expanded to serve new growth. To allocate the proportionate share of demand to residential and nonresidential development, this analysis uses functional population outlined in Figure F1. Flagler Beach’s existing level of service for residential development is 0.0017 units per person (16 units X 76 percent residential share / 7,326 persons). For nonresidential development, the existing LOS is 0.0006 units per vehicle trip (16 units X 24 percent nonresidential share / 6,466 nonresidential vehicle trips).

The weighted average cost for a new piece of fire apparatus is \$134,557. For Fire Apparatus, the cost is \$223.36 per person (0.0017 units per person X \$134,557 per unit) and \$79.91 per vehicle trip (0.0006 units per vehicle trip X \$134,557 per unit).

**Figure F4: Existing Level of Service**

Description	Cost
75 ft. Ladder Truck	\$650,000
Pumper Truck	\$550,000
Pumper Truck	\$550,000
Command Vehicle – Ford Explorer	\$36,760
Command Vehicle – Ford Explorer	\$36,760
Command Vehicle – Ford Expedition	\$42,998
Fire Marshal Truck- Ford Ranger	\$27,400
UTV Mule	\$17,000
ATV	\$8,399
Boat Trailer- 18-21 ft.	\$3,596
Boat Trailer-21-25 ft.	\$6,999
Jet Ski	\$15,000
Jet Ski Trailer	\$3,000
Brush Truck	\$175,000
Boat- Transom Style, Rigid Hull 12 ft.	\$12,000
Boat-Transom Style , Rigid Hull 15 ft.	\$18,000

Cost Factors	
Weighted Average Cost per Unit	\$134,557

Level-of-Service (LOS) Standards	
Existing Units	16
<b>Residential</b>	
Residential Share	76%
2023 Peak Population	7,326
Units per Person	0.0017
Cost per Person	\$223.36
<b>Nonresidential</b>	
Nonresidential Share	24%
2023 Vehicle Trips	6,466
Units per Vehicle Trip	0.0006
Cost per Vehicle Trip	\$79.91

Source: Flagler Beach Fire Department

**DRAFT Impact Fee Study**  
 Flagler Beach, Florida

**PROJECTED DEMAND FOR FIRE INFRASTRUCTURE**

**Fire Facilities – Incremental Expansion**

Projected demand for fire facilities over the next 10 years is shown below in Figure F5. Based on a projected population increase of 6,769 persons, future residential development demands approximately 3,828 square feet of Fire facilities (6,769 additional persons X 0.5655 square feet per person). With projected nonresidential vehicle trip growth of 8,156 vehicle trips, future nonresidential development demands approximately 1,650.3 square feet of Fire facilities (8,156 additional vehicle trips X 0.2023 square feet per vehicle trip). Future development demands approximately 5,478.3 square feet of Fire facilities at a cost of \$2,848,705 (5,478.3 square feet X \$520 per square foot).

**Figure F5: Projected Demand for Fire Facilities**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Sq Ft
Fire Facilities	0.5655 Square Feet	per Person	\$520
	0.2023 Square Feet	per Vehicle Trip	

Demand for Fire Facilities					
Year	Peak Population	Vehicle Trips	Square Feet		
			Residential	Nonresidential	Total
2023	7,326	6,466	4,142.8	1,308.2	5,451.0
2024	8,002	7,281	4,525.6	1,473.3	5,998.8
2025	8,679	8,097	4,908.4	1,638.3	6,546.7
2026	9,356	8,913	5,291.1	1,803.3	7,094.5
2027	10,033	9,728	5,673.9	1,968.4	7,642.3
2028	10,710	10,544	6,056.7	2,133.4	8,190.1
2029	11,387	11,360	6,439.5	2,298.4	8,738.0
2030	12,064	12,175	6,822.3	2,463.5	9,285.8
2031	12,741	12,991	7,205.1	2,628.5	9,833.6
2032	13,418	13,806	7,587.9	2,793.5	10,381.5
2033	14,095	14,622	7,970.7	2,958.6	10,929.3
<b>10-Yr Increase</b>	<b>6,769</b>	<b>8,156</b>	<b>3,828.0</b>	<b>1,650.3</b>	<b>5,478.3</b>

Growth-Related Expenditures	\$1,990,534	\$858,171	\$2,848,705
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**Fire Apparatus – Incremental Expansion**

Projected demand for fire apparatus over the next 10 years is shown below in Figure F6. Based on a projected population increase of 6,769 persons, future residential development demands approximately 11.2 Fire Apparatus (6,769 additional persons X 0.0017 units per person). With projected nonresidential vehicle trip growth of 8,156 vehicle trips, future nonresidential development demands approximately 4.8 Fire Apparatus (8,156 additional vehicle trips X 0.0006 units per vehicle trip). Future development demands approximately 16.1 Fire Apparatus at a cost of \$2,163,686 (16.1 units X \$134,557 per unit).

**Figure F6: Projected Demand for Fire Apparatus**

Type of Infrastructure	Level of Service	Demand Unit	Cost per Unit
Fire Apparatus	0.0017 Units	per Person	\$134,557
	0.0006 Units	per Vehicle Trip	

Demand for Fire Apparatus					
Year	Peak Population	Unit Trips	Units		
			Residential	Nonresidential	Total
2023	7,326	6,466	12.2	3.8	16.0
2024	8,002	7,281	13.3	4.3	17.6
2025	8,679	8,097	14.4	4.8	19.2
2026	9,356	8,913	15.5	5.3	20.8
2027	10,033	9,728	16.7	5.8	22.4
2028	10,710	10,544	17.8	6.3	24.0
2029	11,387	11,360	18.9	6.7	25.6
2030	12,064	12,175	20.0	7.2	27.3
2031	12,741	12,991	21.1	7.7	28.9
2032	13,418	13,806	22.3	8.2	30.5
2033	14,095	14,622	23.4	8.7	32.1
10-Yr Increase	6,769	8,156	11.2	4.8	16.1

Growth-Related Expenditures	\$1,511,877	\$651,809	\$2,163,686
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**CREDITS**

As the City has no outstanding debt on its Fire facilities, a credit for future principal payments is not included. If elected officials make a legislative policy decision to fully fund growth-related costs from impact fees, there will be no potential double-payment from other revenue sources.

**FIRE IMPACT FEES**

Infrastructure components and cost factors for Fire impact fees are summarized in the upper portion of Figure F7. The cost for Fire impact fees is \$517.43 per person and \$185.12 per vehicle trip.

Fire impact fees for residential development are assessed according to the number of persons per household. The 2,001 square feet to 2,500 square feet fee of \$1,247 is calculated using a cost of \$517.43 per person multiplied by 2.41 persons per household.

Fire impact fees for nonresidential development are assessed according to the number of vehicle trips generated per 1,000 square feet of floor area. The industrial fee of \$451 per 1,000 square feet is calculated using a cost of \$185.12 per vehicle trip multiplied by 2.44 vehicle trips per 1,000 square feet of industrial development.

**Figure F7: Schedule of Fire Impact Fees**

Fee Component	Cost per Person	Cost per Trip
Fire Facilities	\$294.07	\$105.21
Fire Appartus	\$223.36	\$79.91
<b>Total</b>	<b>\$517.43</b>	<b>\$185.12</b>

Residential Fees per Unit		
Development Type	Persons per Household <sup>1</sup>	Proposed Fees
1,100 or less	1.04	\$538
1,101 to 1,500	1.64	\$849
1,501 to 2,000	2.07	\$1,071
2,001 to 2,500	2.41	\$1,247
2,501 to 3,000	2.69	\$1,392
3,001 to 3,500	2.93	\$1,516
3,501 or more	3.14	\$1,625

Nonresidential Fees per 1000 Square Feet		
Development Type	Avg Weekday Vehicle Trips <sup>1</sup>	Proposed Fees
Industrial	2.44	\$451
Commercial	12.21	\$2,261
Office & Other Services	5.42	\$1,003
Institutional	7.45	\$1,380

1. See Land Use Assumptions

**FIRE IMPACT FEE REVENUE**

Projected fee revenue shown below is based on the development projections in Appendix B and the Fire impact fees shown on the previous page. To estimate single family revenue the 2,001 square feet to 2,500 square feet fee is used, and for multi-family the less than 1,100 square feet fee is used. If development occurs at a more rapid rate than projected, the demand for infrastructure will increase and impact fee revenue will increase at a corresponding rate. If development occurs at a slower rate than projected, the demand for infrastructure will also decrease, along with impact fee revenue. Over the next 10 years, projected impact fee revenues equal approximately \$5.3 million and projected expenditures equal approximately \$5.0 million. Based on the actual mix of future residential construction, the projected Fire fee revenue shown below may change.

**Figure F8: Projected Fire Impact Fee Revenue**

Fee Component	Growth Share	Existing Share	Total
Fire Facilities	\$2,848,705	\$0	\$2,848,705
Fire Units	\$2,163,686	\$0	\$2,163,686
<b>Total</b>	<b>\$5,012,391</b>	<b>\$0</b>	<b>\$5,012,391</b>

		Single Family \$1,247 per unit	Multi-Family \$538 per unit	Industrial \$450.78 per sq ft	Commercial \$2,260.98 per sq ft	Office & Other \$1,003.38 per sq ft	Institutional \$1,380.05 per sq ft
Year		Hsg Unit	Hsg Unit	KSF	KSF	KSF	KSF
Base	2023	3,012	775	54	373	208	88
Year 1	2024	3,318	779	61	420	235	99
Year 2	2025	3,624	783	67	467	261	110
Year 3	2026	3,930	787	74	514	287	121
Year 4	2027	4,236	791	81	561	314	132
Year 5	2028	4,542	795	88	608	340	143
Year 6	2029	4,848	799	95	655	366	154
Year 7	2030	5,154	803	101	702	392	165
Year 8	2031	5,460	807	108	749	419	176
Year 9	2032	5,766	810	115	796	445	187
Year 10	2033	6,072	814	122	843	471	198
10-Year Increase		3,060	39	68	470	263	111
Projected Revenue		\$3,815,835	\$20,987	\$30,599	\$1,062,886	\$263,757	\$152,705

Projected Fee Revenue	\$5,346,770
Total Expenditures	\$5,012,390

**PARK AND RECREATION IMPACT FEES**

**METHODOLOGY**

The Park and Recreation impact fees include a component for park amenities. The incremental expansion methodology is used for all components.

**SERVICE AREA**

Flagler Beach plans to provide a uniform level of service and equal access to parks within the city limits; therefore, the park and recreation impact fees will be assessed in a citywide service area.



**PROPORTIONATE SHARE**

Impact fees should not exceed a proportionate share of the capital cost needed to provide capital facilities to the development. The park and recreation impact fees allocate 100 percent of the cost of capital facilities to residential development. The proportionate share of costs attributable to residential development will be allocated to population and then converted to an appropriate amount by type of housing unit, based on housing unit type.

**DEMAND UNITS**

Residential impact fees are calculated on a per capita basis, then converted to an appropriate amount for each size of housing unit based on the number of persons per housing unit (PPHU). As shown in Figure P2, the current PPHU factors range from 1.04 persons per unit units that are 1,100 square feet or less, to 3.14 persons per units that are 3,501 square feet or more. These factors are based on the U.S. Census Bureau’s 2016-2020 American Community Survey 5-year estimates (further discussed in Appendix B).

**Figure PR 1: Service Units**

Residential Development	
Development Type	Persons per Housing Unit <sup>1</sup>
1,100 or less	1.04
1,101 to 1,500	1.64
1,501 to 2,000	2.07
2,001 to 2,500	2.41
2,501 to 3,000	2.69
3,001 to 3,500	2.93
3,501 or more	3.14

**LEVEL-OF-SERVICE ANALYSIS**

**Park Amenities – Incremental Expansion**

As indicated in Figure PR2, Flagler Beach currently provides 161 park amenities in its parks with an estimated value of \$3,798,500, which results in a weighted average cost per amenity of \$23,593 (\$3,798,500 / 161 amenities). As is the case with park land, the City plans to construct additional park amenities to serve future development.

**Figure PR2: Existing Inventory**

Description	Units	Unit Cost	Total Cost
Fields	4	\$90,000	\$360,000
Basketball Courts	1	\$30,000	\$30,000
Canoe Launch	1	\$10,000	\$10,000
Tennis Courts	2	\$100,000	\$200,000
Volleyball Courts	1	\$100,000	\$100,000
Restrooms	2	\$150,000	\$300,000
Playgrounds	3	\$260,000	\$780,000
Pavilions	4	\$20,000	\$80,000
Fitness Trails	2	\$20,000	\$40,000
Grills	6	\$200	\$1,200
Benches	64	\$1,000	\$64,000
Picnic Tables	19	\$700	\$13,300
Walkovers	52	\$35,000	\$1,820,000
<b>Total</b>	<b>161</b>	<b>\$23,593</b>	<b>\$3,798,500</b>

When the City’s inventory of 161 park amenities is compared to current population, the City’s existing level of service is 0.0220 amenities per person (161 amenities X 100 percent residential share / 7,326 persons). Using the weighted average cost per amenity of \$23,593, the cost per demand unit is \$518.52 per person (0.0220 amenities per person X \$23,593 per amenity).

**Figure PR3: Existing Level of Service**

Cost Factors	
Weighted Average per Unit	\$23,593

Level-of-Service (LOS) Standards	
Existing Units	161
Residential	
Residential Share	100%
2023 Peak Population	7,326
Units per Person	0.0220
Cost per Person	\$518.52

Source: Flagler Beach

**PROJECTED DEMAND FOR PARK AND RECREATION INFRASTRUCTURE**

**Park Amenities – Incremental Expansion**

Projected demand for park amenities over the next 10 years is shown below in Figure PR6. Based on a projected peak population increase of 6,769 persons, future residential development demands approximately 148.8 park amenities (6,769 additional persons X 0.0220 amenities per person) at a cost of \$3,509,851 (148.8 park amenities X \$23,593 per amenity).

**Figure PR4: Projected Demand for Park Amenities**

Park Amenities		
Level of Service	Demand Unit	Unit Cost
0.0220 Units	per Person	\$23,593

Demand for Park Amenities		
Year	Peak Population	Park Amenities
2023	7,326	161.0
2024	8,002	175.9
2025	8,679	190.8
2026	9,356	205.6
2027	10,033	220.5
2028	10,710	235.4
2029	11,387	250.3
2030	12,064	265.1
2031	12,741	280.0
2032	13,418	294.9
2033	14,095	309.8
10-Yr Increase	6,769	148.8

Growth-Related Expenditures	\$3,509,851
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**DRAFT Impact Fee Study**  
 Flagler Beach, Florida

**CREDITS**

As the City has no outstanding debt on its park and recreation facilities, a credit for future principal payments is not included. If elected officials make a legislative policy decision to fully fund growth-related costs from impact fees, there will be no potential double-payment from other revenue sources.

**PARK AND RECREATION IMPACT FEES**

Infrastructure components and cost factors for park and recreation impact fees are summarized in the upper portion of Figure PR5. The cost for park and recreation impact fees is \$518.52 per person, and Flagler Beach will not assess park and recreation impact fees to nonresidential development.

Park and recreation impact fees for residential development are assessed according to the number of persons per household. The 2,001 square feet to 2,500 square feet fee of \$1,250 is calculated using a cost of \$518.52 per person multiplied by 2.41 persons per household.

**Figure PR5: Schedule of Park and Recreation Impact Fees**

Fee Component	Cost per Person
Park Amenities	\$518.52
<b>Total</b>	<b>\$518.52</b>

Residential Fees per Unit		
Development Type	Persons per Household <sup>1</sup>	Proposed Fees
1,100 or less	1.04	\$539
1,101 to 1,500	1.64	\$850
1,501 to 2,000	2.07	\$1,073
2,001 to 2,500	2.41	\$1,250
2,501 to 3,000	2.69	\$1,395
3,001 to 3,500	2.93	\$1,519
3,501 or more	3.14	\$1,628

1. See Land Use Assumptions

**PARK AND RECREATION IMPACT FEE REVENUE**

Projected fee revenue shown below is based on the development projections in Appendix B and the updated park and recreation impact fees shown on the previous page. To estimate single family revenue the 2,001 square feet to 2,500 square feet fee is used, and for multi-family the less than 1,100 square feet fee is used. If development occurs at a more rapid rate than projected, the demand for infrastructure will increase and impact fee revenue will increase at a corresponding rate. If development occurs at a slower rate than projected, the demand for infrastructure will also decrease, along with impact fee revenue. Over the next 10 years, projected impact fee revenue equals approximately \$3.8 million and projected expenditures equal approximately \$3.5 million. Based on the actual mix of future residential construction, the projected parks and recreation fee revenue shown below may change

**Figure PR6: Projected Park and Recreation Impact Fee Revenue**

Fee Component	Growth Share	Existing Share	Total
Park Amenities	\$3,509,851	\$0	\$3,509,851
<b>Total</b>	<b>\$3,509,851</b>	<b>\$0</b>	<b>\$3,509,851</b>

		Single Family \$1,250 per unit	Multi-Family \$539 per unit
Year		Hsg Unit	Hsg Unit
Base	2023	3,012	775
Year 1	2024	3,318	779
Year 2	2025	3,624	783
Year 3	2026	3,930	787
Year 4	2027	4,236	791
Year 5	2028	4,542	795
Year 6	2029	4,848	799
Year 7	2030	5,154	803
Year 8	2031	5,460	807
Year 9	2032	5,766	810
Year 10	2033	6,072	814
10-Year Increase		3,060	39
Projected Revenue		\$3,823,907	\$33,165

Projected Fee Revenue	\$3,857,071
Total Expenditures	\$3,509,851

**DRAFT Impact Fee Study**  
Flagler Beach, Florida

**LIBRARY IMPACT FEES**

**METHODOLOGY**

The Library impact fee includes a component for library facilities. The incremental expansion methodology is used for this component.

**SERVICE AREA**

Flagler Beach plans to provide a uniform level of service and equal access to libraries within the city limits; therefore, the library impact fee will be assessed in a citywide service area.



**PROPORTIONATE SHARE**

Impact fees should not exceed a proportionate share of the capital cost needed to provide capital facilities to the development. The library impact fee allocates 100 percent of the cost of capital facilities to residential development. The proportionate share of costs attributable to residential development will be allocated to population and then converted to an appropriate amount by type of housing unit, based on housing unit type.

**DEMAND UNITS**

Residential impact fees are calculated on a per capita basis, then converted to an appropriate amount for each size of housing unit based on the number of persons per housing unit (PPHU). As shown in Figure P2, the current PPHU factors range from 1.04 persons per unit units that are 1,100 square feet or less, to 3.14 persons per units that are 3,501 square feet or more. These factors are based on the U.S. Census Bureau’s 2016-2020 American Community Survey 5-year estimates (further discussed in Appendix B).

**Figure L1: Service Units**

Residential Development	
Development Type	Persons per Housing Unit <sup>1</sup>
1,100 or less	1.04
1,101 to 1,500	1.64
1,501 to 2,000	2.07
2,001 to 2,500	2.41
2,501 to 3,000	2.69
3,001 to 3,500	2.93
3,501 or more	3.14

**LEVEL-OF-SERVICE ANALYSIS**

**Library Facilities – Incremental Expansion**

The City of Flagler Beach operates one library facility – the Flagler Beach Library. As indicated in Figure L2, the library is currently 4,850 square feet. The City will either add on to this existing facility or construct an additional branch in order to maintain current levels of service for new growth. Flagler Beach’s existing level of service for residential development is 0.6621 square feet per person (4,850 square feet X 100 percent residential share / 7,326 persons).

Based on RS Means data this analysis uses a construction cost of \$178 per square foot. For library facilities, the cost is \$117.85 per person (0.6621 square feet per person X \$178 per square foot).

**Figure L2: Existing Level of Service**

Description		Square Feet
Flagler Beach Library		4,850

Cost Factors	
Cost per Square Foot	\$178

Level-of-Service (LOS) Standards	
Existing Square Feet	4,850
Residential	
Residential Share	100%
2023 Peak Population	7,326
Square Feet per Person	0.6621
Cost per Person	\$117.85

Source: Flagler Beach

**PROJECTED DEMAND FOR LIBRARY INFRASTRUCTURE**

**Library Facilities – Incremental Expansion**

Projected demand for library space over the next 10 years is shown below in Figure L3. Based on a projected population increase of 6,769 persons, future residential development demands 4,481.4 square feet of library facilities (6,769 additional persons X 0.6621 square feet per person) at a cost of \$797,698 (559.0 square feet X \$178 per square foot).

**Figure L3: Projected Demand for Library Facilities**

Library Facilities		
Level of Service	Demand Unit	Unit Cost
0.6621 Square Feet	per Person	\$178

Demand for Library Facilities		
Year	Peak Population	Square Feet
2023	7,326	4,850.0
2024	8,002	5,298.1
2025	8,679	5,746.3
2026	9,356	6,194.4
2027	10,033	6,642.6
2028	10,710	7,090.7
2029	11,387	7,538.9
2030	12,064	7,987.0
2031	12,741	8,435.2
2032	13,418	8,883.3
2033	14,095	9,331.4
<b>10-Yr Increase</b>	<b>6,769</b>	<b>4,481.4</b>

<b>Growth-Related Expenditures</b>	<b>\$797,698</b>
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**DRAFT Impact Fee Study**  
 Flagler Beach, Florida

**CREDITS**

As the City has no outstanding debt on its library facilities, a credit for future principal payments is not included. If elected officials make a legislative policy decision to fully fund growth-related costs from impact fees, there will be no potential double-payment from other revenue sources.

**LIBRARY IMPACT FEES**

Infrastructure components and cost factors for the library impact fees are summarized in the upper portion of Figure L3. The cost for library impact fees is \$117.85 per person, and Flagler Beach will not assess library impact fees to nonresidential development.

Library impact fees for residential development are assessed according to the number of persons per household. The 2,001 square feet to 2,500 square feet fee of \$284 is calculated using a cost of \$117.85 per person multiplied by 2.41 persons per single-family household.

**Figure L3: Schedule of Library Impact Fees**

Fee Component	Cost per Person
Library Facilities	\$117.85
<b>Total</b>	<b>\$117.85</b>

Residential Fees per Unit		
Development Type	Persons per Household <sup>1</sup>	Proposed Fees
1,100 or less	1.04	\$123
1,101 to 1,500	1.64	\$193
1,501 to 2,000	2.07	\$244
2,001 to 2,500	2.41	\$284
2,501 to 3,000	2.69	\$317
3,001 to 3,500	2.93	\$345
3,501 or more	3.14	\$370

1. See Land Use Assumptions

**LIBRARY IMPACT FEE REVENUE**

Projected fee revenue shown below is based on the development projections in Appendix B and the library impact fees shown on the previous page. To estimate single family revenue the 2,001 square feet to 2,500 square feet fee is used, and for multi-family the less than 1,100 square feet fee is used. If development occurs at a more rapid rate than projected, the demand for infrastructure will increase and impact fee revenue will increase at a corresponding rate. If development occurs at a slower rate than projected, the demand for infrastructure will also decrease, along with impact fee revenue. Over the next 10 years, projected impact fee revenue equals \$873,850 and projected expenditures equal \$797,700. Based on the actual mix of future residential construction, the projected library fee revenue shown below may change

**Figure L4: Projected Library Impact Fee Revenue**

Fee Component	Growth Share	Existing Share	Total
Library Facilities	\$797,698	\$0	\$797,698
<b>Total</b>	<b>\$797,698</b>	<b>\$0</b>	<b>\$797,698</b>

		Single Family \$284 per unit	Multi-Family \$123 per unit
Year		Hsg Unit	Hsg Unit
Base	2023	3,012	775
Year 1	2024	3,318	779
Year 2	2025	3,624	783
Year 3	2026	3,930	787
Year 4	2027	4,236	791
Year 5	2028	4,542	795
Year 6	2029	4,848	799
Year 7	2030	5,154	803
Year 8	2031	5,460	807
Year 9	2032	5,766	810
Year 10	2033	6,072	814
10-Year Increase		3,060	39
Projected Revenue		\$869,074	\$4,780

Projected Fee Revenue	\$873,850
Total Expenditures	\$797,700

**WATER IMPACT FEES**

**METHODOLOGY**

The City operates a water treatment plant with 2 million gallons a day (MGD) of capacity. Since the City’s Water treatment plant has excess capacity in the system to serve future development, the Water impact fee includes a buy-in components for the City’s investment. The Water impact fee utilizes a plan-based approach for planned water well, storage, and transmission projects.

**PROPORTIONATE SHARE AND DEMAND UNITS**

The Water impact fees are assessed on both residential and nonresidential development, using an equivalent dwelling unit approach. In order to determine the water system demand from an equivalent single family dwelling unit, TischlerBise obtained water billing data and production data for 2021. TischlerBise estimates that, the 2,937 residential customers served by the City accounted for 186.1 million gallons in 2021, or 509,919 gallons daily. The City’s 1,118 nonresidential customers are estimated to have accounted for 71.2 million gallons annually, or 195,160 gallons daily. To determine an equivalent dwelling unit (EDU) for the water system, the 2,937 residential customers are compared to the average daily consumption (509,919 gallons), for an average of 174 gallons a day.

**Figure W1: Water Demand Factors**

Account Type		Annual	Daily	Avg. Daily Usage
Residential	2,937	186,120,462	509,919	174
Commercial	1,118	71,233,538	195,160	175
<b>Total</b>	<b>4,055</b>	<b>257,354,000</b>	<b>705,079</b>	<b>174</b>

Source: Flagler Beach

As discussed above, Water impact fees are calculated by multiplying the number of gallons per single family unit equivalent (EDU) by the capacity ratio for the corresponding size and type of meter multiplied by the cost per EDU. The City’s demand for a single-family equivalent dwelling unit is 174 gallons per day. Figure W2 shows the capacity ratio by meter size from the *AWWA Manual of Water Supply Practices*, which is used for water meters larger than .75 inches.

**Figure W2: Water Ratio of Demand Units to Development Units**

Meter Size and Type		Capacity Ratio <sup>1</sup>
0.75	Displacement	1.00
1.00	Displacement	1.67
1.50	Displacement	3.33
2.00	Displacement	5.33
3.00	Singlejet	10.67
3.00	Compound	10.67
3.00	Turbine	11.67
4.00	Singlejet	16.67
4.00	Compound	16.67
4.00	Turbine	21.00
6.00	Singlejet	33.33
6.00	Compound	33.33
6.00	Turbine	43.33
8.00	Compound	53.33
8.00	Turbine	93.33
10.00	Turbine	140.00
12.00	Turbine	176.67

1. AWWA Manual of Water Supply Practices M-1, 7th Edition

**WATER IMPACT FEE COMPONENTS**

**Treatment Plant Investment Buy-In**

The Water impact fee contains a buy-in component for the City’s investment (original cost, no inflation included) in the water treatment plant, transmission lines, vehicles, and equipment, as well as administrative components. As shown in Figure W3, this investment is \$16,563,374. The City has the capacity to treat 2 million gallons a day. This results in a cost per gallon of \$8.28 (\$16,563,374 / 2,000,000 gallons).

**Figure W3: Water Treatment and Transmission System Investment Buy-In**

Water Treatment Plant Investment	
New Pumps and Clear	\$436,489
Portable Generator	\$8,794
Sierra Model 210 Flow Meter Tester	\$5,300
Water Treatment Plant from CIP 2009	\$8,294,281
Upgrade to Water Water Treatment Plant in	\$7,511,582
Acutec Detector Monitor	\$11,099
Million Gallon Fuel Tank @ WTP	\$57,731
Monitoring Equipment	\$14,355
Sulfuric Acid Tank	\$13,450
Sulfuric Acid Tank	\$13,450
Sodium Hypochlorite Tank	\$8,000
ABB Variable Frequency Drive Control Panel	\$6,630
Variable Frequency Drive Well #10	\$13,543
Variable Frequency Drive Well #11	\$13,543
Variable Frequency Drive Well #13	\$10,252
Antenna at South Tank	\$8,668
2015 Ford F250 4 x 4	\$31,474
High Speed Pump	\$10,945
Pump Replaced Well #10	\$15,870
2016 Ford F150	\$22,858
16 inch Ultra Mag Meter	\$6,576
Sand Separator	\$16,161
Sand Separator	\$16,161
Sand Separator	\$16,161
<b>Total</b>	<b>\$16,563,374</b>

Cost Allocation Factors	
Water Treatment Plant Investment	\$16,563,374
System Capacity	2,000,000
<b>Cost per Gallon of Capacity</b>	<b>\$8.28</b>

### Planned Well Upgrades

Flagler Beach plans to construct an additional well to serve future development. This project will add 648,000 gallons of capacity to the water system, at a cost of \$1.5 million. To calculate the cost per demand unit (gallons), the costs of planned improvements (\$1.5 million) are allocated to the additional capacity added (648,000 gallons per day). This results in a cost of \$2.34 per gallon.

**Figure W4: Planned Well Upgrades**

Description	Cost
Well 17 Design	\$115,000
Well 17 Construction	\$1,400,000
<b>Total Cost</b>	<b>\$1,515,000</b>
Total Capacity (Gallons)	648,000
<b>Cost per Gallon</b>	<b>\$2.34</b>

### Planned Water Storage Upgrades

Flagler Beach plans to construct upgrades to the water storage system to serve future development. These projects will add 1 million gallons of capacity to the water storage system, at a cost of \$1.9 million. To calculate the cost per demand unit (gallons), the costs of planned improvements (\$1.9 million) are allocated to the additional capacity added (1 million gallons). This results in a cost of \$2.00 per gallon.

**Figure W5: Planned Water Storage Upgrades**

Description	Cost
Tank Design	\$150,000
Tank Construction	\$1,800,000
High Service Pump #3	\$45,000
<b>Total Cost</b>	<b>\$1,995,000</b>
Total Capacity (Gallons)	1,000,000
<b>Cost per Gallon</b>	<b>\$2.00</b>

### Planned Water Transmission Upgrades

Flagler Beach plans to construct upgrades to the water transmission system to serve future development. These projects will cost \$3.7 million. To calculate the cost per demand unit (gallons), the costs of planned improvements (\$3.7 million) are allocated to the projected increase in water usage within the utility service area the next 10 years (787,296 gallons). This results in a cost of \$4.70 per gallon.

**Figure W6: Planned Water Transmission Upgrades**

Description	Total Cost
16" Main Running Down Lambert Ave.	\$1,500,000
16" River Crossing	\$2,200,000
<b>Total Cost</b>	<b>\$3,700,000</b>
10 Year Increase in Gallons	787,296
<b>Cost per Gallon</b>	<b>\$4.70</b>

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**MAXIMUM ALLOWABLE WATER IMPACT FEES**

The proposed Water impact fees are shown in Figure W7. As shown in Figure W7, the total water system investment totals \$17.32 per gallon. New residential units needing a 3/4" meter will have a maximum water impact fee of \$3,007 (174 gallons X capital cost per gallon of capacity of \$17.32 X 1.0 capacity ratio), and future development needing a 1.0" meter will have a maximum water impact fee charge of \$5,022 (174 gallons X capital cost per gallon of capacity of \$17.32 X 1.67 capacity ratio).

**Figure W7: Maximum Allowable Water Impact fees**

Fee Component	Cost per Gallon
Wells	\$2.34
Storage	\$2.00
Investment in Plant	\$8.28
Transmission	\$4.70
<b>Total</b>	<b>\$17.32</b>

Single Family (Base Meter) Demand Factors	
Average Day Gallons	174

Meter Size and Type	Capacity Ratio <sup>1</sup>	Maximum Fees	Current Fees <sup>2</sup>	Difference
0.75 Displacement	1.00	\$3,007	\$2,509	\$498
1.00 Displacement	1.67	\$5,022	\$4,190	\$832
1.50 Displacement	3.33	\$10,015	\$8,356	\$1,659
2.00 Displacement	5.33	\$16,029	\$13,374	\$2,655
3.00 Singlejet	10.67	\$32,089	\$26,773	\$5,316
3.00 Compound	10.67	\$32,089	\$26,773	\$5,316
3.00 Turbine	11.67	\$35,096	\$29,282	\$5,814
4.00 Singlejet	16.67	\$50,133	\$41,828	\$8,305
4.00 Compound	16.67	\$50,133	\$41,828	\$8,305
4.00 Turbine	21.00	\$63,155	\$52,693	\$10,462
6.00 Singlejet	33.33	\$100,236	\$83,631	\$16,604
6.00 Compound	33.33	\$100,236	\$83,631	\$16,604
6.00 Turbine	43.33	\$130,310	\$108,723	\$21,586
8.00 Compound	53.33	\$160,383	\$133,815	\$26,568
8.00 Turbine	93.33	\$280,678	\$234,183	\$46,496
10.00 Turbine	140.00	\$421,032	\$351,287	\$69,746
12.00 Turbine	176.67	\$531,313	\$443,299	\$88,014

1. AWWA Manual of Water Supply Practices M-1, 7th Edition
2. Base meter fee is the current water fee and then is scaled up using the proposed meter capacity ratio

**WASTEWATER IMPACT FEES**

**METHODOLOGY**

The Wastewater impact fee utilizes a plan-based approach for planned wastewater capacity projects, and treatment plant improvements.

**PROPORTIONATE SHARE AND DEMAND UNITS**

The Wastewater impact fees are assessed on both residential and nonresidential development, using an equivalent dwelling unit approach. In order to determine the wastewater system demand from an equivalent single family dwelling unit, TischlerBise obtained sewer and production data for 2021. TischlerBise estimates that the 2,835 residential customers served by the City accounted for 171.4 million gallons in 2021, or approximately 469,000 gallons daily. The City’s 1,003 nonresidential customers accounted for 65.8 million gallons, or approximately 180,000 gallons daily. To determine an equivalent dwelling unit (EDU) for the wastewater system, the 2,835 residential customers are compared to the average daily consumption (469,706 gallons), for an average of 166 gallons a day.

**Figure WW1: Wastewater Demand Factors**

Account Type		Annual Consumption	Daily Consumption	Avg. Daily Usage
Residential	2,835	171,442,777	469,706	166
Commercial	1,003	65,807,223	180,294	180
<b>Total</b>	<b>3,838</b>	<b>237,250,000</b>	<b>650,000</b>	<b>169</b>

Source: Flagler Beach

As discussed above, Wastewater impact fees are calculated by multiplying the number of gallons per single family unit equivalent (EDU) by the capacity ratio for the corresponding size and type of meter multiplied by the cost per EDU. The City’s demand for a single family equivalent dwelling unit is 166 gallons per day. Figure WW2 shows the capacity ratio by meter size from the *AWWA Manual of Water Supply Practices*, which is used for meters larger than .75 inches.

**Figure WW2: Wastewater Ratio of Demand Units to Development Units**

Meter Size and Type	Capacity Ratio <sup>1</sup>
0.75 Displacement	1.00
1.00 Displacement	1.67
1.50 Displacement	3.33
2.00 Displacement	5.33
3.00 Singlejet	10.67
3.00 Compound	10.67
3.00 Turbine	11.67
4.00 Singlejet	16.67
4.00 Compound	16.67
4.00 Turbine	21.00
6.00 Singlejet	33.33
6.00 Compound	33.33
6.00 Turbine	43.33
8.00 Compound	53.33
8.00 Turbine	93.33
10.00 Turbine	140.00
12.00 Turbine	176.67

1. AWWA Manual of Water Supply Practices M-1, 7th Edition

**WASTEWATER IMPACT FEE COMPONENTS**

**Planned Wastewater System Upgrades**

The City of Flagler Beach plans to construct upgrades to its existing wastewater system to serve future development. These projects will cost a total of \$34.45 million. To calculate the cost per demand unit (gallons), the costs of planned improvements (\$34.45 million) are allocated to the total wastewater system capacity (1,500,000 gallons). This results in a cost of \$22.97 per gallon.

**Figure WW3: Planned Wastewater Systems Upgrade Cost**

Description	Total Cost
Treatment Plant Improvements Project	\$25,000,000
Reclaimed Water Infrastructure	\$3,000,000
Reclaimed Water Distribution System	\$4,500,000
New WWTF Operations Building	\$1,100,000
Screw Press*	\$850,000
<b>Total</b>	<b>\$34,450,000</b>
Total System Capacity (Gallons per Day)	1,500,000
<b>Cost per Gallon</b>	<b>\$22.97</b>

\*City's share. Half is assumed to be funded through grants

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**MAXIMUM ALLOWABLE WASTEWATER IMPACT FEES**

Cost factors for Wastewater infrastructure components are summarized in the upper portion of Figure WW4. The Wastewater impact fee is derived from the average gallons per day per single family equivalent residential connection of 166 gallons multiplied by the capital cost per gallon of capacity (\$22.97). New residential units needing a 3/4" meter will have a maximum Wastewater impact fee of \$3,806 (166 gallons X capital cost per gallon of capacity of \$22.97 X 1.0 capacity ratio), and future development needing a 1.0" meter will have a maximum Wastewater impact fee charge of \$6,356 (166 gallons X capital cost per gallon of capacity of \$22.97 X 1.67 capacity ratio).

**Figure WW4: Maximum Allowable Wastewater Impact fees**

Fee Component	Cost per Gallon
System Upgrades	\$22.97
<b>Total</b>	<b>\$22.97</b>

Single Family (Base Meter) Demand Factors	
Average Day Gallons	166

Meter Size and Type	Capacity Ratio <sup>1</sup>	Maximum Fees	Current Fees <sup>2</sup>	Difference
0.75 Displacement	1.00	\$3,806	\$3,083	\$723
1.00 Displacement	1.67	\$6,356	\$5,148	\$1,208
1.50 Displacement	3.33	\$12,673	\$10,265	\$2,408
2.00 Displacement	5.33	\$20,284	\$16,430	\$3,855
3.00 Singlejet	10.67	\$40,607	\$32,890	\$7,717
3.00 Compound	10.67	\$40,607	\$32,890	\$7,717
3.00 Turbine	11.67	\$44,412	\$35,973	\$8,440
4.00 Singlejet	16.67	\$63,441	\$51,385	\$12,056
4.00 Compound	16.67	\$63,441	\$51,385	\$12,056
4.00 Turbine	21.00	\$79,920	\$64,733	\$15,187
6.00 Singlejet	33.33	\$126,844	\$102,740	\$24,104
6.00 Compound	33.33	\$126,844	\$102,740	\$24,104
6.00 Turbine	43.33	\$164,901	\$133,565	\$31,336
8.00 Compound	53.33	\$202,958	\$164,390	\$38,568
8.00 Turbine	93.33	\$355,186	\$287,690	\$67,496
10.00 Turbine	140.00	\$532,798	\$431,550	\$101,248
12.00 Turbine	176.67	\$672,353	\$544,585	\$127,767

1. AWWA Manual of Water Supply Practices M-1, 7th Edition

2. Base meter fee is the current sewer fee and then is scaled up using the proposed meter capacity ratio

**ADMINISTRATIVE CHARGE**

Figure AC1 summarizes expected administrative costs over the next five years, totaling approximately \$12,866. This amount is split between residential and nonresidential development, with residential development paying for 76 percent of administrative costs and nonresidential development covering the remaining 24 percent. The residential share of administrative costs is divided by the projected increase in peak population over five years, 3,384 persons, to yield a cost per person of \$2.89. Similarly, the nonresidential share of administrative costs is divided by the projected increase in jobs over five years, 1,148 jobs, to yield a cost per job of \$2.69. The cost per person is then multiplied by the average number of persons per household for each size category to calculate the appropriate impact fee per residential dwelling unit. The cost per job is multiplied by the average number of jobs per 1,000 square feet for each nonresidential typology to calculate the appropriate impact fee per 1,000 square feet of nonresidential development.

**Figure AC1. Administrative Costs**

Bookkeeper salary (at 1%) [1]	\$764.19	
Permit Technician salary (at 2.5%) [1]	\$1,809.08	
<b>Annual Administrative Costs</b>	<b>\$2,573.27</b>	
<b>Five-Year Administrative Costs</b>	<b>\$12,866.36</b>	
	<i>Residential</i>	<i>Nonresidential</i>
Proportionate Share (Functional Population)	76%	24%
	<i>Peak Population</i>	<i>Jobs</i>
Five-Year Increase in Service Units	3,384	1,148
	<i>Cost per Person</i>	<i>Cost per Job</i>
	\$2.89	\$2.69

**Figure AC2. Proposed Administrative Fee**

Residential Fees per Unit		
Development Type	Persons per Household <sup>1</sup>	Proposed Fees
1,100 or less	1.04	\$3
1,101 to 1,500	1.64	\$5
1,501 to 2,000	2.07	\$6
2,001 to 2,500	2.41	\$7
2,501 to 3,000	2.69	\$8
3,001 to 3,500	2.93	\$8
3,501 or more	3.14	\$9

Nonresidential Fees per Square Foot		
Development Type	Jobs per 1,000 Sq Ft <sup>1</sup>	Proposed Fees
Industrial	1.57	\$4.22
Commercial	2.12	\$5.71
Office & Other Services	3.26	\$8.75
Institutional	3.03	\$8.15

1. See Land Use Assumptions

**APPENDIX A: LAND USE DEFINITIONS**

**RESIDENTIAL DEVELOPMENT**

As discussed below, residential development categories are based on data from the U.S. Census Bureau, American Community Survey. Flagler Beach will collect impact fees from all new residential units. One-time impact fees are determined by site capacity (i.e., number of residential units).

**Single-Family Units:**

1. Single-family detached is a one-unit structure detached from any other house, that is, with open space on all four sides. Such structures are considered detached even if they have an adjoining shed or garage. A one-family house that contains a business is considered detached as long as the building has open space on all four sides.
2. Single-family attached (townhouse) is a one-unit structure that has one or more walls extending from ground to roof separating it from adjoining structures. In row houses (sometimes called townhouses), double houses, or houses attached to nonresidential structures, each house is a separate, attached structure if the dividing or common wall goes from ground to roof.
3. Mobile home includes both occupied and vacant mobile homes, to which no permanent rooms have been added. Mobile homes used only for business purposes or for extra sleeping space and mobile homes for sale on a dealer's lot, at the factory, or in storage are not counted in the housing inventory.

**Multi-Family Units:**

1. 2+ units (duplexes and apartments) are units in structures containing two or more housing units, further categorized as units in structures with "2, 3 or 4, 5 to 9, 10 to 19, 20 to 49, and 50 or more apartments."
2. Boat, RV, Van, Etc. includes any living quarters occupied as a housing unit that does not fit the other categories (e.g., houseboats, railroad cars, campers, and vans). Recreational vehicles, boats, vans, railroad cars, and the like are included only if they are occupied as a current place of residence.

### **NONRESIDENTIAL DEVELOPMENT**

As discussed below, the nonresidential development categories are defined by Trip Generation, Institute of Transportation Engineers, 11<sup>th</sup> Edition (2021). Flagler Beach will collect impact fees from all new nonresidential development. One-time impact fees are determined by site capacity (i.e., square feet).

**Commercial:** Establishments primarily selling merchandise, eating/drinking places, entertainment uses, and places of lodging. By way of example, *commercial* includes shopping centers, supermarkets, pharmacies, restaurants, bars, nightclubs, automobile dealerships, movie theaters, and lodging.

**Industrial:** Establishments primarily engaged in the production of goods. By way of example, *industrial – general* includes manufacturing plants, utility substations, power generation facilities, and telecommunications buildings.

**Institutional:** Public and quasi-public buildings providing educational, social assistance, or religious services. By way of example, *institutional* includes schools, universities, churches, daycare facilities, and government buildings.

**Office & Other Services:** Establishments providing management, administrative, professional, business services, and health services. By way of example, *office & other services* include banks, business offices, medical offices, hospitals, and veterinary clinics.

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**APPENDIX B: LAND USE ASSUMPTIONS**

This section includes estimates and projections of development for areas within the boundaries of Flagler Beach, Florida. The map below illustrates Flagler Beach’s Impact Fee Service Area.



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### **SUMMARY OF GROWTH INDICATORS**

Key land use assumptions for the Flagler Beach Impact Fee Study are population, housing units, employment, and nonresidential floor area. Based on discussions with staff, TischlerBise projects Flagler Beach to add approximately 306 single family housing units per year, and approximately 4 multi-family housing units per year. For population, TischlerBise applies person per housing unit factors derived from American Community Survey 2016-2020 5-Year Estimates to housing unit projections. For nonresidential development, TischlerBise uses job estimates from Esri's Business Analyst and uses projections based on the increase in Flagler Beach's population. These employment projections are converted to floor area using employment density factors published in Trip Generation, Institute of Transportation Engineers, 11<sup>th</sup> Edition (2021).

Complete development projections are summarized in Figure B12. These projections will be used to estimate impact fee revenue and to indicate the anticipated need for growth-related infrastructure. However, impact fee methodologies are designed to reduce sensitivity to development projections in the determination of the proportionate share fee amounts. If actual development is slower than projected, fee revenue will decline, but so will the need for growth-related infrastructure. In contrast, if development occurs faster than anticipated, fee revenue will increase, but Flagler Beach will need to accelerate infrastructure improvements to keep pace with the actual rate of development. Over the next 10 years, development projections indicate an average increase of approximately 310 housing units per year and approximately 91,200 square feet of nonresidential development per year.

**RESIDENTIAL DEVELOPMENT**

This section details current estimates and future projections of residential development including population and housing units.

**Housing Unit Size**

According to the U.S. Census Bureau, a household is a housing unit occupied by year-round residents. Impact fees often use per capita standards and persons per housing unit (PPHU) or persons per household (PPH) to derive proportionate share fee amounts. When PPHU is used in the fee calculations, infrastructure standards are derived using year-round population. When PPH is used in the fee calculations, the impact fee methodology assumes a higher percentage of housing units will be occupied, thus requiring seasonal or peak population to be used when deriving infrastructure standards. TischlerBise recommends Flagler Beach impose impact fees for residential development according to the number of persons per household.

Occupancy calculations require data on population and the types of units by structure. The 2010 census did not obtain detailed information using a “long-form” questionnaire. Instead, the U.S. Census Bureau switched to a continuous monthly mailing of surveys, known as the American Community Survey (ACS), which has limitations due to sample-size constraints. For example, data on detached housing units are now combined with attached single units (commonly known as townhouses, which share a common sidewall, but are constructed on an individual parcel of land). For impact fees in Flagler Beach, detached, stick-built units and attached units are included in the “Single-Family” category. The “Multi-Family” category includes duplexes, structures with two or more units on an individual parcel of land, mobile homes, boats, RVs, and vans.

Figure B1 below shows the occupancy estimates for Flagler Beach. Single-family units average 2.19 persons per household and multi-family units average 1.39 persons per household.

**Figure B1: Persons per Housing Unit**

Housing Type	Persons	Households	Persons per Household	Housing Units	Persons per Housing Unit	Housing Mix	Vacancy Rate
Single-Family <sup>1</sup>	4,483	2,043	<b>2.19</b>	2,850	1.57	79.4%	28.32%
Multi-Family <sup>2</sup>	582	418	<b>1.39</b>	741	0.79	20.6%	43.59%
<b>Total</b>	<b>5,065</b>	<b>2,461</b>	<b>2.06</b>	<b>3,591</b>	<b>1.41</b>	<b>100.0%</b>	<b>31.47%</b>

Source: U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates

1. Includes detached, attached (i.e., townhouses), and mobile home units.
2. Includes dwellings in structures with two or more units, RVs, and all other units.

**Persons by Bedroom Range**

Development fees must be proportionate to the demand for infrastructure. Because averages per housing unit have a strong, positive correlation to the number of bedrooms, TischlerBise recommends a fee schedule where larger units pay higher development fees. Benefits of the proposed methodology include

1) a proportionate assessment of infrastructure demand using local demographic data and 2) a progressive fee structure (i.e., smaller units pay less, and larger units pay more).

Custom tabulations of demographic data by bedroom range can be created from individual survey responses provided by the U.S. Census Bureau in files known as Public Use Microdata Samples (PUMS). PUMS files are only available for areas of at least 100,000 persons, and Flagler Beach is located within one Public Use Microdata Area (Florida PUMA 3500).

Shown in Figure B4 below, cells with yellow shading indicate the unweighted survey results, which yield the unadjusted estimate of 2.22 persons per household. Unadjusted persons per housing unit estimates are adjusted to match the control total for Flagler Beach – 2.06 persons per household. Adjusted persons per housing unit estimates range from 1.18 persons per housing unit for housing units with zero to one bedroom up to 3.27 persons per housing unit for housing units with five or more bedrooms.

**Figure B2: Persons by Bedroom Range**

Bedroom Range	Persons <sup>1</sup>	Households <sup>1</sup>	Housing Mix	Unadjusted PPH	Adjusted PPH <sup>2</sup>
0-1	81	64	3%	1.27	1.18
2	790	447	18%	1.77	1.64
3	3,108	1,430	58%	2.17	2.02
4	1,262	467	19%	2.70	2.51
5+	257	73	3%	3.52	3.27
Total	5,498	2,481	100%	2.22	2.06

1. American Community Survey, Public Use Microdata Sample for Florida PUMA 3500 (2016-2020 ACS 5-Year unweighted data).

2. Adjusted multipliers are scaled to make the average PUMS values match control totals for Flagler Beach based on 2016-2020 ACS 5-Year Estimates.

**Persons by Square Feet of Living Area**

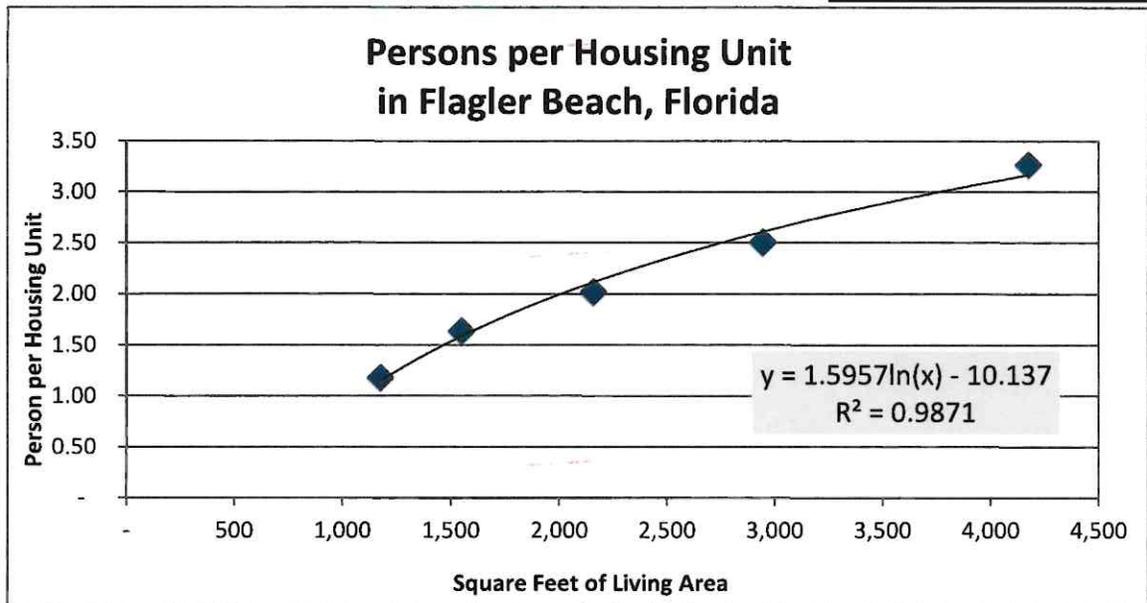
To estimate square feet of living area by bedroom range, TischlerBise uses 2020 U.S. Census Bureau data for housing units constructed in the South Atlantic region. Based on 2020 estimates, living area ranges from 1,178 square feet for housing units with zero to one bedroom up to 4,174 square feet for housing units with five or more bedrooms.

Average square feet of living area and persons per housing unit by bedroom range are plotted in Figure B3 with a logarithmic trend line derived from U.S. Census Bureau estimates discussed in the previous paragraph and adjusted persons per housing unit estimates shown in Figure B3. Using the trend line formula shown in Figure B3, TischlerBise calculates the number of persons per housing unit, by living area, using intervals of 500 square feet. For the purpose of development fees, TischlerBise recommends a minimum development fee based on a unit size of 1,100 square feet and a maximum fee for units 3,501 square feet or more.

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**Figure B3: Persons by Square Feet of Living Area**

Average persons per housing unit derived from 2016-2020 ACS PUMS data Flagler Beach. Unit size from the 2020 U.S. Census Bureau average for units constructed in the Census South Atlantic region.	Average per Housing Unit			Fitted-Curve Values	
	Bedrooms	Square Feet	PPHU	Sq Ft Range	PPHU
	0-1	1,178	1.18	1,100 or less	1.04
	2	1,550	1.64	1,101 to 1,500	1.64
	3	2,159	2.02	1,501 to 2,000	2.07
	4	2,944	2.51	2,001 to 2,500	2.41
	5+	4,174	3.27	2,501 to 3,000	2.69
				3,001 to 3,500	2.93
				3,501 or more	3.14



### Seasonal Households

To account for seasonal residents, the analysis includes vacant households used for seasonal, recreational, or occasional use. According to 2020 ACS estimates, seasonal units account for 910 of Flagler Beach’s 1,130 vacant units. With all seasonal units occupied, Flagler Beach’s peak vacancy rate is 6.13 percent (3,527 peak households / 3,758 housing units). Applying Flagler Beach’s persons per household factor of 2.06 to seasonal households provides a seasonal population estimate of 1,966 persons. Shown in Figure B4, Flagler Beach’s peak population estimate for 2022 is 7,266 (5,300 fulltime resident population + 1,966 seasonal population).

**Figure B4: Seasonal Households**

Flagler Beach, Florida	2022
<b>Population</b>	
Single Family	4,691
Multi-Family	609
<b>Resident Population</b>	<b>5,300</b>
<b>Seasonal Population</b>	<b>1,960</b>
<b>Peak Population</b>	<b>7,260</b>
<b>Housing Units</b>	
Single Family	2,982
Multi-Family	775
<b>Total Housing Units</b>	<b>3,758</b>
<b>Seasonal Households</b>	<b>230</b>
<b>Peak Households</b>	<b>3,527</b>

### Residential Estimates

According to information provided by city staff, Flagler Beach’s 2022 resident population equals 5,300 persons. Applying the housing unit occupancy rates shown on the previous page to the 2022 population estimate provides a 2022 estimate of 3,758 housing units. 2022 building permit data is used to get an estimate for 2023 housing units and the housing unit occupancy rates are used to calculate population. This results in a base year housing unit estimate of 3,788 total housing units, and a peak population of 7,326.

**Residential Projections**

Population and housing unit projections are used to illustrate the possible future pace of service demands, revenues, and expenditures. To the extent these factors change, the projected need for infrastructure will also change. If development occurs at a more rapid rate than projected, the demand for infrastructure will increase at a corresponding rate. If development occurs at a slower rate than is projected, the demand for infrastructure will also decrease.

While historically growth in Flagler Beach has occurred slowly, based on discussions with Flagler Beach staff, in the next 10 years there are multiple large scale developments expected to be built or annexed into the city, such as Veranda Bay (2,700 units), The Preserve (248 units), Beach Park 5 (112 units), and Legacy Pointe Apartments (39 units). These developments are projected to create approximately 306 single family units per year, and approximately 4 multi-family units per year. Based on these projections, Flagler Beach can expect 3,099 additional housing units over the next 10 years. For this study, the analysis assumes the occupancy factors shown in Figure B1 will remain constant. Converting projected housing units to population, as discussed above, results in a 10-year population increase of 6,769 persons.

**Figure B5: Residential Projections**

Flagler Beach, Florida	2023	2024	2025	2026	2027	2028	2033	10 Year Increase
	Base Year	1	2	3	4	5	10	
<b>Population</b>								
Single Family	4,757	5,428	6,100	6,771	7,443	8,114	11,471	6,715
Multi-Family	609	614	620	625	631	636	663	54
<b>Resident Population</b>	<b>5,366</b>	<b>6,043</b>	<b>6,720</b>	<b>7,397</b>	<b>8,073</b>	<b>8,750</b>	<b>12,135</b>	<b>6,769</b>
<b>Seasonal Population</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>0</b>
<b>Peak Population</b>	<b>7,326</b>	<b>8,002</b>	<b>8,679</b>	<b>9,356</b>	<b>10,033</b>	<b>10,710</b>	<b>14,095</b>	<b>6,769</b>
<b>Housing Units</b>								
Single Family	3,012	3,318	3,624	3,930	4,236	4,542	6,072	3,060
Multi-Family	775	779	783	787	791	795	814	39
<b>Total Housing Units</b>	<b>3,788</b>	<b>4,098</b>	<b>4,407</b>	<b>4,717</b>	<b>5,027</b>	<b>5,337</b>	<b>6,887</b>	<b>3,099</b>
<b>Seasonal Households</b>	<b>230</b>	<b>230</b>	<b>230</b>	<b>230</b>	<b>230</b>	<b>230</b>	<b>230</b>	<b>0</b>
<b>Peak Households</b>	<b>3,556</b>	<b>3,846</b>	<b>4,137</b>	<b>4,428</b>	<b>4,719</b>	<b>5,010</b>	<b>6,465</b>	<b>2,909</b>

**NONRESIDENTIAL DEVELOPMENT**

This section details current estimates and future projections of nonresidential development including jobs and nonresidential floor area.

**Nonresidential Demand Units**

In Figure B6, gray shading indicates the nonresidential development prototypes used by TischlerBise to derive employment densities and average weekday vehicle trip ends. For nonresidential development, TischlerBise uses data published in Trip Generation, Institute of Transportation Engineers, 11<sup>th</sup> Edition (2021). The prototype for industrial development is Light Industrial (ITE 110) which generates 4.87 average weekday vehicle trip ends per 1,000 square feet of floor area and has 637 square feet of floor area per employee. Institutional development uses Government Office (ITE 730) and generates 22.59 average weekday vehicle trip ends per 1,000 square feet of floor area and has 330 square feet of floor area per employee. For office & other services development, the proxy is General Office (ITE 710); it generates 10.84 average weekday vehicle trip ends per 1,000 square feet of floor area and has 307 square feet of floor area per employee. The prototype for commercial development is Shopping Center (ITE 820) which generates 37.01 average weekday vehicle trips per 1,000 square feet of floor area and has 471 square feet of floor area per employee.

**Figure B6: Nonresidential Demand Units**

ITE Code	Land Use / Size	Demand Unit	Wkdy Trip Ends Per Dmd Unit <sup>1</sup>	Wkdy Trip Ends Per Employee <sup>1</sup>	Emp Per Dmd Unit	Sq Ft Per Emp
110	Light Industrial	1,000 Sq Ft	4.87	3.10	1.57	637
130	Industrial Park	1,000 Sq Ft	3.37	2.91	1.16	864
140	Manufacturing	1,000 Sq Ft	4.75	2.51	1.89	528
150	Warehousing	1,000 Sq Ft	1.71	5.05	0.34	2,953
254	Assisted Living	bed	2.60	4.24	0.61	1,631
310	Hotel	room	7.99	14.34	0.56	1,795
610	Hospital	1,000 Sq Ft	10.77	3.77	2.86	350
620	Nursing Home	bed	3.06	3.31	0.92	1,082
710	General Office (avg size)	1,000 Sq Ft	10.84	3.33	3.26	307
720	Medical-Dental Office	1,000 Sq Ft	36.00	8.71	4.13	242
730	Government Office	1,000 Sq Ft	22.59	7.45	3.03	330
770	Business Park	1,000 Sq Ft	12.44	4.04	3.08	325
820	Shopping Center (avg size)	1,000 Sq Ft	37.01	17.42	2.12	471

1. Trip Generation, Institute of Transportation Engineers, 11th Edition (2021).

**Nonresidential Estimates**

TischlerBise uses the term jobs to refer to employment by place of work. Shown below in Figure B7, Esri Business Analyst estimates 2021 employment equal to 1,766 jobs. TischlerBise estimates 2021 nonresidential floor area equals 700,903 square feet. To estimate nonresidential floor area and employment in the 2023 base year, TischlerBise utilizes 2021 BEBR population estimates to get a population to jobs ratio, and then applies this ratio to the full time resident population estimate for 2023. As shown at the bottom of Figure B7, the 2023 estimate includes 1,821 jobs. Applying the employment

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multipliers shown in Figure B6 to the jobs results in a nonresidential floor area increase of 21,657 square feet. The 2023 base year nonresidential floor area estimate equals 722,560 square feet (700,903 square feet in 2021 + 21,657 additional square feet).

**Figure B7: Nonresidential Estimates**

Nonresidential Category	2021 Jobs <sup>1</sup>	Percent of Total Jobs	Square Feet per Job <sup>2</sup>	2021 Estimated Floor Area <sup>3</sup>	Jobs per 1,000 Sq. Ft. <sup>2</sup>
Industrial <sup>4</sup>	82	5%	637	52,197	1.57
Commercial <sup>5</sup>	768	43%	471	361,485	2.12
Office & Other Service <sup>6</sup>	658	37%	307	202,135	3.26
Institutional <sup>7</sup>	258	15%	330	85,086	3.03
<b>Total</b>	<b>1,766</b>	<b>100%</b>		<b>700,903</b>	

1. Esri Business Analyst Online, Business Summary, 2021.
2. Trip Generation, Institute of Transportation Engineers, 11th Edition (2021).
3. TischlerBise calculation (2021 jobs X square feet per job).
4. Major sectors are Construction; Manufacturing.
5. Major sectors are Retail; Accommodation & Food Services.
6. Major sectors are Real Estate, Rental & Leasing; Other Services;
7. Major sectors are Public Administration; Health Care & Social Assistance.

Nonresidential Category	2023 Jobs <sup>1</sup>	Percent of Total Jobs	Square Feet per Job <sup>2</sup>	2022 Estimated Floor Area <sup>3</sup>	Jobs per 1,000 Sq. Ft. <sup>2</sup>
Industrial <sup>4</sup>	85	5%	637	53,810	1.57
Commercial <sup>5</sup>	792	43%	471	372,655	2.12
Office & Other Service <sup>6</sup>	678	37%	307	208,380	3.26
Institutional <sup>7</sup>	266	15%	330	87,715	3.03
<b>Total</b>	<b>1,821</b>	<b>100%</b>		<b>722,560</b>	

1. TischlerBise calculation.
2. Trip Generation, Institute of Transportation Engineers, 11th Edition (2021).
3. TischlerBise calculation (2023 jobs X square feet per job).
4. Major sectors are Construction; Manufacturing.
5. Major sectors are Retail; Accommodation & Food Services.
6. Major sectors are Real Estate, Rental & Leasing; Other Services;
7. Major sectors are Health Care & Social Assistance; Education.

### Nonresidential Projections

This analysis projects jobs based off the projected increase in population. Shown below in Figure B8, this results in a 10-year increase of 2,297 jobs.

To project nonresidential floor area, TischlerBise divides the projected employment by the square feet per employee factors shown in Figure B6. Over the next 10 years, Flagler Beach is projected to gain 2,297 jobs and approximately 912,000 square feet of nonresidential floor area.

**Figure B8: Nonresidential Projections**

Flagler Beach, Florida	2023	2024	2025	2026	2027	2028	2033	10-Year Increase
	Base Year	1	2	3	4	5	10	
<b>Population</b>	<b>5,366</b>	<b>6,043</b>	<b>6,720</b>	<b>7,397</b>	<b>8,073</b>	<b>8,750</b>	<b>12,135</b>	<b>6,769</b>
<b>Employment</b>								
Industrial	85	95	106	117	127	138	191	107
Commercial	792	892	991	1,091	1,191	1,291	1,790	999
Office & Other Services	678	764	849	935	1,021	1,106	1,534	856
Institutional	266	300	333	367	400	434	601	336
<b>Total</b>	<b>1,821</b>	<b>2,050</b>	<b>2,280</b>	<b>2,510</b>	<b>2,739</b>	<b>2,969</b>	<b>4,117</b>	<b>2,297</b>
<b>Nonres. Floor Area (x1,000)</b>								
Industrial	54	61	67	74	81	88	122	68
Commercial	373	420	467	514	561	608	843	470
Office & Other Services	208	235	261	287	314	340	471	263
Institutional	88	99	110	121	132	143	198	111
<b>Total</b>	<b>723</b>	<b>814</b>	<b>905</b>	<b>996</b>	<b>1,087</b>	<b>1,178</b>	<b>1,634</b>	<b>912</b>

### AVERAGE WEEKDAY VEHICLE TRIPS

Flagler Beach will use average weekday vehicle trips (AWVT) for nonresidential Police and Fire Impact Fees. Components used to determine average weekday vehicle trips include trip generation rates and adjustments for pass-by trips.

### Nonresidential Demand Units

In Figure B9, gray shading indicates the nonresidential development prototypes used by TischlerBise to derive average weekday vehicle trip ends. For nonresidential vehicle trips, TischlerBise uses data published in Trip Generation, Institute of Transportation Engineers, 11<sup>th</sup> Edition (2021). The prototype for industrial development is Light Industrial (ITE 110) which generates 4.87 average weekday vehicle trip ends per 1,000 square feet of floor area. Institutional development uses Government Office (ITE 730) and generates 22.59 average weekday vehicle trip ends per 1,000 square feet of floor area. For office & other services development, the proxy is General Office (ITE 710); it generates 10.84 average weekday vehicle trip ends per 1,000 square feet of floor area. The prototype for commercial development is Shopping Center (ITE 820) which generates 37.01 average weekday vehicle trips per 1,000 square feet of floor area.

**Figure B9: Nonresidential Demand Units**

ITE Code	Land Use / Size	Demand Unit	Wkdy Trip Ends Per Dmd Unit <sup>1</sup>	Wkdy Trip Ends Per Employee <sup>1</sup>	Emp Per Dmd Unit	Sq Ft Per Emp
110	Light Industrial	1,000 Sq Ft	4.87	3.10	1.57	637
130	Industrial Park	1,000 Sq Ft	3.37	2.91	1.16	864
140	Manufacturing	1,000 Sq Ft	4.75	2.51	1.89	528
150	Warehousing	1,000 Sq Ft	1.71	5.05	0.34	2,953
254	Assisted Living	bed	2.60	4.24	0.61	1,631
310	Hotel	room	7.99	14.34	0.56	1,795
610	Hospital	1,000 Sq Ft	10.77	3.77	2.86	350
620	Nursing Home	bed	3.06	3.31	0.92	1,082
710	General Office (avg size)	1,000 Sq Ft	10.84	3.33	3.26	307
720	Medical-Dental Office	1,000 Sq Ft	36.00	8.71	4.13	242
730	Government Office	1,000 Sq Ft	22.59	7.45	3.03	330
770	Business Park	1,000 Sq Ft	12.44	4.04	3.08	325
820	Shopping Center (avg size)	1,000 Sq Ft	37.01	17.42	2.12	471

1. Trip Generation, Institute of Transportation Engineers, 11th Edition (2021).

**Trip Rate Adjustments**

To calculate impact fees, trip generation rates require an adjustment factor to avoid double counting each trip at both the origin and destination points. Therefore, the basic trip adjustment factor is 50 percent. As discussed further below, the impact fee methodology includes additional adjustments to make the fees proportionate to the infrastructure demand for particular types of development.

**Adjustment for Pass-By Trips**

For commercial and institutional development, the trip adjustment factor is less than 50 percent since these types of development attract vehicles as they pass by on arterial and collector roads. For example, when someone stops at a convenience store on the way home from work, the convenience store is not the primary destination. For an average shopping center, ITE data indicate 34 percent of the vehicles that enter are passing by on their way to another primary destination. The remaining 66 percent of attraction trips have the commercial site as their primary destination. Since attraction trips are half of all trips, the trip adjustment factor is 66 percent multiplied by 50 percent – approximately 33 percent of trip ends.

**Average Weekday Vehicle Trips**

Shown in Figure B10 are the demand indicators for nonresidential land uses related to average weekday vehicle trips (AWVT) generated per 1,000 square feet of floor area. To calculate average weekday vehicle trips, multiply average weekday vehicle trip ends by the trip rate adjustment factor. For example, the industrial demand unit of 2.44 average weekday vehicle trips per 1,000 square feet of floor area is the sum of 4.87 average weekday vehicle trip ends per 1,000 square feet of floor area multiplied by a trip rate adjustment factor of 50 percent. Figure B11 includes nonresidential vehicle trips in the 2022 base year.

**Figure B10: Average Weekday Vehicle Trips (AWVT) by Development Type**

Nonresidential Development			
Development Type	AWVTE per 1,000 Sq Ft <sup>1</sup>	Trip Rate Adjustment	AWVT per 1,000 Sq Ft <sup>1</sup>
Industrial	4.87	50%	2.44
Commercial	37.01	33%	12.21
Office & Other Services	10.84	50%	5.42
Institutional	22.59	33%	7.45

1. See Land Use Assumptions

**Figure B11: Nonresidential Vehicle Trips**

Development Type	ITE Code	Avg Wkday VTE	Trip Adjustment	2023 Dev Units	2023 Veh Trips
Industrial	110	4.87	50%	54	131
Commercial	820	37.01	33%	373	4,551
Office & Other Services	710	10.84	50%	208	1,129
Institutional	610	22.59	33%	88	654

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**DEVELOPMENT PROJECTIONS**

Provided below are summaries of development projections used in the Impact Fee Study. Development projections are used to illustrate a possible future pace of demand for infrastructure and cash flows resulting from revenues and expenditures associated with those demands.

**Figure B12: Development Projections**

Flagler Beach, Florida	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	10-Year Increase
		Base Year	1	2	3	4	5	6	7	8	9	10	
<b>Resident Population</b>													
Single Family	4,691	4,757	5,428	6,100	6,771	7,443	8,114	8,786	9,457	10,129	10,800	11,471	6,715
Multi-Family	609	609	614	620	625	631	636	642	647	652	658	663	54
<b>Resident Population</b>	<b>5,300</b>	<b>5,366</b>	<b>6,043</b>	<b>6,720</b>	<b>7,397</b>	<b>8,073</b>	<b>8,750</b>	<b>9,427</b>	<b>10,104</b>	<b>10,781</b>	<b>11,458</b>	<b>12,135</b>	<b>6,769</b>
<b>Seasonal Population</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>1,960</b>	<b>10,838</b>
<b>Peak Population</b>	<b>7,260</b>	<b>7,326</b>	<b>8,002</b>	<b>8,679</b>	<b>9,356</b>	<b>10,033</b>	<b>10,710</b>	<b>11,387</b>	<b>12,064</b>	<b>12,741</b>	<b>13,418</b>	<b>14,095</b>	<b>6,769</b>
<b>Housing Units</b>													
Single Family	2,982	3,012	3,318	3,624	3,930	4,236	4,542	4,848	5,154	5,460	5,766	6,072	3,060
Multi-Family	775	775	779	783	787	791	795	799	803	807	810	814	39
<b>Total</b>	<b>3,758</b>	<b>3,788</b>	<b>4,098</b>	<b>4,407</b>	<b>4,717</b>	<b>5,027</b>	<b>5,337</b>	<b>5,647</b>	<b>5,957</b>	<b>6,267</b>	<b>6,577</b>	<b>6,887</b>	<b>3,099</b>
<b>Employment</b>													
Industrial	83	85	95	106	117	127	138	149	159	170	181	191	107
Commercial	782	792	892	991	1,091	1,191	1,291	1,391	1,491	1,591	1,691	1,790	999
Office & Other Services	670	678	764	849	935	1,021	1,106	1,192	1,277	1,363	1,448	1,534	856
Institutional	263	266	300	333	367	400	434	467	501	534	568	601	336
<b>Total</b>	<b>1,798</b>	<b>1,821</b>	<b>2,050</b>	<b>2,280</b>	<b>2,510</b>	<b>2,739</b>	<b>2,969</b>	<b>3,199</b>	<b>3,428</b>	<b>3,658</b>	<b>3,888</b>	<b>4,117</b>	<b>2,297</b>
<b>Nonres. Floor Area (x1,000)</b>													
Industrial	53	54	61	67	74	81	88	95	101	108	115	122	68
Commercial	368	373	420	467	514	561	608	655	702	749	796	843	470
Office & Other Services	206	208	235	261	287	314	340	366	392	419	445	471	263
Institutional	87	88	99	110	121	132	143	154	165	176	187	198	111
<b>Total</b>	<b>714</b>	<b>723</b>	<b>814</b>	<b>905</b>	<b>996</b>	<b>1,087</b>	<b>1,178</b>	<b>1,269</b>	<b>1,361</b>	<b>1,452</b>	<b>1,543</b>	<b>1,634</b>	<b>912</b>

Provided below are summaries of nonresidential vehicle trip projections used in the Impact Fee Study.

**Figure B13: Nonresidential Vehicle Trip Projections**

Flagler Beach, Florida	Base	1	2	3	4	5	6	7	8	9	10	10-Year Increase
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	
Industrial KSF	54	61	67	74	81	88	95	101	108	115	122	62
Commercial KSF	373	420	467	514	561	608	655	702	749	796	843	428
Office & Other Services KSF	208	235	261	287	314	340	366	392	419	445	471	239
Institutional KSF	88	99	110	121	132	143	154	165	176	187	198	101
Industrial Trips	131	148	164	181	197	214	230	247	263	280	296	150
Commercial Trips	4,551	5,125	5,700	6,274	6,848	7,422	7,996	8,570	9,145	9,719	10,293	5,223
Office & Other Services Trips	1,129	1,272	1,414	1,557	1,699	1,842	1,984	2,127	2,269	2,412	2,554	1,296
Institutional Trips	654	736	819	901	984	1,066	1,149	1,231	1,314	1,396	1,479	750
<b>Nonresidential Trips</b>	<b>6,466</b>	<b>7,281</b>	<b>8,097</b>	<b>8,913</b>	<b>9,728</b>	<b>10,544</b>	<b>11,360</b>	<b>12,175</b>	<b>12,991</b>	<b>13,806</b>	<b>14,622</b>	<b>7,420</b>

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ORDINANCE NO. 2024-04

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**AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, RELATING TO IMPACT FEES; ADOPTING THE FEE STUDY PREPARED BY TISCHLER BISE; INCREASING THE AMOUNTS TO BE CHARGED FOR WATER AND WASTEWATER IMPACT FEES; ADOPTING NEW POLICE, FIRE, LIBRARY, AND PARKS AND RECREATION IMPACT FEES; ESTABLISHING AN ADMINISTRATIVE CHARGE CONSISTENT WITH STATE LAW; AMENDING REGULATIONS PERTAINING TO THE COLLECTION, USE, AND TIMING OF PAYMENTS OF WATER, WASTEWATER, POLICE, FIRE, LIBRARY, AND PARKS AND RECREATION IMPACT FEES; PROVIDING FOR NOTICE OF INCREASED AND NEW FEES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND CONFLICTS, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, under its home rule powers and pursuant to §163.31801, *Florida Statutes*, the City of Flagler Beach may impose impact fees to ensure that new development pays for its proportional share of capital facilities required by such new development; and

**WHEREAS**, the City of Flagler Beach last amended its water and wastewater impact fee program in 2012; and

**WHEREAS**, the City Commission of the City of Flagler Beach has studied the necessity for and implications of the adoption of an ordinance updating the water and wastewater impact fees and adopting police, fire, library, and parks and recreation impact fees and has retained a professional consulting firm to prepare a study relating to these fees (the “Study”) to determine the proportionate demand that new development generates for additional water, wastewater, police, fire, library, and parks and recreation facilities and improvements; and

**WHEREAS**, the Study has been presented to and reviewed by the City Commission of the City of Flagler Beach, and it has been determined: (1) water, wastewater, police, fire, library, and parks and recreation impact fees are necessary to offset the costs associated with meeting future demands for the City’s water, wastewater, police, fire, library, and parks facilities pursuant to the

30 projections set forth in the Study; (2) that the new impact fees bear a reasonable relationship to  
31 the burden imposed upon the City to provide infrastructure and facilities to meet the demand of  
32 new City residents; (3) that impact fee revenues will provide a direct benefit to such new City  
33 residents reasonably related to the fees assessed; (4) that an essential nexus exists between  
34 projected new development and the need for additional facilities and infrastructure to be funded  
35 with impact fees and the benefits that accrue to new development paying the fees; (5) that the  
36 amount of the impact fees are roughly proportional to the *pro rata* share of the additional  
37 facilities and infrastructure needed to serve new development; and

38       **WHEREAS**, §163.31801, *Florida Statutes* requires impact fee increases to be implemented  
39 in annual increments as directed by the statute; and

40       **WHEREAS**, Section 163.31801, *Florida Statutes* requires that local governments ensure  
41 that collection of an impact fee not be required to occur earlier than the date of issuance of  
42 issuance of the building permit for the property that is subject to the fee; and

43       **WHEREAS**, the fees adopted herein are consistent with the maximum increase and phase-  
44 in provisions of Section 163.31801, *Florida Statutes*;

45       **WHEREAS**, the decisions of the City Commission as set forth herein are reasonable and  
46 prudent steps pertaining to sound growth management which have been taken for the benefit  
47 of the citizens of the City, both present and future; and

48       **WHEREAS**, the City is projected to significantly grow in population and further  
49 economically develop in the future; and

50           **WHEREAS**, this Ordinance contains an administrative framework to ensure that the  
51 benefit of facilities and infrastructure funded with impact fees will accrue proportionately to new  
52 development paying the fees; and

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54           **WHEREAS**, Section 163.3202(3), *Florida Statutes*, encourages the use of innovative  
55 land use regulations and impact fees by local governments to manage growth and to provide the  
56 necessary public facilities and for the imposition by local governments of impact fees on  
57 development to fund the capital cost of facilities necessitated by such development; and

58           **WHEREAS**, requiring future growth to contribute its fair share of the costs necessary to  
59 fund required capital improvements and additions is an integral and vital part of the regulatory  
60 plan of growth management in the City and is a practice consistent with sound and generally  
61 accepted growth management, fiscal and public administration practices and principles; and

62           **WHEREAS**, for clarity and ease of reference all impact fees provisions shall be located in  
63 a new Chapter 12 of the Code of Ordinances entitled "Impact Fees" and deletion of the existing  
64 provisions related to water and wastewater impact fees contained herein is a relocation of the  
65 provisions establishing and regulating those impact fees, not a repeal of said impact fees.

66           Note: Underlined words constitute the new text of the City of Flagler Beach Code of  
67 Ordinances, asterisks (\*\*\*) indicate an omission from the original text of the Code of Ordinances,  
68 City of Flagler Beach, which is intended to remain unchanged, and ~~striketrough~~ constitutes  
69 deletions from the original Code of Ordinances.

70           **NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Flagler Beach,  
71 Florida, as follows:

72 **SECTION 1.** The above recitals, or “Whereas” clauses, are hereby adopted as the City  
73 Commission’s legislative findings and are incorporated herein by reference.

74 **SECTION 2.** Chapter 12 of the Flagler Beach Code of Ordinances is hereby created as follows:

75

76 **CHAPTER 12 – IMPACT FEES**

77 **ARTICLE I. ADOPTION OF FEE STUDY AND RATIONAL NEXUS**

78 (a) The city commission hereby adopts by reference the Impact Fee Study  
79 dated February 8, 2024 as prepared by Tischler Bise relating to the capital costs of the  
80 City of Flagler Beach to meet facilities and infrastructure needs related to the impacts of  
81 new development for water, wastewater, police, fire, library parks and recreation, and  
82 administrative services.

83 (b) The city commission finds that there is a reasonable connection, or rational  
84 nexus, between the need for new or expanded facilities and infrastructure in the city and  
85 the growth in population anticipated within the city. In addition, the city commission  
86 finds there is a reasonable connection, or rational nexus, between the anticipated  
87 expenditures of the police impact fees collected and the benefits accruing to anticipated  
88 new development.

89 **ARTICLE II. DEFINITIONS**

90 The following words, terms and phrases, when used in this chapter, shall have  
91 the meaning ascribed to them in this section, except where the context clearly  
92 indicates a different meaning, or except as otherwise provided.

93 Applicant means any person, developer, builder or entity which requires public  
94 services as a result of development for the benefit of itself or a prospective future  
95 occupant.

96 Building is any structure, either temporary or permanent, designed or built for  
97 the support, enclosure shelter or protection of persons, chattels or property of any  
98 kind. This term shall include trailers, mobile homes or any other vehicles serving in any  
99 way the function of a building. This term shall not include temporary construction  
100 sheds or trailers erected to assist in construction and maintained during the time of a  
101 construction.

102 Nonresidential includes all land uses not otherwise specified as residential or  
103 exempted as set forth herein. This shall include, but is not limited to day care facilities,  
104 residential care facilities, nursing homes, boarding houses, educational facilities,  
105 cultural facilities, churches, all commercial uses, all transient lodging and  
106 entertainment facilities except those which are temporary in nature, all automotive  
107 facilities and/or structures, all miscellaneous business uses and services and all  
108 industrial uses.

109 Owner of record means the most recent owner of a parcel of property  
110 appearing in the official records of Flagler County, Florida.

111 Residential means multifamily dwelling units, mobile homes, and single-family  
112 detached houses.

113 **ARTICLE III. GENERAL TERMS RELATED TO COLLECTION AND ACCOUNTING OF IMPACT FEE**  
114 **FUNDS**

115           (a) There are established capital fund accounts for impact fees, to be  
116 generally designated as the "Impact Fee Capital Improvement Trust Fund for the  
117 Extension of Primary Water Systems," "Impact Fee Capital Improvement Trust Fund for  
118 the Extension of Primary Wastewater Systems," "Police Impact Fee Account," "Fire  
119 Impact Fee Account," "Library Impact Fee Account, and "Parks and Recreation Impact  
120 Fee Account." Each capital fund account for impact fees shall continue to be maintained  
121 separate and apart from all other accounts of the city. The monies deposited into the  
122 impact fee capital fund accounts shall be used solely for the purposes allowed by Florida  
123 Statutes and as set forth in this chapter.

124           (b) Funds on deposit in impact fee accounts established within this article  
125 shall not be used for any expenditure that would be classified as an operational  
126 expense, a maintenance expense or a repair expense.

127           (c) Any funds on deposit in an impact fee account not immediately  
128 necessary for expenditure shall be invested in interest-bearing accounts. Applicants  
129 shall not receive a credit for or be entitled to interest from the investment of such  
130 funds, except as otherwise required in this chapter.

131           (d) An applicant may request an estimate of impact fees which may be  
132 imposed by filing a written request to the city. Any estimate which the city provides is  
133 non-binding and may be subject to change when the impact fees become due and  
134 payable pursuant to this chapter. Non-binding estimates are for the sole benefit of the  
135 prospective applicant and neither bind the city, nor preclude it from making  
136 amendments or revisions to any provisions of this chapter. No vested rights, legal

137 entitlements, or equitable estoppel accrue by reason of a non-binding estimate. A  
138 non-binding fee estimate does not constitute a final decision and may not be appealed  
139 pursuant to this chapter.

140 (e) Any person who disagrees with a decision or interpretation of this  
141 chapter may appeal to the city manager or designee by filing a written notice of  
142 appeal within ten (10) days after the date of the action or decision complained of. The  
143 written notice of appeal shall set forth concisely the action or decision appealed as  
144 well as the grounds upon which the appeal is based. The city manager or designee  
145 shall consider all facts material to the appeal and render a written decision within  
146 thirty (30) days of receiving the appeal. Any person who disagrees with the decision of  
147 the city manager or designee may appeal to the city commission by filing a written  
148 notice of appeal with the city manager's office setting forth concisely the decision  
149 appealed within ten (10) days after the date of the city manager's decision. The appeal  
150 shall be set for the next available city commission meeting for consideration. The city  
151 commission's written decision shall constitute final administrative review

152 (f) Failure to pay an impact fee when determined by the city that an  
153 obligation is required to satisfy the impact of development may result in the amount  
154 due becoming a lien against the property. The city shall provide a written notice of the  
155 impact fee due by personal service, certified, return receipt requested United States  
156 Mail or Federal Express or other equivalent overnight letter delivery company. Upon  
157 failure to pay the impact fee within thirty (30) days of the date of the notice, a notice  
158 of lien may be served upon the applicant owing impact fees and recorded in official

159 records of Flagler County, Florida. Such lien may be foreclosed in the manner  
160 provided by law, and there shall be added to the amount of such lien all costs incident  
161 to such proceedings including reasonable attorney's fees

162 (g) If impact fees have not been expended or encumbered by the end of  
163 the calendar quarter immediately following ten (10) years from the date the fees were  
164 paid, upon application of the fee payer of proof of payment, or proof of the date the  
165 development permit was approved by the city and that development was never  
166 begun, the fees shall be returned with interest at the rate determined by the city  
167 based upon the average interest earning rate incurred by the city in accordance with  
168 the following procedure:

169 (1) The present owner must petition the city Commission for the  
170 refund within one (1) year following the end of the calendar quarter  
171 immediately following ten (10) years from the date on which the fee was  
172 received.

173 (2) The petition must be submitted to the city manager and must  
174 contain:

175 (i) A notarized sworn statement that the petitioner is the  
176 current owner of the property;

177 (ii) A copy of the dated receipt issued for payment of the fee  
178 or other document evidencing the date the development was approved  
179 by the city, which development was never begun;

180 (iii) A certified copy of the latest recorded deed; and

181 (iv) A copy of the most recent ad valorem tax bill.  
 182 If reimbursement is approved, the city shall remit to the petitioner within sixty (60)  
 183 days of approval. In determining whether a petitioner is entitled to a refund, it shall be  
 184 assumed that impact fees are expended or encumbered in the same order in which  
 185 they were received (that is, "first in, first out"). No refund shall be made of any  
 186 administrative fee authorized and collected pursuant to this chapter.

187 (h) Any change in the use of property shall require payment of an impact  
 188 fee in an amount equal to any increase in density or intensity.

189 (i) All impact fee revenues expended from an impact fee fund shall be used  
 190 for the purpose of providing growth necessitated capital improvements and acquiring,  
 191 designing, constructing, extending, expanding, relocating, and/or separating capital  
 192 facilities and infrastructure determined by the city commission to be necessary to  
 193 serve new development.

194 (j) The City shall be exempt from impact fee charges.

195 **ARTICLE IV. POTABLE WATER IMPACT FEE**

196 (a) Any applicant who seeks to develop land or make improvements to real  
 197 property shall pay the following potable water impact fees in the manner and amount  
 198 established and computed pursuant to this article.

199 (b) Subject to the phase-in of fees pursuant to Section 163.31801, Florida  
 200 Statutes, as set forth in paragraph (c) below, impact fees charged and collected for  
 201 potable water shall be as follows:

<u>Meter Size and Type</u>	<u>Capacity Ratio</u>	<u>Total Impact Fee to be Collected after Phase-In<sup>1</sup></u>	<u>Existing Impact Fee at Time of Adoption<sup>2</sup></u>	<u>Increase Over Existing</u>
<u>0.75 Displacement</u>	<u>1.00</u>	<u>\$3,007</u>	<u>\$2,509</u>	<u>\$498</u>
<u>1.00 Displacement</u>	<u>1.67</u>	<u>\$5,022</u>	<u>\$4,190</u>	<u>\$832</u>
<u>1.50 Displacement</u>	<u>3.33</u>	<u>\$10,015</u>	<u>\$8,356</u>	<u>\$1,659</u>
<u>2.00 Displacement</u>	<u>5.33</u>	<u>\$16,029</u>	<u>\$13,374</u>	<u>\$2,655</u>
<u>3.00 Singlejet</u>	<u>10.67</u>	<u>\$32,089</u>	<u>\$26,773</u>	<u>\$5,316</u>
<u>3.00 Compound</u>	<u>10.67</u>	<u>\$32,089</u>	<u>\$26,773</u>	<u>\$5,316</u>
<u>3.00 Turbine</u>	<u>11.67</u>	<u>\$35,096</u>	<u>\$29,282</u>	<u>\$5,814</u>
<u>4.00 Singlejet</u>	<u>16.67</u>	<u>\$50,133</u>	<u>\$41,828</u>	<u>\$8,305</u>
<u>4.00 Compound</u>	<u>16.67</u>	<u>\$50,133</u>	<u>\$41,828</u>	<u>\$8,305</u>
<u>4.00 Turbine</u>	<u>21.00</u>	<u>\$63,155</u>	<u>\$52,693</u>	<u>\$10,462</u>
<u>6.00 Singlejet</u>	<u>33.33</u>	<u>\$100,236</u>	<u>\$83,631</u>	<u>\$16,604</u>
<u>6.00 Compound</u>	<u>33.33</u>	<u>\$100,236</u>	<u>\$83,631</u>	<u>\$16,604</u>
<u>6.00 Turbine</u>	<u>43.33</u>	<u>\$130,310</u>	<u>\$108,723</u>	<u>\$21,586</u>
<u>8.00 Compound</u>	<u>53.33</u>	<u>\$160,383</u>	<u>\$62,396</u>	<u>\$31,198</u>
<u>8.00 Turbine</u>	<u>93.33</u>	<u>\$163,794</u>	<u>\$133,815</u>	<u>\$26,568</u>
<u>10.00 Turbine</u>	<u>140.00</u>	<u>\$421,032</u>	<u>\$351,287</u>	<u>\$69,746</u>

<sup>1</sup> AWWA Manual of Water Supply Practices M-1, 7<sup>th</sup> Ed.

<sup>2</sup> Base meter fee is the current water fee and then is scaled up using the proposed meter capacity ratio

<u>12.00 Turbine</u>	<u>176.67</u>	<b><u>\$531,313</u></b>	<u>\$443,299</u>	<u>\$88,014</u>
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(c) Implementation of the increased fees provided herein shall be phased in over two equal installments. During the twelve month period beginning August 1, 2024, the impact fee to be collected shall be the Existing Impact Fee at Time of Adoption amount plus one-half (1/2) of the Increase Over Existing amount. During the twelve month period beginning August 1, 2025, the impact fee to be collected shall be the Total Impact Fee to be Collected after Phase-In.

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**ARTICLE V. WASTEWATER IMPACT FEE**

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(a) Any applicant who seeks to develop land or make improvements to real property shall pay the following wastewater impact fees in the manner and amount established and computed pursuant to this article.

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(b) Subject to the phase-in of fees pursuant to Section 163.31801, Florida Statutes, as set forth in paragraph (c) below, impact fees charged and collected for wastewater shall be as follows:

<u>Meter Size and Type</u>	<u>Capacity Ratio</u>	<b><u>Total Impact Fee to be Collected after Phase-In<sup>3</sup></u></b>	<u>Existing Impact Fee at Time of Adoption<sup>4</sup></u>	<u>Increase Over Existing</u>

<sup>3</sup> AWWA Manual of Water Supply Practices M-1, 7<sup>th</sup> Ed.

<sup>4</sup> Base meter fee is the current sewer fee and then is scaled up using the proposed meter capacity ratio

<u>0.75 Displacement</u>	<u>1.00</u>	<b><u>\$3,806</u></b>	<u>\$3,083</u>	<u>\$723</u>
<u>1.00 Displacement</u>	<u>1.67</u>	<b><u>\$6,356</u></b>	<u>\$5,148</u>	<u>\$1,208</u>
<u>1.50 Displacement</u>	<u>3.33</u>	<b><u>\$12,673</u></b>	<u>\$10,265</u>	<u>\$2,408</u>
<u>2.00 Displacement</u>	<u>5.33</u>	<b><u>\$20,284</u></b>	<u>\$16,430</u>	<u>\$3,855</u>
<u>3.00 Singlejet</u>	<u>10.67</u>	<b><u>\$40,607</u></b>	<u>\$32,890</u>	<u>\$7,717</u>
<u>3.00 Compound</u>	<u>10.67</u>	<b><u>\$40,607</u></b>	<u>\$32,890</u>	<u>\$7,717</u>
<u>3.00 Turbine</u>	<u>11.67</u>	<b><u>\$44,412</u></b>	<u>\$35,973</u>	<u>\$8,440</u>
<u>4.00 Singlejet</u>	<u>16.67</u>	<b><u>\$63,441</u></b>	<u>\$51,385</u>	<u>\$12,056</u>
<u>4.00 Compound</u>	<u>16.67</u>	<b><u>\$63,441</u></b>	<u>\$51,385</u>	<u>\$12,056</u>
<u>4.00 Turbine</u>	<u>21.00</u>	<b><u>\$79,920</u></b>	<u>\$64,733</u>	<u>\$15,187</u>
<u>6.00 Singlejet</u>	<u>33.33</u>	<b><u>\$126,844</u></b>	<u>\$102,740</u>	<u>\$24,104</u>
<u>6.00 Compound</u>	<u>33.33</u>	<b><u>\$126,844</u></b>	<u>\$102,740</u>	<u>\$24,104</u>
<u>6.00 Turbine</u>	<u>43.33</u>	<b><u>\$164,901</u></b>	<u>\$133,565</u>	<u>\$31,336</u>
<u>8.00 Compound</u>	<u>53.33</u>	<b><u>\$202,958</u></b>	<u>\$202,958</u>	<u>\$38,568</u>
<u>8.00 Turbine</u>	<u>93.33</u>	<b><u>\$355,186</u></b>	<u>\$287,690</u>	<u>\$67,496</u>
<u>10.00 Turbine</u>	<u>140.00</u>	<b><u>\$532,798</u></b>	<u>\$431,550</u>	<u>\$101,248</u>
<u>12.00 Turbine</u>	<u>176.67</u>	<b><u>\$672,353</u></b>	<u>\$544,585</u>	<u>\$127,767</u>

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(c) Implementation of the increased fees provided herein shall be phased in over four equal installments. During the twelve month period beginning August 1, 2024, the impact fee to be collected shall be the Existing Impact Fee at Time of Adoption amount plus one-half (1/2) of the Increase Over Existing amount. During the twelve month period

222 beginning August 1, 2025, the impact fee to be collected shall be the Total Impact Fee to  
223 be Collected after Phase-In.

224 **ARTICLE VI. POLICE IMPACT FEE**

225 (a) Any applicant who seeks to develop land or make improvements to real  
226 property shall pay the following police impact fees in the manner and amount established  
227 and computed pursuant to this article.

228 (b) Beginning August 1, 2024, the police impact fee to be charged and  
229 collected shall be as follows:

<b><u>Residential Fee per Unit</u></b>	
<b><u>Square Footage</u></b>	<b><u>Impact Fee to be Collected</u></b>
<u>1,100 or less</u>	<u>\$455</u>
<u>1,101 to 1,500</u>	<u>\$717</u>
<u>1,501 to 2,000</u>	<u>\$905</u>
<u>2,001 to 2,500</u>	<u>\$1,054</u>
<u>2,501 to 3,000</u>	<u>\$1,176</u>
<u>3,001 to 3,500</u>	<u>\$1,281</u>
<u>3,501 or more</u>	<u>\$1,373</u>

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<b><u>Nonresidential Fee per 1,000 Square Feet</u></b>	
<b><u>Development Type</u></b>	<b><u>Impact Fee to be Collected</u></b>

<u>Industrial</u>	<u>\$381</u>
<u>Commercial</u>	<u>\$1,911</u>
<u>Office &amp; Other Services</u>	<u>\$848</u>
<u>Institutional</u>	<u>\$1,166</u>

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232 **ARTICLE VII. FIRE IMPACT FEE**

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(a) Any applicant who seeks to develop land or make improvements to real

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property shall pay the following fire impact fees in the manner and amount established

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and computed pursuant to this article.

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(b) Beginning August 1, 2024, the fire impact fee to be charged and collected

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shall be as follows:

<b><u>Residential Fee per Unit</u></b>	
<u>Square Footage</u>	<u>Impact Fee to be Collected</u>
<u>1,100 or less</u>	<u>\$538</u>
<u>1,101 to 1,500</u>	<u>\$849</u>
<u>1,501 to 2,000</u>	<u>\$1,071</u>
<u>2,001 to 2,500</u>	<u>\$1,247</u>
<u>2,501 to 3,000</u>	<u>\$1,392</u>
<u>3,001 to 3,500</u>	<u>\$1,516</u>
<u>3,501 or more</u>	<u>\$1,625</u>

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<b><u>Nonresidential Fee per 1,000 Square Feet</u></b>	
<b><u>Development Type</u></b>	<b><u>Impact Fee to be Collected</u></b>
<b><u>Industrial</u></b>	<b><u>\$451</u></b>
<b><u>Commercial</u></b>	<b><u>\$2.261</u></b>
<b><u>Office &amp; Other Services</u></b>	<b><u>\$1,003</u></b>
<b><u>Institutional</u></b>	<b><u>\$1,380</u></b>

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240 **ARTICLE VIII. LIBRARY IMPACT FEE**

241 (a) Any applicant who seeks to develop land or make improvements to real  
 242 property for residential development shall pay the following library impact fees in the  
 243 manner and amount established and computed pursuant to this article.

244 (b) Beginning August 1, 2024, the library impact fee to be charged and  
 245 collected shall be as follows:

<b><u>Residential Fee per Unit</u></b>	
<b><u>Square Footage</u></b>	<b><u>Impact Fee to be Collected</u></b>
<b><u>1,100 or less</u></b>	<b><u>\$123</u></b>
<b><u>1,101 to 1,500</u></b>	<b><u>\$193</u></b>
<b><u>1,501 to 2,000</u></b>	<b><u>\$244</u></b>
<b><u>2,001 to 2,500</u></b>	<b><u>\$284</u></b>
<b><u>2,501 to 3,000</u></b>	<b><u>\$317</u></b>

<u>3,001 to 3,500</u>	<u>\$345</u>
<u>3,501 or more</u>	<u>\$370</u>

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247 **ARTICLE IX. PARKS AND RECREATION IMPACT FEE**

248 (a) Any applicant who seeks to develop land or make improvements to real  
249 property for residential development shall pay the following parks and recreation impact  
250 fees in the manner and amount established and computed pursuant to this article.

251 (b) Beginning August 1, 2024, the parks and recreation impact fee to be  
252 charged and collected shall be as follows:

<b><u>Residential Fee per Unit</u></b>	
<b><u>Square Footage</u></b>	<b><u>Impact Fee to be Collected</u></b>
<u>1,100 or less</u>	<u>\$539</u>
<u>1,101 to 1,500</u>	<u>\$850</u>
<u>1,501 to 2,000</u>	<u>\$1,073</u>
<u>2,001 to 2,500</u>	<u>\$1,250</u>
<u>2,501 to 3,000</u>	<u>\$1,395</u>
<u>3,001 to 3,500</u>	<u>\$1,519</u>
<u>3,501 or more</u>	<u>\$1,628</u>

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254 **ARTICLE X. ADMINISTRATIVE FEE**

255 Beginning August 1, 2024, the administrative fee charged and collected for new  
256 development shall be as follows:

<b><u>Residential Fee per Unit</u></b>	
<b><u>Square Footage</u></b>	<b><u>Administrative Charge</u></b>
<u>1,100 or less</u>	<b><u>\$3</u></b>
<u>1,101 to 1,500</u>	<b><u>\$5</u></b>
<u>1,501 to 2,000</u>	<b><u>\$6</u></b>
<u>2,001 to 2,500</u>	<b><u>\$7</u></b>
<u>2,501 to 3,000</u>	<b><u>\$8</u></b>
<u>3,001 to 3,500</u>	<b><u>\$8</u></b>
<u>3,501 or more</u>	<b><u>\$9</u></b>

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<b><u>Nonresidential Fee per 1,000 Square Feet</u></b>	
<b><u>Development Type</u></b>	<b><u>Administrative Charge</u></b>
<u>Industrial</u>	<b><u>\$4</u></b>
<u>Commercial</u>	<b><u>\$6</u></b>
<u>Office &amp; Other Services</u>	<b><u>\$9</u></b>
<u>Institutional</u>	<b><u>\$8</u></b>

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259 **SECTION 3.** Appendix “A,” “Land Development Regulations” of the City of Flagler Beach, Code  
260 of Ordinances is amended by deleting existing Sections 5.03.87 through 5.03.93 which is being  
261 replaced by portions of the new language in Section 2, above.

262 **Sec. 5.03.87. Impact Fee.**

263 **Sec. 5.03.88. Definitions.**

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

267 ~~*Combination accounts.* Accounts that contain both residential and commercial facilities~~  
268 ~~served through a common meter may be treated as nonresidential.~~

269 ~~*Equivalent living unit.* The following is a definition of equivalent living unit (E.L.U.)~~

270 ~~(1) *Residential—Single family.* Each single family residence served by the city through~~  
271 ~~a single sewer service and/or water meter shall be one (1) equivalent living unit.~~

272 ~~(2) *Residential—Rooms, combinations of rooms, etc.* Each residential room,~~  
273 ~~combination of rooms, apartment, or prepared mobile home space, that includes~~  
274 ~~connection points for sewer and/or water service that is owner-occupied, offered~~  
275 ~~separately for rent as a rental unit, or vacant, shall be one (1) equivalent living unit.~~

276 ~~(3) *Nonresidential, commercial and industrial.* For nonresidential uses not specifically~~  
277 ~~defined elsewhere in this article, the number of equivalent living units shall be computed~~  
278 ~~by the building official using the fixture unit count as defined in the following table:~~

<del>Fixture Units</del>	<del>E.L.U.</del>	<del>Fixture Units</del>	<del>E.L.U.</del>
<del>1—15</del>	<del>1</del>	<del>241—340</del>	<del>8</del>
<del>16—30</del>	<del>2</del>	<del>341—480</del>	<del>9</del>
<del>31—60</del>	<del>3</del>	<del>481—620</del>	<del>10</del>

<del>61</del> —80	4	<del>621</del> —800	11
<del>81</del> —100	5	<del>801</del> —1000	12
101—160	6	1001—1300	13
161—240	7	1301—1650	14

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For each additional increment of seven hundred fifty (750) fixture units, add one (1) E.L.U.

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~~Expansion of an existing connection. If a building permit is issued for an existing~~

282

~~connection which will increase water or sewer demand, or if a building changes from~~

283

~~residential to nonresidential occupancy, the total number of E.L.U.'s for the old and new~~

284

~~parts of the facility shall be computed as outlined in the definition of "equivalent living~~

285

~~unit." The number of new E.L.U.'s shall be determined by subtracting the old E.L.U.'s from~~

286

~~the total number of E.L.U.'s in the entire facility. The impact fee will be assessed on the~~

287

~~number of new E.L.U.'s. As an example, if an existing building contained one hundred fifty~~

288

~~(150) fixture units and it was expanded to three hundred (300) fixture units, the impact~~

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~~fee would equal (8 E.L.U.'s — 6 E.L.U.'s) or 2 E.L.U.'s.~~

290

~~Sanitary sewer facilities. A sanitary sewer system includes two (2) broad categories or~~

291

~~subsystems, which are:~~

292

~~(1) — Primary systems:~~

293

~~a. — Plant facilities:~~

294

~~i. — Treatment plants;~~

295

~~ii. — Effluent disposal facilities.~~

296

~~b. — Transmission facilities:~~

- 297 i. ~~Master pump stations;~~
- 298 ii. ~~Force mains;~~
- 299 iii. ~~Interceptors.~~
- 300 ~~(2) Secondary or local collection systems:~~
- 301 a. ~~House laterals;~~
- 302 b. ~~Eight inch or smaller collector sewers;~~
- 303 c. ~~Lift stations;~~
- 304 d. ~~Low pressure sewer mains;~~
- 305 e. ~~Eight inch or smaller force mains.~~

306 ~~Water facilities. A water facility system includes two (2) broad categories or subsystems,~~  
307 ~~which are:~~

- 308 ~~(1) Primary systems:~~
- 309 a. ~~Plant facilities:~~
- 310 i. ~~Wells and well pumps;~~
- 311 ii. ~~Raw water mains;~~
- 312 iii. ~~Treatment plans;~~
- 313 b. ~~Transmission facilities:~~
- 314 i. ~~High service pumps;~~
- 315 ii. ~~Storage and re-pumping;~~
- 316 iii. ~~Transmission mains.~~

317 ~~Cross reference(s) General definitions, § 1-2.~~  
318 ~~Sec. 5.03.89. Purpose.~~

319 ~~(a) This article is to establish procedures to facilitate the orderly expansion of the~~  
320 ~~city's water supply system and wastewater treatment system.~~

321 ~~(b) In order to fund primary capital improvements, several combined methods of~~  
322 ~~financing will be necessary, one (1) of which is an impact fee defined as "a new building's~~  
323 ~~contribution toward its equitable share of the cost of capital improvements required to~~  
324 ~~serve new users."~~

325 ~~(c) All secondary facilities shall be provided by the customer or developer in~~  
326 ~~accordance with the Uniform Extension Policy to facilitate the orderly expansion of this~~  
327 ~~portion of the water and sewer systems.~~

328 ~~Sec. 5.03.90. Reserved.~~

329 ~~Sec. 5.03.91. Fee schedule.~~

330 ~~(a) There is hereby imposed an impact fee based on the city commission's~~  
331 ~~determination of the equitable portion of the system upon the equivalent living unit~~  
332 ~~responsible for the need for additional system financing.~~

333 ~~(b) The fee for each equivalent living unit connected to the system shall be as follows:~~

334 ~~(1) Water impact fee for primary systems:~~

<del>Plant facilities</del>	<del>\$ 320.00</del>
<del>Transmission facilities</del>	<del>—850.00</del>
<del>—Total</del>	<del>—1,170.00</del>

335  
336 ~~(2) Sewer impact fee for primary systems:~~

Plant facilities	\$ 725.00
Transmission facilities	—515.00
—Total	—1,240.00

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338

~~(c) — Each additional equivalent living unit occasioned by changes in property usage subsequent to the effective date of this section shall be subject to an additional impact fee computed in accordance with the foregoing criteria.~~

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341

~~(d) — There shall be an annual adjustment of rates as set forth in Ordinance No. 2000-08 [2000-28], such adjustment shall be calculated by using the annual indexing factor based on the Engineering News Record (ENR) Construction Cost Index. The resulting fee will become effective each October 1, starting October 1, 2002, and will be valid for the new fiscal year.~~

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**Sec. 5.03.92. Imposing fee; when payable; penalty for nonpayment**

347

~~(a) — The fee in Section 5.03.91 shall be imposed on every equivalent living unit connected to the water or sewer system whether those units are new or existing as follows:~~

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349

350

~~(1) — On every new connection or addition to the water or sewer system where the building permit was issued on October 5, 1979, and subsequent thereto;~~

351

352

~~(2) — On every equivalent living unit connecting to the water or sewer system as it existed on October 5, 1979 (excepting there from any equivalent living unit for which a building permit was issued prior to October 5, 1979);~~

353

354

355 ~~(3) — On every equivalent living unit connecting to the water or sewer system and not~~  
356 ~~having obtained final building inspection as of September 25, 1980.~~

357 ~~(b) — The fee in Section 5.03.91 shall be imposed on every equivalent living unit~~  
358 ~~constructed or connected in areas served by the existing sewer or water system as well~~  
359 ~~as in those areas that will be on an extension of the local collection and distribution~~  
360 ~~system as well as those areas where the local facilities have been installed by the~~  
361 ~~developer.~~

362 ~~(c) — Except as otherwise provided in this article, impact fees shall be due and payable~~  
363 ~~as follows:~~

364 ~~(1) — In full, upon application for the building permit;~~

365 ~~(2) — If building permit has already been issued, the fees shall be paid within six (6)~~  
366 ~~months from the date the permit was issued or upon request for final inspection by the~~  
367 ~~building official, whichever occurs sooner;~~

368 ~~(3) — Regardless of method or time of payment, no final inspection shall be made or~~  
369 ~~approved, nor shall a certificate of occupancy be issued until all such fees are paid in full;~~

370 ~~(4) — All deferred impact fee payments and all delinquent impact fees shall bear interest~~  
371 ~~at the rate of four point seven five (4.75) percent per annum, compounded monthly from~~  
372 ~~the effective date of this section or from the date due, whichever occurs later.~~

373 ~~(d) — For those equivalent residential units that:~~

374 ~~(1) — Obtained a building permit on October 5, 1979 and thereafter, and have obtained~~  
375 ~~a final building inspection as of October 23, 1980;~~

376 ~~(2) Are existing structures in areas that will be on future extensions of the local~~  
377 ~~collection and distribution system, a deferred payment plan, known as monthly payback,~~  
378 ~~is hereby established as follows:~~

379 a. ~~For each water and sewer connection, the city shall receive thirty five dollars and~~  
380 ~~seventy nine cents (\$35.79) per month. This is in addition to all other rates and fees. This~~  
381 ~~fee shall be paid every month until the balance of the fee has been paid. In addition, all~~  
382 ~~"monthly payback" accounts open on each May 1, commencing May 1, 1981, shall be~~  
383 ~~assessed a service fee of twenty five dollars (\$25.00) in order to defray the administrative~~  
384 ~~expense of the monthly payback system. The owner of the E.L.U. can pay the remaining~~  
385 ~~amount due on the account at any time during the payback period;~~

386 b. ~~For each water connection, the city shall receive seventeen dollars and seventy~~  
387 ~~six cents (\$17.76) per month. This is in addition to all other rates and fees. This fee shall~~  
388 ~~be paid every month until the balance of the fee has been paid. In addition, all "monthly~~  
389 ~~payback" accounts open on each May 1, commencing May 1, 1981, shall be assessed a~~  
390 ~~service fee of twenty five dollars (\$25.00) in order to defray the administrative expense~~  
391 ~~of the monthly payback system. The owner of the E.L.U. can pay during the payback~~  
392 ~~period;~~

393 c. ~~For each sewer connection, the city shall receive eighteen dollars and three cents~~  
394 ~~(\$18.03) per month. This is in addition to all other rates and fees. This fee shall be paid~~  
395 ~~every month until the balance of the fee has been paid. In addition, all "monthly payback"~~  
396 ~~accounts open on each May 1, commencing May 1, 1981, shall be assessed a service fee~~

397 ~~of twenty five dollars (\$25.00) in order to defray the administrative expense of the~~  
398 ~~monthly payback system. The owner of the E.L.U. can pay during the payback period;~~  
399 ~~d. The monthly payback and service fee will be added to the monthly water and~~  
400 ~~sewer bill for the unit and will be the owner's responsibility to ensure payment whether~~  
401 ~~or not the unit is owner or tenant occupied.~~

402 ~~(e) Nonpayment of the impact fee including the monthly pay back where applicable~~  
403 ~~shall be grounds for discontinuing service.~~

404 ~~(f) The impact fee is comprised of two (2) separate fees, i.e., water and sewer. In~~  
405 ~~areas where only one (1) of these services is available, the applicable fee for the other~~  
406 ~~service or for both services if neither was available at the time of construction will be~~  
407 ~~imposed when service is made available.~~

408 **~~Sec. 5.03.93. Liens.~~**

409 ~~All charges due under this article shall be the obligation of the record owner of the~~  
410 ~~equivalent residential unit, irrespective of actual occupancy, and shall constitute a lien~~  
411 ~~against the property until paid. Notice of such lien need not be recorded in the official~~  
412 ~~records of the county in order to be effective, but the city may cause such a notice to~~  
413 ~~be recorded. If such charges are not promptly paid when due, such lien may be~~  
414 ~~foreclosed in the manner provided by law, and there shall be added to the amount of~~  
415 ~~such lien all costs incident to such proceedings including reasonable attorney's fees.~~

416 **SECTION 4.** The City Clerk is directed to post notice on the City’s website informing interested  
417 parties of this ordinance and the new and increased impact fees contemplated herein.

418 **SECTION 5.** Codification. It is the intent of the City Commission of the City of Flagler Beach that  
419 the provisions of Section 2 of this Ordinance shall be codified. The codifier is granted broad and  
420 liberal authority in renumbering and codifying the provisions of Section 2 of this Ordinance;  
421 article and section numbers assigned throughout are suggested by the City.

422 **SECTION 6.** Severability. If any section, sentence, phrase, word or portion of this Ordinance is  
423 determined to be invalid, unlawful or unconstitutional, said determination shall not be held to  
424 invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or  
425 portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

426 **SECTION 7.** Conflicts. In any case where a provision of this Ordinance is found to be in conflict  
427 with a provision of any other existing ordinance of this City, the provision which establishes the  
428 higher standards for the promotion and protection of the health and safety of the people shall  
429 prevail.

430 **SECTION 8.** Effective Date. **This Ordinance shall become effective on October 1, 2024**, which  
431 date is more than ninety (90) days from the date of adoption of this Ordinance, pursuant to the  
432 requirements of §163.31801, Florida Statutes.

433  
434 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2024, by the City Commission of the  
435 City of Flagler Beach, Florida.

436  
437  
438 \_\_\_\_\_  
439 Patti King, Mayor

440  
441  
442 ATTEST:

443  
444 By: \_\_\_\_\_  
445 Penny Overstreet, City Clerk