



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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

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

53

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-In¹</u>	<u>Existing Impact Fee at Time of Adoption²</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>

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

² 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>	<u>\$531,313</u>	<u>\$443,299</u>	<u>\$88,014</u>
----------------------	---------------	------------------	------------------	-----------------

202

203

204

205

206

207

208

(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.

209

ARTICLE V. WASTEWATER IMPACT FEE

210

211

212

(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.

213

214

215

216

(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>	<u>Total Impact Fee to be Collected after Phase-In³</u>	<u>Existing Impact Fee at Time of Adoption⁴</u>	<u>Increase Over Existing</u>
----------------------------	-----------------------	--	--	-------------------------------

³ AWWA Manual of Water Supply Practices M-1, 7th Ed.

⁴ 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>	<u>\$3,806</u>	<u>\$3,083</u>	<u>\$723</u>
<u>1.00 Displacement</u>	<u>1.67</u>	<u>\$6,356</u>	<u>\$5,148</u>	<u>\$1,208</u>
<u>1.50 Displacement</u>	<u>3.33</u>	<u>\$12,673</u>	<u>\$10,265</u>	<u>\$2,408</u>
<u>2.00 Displacement</u>	<u>5.33</u>	<u>\$20,284</u>	<u>\$16,430</u>	<u>\$3,855</u>
<u>3.00 Singlejet</u>	<u>10.67</u>	<u>\$40,607</u>	<u>\$32,890</u>	<u>\$7,717</u>
<u>3.00 Compound</u>	<u>10.67</u>	<u>\$40,607</u>	<u>\$32,890</u>	<u>\$7,717</u>
<u>3.00 Turbine</u>	<u>11.67</u>	<u>\$44,412</u>	<u>\$35,973</u>	<u>\$8,440</u>
<u>4.00 Singlejet</u>	<u>16.67</u>	<u>\$63,441</u>	<u>\$51,385</u>	<u>\$12,056</u>
<u>4.00 Compound</u>	<u>16.67</u>	<u>\$63,441</u>	<u>\$51,385</u>	<u>\$12,056</u>
<u>4.00 Turbine</u>	<u>21.00</u>	<u>\$79,920</u>	<u>\$64,733</u>	<u>\$15,187</u>
<u>6.00 Singlejet</u>	<u>33.33</u>	<u>\$126,844</u>	<u>\$102,740</u>	<u>\$24,104</u>
<u>6.00 Compound</u>	<u>33.33</u>	<u>\$126,844</u>	<u>\$102,740</u>	<u>\$24,104</u>
<u>6.00 Turbine</u>	<u>43.33</u>	<u>\$164,901</u>	<u>\$133,565</u>	<u>\$31,336</u>
<u>8.00 Compound</u>	<u>53.33</u>	<u>\$202,958</u>	<u>\$202,958</u>	<u>\$38,568</u>
<u>8.00 Turbine</u>	<u>93.33</u>	<u>\$355,186</u>	<u>\$287,690</u>	<u>\$67,496</u>
<u>10.00 Turbine</u>	<u>140.00</u>	<u>\$532,798</u>	<u>\$431,550</u>	<u>\$101,248</u>
<u>12.00 Turbine</u>	<u>176.67</u>	<u>\$672,353</u>	<u>\$544,585</u>	<u>\$127,767</u>

217

218

219

220

221

(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:

<u>Residential Fee per Unit</u>	
<u>Square Footage</u>	<u>Impact Fee to be Collected</u>
<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>

230

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

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

231

232 **ARTICLE VII. FIRE IMPACT FEE**

233

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

234

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

235

and computed pursuant to this article.

236

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

237

shall be as follows:

<u>Residential Fee per Unit</u>	
<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>

238

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

239

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:

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

<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:

<u>Residential Fee per Unit</u>	
<u>Square Footage</u>	<u>Impact Fee to be Collected</u>
<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:

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

257

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

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:~~

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

61 —80	4	621 —800	11
81 —100	5	801 —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:~~

Plant facilities	\$ 320.00
Transmission facilities	—850.00
—Total	—1,170.00

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**

[PAGE INTENTIONALLY LEFT BLANK]

TABLE OF CONTENTS

EXECUTIVE SUMMARY..... 1

- Florida Impact Fee Enabling Legislation 1
- Conceptual Development Fee Calculation 2
- General Methodologies..... 3
 - Evaluation of Credits 4
- Impact Fee Components 4
- Maximum Supportable Impact Fees 5

POLICE IMPACT FEES 6

- Methodology 6
- Service Area..... 6
- Proportionate Share 7
- Demand Units 7
- Level-of-Service Analysis 8
 - Police Facilities - Incremental Expansion 8
 - Police Vehicles - Incremental Expansion 10
- Projected Demand for Police Infrastructure 11
 - Police Facilities - Incremental Expansion 11
 - Police Vehicles - Incremental Expansion 12
- Credits 13
- Police Impact Fees 13
- Police Impact Fee Revenue 14

FIRE IMPACT FEES 15

- Methodology 15
- Service Area..... 15
- Proportionate Share 16
- Demand Units 16
- Level-of-Service Analysis 17
 - Fire Facilities - Incremental Expansion 17
 - Fire Apparatus - Incremental Expansion 19
- Projected Demand for Fire Infrastructure 20
 - Fire Facilities - Incremental Expansion 20
 - Fire Apparatus - Incremental Expansion 21
- Credits 22
- Fire Impact Fees 22
- Fire Impact Fee Revenue 23

PARK AND RECREATION IMPACT FEES 24

- Methodology 24
- Service Area..... 24
- Proportionate Share 24
- Demand Units 25
- Level-of-Service Analysis 26
 - Park Amenities - Incremental Expansion 26
- Projected Demand for Park and Recreation Infrastructure 27
 - Park Amenities - Incremental Expansion 27
- Credits 28

DRAFT Impact Fee Study
Flagler Beach, Florida

Park and Recreation Impact Fees 28

Park and Recreation Impact Fee Revenue 29

LIBRARY IMPACT FEES 30

 Methodology 30

 Service Area 30

 Proportionate Share 30

 Demand Units 31

 Level-of-Service Analysis 32

 Library Facilities - Incremental Expansion 32

 Projected Demand for Library Infrastructure 33

 Library Facilities - Incremental Expansion 33

 Credits 34

 Library Impact Fees 34

 Library Impact Fee Revenue 35

WATER IMPACT FEES 36

 Methodology 36

 Proportionate Share and Demand Units 36

 Water Impact Fee Components 38

 Treatment Plant Investment Buy-In 38

 Planned Well Upgrades 39

 Planned Water Storage Upgrades 39

 Planned Water Transmission Upgrades 39

 Maximum Allowable Water Impact fees 40

WASTEWATER IMPACT FEES 41

 Methodology 41

 Proportionate Share and Demand Units 41

 Wastewater Impact Fee Components 43

 Planned Wastewater System Upgrades 43

 Maximum Allowable Wastewater Impact fees 44

ADMINISTRATIVE CHARGE 45

APPENDIX A: LAND USE DEFINITIONS 46

 Residential Development 46

 Non residential Development 47

APPENDIX B: LAND USE ASSUMPTIONS 48

 Summary of Growth Indicators 49

 Residential Development 50

 Housing Unit Size 50

 Persons by Bedroom Range 50

 Persons by Square Feet of Living Area 51

 Seasonal Households 53

 Residential Estimates 53

 Residential Projections 54

 Nonresidential Development 55

 Nonresidential Demand Units 55

 Nonresidential Estimates 55

 Nonresidential Projections 57

 Average Weekday Vehicle Trips 57

DRAFT Impact Fee Study
Flagler Beach, Florida

Nonresidential Demand Units 57
Trip Rate Adjustments 58
Adjustment for Pass-By Trips 58
Average Weekday Vehicle Trips 58
Development Projections 60

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."¹ 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.²

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

¹Citing *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).

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

DRAFT Impact Fee Study
Flagler Beach, Florida

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

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	\$1,658
1,101 to 1,500	\$193	\$850	\$849	\$717	\$5	\$2,614
1,501 to 2,000	\$244	\$1,073	\$1,071	\$905	\$6	\$3,299
2,001 to 2,500	\$284	\$1,250	\$1,247	\$1,054	\$7	\$3,841
2,501 to 3,000	\$317	\$1,395	\$1,392	\$1,176	\$8	\$4,288
3,001 to 3,500	\$345	\$1,519	\$1,516	\$1,281	\$8	\$4,670
3,501 or more	\$370	\$1,628	\$1,625	\$1,373	\$9	\$5,005

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

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

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

DRAFT Impact Fee Study
Flagler Beach, Florida

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				
Residential			Demand	Person
Population	5,002		Hours/Day	Hours
		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%
Nonresidential				
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.

DRAFT Impact Fee Study
 Flagler Beach, Florida

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, 11th 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 ¹		
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. ¹	Trip Rate Adjustment	AWVT per 1,000 Sq. Ft. ¹
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
Residential	
Residential Share	76%
2023 Peak Population	7,326
Square Feet per Person	0.5655
Cost per Person	\$294.07
Nonresidential	
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
-----------------------------	-------------	-----------	-------------

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
-----------------------------	-----------	-----------	-------------

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
Total	\$437.24	\$156.43

Residential Fees per Unit		
Development Type	Persons per Household ¹	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 ¹	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

DRAFT Impact Fee Study
Flagler Beach, Florida

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
Total	\$4,235,611	\$0	\$4,235,611

		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.



DRAFT Impact Fee Study
 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				
Residential	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
	Residential Subtotal			89,414
	Residential Share			76%
Nonresidential	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 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, 11th 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 ¹		
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 ¹	Trip Rate Adjustment	AWVT per 1,000 Sq Ft ¹
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).

DRAFT Impact Fee Study
 Flagler Beach, Florida

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
Residential	
Residential Share	76%
2023 Peak Population	7,326
Square Feet per Person	0.5655
Cost per Person	\$294.07
Nonresidential	
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
Residential	
Residential Share	76%
2023 Peak Population	7,326
Units per Person	0.0017
Cost per Person	\$223.36
Nonresidential	
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

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
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
-----------------------------	-------------	-----------	-------------

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
-----------------------------	-------------	-----------	-------------

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
Total	\$517.43	\$185.12

Residential Fees per Unit		
Development Type	Persons per Household ¹	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 ¹	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
Total	\$5,012,391	\$0	\$5,012,391

		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

DRAFT Impact Fee Study
Flagler Beach, Florida

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 ¹
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
Total	161	\$23,593	\$3,798,500

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
-----------------------------	-------------

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
Total	\$518.52

Residential Fees per Unit		
Development Type	Persons per Household ¹	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
Total	\$3,509,851	\$0	\$3,509,851

		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 ¹
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
10-Yr Increase	6,769	4,481.4

Growth-Related Expenditures	\$797,698
------------------------------------	------------------

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
Total	\$117.85

Residential Fees per Unit		
Development Type	Persons per Household ¹	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
Total	\$797,698	\$0	\$797,698

		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
Total	4,055	257,354,000	705,079	174

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 ¹
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
Total	\$16,563,374

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

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
Total Cost	\$1,515,000
Total Capacity (Gallons)	648,000
Cost per Gallon	\$2.34

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
Total Cost	\$1,995,000
Total Capacity (Gallons)	1,000,000
Cost per Gallon	\$2.00

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
Total Cost	\$3,700,000
10 Year Increase in Gallons	787,296
Cost per Gallon	\$4.70

DRAFT Impact Fee Study
Flagler Beach, Florida

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
Total	\$17.32

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

Meter Size and Type	Capacity Ratio ¹	Maximum Fees	Current Fees ²	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
Total	3,838	237,250,000	650,000	169

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 ¹
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
Total	\$34,450,000
Total System Capacity (Gallons per Day)	1,500,000
Cost per Gallon	\$22.97

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

DRAFT Impact Fee Study
 Flagler Beach, Florida

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
Total	\$22.97

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

Meter Size and Type	Capacity Ratio ¹	Maximum Fees	Current Fees ²	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	
Annual Administrative Costs	\$2,573.27	
Five-Year Administrative Costs	\$12,866.36	
	<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 ¹	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 ¹	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, 11th 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.

DRAFT Impact Fee Study
Flagler Beach, Florida

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.



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, 11th 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 ¹	4,483	2,043	2.19	2,850	1.57	79.4%	28.32%
Multi-Family ²	582	418	1.39	741	0.79	20.6%	43.59%
Total	5,065	2,461	2.06	3,591	1.41	100.0%	31.47%

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 ¹	Households ¹	Housing Mix	Unadjusted PPH	Adjusted PPH ²
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

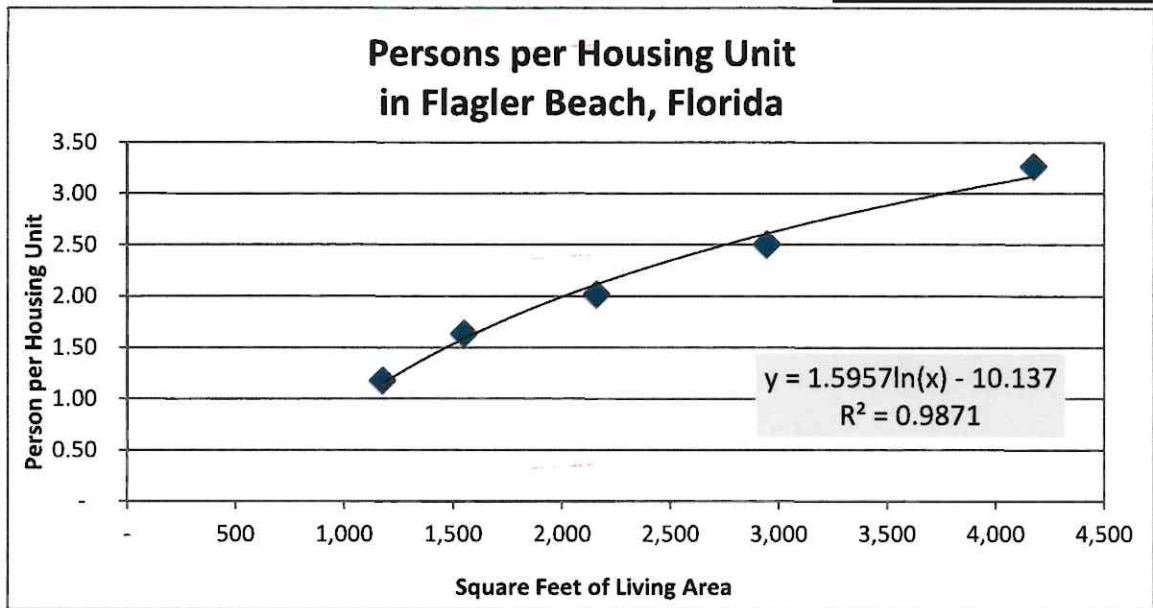
To estimate square feet of living area by bedroom range, TischlerBise uses 2020 U.S. Census Bureau data for housing units constructed in the South Atlantic region. Based on 2020 estimates, living area ranges from 1,178 square feet for housing units with zero to one bedroom up to 4,174 square feet for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

DRAFT Impact Fee Study
 Flagler Beach, Florida

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
Population	
Single Family	4,691
Multi-Family	609
Resident Population	5,300
Seasonal Population	1,960
Peak Population	7,260
Housing Units	
Single Family	2,982
Multi-Family	775
Total Housing Units	3,758
Seasonal Households	230
Peak Households	3,527

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	
Population								
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
Resident Population	5,366	6,043	6,720	7,397	8,073	8,750	12,135	6,769
Seasonal Population	1,960	1,960	1,960	1,960	1,960	1,960	1,960	0
Peak Population	7,326	8,002	8,679	9,356	10,033	10,710	14,095	6,769
Housing Units								
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
Total Housing Units	3,788	4,098	4,407	4,717	5,027	5,337	6,887	3,099
Seasonal Households	230	230	230	230	230	230	230	0
Peak Households	3,556	3,846	4,137	4,428	4,719	5,010	6,465	2,909

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, 11th 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 ¹	Wkdy Trip Ends Per Employee ¹	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

DRAFT Impact Fee Study
 Flagler Beach, Florida

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

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

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	
Population	5,366	6,043	6,720	7,397	8,073	8,750	12,135	6,769
Employment								
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
Total	1,821	2,050	2,280	2,510	2,739	2,969	4,117	2,297
Nonres. Floor Area (x1,000)								
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
Total	723	814	905	996	1,087	1,178	1,634	912

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, 11th 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 ¹	Wkdy Trip Ends Per Employee ¹	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 ¹	Trip Rate Adjustment	AWVT per 1,000 Sq Ft ¹
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

DRAFT Impact Fee Study
 Flagler Beach, Florida

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	
Resident Population													
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
Resident Population	5,300	5,366	6,043	6,720	7,397	8,073	8,750	9,427	10,104	10,781	11,458	12,135	6,769
Seasonal Population	1,960	1,960	1,960	1,960	1,960	1,960	1,960	1,960	1,960	1,960	1,960	1,960	10,838
Peak Population	7,260	7,326	8,002	8,679	9,356	10,033	10,710	11,387	12,064	12,741	13,418	14,095	6,769
Housing Units													
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
Total	3,758	3,788	4,098	4,407	4,717	5,027	5,337	5,647	5,957	6,267	6,577	6,887	3,099
Employment													
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
Total	1,798	1,821	2,050	2,280	2,510	2,739	2,969	3,199	3,428	3,658	3,888	4,117	2,297
Nonres. Floor Area (x1,000)													
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
Total	714	723	814	905	996	1,087	1,178	1,269	1,361	1,452	1,543	1,634	912

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
Nonresidential Trips	6,466	7,281	8,097	8,913	9,728	10,544	11,360	12,175	12,991	13,806	14,622	7,420

DRAFT Impact Fee Study
Flagler Beach, Florida

ORDINANCE NO. 2024-04

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, RELATING TO IMPACT FEES; ADOPTING THE FEE STUDY PREPARED BY TISCHLER BIASE; 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

53

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-In¹</u>	<u>Existing Impact Fee at Time of Adoption²</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>

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

² 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>	<u>\$531,313</u>	<u>\$443,299</u>	<u>\$88,014</u>
----------------------	---------------	-------------------------	------------------	-----------------

202
203
204
205
206
207
208
209
210
211
212
213
214
215
216

(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.

ARTICLE V. WASTEWATER IMPACT FEE

(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.

(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>	<u>Total Impact Fee to be Collected after Phase-In³</u>	<u>Existing Impact Fee at Time of Adoption⁴</u>	<u>Increase Over Existing</u>

³ AWWA Manual of Water Supply Practices M-1, 7th Ed.
⁴ 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>	<u>\$3,806</u>	<u>\$3,083</u>	<u>\$723</u>
<u>1.00 Displacement</u>	<u>1.67</u>	<u>\$6,356</u>	<u>\$5,148</u>	<u>\$1,208</u>
<u>1.50 Displacement</u>	<u>3.33</u>	<u>\$12,673</u>	<u>\$10,265</u>	<u>\$2,408</u>
<u>2.00 Displacement</u>	<u>5.33</u>	<u>\$20,284</u>	<u>\$16,430</u>	<u>\$3,855</u>
<u>3.00 Singlejet</u>	<u>10.67</u>	<u>\$40,607</u>	<u>\$32,890</u>	<u>\$7,717</u>
<u>3.00 Compound</u>	<u>10.67</u>	<u>\$40,607</u>	<u>\$32,890</u>	<u>\$7,717</u>
<u>3.00 Turbine</u>	<u>11.67</u>	<u>\$44,412</u>	<u>\$35,973</u>	<u>\$8,440</u>
<u>4.00 Singlejet</u>	<u>16.67</u>	<u>\$63,441</u>	<u>\$51,385</u>	<u>\$12,056</u>
<u>4.00 Compound</u>	<u>16.67</u>	<u>\$63,441</u>	<u>\$51,385</u>	<u>\$12,056</u>
<u>4.00 Turbine</u>	<u>21.00</u>	<u>\$79,920</u>	<u>\$64,733</u>	<u>\$15,187</u>
<u>6.00 Singlejet</u>	<u>33.33</u>	<u>\$126,844</u>	<u>\$102,740</u>	<u>\$24,104</u>
<u>6.00 Compound</u>	<u>33.33</u>	<u>\$126,844</u>	<u>\$102,740</u>	<u>\$24,104</u>
<u>6.00 Turbine</u>	<u>43.33</u>	<u>\$164,901</u>	<u>\$133,565</u>	<u>\$31,336</u>
<u>8.00 Compound</u>	<u>53.33</u>	<u>\$202,958</u>	<u>\$202,958</u>	<u>\$38,568</u>
<u>8.00 Turbine</u>	<u>93.33</u>	<u>\$355,186</u>	<u>\$287,690</u>	<u>\$67,496</u>
<u>10.00 Turbine</u>	<u>140.00</u>	<u>\$532,798</u>	<u>\$431,550</u>	<u>\$101,248</u>
<u>12.00 Turbine</u>	<u>176.67</u>	<u>\$672,353</u>	<u>\$544,585</u>	<u>\$127,767</u>

217

218

219

220

221

(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:

<u>Residential Fee per Unit</u>	
<u>Square Footage</u>	<u>Impact Fee to be Collected</u>
<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>

230

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

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

231

232 **ARTICLE VII. FIRE IMPACT FEE**

233

(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.

234

235

236

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

237

<u>Residential Fee per Unit</u>	
<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>

238

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

239

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:

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

<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:

<u>Residential Fee per Unit</u>	
<u>Square Footage</u>	<u>Impact Fee to be Collected</u>
<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:

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

257

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

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:~~

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

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

279

280

281

282

283

284

285

286

287

288

289

290

291

292

293

294

295

296

For each additional increment of seven hundred fifty (750) fixture units, add one (1) E.L.U. ~~Expansion of an existing connection.~~ If a building permit is issued for an existing connection which will increase water or sewer demand, or if a building changes from residential to nonresidential occupancy, the total number of E.L.U.'s for the old and new parts of the facility shall be computed as outlined in the definition of "equivalent living unit." The number of new E.L.U.'s shall be determined by subtracting the old E.L.U.'s from the total number of E.L.U.'s in the entire facility. The impact fee will be assessed on the number of new E.L.U.'s. As an example, if an existing building contained one hundred fifty (150) fixture units and it was expanded to three hundred (300) fixture units, the impact fee would equal (8 E.L.U.'s ~~— 6 E.L.U.'s~~) or 2 E.L.U.'s.

~~Sanitary sewer facilities.~~ A sanitary sewer system includes two (2) broad categories or subsystems, which are:

- (1) ~~Primary systems:~~
 - a. ~~Plant facilities:~~
 - i. ~~Treatment plants;~~
 - ii. ~~Effluent disposal facilities.~~
 - 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:~~

Plant facilities	\$ 320.00
Transmission facilities	—850.00
—Total	—1,170.00

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