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FLORIDA DEPARTMENT of STATE

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Governor

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BOARD OF COUNTY  
COMMISSIONERS  
PINELLAS COUNTY, FLORIDA  
KURT S. BROWNING  
Secretary of State

February 28, 2011

Ms. Cynthia N. Haumann  
Deputy Clerk  
Board Records Department  
Pinellas County Courthouse  
315 Court Street, 5<sup>th</sup> floor  
Clearwater, Florida 33756

Dear Ms. Haumann:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated February 25, 2011 and certified copies of Pinellas County Ordinance Nos. 11-04 and 11-05, which were filed in this office on February 28, 2011.

As requested, one date stamped copy of each is being returned for your records.

Sincerely,

Liz Cloud  
Program Administrator

LC/vm

Enclosures

DIRECTOR'S OFFICE

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**ORDINANCE NO. 11 - 04**

**AN ORDINANCE OF THE COUNTY OF PINELLAS PROVIDING THAT CHAPTER 150 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE, IMPACT FEES, BE AMENDED BY REVISING SECTION 150-40, COMPUTATION OF AMOUNT, TO REVISE CERTAIN FEE SCHEDULE CATEGORIES; AND PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH OTHER RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the 1985 Growth Management Act requires that infrastructure be provided concurrent with development; and

**WHEREAS**, in the Pinellas County Comprehensive Plan, adopted pursuant to Chapter 163, F.S., Laws of Florida, as amended, it has been established that land development shall not be permitted unless adequate capital facilities exist or are assured; and

**WHEREAS**, the Pinellas County Board of County Commissioners has established that land development shall bear a proportionate cost of the provision of new or expanded capital facilities required by such development; and

**WHEREAS**, the Pinellas County Board of County Commissioners has determined that the transportation system in Pinellas County should be able to adequately provide for the movement of people and goods and to promote and protect the public health, safety, and welfare if new development is to be accommodated without decreasing current standards; and

**WHEREAS**, the Pinellas County Board of County Commissioners has previously provided for transportation impact fees and their administration through the adoption of Ordinance 86-43 and subsequent amendments and their inclusion in the Pinellas County Land Development Code; and

**WHEREAS**, Section 150 of the Pinellas County Land Development Code requires a biennial update to review and amend, as necessary, current trip generation data related to the impact fee calculation formula and fee schedules; and

**WHEREAS**, a review process was recently completed, with the resulting recommendations to amend Section 150 of the Pinellas County Land Development Code approved by the Pinellas County Metropolitan Planning Organization on November 10, 2010.

**NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Pinellas County, Florida:**

**SECTION I. Section 150-40 of the Pinellas County Land Development Code is hereby amended to read as follows:**

**Sec. 150-40. Computation of amount.**

(a) The amount of the transportation impact fees imposed under this article will depend on a number of factors, including the type of land development activity, and several fixed elements, such as the average cost to construct one lane-mile of roadway (\$2,216,466) and the average capacity of one lane-mile of roadway (6,900 vehicles per day).

(b) The following formula shall be used by the county administrator, city manager or functional equivalent to determine the impact fee per unit of development:

$$\frac{TGR \times \%NT \times TL \times CST (RF)}{CAP \times 2}$$

**WHERE:**

TGR	=	Trip generation rate, as per fee schedule
%NT	=	Percent new trips
TL	=	Average trip length, varies by land use
CST	=	The cost to construct one-lane mile of roadway (\$2,216,466)
CAP	=	The capacity of one-lane mile of roadway (6,900 vehicles per lane, per day)
2	=	Allocation of one-half the impact to the origin and one-half to the destination
RF	=	Reduction factor (.268).

(c) At the option of the feepayer, the amount of the transportation impact fee may be determined by the following fee schedules (schedule A contains the impact fee rates for uses outside of designated downtown/redevelopment areas; schedule B contains rates for downtown/redevelopment areas):

**Schedule A. General Fee Schedule**

<i>Land use type</i>	<i>Unit</i>	<i>Trip rate</i>	<i>Avg. trip length</i>	<i>Percent new trips</i>	<i>Fee per unit</i>
<i>Residential:</i>					
Single-family	du	9.6	5.0	1.00	\$2,066
Multi-family	du	6.6	5.0	1.00	\$1,420
Condominium/Townhome	du	5.8	5.0	1.00	\$1,248
Efficiency apt./hotel	room	5.0	3.3	0.59	\$419
Mobile home	du	5.0	5.0	1.00	\$1,076
Licensed ACLF	bed	2.7	2.8	.74	\$250
<i>General Office:</i>					
0-49,999 sq. ft.	1000 sf	16.3	5.1	0.92	\$3,292
50,000 – 149,999 sq. ft.	1000 sf	13.7	5.1	0.92	\$2,767
150,000 – 299,999 sq. ft.	1000 sf	11.5	5.1	0.92	\$2,323

<i>Land use type</i>	<i>Unit</i>	<i>Trip rate</i>	<i>Avg. trip length</i>	<i>Percent new trips</i>	<i>Fee per unit</i>
300,000 – 599,999 sq. ft.	1000 sf	10.4	5.1	0.92	\$2,100
600,000 – 799,999 sq. ft.	1000 sf	8.4	5.1	0.92	\$1,697
Over 800,000 sq. ft.	1000 sf	8.2	5.1	0.92	\$1,656
<i>Research center:</i>					
Research center	1000 sf	6.1	5.1	0.92	\$1,232
<i>Industrial:</i>					
General industrial	1000 sf	7.0	5.1	0.92	\$1,414
Industrial park	1000 sf	7.0	5.1	0.92	\$1,414
Manufacturing	1000 sf	3.8	5.1	0.92	\$767
Warehousing	1000 sf	3.6	5.1	0.92	\$727
Mini-warehousing	1000 sf	2.5	3.1	0.92	\$307
<i>Medical:</i>					
Hospital	bed	11.8	6.4	0.77	\$2,503
Nursing home	bed	2.4	2.8	0.75	\$217
Clinic/Medical office	1000 sf	35.2	4.9	0.85	\$6,311
Veterinary clinic	1000 sf	32.8	1.9	0.70	\$1,878
<i>Lodging:</i>					
Hotel	room	8.2	6.4	0.71	\$1,604
Motel (budget style)	room	5.6	6.4	0.59	\$910
Resort hotel	room	18.4	5.4	0.75	\$3,208
<i>Recreation:</i>					
General recreation	pkg sp	3.4	6.4	0.90	\$843
Marina	boat berth	3.0	7.0	0.90	\$814
Dry dock marina	boat slip	2.1	3.6	0.90	\$293
Racquet club	1000 sf	14	3.0	0.75	\$1,356
Golf course	acre	5.0	7.1	0.90	\$1,375
Fitness center	1000 sf	27.0	4.0	0.84	\$3,905
<i>Retail:</i>					
Quality restaurant	1000 sf	90.0	2.5	0.82	\$7,942
Sit-down restaurant	1000 sf	127.0	1.9	0.79	\$8,205
Drive-in restaurant	1000 sf	496.0	1.7	0.54	\$19,599
Quality drive-in restaurant	1000 sf	279.7	1.7	0.75	\$15,350
Discount store (ind.)	1000 sf	56.0	1.8	0.61	\$2,647
Building materials store	1000 sf	45.2	1.7	0.61	\$2,018
Home Improvement Superstore	1000 sf	29.8	2.2	0.83	\$2,342
New and used car sales	1000 sf	33.3	2.4	0.79	\$2,718
Service station w/ conven. market <800 sf	pump	162.8	1.9	0.23	\$3,062
Car wash	1000 sf	151.2	1.6	0.67	\$6,977
Supermarket	1000 sf	102.0	1.7	0.53	\$3,956
Convenience market (under 3,000 sf)	store	1762.9	1.5	0.25	\$28,456

<i>Land use type</i>	<i>Unit</i>	<i>Trip rate</i>	<i>Avg. trip length</i>	<i>Percent new trips</i>	<i>Fee per unit</i>
Convenience market (3,000 sf or over)	1000 sf	887.1	1.5	0.25	\$14,319
Movie theater w/ matinee	screen	132.0	2.3	0.85	\$11,108
Auto repair/detailing	1000 sf	28.4	2.2	0.83	\$2,232
Furniture store	1000 sf	5.1	2.4	0.79	\$351
Retail nursery (garden ctr.)	1000 sf	36.0	1.8	0.61	\$1,701
Discount club store	1000 sf	41.8	4.0	0.89	\$6,405
Discount superstore	1000 sf	65.3	2.2	0.83	\$5,133
Video rental store (free standing)	1000 sf	13.6	2.3	0.85	\$1,144
<i>General commercial:</i>					
Under 100,000 sq. ft.	1000 sf gla	94.7	1.7	0.49	\$3,396
100,000 – 199,999 sq. ft.	1000 sf gla	74.3	1.8	0.63	\$3,627
200,000 – 299,999 sq. ft.	1000 sf gla	58.9	2.0	0.75	\$3,803
300,000 – 399,999 sq. ft.	1000 sf gla	48.3	2.3	0.79	\$3,778
400,000 – 499,999 sq. ft.	1000 sf gla	43.0	2.5	0.80	\$3,702
500,000 – 999,999 sq. ft.	1000 sf gla	37.7	3.0	0.81	\$3,943
Over 1,000,000 sq. ft.	1000 sf gla	33.4	3.6	0.81	\$4,192
<i>Services:</i>					
Bank	1000 sf	144.0	1.6	0.30	\$2,975
<i>Institutional:</i>					
Church	1000 sf	9.1	3.9	0.90	\$1,375
Library (private)	1000 sf	56.0	3.9	0.90	\$8,461
Day care center	1000 sf	79.0	2.0	0.74	\$5,033
Elementary school	student	1.3	4.3	0.80	\$192
High school	student	1.7	4.3	0.90	\$283
Junior/community college	student	1.2	7.3	0.90	\$339
University	student	2.4	7.3	0.90	\$679
Airport	flights	2.0	6.0	0.90	\$465
Park	acres	36.5	6.4	0.90	\$9,050

## Schedule B. Downtown Redevelopment Fee Schedule

<i>Land use type</i>	<i>Unit</i>	<i>Trip rate</i>	<i>Avg. trip length</i>	<i>Percent new trips</i>	<i>Fee per unit</i>
<i>Residential:</i>					
Single-family	du	9.6	5.0	0.74	\$1,529
Multi-family	du	6.6	5.0	0.74	\$972
Condominium/Townhome	du	5.8	5.0	0.74	\$924
Efficiency apt./hotel	room	5.0	3.3	0.59	
Mobile home	du	5.0	5.0	0.74	\$796
Licensed ACLF	bed	2.7	2.8	0.74	\$250
<i>General Office:</i>					
0-49,999 sq. ft.	1000 sf	16.3	5.1	0.74	\$2,648
50,000 – 149,999 sq. ft.	1000 sf	13.7	5.1	0.74	\$2,226
150,000 – 299,999 sq. ft.	1000 sf	11.5	5.1	0.74	\$1,868
300,000 – 599,999 sq. ft.	1000 sf	10.4	5.1	0.74	\$1,689
600,000 – 799,999 sq. ft.	1000 sf	8.4	5.1	0.74	\$1,365
Over 800,000 sq. ft.	1000 sf	8.2	5.1	0.74	\$1,332
<i>Research center:</i>					
Research center	1000 sf	6.1	5.1	0.74	\$991
<i>Industrial:</i>					
General industrial	1000 sf	7.0	5.1	0.74	\$1,137
Industrial park	1000 sf	7.0	5.1	0.74	\$1,137
Manufacturing	1000 sf	3.8	5.1	0.74	\$617
Warehousing	1000 sf	3.6	5.1	0.74	\$585
Mini-warehousing	1000 sf	2.5	3.1	0.74	\$247
<i>Medical:</i>					
Hospital	bed	11.8	6.4	0.62	\$2,015
Nursing home	bed	2.4	2.8	0.60	\$174
Clinic/Medical office	1000 sf	35.2	4.9	0.70	\$5,197
Veterinary clinic	1000 sf	32.8	1.9	0.70	\$1,878
<i>Lodging:</i>					
Hotel	room	8.2	6.4	0.61	\$1,378
Motel (budget style)	room	5.6	4.0	0.61	\$588
Resort hotel	room	18.4	5.4	0.61	\$2,609
<i>Recreation:</i>					
General recreation	pkg sp	3.4	6.4	0.32	\$300
Marina	boat berth	3.0	7.0	0.32	\$289
Dry dock marina	boat slip	2.1	3.6	0.32	\$104
Racquet club	1000 sf	14	3.0	0.32	\$579
Fitness center	1000 sf	27.0	4.0	0.36	\$1,674

<i>Land use type</i>	<i>Unit</i>	<i>Trip rate</i>	<i>Avg. trip length</i>	<i>Percent new trips</i>	<i>Fee per unit</i>
<i>Retail:</i>					
Quality restaurant	1000 sf	90.0	2.5	0.21	\$2,034
Sit-down restaurant	1000 sf	127.0	1.9	0.21	\$2,181
Drive-in restaurant	1000 sf	496.0	1.7	0.21	\$7,622
Quality drive-in restaurant	1000 sf	279.7	1.7	0.21	\$4,298
Discount store (ind.)	1000 sf	56.0	1.8	0.34	\$1,475
Building materials store	1000 sf	45.2	1.7	0.34	\$1,125
Home Improvement Superstore	1000 sf	29.8	2.2	0.34	\$959
New and used car sales	1000 sf	33.3	2.4	0.52	\$1,789
Service station w/ conven. market <800 sf	pump	162.8	1.9	0.23	\$3,062
Car wash	1000 sf	151.2	1.6	0.40	\$4,165
Supermarket	1000 sf	102.0	1.7	0.53	\$3,956
Convenience market (under 3,000 sf)	store	1762.9	1.5	0.25	\$28,456
Convenience market (3,000 sf or over)	1000 sf	887.1	1.5	0.25	\$14,319
Movie theater w/ matinee	screen	132.0	2.3	0.58	\$7,580
Auto repair/detailing	1000 sf	28.4	2.2	0.56	\$1,506
Furniture store	1000 sf	5.1	2.4	0.52	\$231
Retail nursery (garden ctr.)	1000 sf	36.0	1.8	0.34	\$948
Discount club store	1000 sf	41.8	4.0	0.30	\$2,159
Discount superstore	1000 sf	65.3	2.2	0.30	\$1,855
Video rental store (free standing)	1000 sf	13.6	2.3	0.32	\$431
<i>General commercial:</i>					
Under 100,000 sq. ft.	1000 sf gla	94.7	1.7	0.30	\$2,079
100,000 – 199,999 sq. ft.	1000 sf gla	74.3	1.8	0.35	\$2,015
200,000 – 299,999 sq. ft.	1000 sf gla	58.9	2.0	0.47	\$2,383
300,000 – 399,999 sq. ft.	1000 sf gla	48.3	2.3	0.51	\$2,439
400,000 – 499,999 sq. ft.	1000 sf gla	43.0	2.5	0.53	\$2,452
500,000 – 999,999 sq. ft.	1000 sf gla	37.7	3.0	0.54	\$2,629
Over 1,000,000 sq. ft.	1000 sf gla	33.4	3.6	0.54	\$2,795
<i>Services:</i>					
Bank	1000 sf	144.0	1.6	0.30	\$2,975
<i>Institutional:</i>					
Church	1000 sf	9.1	3.9	0.35	\$535
Library ( <u>private</u> )	1000 sf	56.0	3.9	0.63	\$5,923
Day care center	1000 sf	79.0	2.0	0.47	\$3,196
Elementary school	student	1.3	4.3	0.53	\$128
High school	student	1.7	4.3	0.63	\$198
Junior/community college	student	1.2	7.3	0.63	\$238
University	student	2.4	7.3	0.63	\$475
Park	acre	36.5	6.4	0.63	\$6,335

The downtown area fee schedule applies to existing downtown areas geographically depicted in the attached maps including exhibit A, Impact Fee Districts; exhibit B, St. Petersburg Downtown Area District 11A, exhibit C, Safety Harbor Downtown Area District 5A, exhibit D, Pinellas Park Downtown Area District 10A, exhibit E, Clearwater Downtown Area District 6A; exhibit F, Dunedin Downtown Area District 4A; exhibit G, Largo Downtown Area District 7A; exhibit H, Oldsmar Downtown Area District 2A; and exhibit I, Old Palm Harbor District 3A. The 1990 MPO Pinellas County Transportation Impact Fee Study contains technical data indicating there are significantly fewer new vehicle trips generated for each unit of development in these areas as compared to similar land uses outside them. These areas are delineated in locally adopted redevelopment or comprehensive plans with supporting policies designed to encourage infill and redevelopment activity. New areas with similar trip generation characteristics, as described in the 1990 MPO Pinellas County Transportation Impact Fee Study, may be added to the attached exhibits through the amendment of the ordinance pursuant to the submittal of a detailed map and documentation that such areas meet the criteria in the 1990 Pinellas County MPO Transportation Impact Fee Study.

In the case of a change of use, redevelopment, or modification of an existing use, the impact fee shall be based upon the net increase in the impact fee for the new use as compared to the impact fee for the highest previous use in existence on or after the effective date of the ordinance from which this section derives. The county administrator or city manager shall be guided in this determination by the county's transportation impact fee study (February 1990), independent study trip generation data or the Institute of Transportation Engineers' Trip Generation, sixth (or successor) edition.

(d) If a fee payer shall opt not to have the impact fee determined according to subsections (b) and (c) of this section, then the fee payer shall prepare and submit to the county administrator, city manager or functional equivalent for approval of an independent fee calculation study for the land development activity for which a certificate of occupancy, land use permit or occupational license is sought. The traffic engineering and/or economic documentation submitted, which will require a pre-application meeting with the county administrator, city manager or functional equivalent, shall show the basis upon which the independent fee calculation was made, including but not limited to the following:

(1) Trip generation studies:

- a. Documentation of trip generation rates appropriate for the proposed land development activity.
- b. Documentation of trip length appropriate for the proposed land development activity.
- c. Documentation of trip data appropriate for the proposed land development activity.

(2) Economic documentation studies:

- a. Documentation of the cost per lane per mile for roadway construction for the proposed land development activity.



- b. Documentation of credits attributable to the proposed land development activity which the feepayer will make available to replace the portion of the service volume used by the traffic generated by the proposed land development activity.

(e) Trip generation data. Trip generation documentation other than traffic engineering or economic documentation described in section 150-40(d)(1) and (2) may be submitted by the applicant in consideration of an independent fee calculation.

## **SECTION 2: Severability**

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

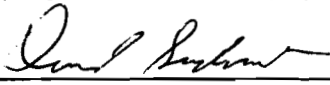
## **SECTION 3: Inclusion in the Code**

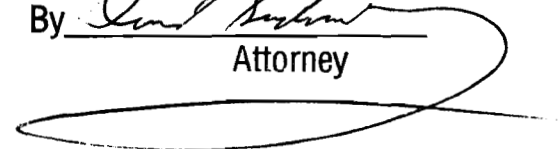
The provision of this Ordinance shall be included and incorporated in the Pinellas County Land Development Code, as an amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Pinellas County Land Development Code.

## **SECTION 4: Filing of Ordinance; Effective Date**

Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon notice of filing of the Ordinance with the Department of State or March 1, 2011, whichever is later.

APPROVED AS TO FORM  
OFFICE OF COUNTY ATTORNEY

By   
Attorney



STATE OF FLORIDA

COUNTY OF PINELLAS

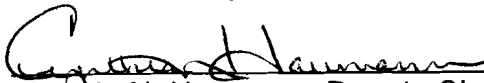
I, KEN BURKE, Clerk of the Circuit Court and Ex-officio Clerk to the Board of County Commissioners, in and for the State and County aforesaid, DO HEREBY CERTIFY that the foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners of Pinellas County, Florida, on February 22, 2011 relative to:

**ORDINANCE NO. 11 - 04**

**AN ORDINANCE OF THE COUNTY OF PINELLAS PROVIDING THAT CHAPTER 150 OF THE PINELLAS COUNTY LAND DEVELOPMENT CODE, IMPACT FEES, BE AMENDED BY REVISING SECTION 150-40, COMPUTATION OF AMOUNT, TO REVISE CERTAIN FEE SCHEDULE CATEGORIES; AND PROVIDING FOR OTHER MODIFICATIONS THAT MAY ARISE FROM REVIEW OF THIS ORDINANCE AT THE PUBLIC HEARING AND/OR WITH OTHER RESPONSIBLE PARTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND ESTABLISHING AN EFFECTIVE DATE.**

IN WITNESS WHEREOF, I hereunto set my hand and official seal this February 25, 2011.

KEN BURKE  
Clerk of the Circuit Court  
and Ex-officio Clerk to the  
Board of County Commissioners

  
Cynthia N. Haumann, Deputy Clerk

