Contents

Chapter 157 - DEVELOPMENT IMPACT FEE ORDINANCE

Sec. 157.01 Short Title.

This chapter shall be known and may be cited as the "Development Impact Fee Ordinance of Pike County, Georgia," or, for brevity, the "Impact Fee Ordinance."

Sec. 157.02 Authority.

This chapter has been prepared and adopted by the Pike County Board of Commissioners in accordance with the authority provided by Article 9, Section 2, Paragraph 3 of the Constitution of the State of Georgia, the Georgia Development Impact Fee Act (O.C.G.A. 36-71-1 *et seq.* as amended), and such other laws as may apply to the provision of public facilities and the power to charge fees for such facilities.

Sec. 157.03 Applicability.

(a) The provisions of this chapter shall not be construed to limit the power of the county to use any other legal methods or powers otherwise available for accomplishing the purposes set forth herein, either in substitution of or in conjunction with this chapter.

(b) This chapter shall apply to all unincorporated areas under the regulatory control and authority of Pike County and such other areas as may be included by intergovernmental agreement.

Sec. 157.04 Findings.

The Pike County Board of Commissioners finds and declares:

(a) That an equitable program for planning and financing public facilities to serve new growth and development is necessary in order to promote and accommodate orderly growth and development and to protect the public health, safety, and general welfare of the citizens of the county; and

(b) That certain public facilities as herein defined have been and must be further expanded if new growth and development is to be accommodated at the same level of service available to existing development; and

(c) That it is fair and equitable that new growth and development shall bear a proportionate share of the cost of such public facilities necessary to serve new growth and development.

Sec. 157.05 Purpose.

(a) The purpose of this chapter is to impose impact fees, as hereinafter set forth, for certain public facilities, as hereinafter defined.

(b) It is also the purpose of this chapter to ensure that adequate public facilities are available to serve new growth and development in the county and to provide that new growth and development bears a proportionate share of the cost of new public facilities needed to serve them.

Sec. 157.06 Intent.

This chapter is intended to implement and be consistent with the Pike County Comprehensive Plan, as it has been adopted or may be amended in accord with the Georgia Comprehensive Planning Act (O.C.G.A. 50-8-1 *et seq.*); and the applicable *Development Impact Fee Compliance Requirements*, as adopted by the Georgia Board of Community Affairs and amended from time to time.

Sec. 157.07 Rules of construction.

The provisions of this chapter shall be construed so as to effectively carry out its purpose in the interest of the public health, safety, and general welfare of the citizens of Pike County. Unless otherwise stated in this chapter, the following rules of construction shall apply to the text of this chapter:

(a) In the case of a conflict between words or phrases as used in this chapter and as used in other codes, regulations or laws of the county, such difference shall not affect the meaning or implication of such words or phrases as used in this chapter.

(b) In the case of any difference of meaning or implication between the text of this chapter and any caption, illustration, summary table, or illustrative table, the text shall control.

(c) The word “shall” is always mandatory and not discretionary; the word “may” is permissive.

(d) Words used in the present tense shall include the future and words used in the singular number shall include the plural and the plural the singular, unless the context clearly indicates the contrary.

(e) The word “person” includes an individual, a corporation, a partnership, an incorporated association, or any other legal or similar entity.

(f) The conjunction “and” indicates that all the connected terms, conditions, provisions, or events shall apply.

(g) The conjunctions “or” and “and/or” indicate that the connected items, conditions, provisions, or events may apply singly or in any combination.

(h) The use of “either … or” indicates that the connected items, conditions, provisions, or events shall apply singly and not in combination.

(i) The word “includes” or “including” and the phrase “such as” shall not limit a term to the specific example or examples given but are intended to extend its meaning to all other instances or circumstances of like kind or character.

(j) The section and paragraph headings and enumerations used in this chapter are included solely for convenience and shall not affect the interpretation of this chapter.

Sec. 157.08 Definitions.

As used in this chapter, the following terms shall have the meaning set forth below.

Administrator means the County Manager for Pike County, or the County Manager's designee, who is hereby charged with implementation and enforcement of this chapter.

Affordable housing means any dwelling unit intended for permanent or long-term occupancy that is available to families that have a household income, excluding any governmental housing subsidies, at or below 60 percent of the median income for all households living in Pike County. See also the definition of "workforce housing" and "family" below.

Annual CIE update means the annual reporting requirement to the department of community affairs that includes a financial report for the last completed fiscal year and an update to the community work program showing for the current year plus the next four years, in accordance with the *Development Impact Fee Compliance Requirements* of the department of community affairs.

Board of commissioners means the board of commissioners of Pike County, Georgia.

Building permit means the document issued by the county authorizing the construction, installation, alteration of, addition to, or change of occupancy or use of a building or structure. As used in this chapter, the term shall not include permits required for remodeling, rehabilitation, repairs, or other improvements to an existing structure provided there is no increase in the demand or need placed on public facilities as defined herein.

Capital improvement means an improvement with a useful life of ten years or more, by new construction or other action, which increases the service capacity of a public facility.

Capital improvements element means a component of the county's comprehensive plan that sets out projected needs for system improvements during the planning horizon established therein, a schedule of capital improvements that will meet the anticipated need for system improvements, and a description of anticipated funding sources for each required improvement, as most recently adopted or amended by the board of commissioners. By extension, references in this chapter to the "capital improvements element" include reports and studies prepared for the county leading to the final adopted capital improvements element.

Certificate of completion means a certificate issued by the county that serves as confirmation that a building or structure has been constructed according to approved plans and specifications and complies with the building code and any other applicable regulations.

Certificate of occupancy means a certificate issued by the county authorizing the occupancy of a new building or a change to the occupancy, nature or use of a building or part of a building.

Change in use means a situation in which the prior land use category of a building or land is changed to a different land use category as such land uses are listed on the Impact Fee Schedule attached hereto as Attachment A.

Commencement of construction, for private development, means initiation of physical construction activities as authorized by a development or building permit and leading to completion of a foundation inspection or other initial inspection and approval by a public official charged with such duties; and for public projects, means expenditure or encumbrance of any funds, whether they be development impact fee funds or not, for a public facilities project, or advertising of bids to undertake a public facilities project.

Completion of construction means the issuance of the final certificate of occupancy by the appropriate county official. The date of completion is the date on which such certificate is issued.

Community work program means the component of the comprehensive plan's capital improvements element that lays out the specific activities the county plans to undertake during the five years following adoption of the capital improvements element.

Comprehensive plan means the plan or planning elements as adopted or amended in accord with O.C.G.A. 50-8-1 *et seq.* and the applicable *Minimum Standards and Procedures for Local Comprehensive Planning* as adopted by the department of community affairs.

County means Pike County, a legal subdivision of the state of Georgia. The term "the county" means the board of commissioners or any of its departments or officials, as appropriate to the context.

Day means a calendar day, unless otherwise specifically identified as a "work" day or other designation when used in the text.

Department of community affairs means the Department of Community Affairs of the State of Georgia.

Developer means any person or legal entity undertaking development.

Development means any action which creates demand on or need for public facilities, as defined herein, and includes any construction or expansion of a building, structure, or use; any change in use of land, a building, or structure; or the connection of any building or structure to a public utility.

Development activity: see "Development".

Development approval means any written authorization, such as issuance of a building permit, approval for grading or site development, or any other form of official action required by local law or regulation prior to the commencement of construction.

Development impact fee means the payment of money imposed upon and paid by new development as a condition of development approval as its proportionate share of the cost of system improvements needed to serve it.

Development impact fee assessment means the determination of the amount of an impact fee due for issuance of a particular building permit.

Development impact fee collection means the receipt by the county of the amount due for an impact fee assessed for a particular building permit.

Dwelling unit means one room or rooms connected together, constituting a separate, independent housekeeping establishment for occupancy by one family, and physically separated from other rooms or dwelling units which may be in the same structure, and containing independent cooking, sleeping and sanitary facilities. A dwelling unit may be a single-family detached home, a townhouse, a unit in a duplex, an apartment or condominium in a multi-family structure, or any other type of domicile intended for long-term human occupancy.

Encumber means to legally obligate by contract or otherwise commit to use by appropriation or other official act of the board of commissioners.

Excess capacity means that portion of the capacity of a public facility or system of public facilities which is beyond that necessary to provide adequate service to existing development at the adopted level-of-service standard.

Facilities means buildings and other structures, parking and other access improvements, vehicles, and equipment, each of which have an expected life under normal usage of 10 years or more.

Family means one or more persons related by blood, marriage, or adoption, consisting of spouse, children, grandchildren, parents, or grandparents, or who requires medical attention, guardianship, or assistance due to disability, occupying the premises and living as a single nonprofit housekeeping unit as distinguished from a group occupying a boarding or lodging house, hotel, club, or similar dwelling for group use.

Fee assessment: see "Development impact fee assessment".

Fee collection: see "Development impact fee collection".

Feepayor means that person or entity who pays a development impact fee, or his or her legal successor in interest, when the right or entitlement to any refund of previously paid development impact fees which is required by this chapter has been expressly transferred or assigned to the successor in interest. In the absence of an express transfer or assignment of the right or entitlement to any refund of previously paid development impact fees, the right or entitlement shall be deemed "not to run with the land."

Floor area means the sum of the gross floor area for each of the several stories under roof, measured from the exterior limits or faces of a building or structure. The floor area of a single-family dwelling shall not include an attic used strictly for storage and not habitation.

Individual assessment determination means a finding by the administrator that an individual assessment study does or does not meet the requirements for such a study as established by this chapter or, if the requirements are met, the fee calculated therefrom.

Individual assessment study means the engineering, financial, or economic documentation prepared by a feepayor or applicant to allow individual determination of a development impact fee other than by use of the applicable fee schedule.

Level of service means a measure of the relationship between service capacity and service demand for specified public facilities as established by the county in terms of demand to capacity ratios or the comfort and convenience of use or service of such public facilities, or both.

Person means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, council, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State of Georgia, any interstate body or any other legal entity.

Present value means the current value of past, present, or future payments, contributions, or dedications of goods, services, materials, construction, or money, as calculated using accepted methods of financial analysis acceptable to the administrator, for determination of “present value.”

Project means a particular development on an identified parcel of land. With regard to land development, a project may be identified as those construction activities authorized collectively by a building permit or other development approval, or for an interrelated collection of buildings and common public facilities such as a residential subdivision or an office park.

Project improvements means site specific improvements and facilities that are planned, designed, or built to provide service for a particular development project and that are necessary for the use and convenience of the occupants or users of the project only, and are not “system” improvements. The character of the improvement shall control a determination of whether an improvement is a “project” improvement or a “system” improvement, and the physical location of the improvement on-site or off-site shall not be considered determinative of whether an improvement is a “project” improvement or a “system” improvement. If an improvement or facility provides or will provide more than incidental service or facility capacity to persons other than users or occupants of a particular project, the improvement or facility is a system improvement and shall not be considered a project improvement. A project improvement may provide no more than incidental service or facility capacity to persons other than users or occupants of the particular project they serve. No improvement or facility included in a plan for public facilities and approved for public funding by the county shall be considered a project improvement.

Property owner means that person or entity that holds legal title to property.

Proportionate share means that portion of the cost of system improvements which is reasonably and fairly related to the service demands and needs of a project.

Public facilities, as used in this chapter, means (a) parks, open space, and recreation areas and related facilities; (b) animal control facilities; (c) fire protection facilities; (d) emergency medical services (EMS) facilities; (d) emergency communications facilities; (e) law enforcement facilities, (which includes the sheriff’s office and the county jail), (f) roads, streets, and bridges, including rights of way, traffic signals, landscaping, road surfacing (such as paved or dirt), and any other components of streets, roads and highways such as traffic islands, sidewalks, bike lanes and landscaping; and (g) Library facilities.

Regional commission means the Two Rivers Regional Commission of Georgia.

Service area means a geographic area delineated by the county, in which a defined set of public facilities provide or are proposed to provide service to existing or future development.

Successor in interest means a person or legal entity to whom a previous person or legal entity has transferred their ownership or other controlling interest in a property.

System improvements means capital improvements that are public facilities designed to provide service to more than one project or to the county at large, in contrast to “project” improvements.

System improvement costs means costs incurred to provide additional public facilities capacity to serve new growth and development for planning, design and construction, land acquisition, land improvement, design, and engineering related thereto, including the cost of constructing or reconstructing system improvements or facility expansions. System improvement costs include but are not limited to the construction contract price, surveying and engineering fees, related land acquisition costs (including land purchases, court awards and costs, attorneys' fees, and expert witness fees); expenses incurred for qualified staff or any qualified engineer, planner, architect, landscape architect, or financial consultant for preparing or updating the Capital Improvements Element; and administrative costs, provided that such administrative costs shall not exceed three percent of the total amount of the costs. Projected interest charges and other finance costs may be included if the impact fees are to be used for the payment of principal and interest on bonds, notes, or other financial obligations issued by or on behalf of the county to finance the Capital Improvements Element. System improvement costs do not include routine and periodic maintenance expenditures, personnel training, and other operating costs.

Unit of development means the standard incremental measure of land development activity for a specific type of land use upon which the rate of demand for public service and facilities is based, such as a dwelling unit, square foot of floor area, motel room, etc.

Unused or excess impact fee means any individual impact fee payment from which no amount of money or only a portion thereof has been encumbered or expended according to the requirements of this chapter.

Workforce housing means any dwelling unit intended for permanent or long-term occupancy that is available to families that have a household income, excluding any governmental housing subsidies, higher than 60 percent and up to 120 percent of the median income for all households living in Pike County. See also the definitions of “affordable housing” and “family”, above.

Sec. 157.09 Imposition of Development Impact Fees.

Any person who, after the effective date of this chapter, engages in development shall pay a development impact fee in the manner and amount set forth in this chapter.

Sec. 157.10 Construction not subject to impact fees.

(a) The following projects and construction activities do not constitute “development” as defined in this chapter, and are therefore not subject to the imposition of impact fees:

(1) Rebuilding no more than the same number of units of development (as defined in this chapter) that were removed by demolition, or destroyed by fire or other catastrophe, on the same lot or property.

(2) Remodeling or repairing a structure that does not result in an increase in the number of units of development.

(3) Replacing a dwelling unit or units with the same or fewer number of dwelling units on the same lot or property.

(4) Placing or replacing a manufactured home in a manufactured home park on a prepared manufactured home pad in existence and operation prior to the effective date of this chapter.

(5) Placing a temporary transportable construction office or temporary transportable sales office on a lot during the period of construction or build-out of a development project.

(6) Constructing an addition to or expansion of a dwelling unit that may increase the floor area or number of rooms but does not increase the number of dwelling units.

(7) Constructing an addition to or expansion of an existing commercial or industrial development that does not increase the total square footage on the property by 20 percent or more. Additions which exceed 2000 square feet shall not be exempt from the imposition of an impact fee

(8) Adding uses that are typically accessory to residential uses and intended for the personal use of the residents, including but not limited to a deck or patio, detached garage or utility shed, satellite antenna, pet enclosure, private recreational facilities such as a swimming pool or tennis court, and detached guest quarters and garage apartment meeting all other requirements of the County Code

(9) Constructing accessory uses to principal commercial or industrial buildings that do not increase the total square footage on the property by 20% or more. Each accessory building which exceeds 2000 square feet shall not be exempt from the imposition of an impact fee.

(b) A person claiming to be not subject to impact fees under this section shall submit to the administrator information and documentation sufficient to permit the administrator to determine whether such claim is correct.

Sec. 157.11 Grandfathered projects.

(a) *Work prior to amendments to this chapter.* Notwithstanding any other provision of this chapter, work for which a valid building permit has been issued prior to any amendment to this chapter shall not be subject to any increase in fees as may be established by said amendment and may proceed upon payment of impact fees otherwise in effect.

(1) Said work shall be commenced, pursued, and completed within the time established by the building permit. Work shall be considered having commenced on the date of the first required inspection as determined by the county's building official.

(2) Work for which a valid permit has been issued shall continue with this status until the permit expires, at which time the renewal of the permit or the issuance of a new permit for the same work or additional work on the same property shall incur the applicable impact fee increase (if any) over the amount previously paid.

Sec. 157.12 Method of calculation.

(a) Any development impact fee imposed pursuant to this chapter shall not exceed a project's proportionate share of the cost of system improvements and shall be calculated on the basis of levels of service for public facilities that are the same for existing development as for new growth and development.

(b) Notwithstanding anything to the contrary in this chapter, the calculation of impact fees shall be net of credits for the present value of ad valorem taxes or other revenues as established in the capital improvements element, and which:

(1) are reasonably expected to be generated by new growth and development; and

(2) are reasonably expected based on historical funding patterns to be made available to pay for system improvements of the same category for which an impact fee is imposed.

(c) The method of calculating impact fees for public facilities under this chapter shall be maintained for public inspection as a part of the official records of the county, and may be amended from time to time by official act of the board of commissioners.

(d) In addition to the cost of new or expanded system improvements needed to be built to serve new development, the cost basis of a development impact fee may also include the proportionate cost of existing system improvements to the extent that such public facilities have excess service capacity and new development will be served by such facilities, as established in the capital improvements element.

(e) Development impact fees shall be based on actual system improvement costs or reasonable estimates of such costs, as set forth in the capital improvements element.

Sec. 157.13 Fee assessment and payment.

(a) Payment of a development impact fee pursuant to the fee schedule attached hereto and incorporated herein as Attachment A, shall constitute full and complete payment of the project's proportionate share of system improvements as individually levied by the county, and shall be deemed to be in compliance with the requirements of this chapter.

(b) When a land development activity for which an application for a building permit has been made includes two or more buildings, structures, or other land uses in any combination, including two or more uses within a building or structure (other than a shopping center, shopping plaza, or strip retail center), the total development impact fee shall be the sum of the fees for each and every building, structure, or use, including each and every use within a building or structure.

(c) New shopping centers, shopping plazas, and strip retail centers shall be assessed a single impact fee, in accordance with Attachment A, as a single use without regard to its individual tenants.

(1) Future businesses or other uses that replace previous businesses or other uses in the original shopping center building shall not be assessed individual impact fees.

(2) Any new building on the same property as the original shopping center building shall be assessed an impact fee based on its proposed use. This applies to expansion of the original shopping center building, which will be assessed an impact fee based on the floor area of the expansion and its intended use.

(d) If an applicant contends that the land use category of the proposed development is not shown on the fee schedule or fits within a different land use category, then:

(1) The administrator in his or her sole discretion shall decide as to the appropriate land use category and the appropriate development impact fee.

(2) In making such determination, the administrator may require additional information from the applicant to form a logical fee determination relative to the land use categories shown on the adopted fee schedule (Attachment A hereto).

(3) If the land use of the proposed development is not similar to a land use category shown on the adopted fee schedule, then an appropriate fee may be determined by the administrator as an individual assessment in accordance with the individual assessment determinations section of this article; or, a new category may be added by the administrator and an appropriate fee established under the county's current impact fee methodology, subject to annual confirmation by the board of commissioners.

(4) Appeals from the decision of the administrator shall be made to the board of commissioners in accordance with the administrative appeals section of this chapter.

Sec. 157.14 Timing of assessment and payment.

(a) Development impact fees shall be assessed at the time of application for a building permit and shall be collected based on the use of the building determined at that time.

(b) For projects not involving issuance of a building permit, all development impact fees shall be collected at the time of approval of the development permit or such other authorization to commence construction or to commence use of a property, whichever is earliest.

(c) If the final use of a building cannot be determined at the time of the initial building permit, the administrator shall have the authority to assess a development impact fee based on the most likely use of the building. If the final use of the building differs from the use upon which the original impact fee was assessed, the administrator shall adjust the fee in accordance with the following:

(1) Prior to the completion of the project, and as a condition to the issuance of a certificate of occupancy, the developer shall certify in writing to the administrator the actual land use or uses of the project and shall present an architect's certificate of the actual gross square footage of floor area attributable to each use.

(2) In the event that the actual land use or uses and/or the actual gross square footage applicable to the actual land use or uses differs from that originally certified, and in the event that the impact fee applicable to the actual land use or uses and/or gross square footage exceeds the impact fee previously paid, the developer shall be required to pay the amount of the excess as a condition to the issuance of a certificate of occupancy.

(3) The amount of the excess shall be based upon the impact fee schedule in effect on the date the certificate of occupancy is issued.

(4) If the actual gross square footage constructed after the issuance of the building permit is less than the amount originally certified, the developer shall be entitled to a refund of the excess portion of the fee already paid or may carry the excess portion forward as a credit against future impact fees in accordance with the credit provisions of this chapter.

(d) Notwithstanding any other provision of this chapter to the contrary, any future change in land use that requires a higher impact fee than the previous impact fee shall result in the assessment of such additional fee to cover the difference. Future changes in impact fees may result from a change in the land use category of the occupant of the building or property, the expansion of a building or use on a property that results in an increase in the units of development (as defined herein), the adoption of a new impact fee schedule by the board of commissioners, or the subsequent discovery of facts unknown or misrepresented at the time of the original fee assessment by the county.

Sec. 157.15 Individual assessment determinations.

An individual assessment of development impact fees for a particular property or proposed use may be established as follows:

(a) An applicant for development approval or in the discretion of the administrator with the consent of the applicant, may petition for an individual assessment determination of development impact fees due for their project in lieu of the fee established on the fee schedule attached hereto and incorporated herein as Attachment A.

(b) In the event that an applicant elects an individual assessment, the applicant shall submit an individual assessment study. The individual assessment study shall:

(1) Be based on actual, relevant, and credible information from an accepted standard source of engineering or planning data; or,

(2) Be based on actual, relevant, and credible studies or surveys of facility demand conducted in the county or its region, carried out by qualified engineers or planners pursuant to accepted methodology; and

(3) Provide any other written specification as may be reasonably required by the administrator to substantiate the individual assessment; and

(4) Be consistent with the purpose of this chapter and its concept of proportionate share of costs of public facilities costs.

(c) The applicant shall provide any other written specifications as may be reasonably required by the administrator to substantiate the individual assessment determination.

(d) The administrator in his or her sole discretion shall determine whether the content of an individual assessment study satisfies the requirements of the preceding paragraph (b). A negative determination by the administrator may be appealed to the board of commissioners in accordance with the administrative appeals section of this chapter.

(e) Any fee approved as an individual assessment determination shall have standing for 180 days following the date of approval. Payment of such an approved individual assessment determination shall constitute full and complete payment of the project's proportionate share of system improvements as individually levied by the county and shall be deemed to be in compliance with the requirements of this chapter.

Sec. 157.16 Hardship Application.

For proposed single family detached houses, the required impact fee may be waived upon approval of a hardship application by the Board of Commissioners.

(a) At the time of the building permit application, the hardship application shall be submitted to the Administrator, and shall then be forwarded to the Board of Commissioners for consideration at the Board's next regularly scheduled meeting. In order to successfully have the impact fee waived, the applicant must satisfactorily document at least one of the following criteria to the Board, and that the presence of such criteria shall be exacerbated by the payment of a residential impact fee for a proposed home:

  (1) A mental, physical, or medical disability;

  (2) A financial hardship resulting from such occurrences as the loss of employment, extraordinary medical expenses (or that are incidental to the loss of spouse or supporting family member), divorce, personal bankruptcy, or foreclosure. A financial affidavit shall be required as part of the supporting documentation.

(b) It is recognized that the cost of system improvements otherwise foregone through approval of a hardship application of any impact fee must be funded through revenue sources other than impact fees. As part of the annual budgeting process, adequate funds shall be identified and transferred to the impact fee fund accounts equal to the amount of all hardship applications granted by the board of commissioners during the preceding year.

Sec. 157.17 Fee certification.

Upon application to the administrator, a property owner or developer may receive a certification of the development impact fee schedule attached hereto and incorporated herein as Attachment A or a certified fee for a particular project, as applicable. Such certified schedule or individual fee determination for a particular project shall establish the development impact fee due for a period of 180 days from the date of certification, even if new or revised rate schedules are adopted in the interim.

(a) The administrator shall provide an applicant with a written certification of the impact fee schedule or an individual fee determination within five working days after the administrator's receipt of a completed application. The fee schedule or individual fee determination certified by the administrator shall establish the impact fee schedule for the proposed development activity or the total impact fee for the proposed development activity, as applicable, for a period of 180 days immediately following the date of certification.

(b) Notwithstanding the issuance of any certification of an individual fee determination, any additions or changes to the proposed development activity different from the development activity identified in the original application for certification shall negate any such certification.

Sec. 157.18 Exemptions.

(a) The board of commissioners may exempt all or part of a particular development project from development impact fees if the board of commissioners finds that such project is determined to create extraordinary economic development and employment growth or affordable housing.

(b) The board of commissioners may at its discretion create a process for granting a reduction in the impact fee for certain business development projects upon the determination and relative to the extent that the project represents extraordinary economic development and employment growth, or that the affordability of housing (including “workforce” housing) may be increased, in accordance with adopted exemption criteria.

(c) Such exemption criteria shall be adopted by the board of commissioners if, and when, it deems that such exemptions are warranted and would be of benefit to the entire county, its business community, and its residents.

(d) It is recognized that the cost of system improvements otherwise foregone through exemption of any impact fee must be funded through revenue sources other than impact fees. As part of the annual budgeting process, adequate funds shall be identified and transferred to the impact fee fund accounts equal to the amount of all exemptions granted by the board of commissioners during the preceding year.

(e) In the absence of adopted applicable exemption criteria for either extraordinary economic development and employment growth or for affordable housing, no applicable exemption shall be approved.

Sec. 157.19 Maintenance of funds.

The county shall comply with all applicable accounting requirements of O.C.G.A. 36-71-8, which include the following:

(a) All development impact fee funds collected for future expenditure on construction or expansion of facilities pursuant to this chapter shall be maintained in one or more interest-bearing accounts until expended. Restrictions on the investment of development impact fee funds shall be the same that apply to investment of all such funds generally.

(b) Separate accounting records shall be maintained for each category of system improvements and for administration and capital improvement element preparation fees collected.

(c) Interest earned on development fees shall be considered funds of the account on which it is earned, and shall be subject to all restrictions placed on the use of development impact fees under this chapter. Interest earned each fiscal year shall be allocated to each category of system improvements and the administration accounts in proportion to the impact fees collected.

Sec. 157.20 Expenditures; restrictions.

(a) Expenditures from the impact fee account for a particular public facility category shall be made only for projects that are eligible for that category.

(b) Expenditures from the impact fee account for a particular public facility category shall be made only for projects that are listed for that category in the most recently adopted capital improvements element.

(1) Such expenditures for a specific project may be based on the amount of the actual cost of the project, but such shall not exceed the impact fee eligibility limits described in paragraph (b)(2) below.

(2) Such expenditures may not exceed the percentage of impact fee eligibility established for such project in the capital improvements element.

(3) Expenditures for projects not listed in the capital improvements element may be made only after they have been included in the capital improvements element by amendment adopted by the board of commissioners.

(c) Notwithstanding anything to the contrary in this chapter, the following shall be considered general revenue of the county, and may be expended accordingly:

(1) Impact fees collected to recover the present value of excess capacity in existing system improvements;

(2) Any portion of an impact fee collected as a repayment for expenditures previously made by the county for system improvements intended to be funded by such impact fee; and,

(3) Any portion of an impact fee collected for administration of the impact fee program, and such additional amount assessed for repayment of the cost of preparing the capital improvements element or the required annual reports that are submitted to the regional commission for review by the Georgia Department of Community Affairs.

Sec. 157.21 Annual report.

(a) As required by the department of community affairs, the administrator shall prepare an annual report that includes a financial report based on the most recently adopted annual audit describing the amount of any development impact fees collected, encumbered, and used during such fiscal year by category of public facility.

(b) Such annual report shall also include an update of the community work program of the comprehensive plan.

(c) The financial report and community work program constitute the “annual CIE update”, which is further described under sec. 157.36 of this chapter.

Sec. 157.22 Credits; restrictions.

When eligible, feepayors shall be entitled to a credit against impact fees otherwise due and owing under the circumstances and in the manner set forth in this section.

(a) Except as provided in the following paragraph (b), no credit shall be given for construction, contribution, or dedication of any system improvement or funds for system improvements made before the effective date of this chapter.

(b) If the value of any construction, dedication of land, or contribution of money made by a developer (or his or her predecessor in title or interest) prior to the effective date of this chapter for system improvements that are included for impact fee funding in the capital improvements element, is greater than the impact fee that would otherwise have been paid for the project, then the developer shall be entitled to a credit for such excess construction, dedication, or funding. Notwithstanding anything to the contrary in this chapter, any credit due under this section shall not constitute a liability of the county, and shall accrue to the developer to the extent of impact fees assessed for new development for the same category of system improvements.

(c) In no event shall credit be given for project improvements, as defined in this chapter, or for system improvements not included for impact fee funding in the most recently adopted capital improvements element.

Sec. 157.23 Granting of credits for system improvements.

(a) Credit shall be given for the present value of any construction of improvements, contribution or dedication of land, or payment of money by a developer or his or her predecessor in title or interest for system improvements of the same public facilities category for which a development impact fee is imposed, provided that:

   (1) The system improvement is included for impact fee funding in the capital improvements element;

   (2) The amount of the credit does not exceed the portion of the system improvement’s cost that is eligible for impact fee funding, as shown in the capital improvements element; and,

   (3) The board of commissioners shall have explicitly approved said improvement, contribution, dedication, or payment and the value thereof prior to its construction, dedication, or transfer.

(b) The credit allowed pursuant to this section shall not exceed the impact fee due for any particular public facilities category for which a development impact fee is imposed, unless a greater credit is authorized under a private contractual agreement executed under the provisions of this article.

   (1) Any credit amount more than the impact fee due for any particular public facilities category may be carried over and applied to the impact fee due in the same public

facilities category for another development by the developer, or to a successor in interest, within the county.

(2) To qualify as a "successor in interest" for entitlement to a credit, notice must have been given to the administrator of a legal transfer or assignment of the right of entitlement to the credit, including the name, mailing address, and written, notarized authorization of the grantor and the name and mailing address of the grantee.

Sec. 157.24 Guidelines for credit valuation.

Credits shall be valued using the following guidelines:

(a) For the construction of any system improvements by a developer (as defined in this chapter) or his or her predecessor in title or interest and accepted by the county, the developer must present evidence satisfactory to the administrator of the original cost of the improvement, from which present value may be calculated.

(b) For any contribution or dedication of land for system improvements by a developer or his or her predecessor in title or interest and accepted by the county, the original value of the land shall be the same as that attributed to the property by the validated tax appraisal at the time of dedication, from which present value may be calculated.

(c) For any contribution of capital equipment that qualifies as a system improvement by a developer or his or her predecessor in title or interest and accepted by the county, the value shall be the original cost to the developer of the capital equipment or the cost that the county would normally pay for such equipment, whichever is less.

(d) For any contribution of money for system improvements from a developer or his or her predecessor in title or interest accepted by the county, the original value of the money shall be the same as that at the time of contribution, from which present value may be calculated.

(e) In making a present value calculation, the discount rate used shall be the net of the interest rate being earned on the county's impact fee funds, less average annual inflation, or such other discount rate as the board of commissioners in its sole discretion may deem appropriate. The average inflation rate shall be that for the Consumer Price Index (the CPI) for the cost of money, or the average rate reported by the Engineering News Record for construction in general (the CCI) or building construction specifically (the BCI), as appropriate.

Sec. 157.25 Credits; application.

(a) Credits shall be given only upon written application of the developer to the administrator. A developer must present written evidence satisfactory to the administrator at or before the time of development impact fee assessment.

(b) The administrator, in his or her sole discretion, shall review all applications for credits and make determinations regarding the allowance of any claimed credit, and the value of such allowed credit.

(c) Any credit approved by the administrator shall be acknowledged in writing by the administrator and calculated at the time of impact fee assessment.

(d) Appeals from the decision of the administrator shall be made to the board of commissioners in accordance with the Administrative Appeals section of this chapter.

Sec. 157.26 Credits; abandoned building permits.

(a) In the event that an impact fee is paid but the building permit is abandoned, credit shall be given for the present value of the impact fee against future impact fees for the same parcel of land, upon submission of adequate evidence to the administrator that an impact fee was received by the county, the amount paid, and that the building permit was abandoned.

(b) A building permit shall be deemed abandoned if no construction has been commenced prior to the expiration of the building permit, or construction had begun but a certificate of completion or a certificate of occupancy (as applicable) had not been issued by the county prior to the expiration of the building permit and such permit had not been renewed.

Sec. 157.27 Credits; change in use.

Credits shall be given for a change in use of a current legal use in a legally occupiable building, whether it paid an impact fee or predates the county’s collection of impact fees. In this instance, credits shall be determined in accordance with the following:

(a) Using the current adopted fee schedule, the administrator shall calculate the impact fee for the current use and for the proposed new use.

(1) If the amount of the impact fee for the new use is greater than that that for the current use, the impact fee owed by the feepayor shall be reduced by the difference between the two fees. This difference is the credit and shall be charged as the amount of the impact fee owed.

(2) If the amount of the impact fee for the current use is greater than that for the proposed new use, no impact fee shall be charged, and no refunds shall be made to the feepayor.

(b) No credit shall apply if the existing principal building on the property was not habitable on or after the effective date of this chapter; or, if the property has no principal buildings or use, is an agricultural use, or is a use for which impact fees otherwise are not assessed.

Sec. 157.28 Refunds: Eligibility for a refund.

(a) Upon the written request of a feepayor regarding a property on which a development impact fee has been paid, the development impact fee shall be refunded if:

(1) capacity is available in the public facilities for which the fee was collected but service is permanently denied; or,

(2) the development impact fee has not been encumbered or construction has not been commenced within six years after the date the fee was collected.

(b) In determining whether development impact fees have been encumbered, development impact fees shall be considered encumbered on a first-in, first-out (FIFO) basis. In addition, impact fees may be encumbered by the board of commissioners through adoption of the annual CIE update each year.

Sec. 157.29 Notice of entitlement to a refund.

When the right to a refund exists due to a failure to spend or encumber the development impact fees, the administrator shall provide written notice of entitlement to a refund to the feepayor who paid the development impact fee at the address shown on the application for development approval or to a successor in interest who has given adequate notice to the administrator of a legal transfer or assignment of the right to entitlement to a refund and who has provided a mailing address. Such notice shall also be published in a newspaper of general circulation in the county within 30 days after the expiration of the six-year period after the date that the development impact fee was collected and shall contain a heading “Notice of Entitlement to Development Impact Fee Refund.” No refund shall be made for a period of 30 days from the date of said publication.

Sec. 157.30 Filing a request for a refund.

A request for a refund shall be made in writing to the administrator within one year of the time the refund becomes payable or within one year of publication of the notice of entitlement to a refund, whichever is later. Failure to make a claim for a refund within said time period shall result in a waiver of all claims to said funds.

Sec. 157.31 Payment of refunds.

(a) All refunds shall be made to the feepayor within 60 days after it is determined by the administrator that a sufficient proof of claim for refund has been made, but no sooner than 30 days after publication of the notice of entitlement to the refund.

(b) A refund shall include a refund of a pro rata share of interest actually earned on the unused or excess impact fee collected.

(c) In no event shall a feepayor be entitled to a refund for impact fees assessed and paid to recover the cost of excess capacity in existing system improvements, for any portion of an impact fee collected as a repayment for expenditures made by the county for system improvements intended to be funded by such impact fee, or for that portion of the fee payment that was assessed for administration of the impact fee chapter or for recovery of the cost of preparation of the capital improvements element.

Sec. 157.32 Private contractual agreements; authorized.

Nothing in this chapter shall prohibit the voluntary mutual approval of a private contractual agreement between the county and any developer or property owner or group of developers and/or property owners in regard to the construction or installation of system improvements and providing for credits for such system improvement costs incurred, including interproject transfers of credits or providing for reimbursement for project improvement costs which are used or shared by more than one development project, provided that:

(a) The system improvements are included for impact fee funding in the capital improvements element most recently adopted by the board of commissioners; and,

(b) The amount of any credit granted shall not exceed the portion of the system improvement's cost that is eligible for impact fee funding.

Sec. 157.33 Private contractual agreements; provisions.

A private contractual agreement for system improvements may include, but shall not be limited to, provisions that:

(a) Modify the estimates of impact on public facilities according to the methods and provisions concerning the calculation of impact fees, provided that any such agreement shall allow the county to assess additional development impact fees after the completion of construction according to the fee schedule set forth in this chapter as Attachment A.

(b) Permit construction of, dedication of property for, or other in-kind contribution for specific public facilities of the type for which development impact fees would be imposed in lieu of or with a credit against applicable development impact fees.

(c) Permit a schedule and method of payment appropriate to particular and unique circumstances of a proposed project in lieu of the requirements for payment under this chapter, provided that acceptable security is posted ensuring payment of the development impact fees. Forms of security that may be acceptable include a cash bond, irrevocable letter of credit from a bank authorized to do business within the State of Georgia, a surety bond, or lien or mortgage on lands to be covered by the building permit.

(d) Permit a credit that exceeds the impact fee due for any particular public facilities category for which a development fee is imposed.

Sec. 157.34 Private contractual agreements; procedure.

(a) Any private agreement proposed by an applicant pursuant to this chapter shall be submitted to the administrator for review and negotiation, prior to submission to the board of commissioners.

(b) Any private agreement proposed by an applicant pursuant to this chapter shall be submitted to the administrator reviewed and approved by the county attorney as to form and sufficiency prior to consideration by the board of commissioners.

(c) Any such agreement must be presented to and approved by the board of commissioners prior to the issuance of the building permit.

(d) Any such agreement shall be executed or approved by mortgagees, lien holders, or contract purchasers in addition to the landowner, and shall require the applicant to submit such agreement to the clerk of superior court for recording on the deed records.

Sec. 157.35 Amendments to this chapter.

This chapter may be amended from time to time as deemed appropriate or desirable by the Board of Commissioners or as recommended by the Planning and Zoning Board pursuant to their annual review.

(a) Any such amendment to this chapter, including an amendment to the development impact fee schedule attached hereto as Attachment A, shall follow the procedures for adoption of an amendment under the county's code of ordinances. Any such amendment shall not constitute the "adoption of a development impact fee ordinance" as set out under the Georgia Development Impact Fee Act at O.C.G.A. 36-71-3(a) nor require the creation of a Development Advisory Committee addressed under O.C.G.A. 36-71-5.

(b) Text amendments to the impact fee ordinance and amendments to the impact fee schedule (regarding the establishment of new land use categories by the Administrator as authorized in this chapter) shall follow the process for text amendments provided in this chapter.

(c) Interim amendments to the impact fee schedule regarding the establishment of new land use categories by the administrator under the provisions of this chapter are expressly authorized and shall be confirmed by the board of commissioners when this chapter is subsequently amended.

Sec. 157.36 Annual Capital Improvements Element update.

(a) Once each year, the county shall prepare an "annual CIE update" for submission to the regional commission for regional and state review. The report must include a financial report for the impact fee program based on the latest adopted audit. In addition, the report must update the community work program to maintain, at a minimum, a schedule of system improvements to be undertaken for each of the subsequent five years.

(1) The financial report shall include the beginning balances, the impact fees collected in each public facility category, interest earned on the funds on hand, refunds made, funds expended, and the ending balances in each public facility category (such as parks & recreation, roads, etc.).

(2) The community work program shall be updated by adding a future year and deleting the past year, such that a total of five years is always shown. Impact fee-funded projects that are anticipated to be undertaken are to be listed individually, with the year of implementation the cost of the project the source of funds, and the department responsible for implementation.

(b) The community work program portion of the annual CIE update may include changes in funding sources or project costs, or changes in the scheduling of projects. However, new projects not included in the list of impact fee eligible projects contained in the most recently adopted capital improvements element itself cannot be added in the annual CIE Update, unless the capital improvements element is amended in accordance with sec. 9-34 of this article.

(c) The annual CIE update is to be submitted to the regional commission for regional and state review, in accordance with the *Development Impact Fee Compliance Requirements* as adopted by the department of community affairs.

(d) Upon approval of the annual CIE update, it shall be adopted by the board of commissioners and a copy sent to the regional commission with a signed adoption resolution.

Sec. 157.37 Capital improvements element amendment.

(a) The Board of Commissioners may determine to amend the capital improvements element from time to time.

(b) Amendments to the capital improvements element shall be prepared and submitted for state and regional review in accordance with the *Development Impact Fee Compliance Requirements* as adopted by the department of community affairs, and shall be required for any change to the capital improvements element that would:

(1) Change the list of system improvement projects by adding, deleting, or substantially modifying the projects;

(2) Redefine or extend growth projections, land development assumptions, or goals or objectives that would affect system improvements proposed in the capital improvements element;

(3) Add new public facility categories for impact fee funding, modify impact fee service areas, or make changes to or add additional system improvement projects;

(4) Change service levels established for an existing impact fee service area; or

(5) Make any other revisions needed to keep the capital improvements element up to date.

Sec. 157.38 Continuation of CIE validity.

Failure of the board of commissioners to undertake an annual update of, or adopt an amendment to, the capital improvements element shall result in the continued use and application of the latest adopted development impact fee schedule and other data; project listings, including estimated costs, and impact eligibility percentages; and data upon which the level of service standards and impact fee calculations are based. The failure to periodically review such data shall not invalidate this chapter.

Sec. 157.39 Administrative Appeals.

Only applicants or feepayors who have already been assessed an impact fee by the county or who have already received a written determination of individual assessment, refund, or credit amount shall be entitled to an administrative appeal unless otherwise provided by this Ordinance.

Such appeals may address:

(a) The imposition of an impact fee and/or the amount of an impact fee.

(b) The entitlement to and/or the amount of credits applicable to an impact fee.

(c) The entitlement to and/or the amount of a refund of an impact fee.

Sec. 157.40 Administrative Appeals process.

(a) The aggrieved applicant or feepayor must file a written appeal with the administrator within 30 days of the receipt of written determination of the amount of the development impact fee due, or entitlement to an amount of a refund or credit. Such written appeal shall be of sufficient content to clearly and unequivocally set forth the basis for the appeal and the relief sought.

(b) Such appeal must be filed in writing shall state the basis for the appeal and the relief sought, and shall include:

(1) The name and address of the aggrieved applicant or feepayor;

(2) The location of the affected property;

(3) A copy of any applicable written decision or determination made by the administrator from which the appeal is taken.

(c) Within 15 days after receipt of the appeal, the administrator shall make a written decision with respect to the appeal. Such decision shall be of sufficient content to set forth the basis for the determination.

(d) Appeals from the decision of the administrator shall be made to the board of commissioners within 30 days of receipt by the aggrieved applicant or feepayor of the administrator's decision. Delivery by hand or certified mail to, or posting upon the property, at the address given by the aggrieved applicant or feepayor in the application for relief shall constitute “receipt by the aggrieved applicant or feepayor” under this provision.

(e) The board of commissioners shall thereafter establish a reasonable date and time for a hearing on the appeal, give written notice thereof to the applicant or feepayor, and decide the issue within a reasonable time following the hearing. Any party making an appeal shall have the right to appear at the hearing to present evidence and may be represented by counsel.

Sec. 157.41 Appeals from board decisions.

(a) Decisions of the Board of Commissioners concerning impact fee decisions may be appealed as provided by state law.

Sec. 157.42 Payment of impact fee during appeal.

(a) The filing of an appeal shall not stay the collection of a development impact fee as a condition to the issuance of development approval.

(b) A developer may pay a development impact fee under protest to obtain a development approval, and by making such payment shall not be estopped from exercising this right of appeal or receiving a refund of any amount deemed to have been collected in excess.

Sec. 157.43 Enforcement authority.

(a) The enforcement of this chapter shall be the responsibility of the administrator and such personnel as the administrator may designate from time to time.

(b) The administrator shall have the right to inspect the lands affected by this chapter and shall have the right to issue a written official notice, cease and desist order, or citation for violations, as the administrator in his or her reasonable and sole determination may deem appropriate to the circumstances.

(1) Refusal of written notice of violation, cease and desist order, or citation under this chapter shall constitute legal notice of service.

(2) The citation shall be in the form of a written official notice issued in person or by certified mail to the owner of the property, or to his or her agent, or to the person performing the work giving rise to such violation. The receipt of a citation shall require that corrective action be taken within thirty (30) days unless otherwise extended at the discretion of the Administrator.

(3) The citation shall include reference to, and a copy of, the specific provisions of this chapter that the administrator has determined to be the basis of the violation.

(4) The receipt of a citation shall require that corrective action be taken within 30 days unless otherwise extended at the discretion of the administrator.

(c) If the required corrective action is not taken within the time allowed, the administrator may use any available civil or criminal remedies to secure compliance. Such remedies may include the suspension or revocation of any building permit, withholding the issuance of other development approvals, and/or bringing an action before any court of competent jurisdiction.

(d) Violations.

(1) Knowingly furnishing false information on any matter relating to the administration of this chapter shall constitute an actionable violation.

(2) Proceeding with construction of a project that is not consistent with the project's impact fee assessment, such as the use category claimed or units of development indicated, shall constitute an actionable violation.

(3) Failure to take corrective action following the receipt of a citation within the time period required shall constitute an actionable violation.

(4) A violation of this chapter shall be a misdemeanor punishable according to law, including the general penalty provisions of the county's Code of Ordinances. In addition to or in lieu of criminal prosecution, the board of commissioners shall have the power to sue in law or equity for relief in civil court to enforce this chapter,

including recourse to such civil and criminal remedies in law and equity as may be necessary to ensure compliance with the provisions of this chapter, including but not limited to injunctive relief to enjoin and restrain any person from violating the provisions of this chapter and to recover such damages as may be incurred by the implementation of specific corrective actions.

Sec. 157.44 Incorporation by reference of Georgia Laws.

It is the intent of the board of commissioners that this chapter comply with the terms and provisions of the Georgia Development Impact Fee Act (O.C.G.A. 36-71-1 et seq.) as amended. To the extent that any provision of this chapter is inconsistent with the provisions of said act, the latter shall control. Furthermore, to the extent that this chapter is silent as to any provision of said act that is otherwise made mandatory by said act, such provision shall control and shall be binding upon the county.

Sec. 157.45 Repeal of conflicting laws.

Any and all ordinances, resolutions, or regulations, or parts thereof, in conflict with this Ordinance are hereby repealed to the extent of such conflict. Where this chapter overlaps with other chapters or regulations adopted by the board of commissioners, whichever imposes the more stringent restrictions shall prevail.

Sec. 157.46 Severability.

If any sentence, clause, part, paragraph, section, or provision of this chapter is declared by a court of competent jurisdiction to be invalid, the validity of the chapter as a whole or any other part hereof shall not be affected.

Sec. 157.47 Effective Date.

This chapter or any amendment thereto shall take effect upon adoption, unless otherwise specified in the motion for adoption.

Any building for which a valid and complete application for a building permit has been received prior to the effective date of this Ordinance may proceed without payment of fees otherwise imposed by this Ordinance provided that:

(a) All fees and development exactions in effect prior to the effective date of this Ordinance shall be or have been paid in full; and

(b) Said construction shall be commenced, pursued and completed within the time established by the building permit, or within one hundred eighty (180) days, whichever is later.

Sec. 157.48 Attachment A: Impact Fee Schedule.

(a) The following tables show the impact fees adopted for the noted land use categories.

(b) Impact fee amounts are shown to 4 decimal places on the tables. The fee applicable to a particular building permit will be calculated to 4 places and rounded down to 2 decimal places (cents).

Attachment A: Impact Fee Schedule

Land Use	Library Services	Parks & Recreation	Animal Services	Fire Protection	Emergency Management	Sheriff's Office	Road Improvements	Total Impact Fee*	Unit of Measure*
Residential									
Single-Family Detached Housing	$ 846.6410	$ 983.1261	$ 213.4616	$ 2,917.2318	$ 67.6010	$ 455.2465	$ 1,278.0637	$ 6,761.3717	per dwelling
Duplex orTownhouse 1-3 stories	$ 846.6410	$ 983.1261	$ 213.4616	$ 2,917.2318	$ 67.6010	$ 455.2465	$ 975.8281	$ 6,459.1361	per dwelling
Multi-Family Low Rise 2-3 stories	$ 846.6410	$ 983.1261	$ 213.4616	$ 2,917.2318	$ 67.6010	$ 455.2465	$ 913.4835	$ 6,396.7915	per dwelling
Mid-Rise Multi-Family 4-10 stories	$ 846.6410	$ 983.1261	$ 213.4616	$ 2,917.2318	$ 67.6010	$ 455.2465	$ 615.3138	$ 6,098.6219	per dwelling
High-Rise Multi-Family over 10 stories	$ 846.6410	$ 983.1261	$ 213.4616	$ 2,917.2318	$ 67.6010	$ 455.2465	$ 615.3138	$ 6,098.6219	per dwelling
Continuing Care Retirement Community	$ 846.6410	$ 983.1261	$ 213.4616	$ 2,917.2318	$ 67.6010	$ 455.2465	$ 334.7632	$ 5,818.0713	per dwelling
Recreational Home (2nd home or STR)	$ 846.6410	$ 983.1261	$ 213.4616	$ 2,917.2318	$ 67.6010	$ 455.2465	$ 481.1374	$ 5,964.4455	per dwelling
Industrial									
General Light Industrial	$ -	$ -	$ -	$ 1.78	$ 0.03	$ 0.28	$ 0.65	$ 2.7411	per square foot
Manufacturing	$ -	$ -	$ -	$ 2.18	$ 0.04	$ 0.34	$ 0.64	$ 3.1988	per square foot
Warehousing	$ -	$ -	$ -	$ 0.39	$ 0.01	$ 0.06	$ 0.23	$ 0.6889	per square foot
Mini-Warehouse	$ -	$ -	$ -	$ 0.39	$ 0.01	$ 0.06	$ 0.20	$ 0.6537	per square foot
High-Cube Warehouse, short term	$ -	$ -	$ -	$ 0.75	$ 0.01	$ 0.12	$ 0.19	$ 1.0730	per square foot
High-Cube Warehouse, fulfillment center	$ -	$ -	$ -	$ 0.75	$ 0.01	$ 0.12	$ 0.25	$ 1.1275	per square foot
High-Cube Hub Warehouse	$ -	$ -	$ -	$ 0.79	$ 0.01	$ 0.12	$ 0.63	$ 1.5509	per square foot
Specialty Trade Contractor	$ -	$ -	$ -	$ 3.11	$ 0.05	$ 0.49	$ 1.33	$ 4.9833	per square foot
Lodging									
Hotel or Conference Motel	$ -	$ -	$ -	$ 641.3863	$ 10.7896	$ 100.0911	$ 1.0829	$ 753.3499	per room
All Suites Hotel	$ -	$ -	$ -	$ 1,064.0641	$ 17.8999	$ 166.0517	$ 0.5963	$ 1,248.6121	per room
Business Hotel	$ -	$ -	$ -	$ 143.2225	$ 2.4093	$ 22.3505	$ 0.5448	$ 168.5271	per room
Motel	$ -	$ -	$ -	$ 153.2088	$ 2.5773	$ 23.9089	$ 0.4540	$ 180.1490	per room
Recreational									
Movie Theater	$ -	$ -	$ -	$ 1.63	$ 0.03	$ 0.25	$ 10.58	$ 12.4964	per square foot
Amusement Park	$ -	$ -	$ -	$ 2,559.60	$ 43.06	$ 399.44	$ 7,238.75	$ 10,240.8383	per acre
Soccer Fields	$ -	$ -	$ -	$ 1,217.45	$ 20.48	$ 189.99	$ 9,667.47	$ 11,095.3876	per field
Racquet/Tennis Club	$ -	$ -	$ -	$ 0.55	$ 0.01	$ 0.09	$ 2.94	$ 3.5836	per square foot
Recreational Community Center	$ -	$ -	$ -	$ 1.22	$ 0.02	$ 0.19	$ 3.91	$ 5.3339	per square foot

Impact Fee Schedule continued

Land Use	Library Services	Parks & Recreation	Animal Services	Fire Protection	Emergency Management	Sheriff's Office	Road Improvements	Total Impact Fee*	Unit of Measure*
Institutional									
Private Elementary School	$ -	$ -	$ -	$ 0.7894	$ 0.0133	$ 0.1232	$ 0.0929	$ 1.0188	per square foot
Private Middle School (Junior High)	$ -	$ -	$ -	$ 0.0290	$ 0.0005	$ 0.0045	$ 0.0034	$ 0.0374	per square foot
Private High School	$ -	$ -	$ -	$ 17.4050	$ 0.2928	$ 2.7161	$ 2.0492	$ 22.4631	per employee
University or College	$ -	$ -	$ -	$ 10.2335	$ 0.1722	$ 1.5970	$ 1.2049	$ 13.2075	per employee
Church/Place of Worship	$ -	$ -	$ -	$ 0.4370	$ 0.0074	$ 0.0682	$ 1.0300	$ 1.5426	per square foot
Day Care Center	$ -	$ -	$ -	$ 2.5639	$ 0.0431	$ 0.4001	$ 6.4540	$ 9.4612	per square foot
Cemetery	$ -	$ -	$ -	$ 119.9959	$ 2.0186	$ 18.7259	$ 0.8159	$ 141.5563	per acre
Medical									
Hospital	$ -	$ -	$ -	$ 3.2885	$ 0.0553	$ 0.5132	$ 1.4597	$ 5.3167	per square foot
Nursing Home	$ -	$ -	$ -	$ 2.3475	$ 0.0395	$ 0.3663	$ 0.9148	$ 3.6681	per square foot
Clinic	$ -	$ -	$ -	$ 3.1138	$ 0.0524	$ 0.4859	$ 5.0960	$ 8.7481	per square foot
Veterinary Clinic	$ -	$ -	$ -	$ 1.9503	$ 0.0328	$ 0.3044	$ 2.9139	$ 5.2014	per square foot
Office									
General Office Building	$ -	$ -	$ -	$ 3.7472	$ 0.0630	$ 0.5848	$ 1.4692	$ 5.8642	per square foot
Small Office Building	$ -	$ -	$ -	$ 2.1075	$ 0.0355	$ 0.3289	$ 1.9503	$ 4.4221	per square foot
Corporate Headquarters Building	$ -	$ -	$ -	$ 3.9617	$ 0.0666	$ 0.6182	$ 1.0775	$ 5.7240	per square foot
Single-Tenant Office Building	$ -	$ -	$ -	$ 3.9078	$ 0.0657	$ 0.6098	$ 1.7714	$ 6.3548	per square foot
Medical-Dental Office Building	$ -	$ -	$ -	$ 4.7578	$ 0.0800	$ 0.7425	$ 4.8791	$ 10.4595	per square foot
Office Park	$ -	$ -	$ -	$ 3.5997	$ 0.0606	$ 0.5617	$ 1.5003	$ 5.7223	per square foot
Research and Development Center	$ -	$ -	$ -	$ 3.7847	$ 0.0637	$ 0.5906	$ 1.5017	$ 5.9407	per square foot
Business Park	$ -	$ -	$ -	$ 3.5445	$ 0.0596	$ 0.5531	$ 1.6860	$ 5.8433	per square foot

Impact Fee Schedule continued

Land Use	Library Services	Parks & Recreation	Animal Services	Fire Protection	Emergency Management	Sheriff's Office	Road Improvements	Total Impact Fee*	Unit of Measure*
Retail									
Building Materials and Lumber Store	$ -	$ -	$ -	$ 0.7616	$ 0.0128	$ 0.1189	$ 2.3108	$ 3.2041	per square foot
Free-Standing Discount Superstore	$ -	$ -	$ -	$ 2.6555	$ 0.0447	$ 0.4144	$ 6.8471	$ 9.9616	per square foot
Variety Store	$ -	$ -	$ -	$ 0.7666	$ 0.0129	$ 0.1196	$ 8.6279	$ 9.5271	per square foot
Free-Standing Discount Store	$ -	$ -	$ -	$ 2.5177	$ 0.0424	$ 0.3929	$ 7.3011	$ 10.2540	per square foot
Hardware/Paint Store	$ -	$ -	$ -	$ 0.3355	$ 0.0056	$ 0.0524	$ 1.0937	$ 1.4872	per square foot
Nursery (Garden Center)	$ -	$ -	$ -	$ 3.5910	$ 0.0604	$ 0.5604	$ 9.2297	$ 13.4415	per square foot
Nursery (Wholesale)	$ -	$ -	$ -	$ 1.9185	$ 0.0323	$ 0.2994	$ 5.2857	$ 7.5359	per square foot
Shopping Center	$ -	$ -	$ -	$ 2.4456	$ 0.0411	$ 0.3817	$ 5.0160	$ 7.8845	per square foot
Shopping Plaza - No Supermarket <150K	$ -	$ -	$ -	$ 2.4456	$ 0.0411	$ 0.3817	$ 12.8064	$ 15.6748	per square foot
Strip Retail Plaza	$ -	$ -	$ -	$ 2.4456	$ 0.0411	$ 0.3817	$ 7.3797	$ 10.2481	per square foot
Automobile Sales (New)	$ -	$ -	$ -	$ 2.8614	$ 0.0481	$ 0.4465	$ 3.7732	$ 7.1292	per square foot
Automobile Sales Used)	$ -	$ -	$ -	$ 2.4959	$ 0.0420	$ 0.3895	$ 3.6675	$ 6.5949	per square foot
Recreation Vehicle Sales	$ -	$ -	$ -	$ 0.7304	$ 0.0123	$ 0.1140	$ 0.6777	$ 1.5343	per square foot
Auto Parts Store	$ -	$ -	$ -	$ 1.1051	$ 0.0186	$ 0.1725	$ 7.3960	$ 8.6921	per square foot
Tire Store	$ -	$ -	$ -	$ 1.4734	$ 0.0248	$ 0.2299	$ 3.7529	$ 5.4810	per square foot
Supermarket	$ -	$ -	$ -	$ 2.4629	$ 0.0414	$ 0.3843	$ 12.7183	$ 15.6069	per square foot
Discount Club	$ -	$ -	$ -	$ 1.5174	$ 0.0255	$ 0.2368	$ 5.7547	$ 7.5344	per square foot
Sporting Goods Superstore	$ -	$ -	$ -	$ 6.1653	$ 0.1037	$ 0.9621	$ 3.2229	$ 10.4540	per square foot
Home Improvement Superstore	$ -	$ -	$ -	$ 6.1653	$ 0.1037	$ 0.9621	$ 4.1662	$ 11.3973	per square foot
Pharmacy/Drugstore w/drive-through	$ -	$ -	$ -	$ 1.9224	$ 0.0323	$ 0.3000	$ 14.6916	$ 16.9463	per square foot
Furniture Store	$ -	$ -	$ -	$ 0.6635	$ 0.0112	$ 0.1035	$ 0.8538	$ 1.6321	per square foot
Services									
Drive-in Bank	$ -	$ -	$ -	$ 3.5293	$ 0.0594	$ 0.5508	$ 13.6006	$ 17.7401	per square foot
Fast Casual Restaurant	$ -	$ -	$ -	$ 5.8044	$ 0.0976	$ 0.9058	$ 13.1655	$ 19.9733	per square foot
Fine Dining Restaurant	$ -	$ -	$ -	$ 5.8044	$ 0.0976	$ 0.9058	$ 11.3630	$ 18.1708	per square foot
High-Turnover (Sit-Down) Restauant	$ -	$ -	$ -	$ 5.8044	$ 0.0976	$ 0.9058	$ 14.5290	$ 21.3368	per square foot
Fast-Food Restaurant	$ -	$ -	$ -	$ 12.0873	$ 0.2033	$ 1.8863	$ 63.3583	$ 77.5353	per square foot
Quick Lubtication Vehicle Shop	$ -	$ -	$ -	$ 5.0052	$ 0.0842	$ 0.7811	$ 9.4289	$ 15.2995	per square foot
Automobile Parts & Service	$ -	$ -	$ -	$ 1.6703	$ 0.0281	$ 0.2607	$ 2.2498	$ 4.2089	per square foot
Convenience Store w/gas	$ -	$ -	$ -	$ 5.0172	$ 0.0844	$ 0.7830	$ 162.9091	$ 168.7937	per square foot

NOTE: Impact fee amounts are shown to 4 decimal places. The fee applicable to a particular building permit will be calculated to 4 places and rounded down to 2 decimal places (cents).

* Note that "Square foot" means square foot of gross building floor area.