

## Impact Fees

Florida Statute #[163.31801](#) states :*"The Legislature finds that impact fees are an important source of revenue for a local government to use in funding the infrastructure necessitated by new growth. The Legislature further finds that impact fees are an outgrowth of the home rule power of a local government to provide certain services within its jurisdiction."*

*3(a)."...(a) Require that the calculation of the impact fee be based on the most recent and localized data.*

*(d) Require that notice be provided no less than 90 days before the effective date of an ordinance or resolution imposing a new or increased impact fee."*

Impact Fees can be used ONLY for the development for which they were collected and road impact fees must be used only for road expenses just as school impact fees can ONLY be used for schools and in the area where they were collected.

From Michael Wanchick:

### Road Impact Fees Credits Used in lieu of impact fee payments

### Road Impact Fees Collected

FY 2012	
\$5,126,768	\$1,944,486
FY2013	
\$7,176,126	\$3,207,177
FY2014	
\$7,952,154	\$4,545,641

**Total: \$20,255,048**

**\$9,697,304**

For more detail:

(Actually collected in \$)

Impact Fees: Fiscal Years 2013 through 2015

	FY 13 Actual	FY 14 Actual	FY 15 Projected
Public Buildings	1,413,353	1,593,012	1,520,045
Law Enforcement	209,898	222,488	247,525
Fire Rescue/EMS	1,584,296	2,137,225	1,056,690
Roads - A	615,648	1,137,356	438,455
Roads - B	518,809	1,427,643	1,677,961
Roads - C	1,756,715	1,720,089	1,214,619
Roads - D	316,006	260,552	88,296
<b>Total Road Impact Fee</b>	<b>3,207,178</b>	<b>4,545,640</b>	<b>3,419,331</b>
Parks - A	221,298	217,990	278,110
Parks - B	39,442	83,038	100,525
Parks - C	155,503	166,633	138,667
Parks - D	31,293	27,205	8,754

Total Park Impact Fee	447,536	494,866	526,056
<b>Total All Impact Fees</b>	<b>6,862,261</b>	<b>8,993,231</b>	<b>6,769,647**</b>

**\*\*I question the accuracy of this projection as it is less than FY'14.**

According to Betty Sue Stepp in Growth Management:  
**SJC holds \$245 million road impact fee credits.**

“Proportionate share payment” is paid by developers when their development creates a deficit on adjacent roads. Impact fee credits are issued when a developer pays money to the county to mitigate a deficit in the form of a proportionate share payment, or spends money in the actual improvement of a regional roadway. These credits can offset road impact fees until they are exhausted

**Road Impact Credits by development    School Impact Credits**

Nocatee*    \$	100,406,000	-0-
“Donations/Road building		
Rivertown    \$	42 million	-0-
Aberdeen    \$	22 million	-0-
Bartram Park	13.4 million	-0-
St. Johns    \$	13 million	-0-
Durban Crossing	11.4 million	-0-
World Commerce	10.9 million	-0-
Palencia    \$	1,742,150	\$ 61,762
Anderson Greenbrier	-0-	\$ 2,213.615
<b>Total of Large Dev.</b>	<b>\$214,659,354</b>	

\*\*“Donations”/Road building by Nocatee resulted in significant road impact fee credits. “Donations” of fire/rescue land and school property also resulted in impact fee credits in their respective areas, which may have already been utilized.

Two methods for increasing impact fees:

1. Annually the Administrator may make recommendations to BCC to raise impact fees by the amount of the increase in the construction index. In FY 2014, the construction index increased by .028%. Ms. Stepp believes the Administrator has done this the last 2 years.
2. Every five years staff is directed to conduct study and prepare a report with suggestions for revisions to the BCC. The next study is in FY 2016.

FYI: Previously approved PUDs have an expiration date if construction is not begun; however, the developer may re-apply for approval.

