

RESOLUTION 11-R98

A RESOLUTION PROVIDING FOR A TEMPORARY PARTIAL REBATE OF CITY OF PORT ST. LUCIE ROAD IMPACT FEES; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, by Ordinance 05-87, the City established a Road Impact Fee for new development within the City of Port St. Lucie; and

WHEREAS, since the adoption of the Road Impact Fee Ordinance the economy and growth within the City has suffered due to the recession that has been experienced throughout our nation; and

WHEREAS, in an effort to stimulate the near-term economic development within the City, the City Council seeks to provide an incentive for new development; and

WHEREAS, the Road Impact Fee Rebate Program is a means for creating an incentive for near-term economic development.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE AS FOLLOWS:

Section 1. The City of Port St. Lucie hereby establishes the City of Port St. Lucie Road Impact Fee Rebate Program (hereinafter referred to as "Rebate" or "Rebate Program").

a. Unless the context clearly indicates or requires a different meaning, the definitions set forth in the Road Impact Fee Ordinance shall govern the Rebate Program.

b. Applicants who apply for a new development permit shall pay all impact fees as required by law as a condition to receiving the building permit.

c. Those applicants to whom are issued a building permit for new development on or after December 1, 2011 but before January 1, 2013, shall be entitled to a Rebate in the amount of fifty percent (50%) of the City road Impact Fee, less any administrative fee related to the road Impact Fee Program.

d. Entitlement to the Rebate is further conditioned upon the applicant completing the project and obtaining a certificate of occupancy within the thirty (30) months from the date of the issuance of the building permit. The City Manager may extend this period upon the applicant presenting extenuating circumstances warranting such extension, including but not limited to the size or complexity of the project.

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e. The Rebate Program applies only to the City Road Impact Fee and does not apply to any other City Impact Fee or the Impact Fee Program of any other jurisdiction.

f. Any decision made by the City Manager in the course of administering the Rebate Program may be appealed to the City Council as provided by the Road Impact Fee Ordinance.

Section 2. Nothing herein shall be deemed to amend, modify or waive any provision of the Road Impact Fee Ordinance.

Section 3. This resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this 12th day of December, 2011.

CITY COUNCIL
CITY OF PORT ST. LUCIE

ATTEST:

By: _____
JoAnn M. Faiella, Mayor

Karen A. Phillips, City Clerk

APPROVED AS TO FORM: _____
Roger G. Orr, City Attorney

MEMORANDUM

TO: MAYOR JOANN M. FAIELLA
CITY COUNCIL

FROM: JERRY A. BENTROTT, CITY MANAGER 

SUBJECT: A RESOLUTION PROVIDING FOR A TEMPORARY PARTIAL REBATE OF
CITY OF PORT ST. LUCIE ROAD IMPACT FEES

DATE: DECEMBER 8, 2011

As everyone knows, the local construction industry has constricted over the past few years resulting in the loss of several hundred jobs directly and indirectly in businesses that supported construction. Additionally, property values for both residential and commercial buildings have fallen. One common complaint that staff members hear is that impact fees are too high and are acting as a restriction on new construction.

Under the City's impact fee ordinances, the fees are to be reviewed periodically. A comprehensive study and review of the City of Port St. Lucie's impact fees is recommended to be undertaken in 2012. In the meantime, a cursory review of impact fees in Port St. Lucie indicates that in many cases our impact fees are higher than those of surrounding jurisdictions, especially when the overlay of St. Lucie County impact fees is included, placing the City at a disadvantage when recruiting businesses to build in the City. The impact fee that causes the most concern is the road impact fee, which has the highest cost.

Attached is a resolution that would authorize the rebate of one-half of the City's road impact fee, less any administrative charges, when a building receives its Certificate of Occupancy (CO) for the period of December 1, 2011 through December 31, 2012. This change would reduce some of the competitive disadvantage of the City while the comprehensive impact fee review is being completed.

JAB/mv
Attachment

cc: Gregory J. Oravec, Assistant City Manager
Roger G. Orr, City Attorney
Pam Booker Hakim, Senior Assistant City Attorney
Daniel Holbrook, Planning & Zoning Director



Memorandum

TO: JERRY A. BENTROTT, CITY MANAGER
FROM: GREGORY J. ORAVEC, ASSISTANT CITY MANAGER
DATE: DECEMBER 8, 2011
SUBJECT: ROAD IMPACT FEES

As you know, following the last City Council Retreat, I began studying the impact fees of the City of Port St. Lucie, the surrounding jurisdictions and the twenty most populous cities in the State of Florida. Recently, you asked me to provide you with information regarding the road impact fees of the surrounding jurisdictions. In response to your request, please find the following information.

Notes

- There is not a uniform list of land uses by which impact fees are categorized. For example, some jurisdictions, such as the City, do not differentiate between types of single family residential units, while others differentiate by varying sizes of such units. This becomes increasingly complex across non-residential categories.
- Many jurisdictions have differing impact fees for specified areas. For example, Fort Pierce exempts development within its Enterprise Zone from paying impact fees. The City of Stuart and Martin County have lower impact fees within the Community Redevelopment Area. Martin County has different impact fees within Stuart than within the Unincorporated County.
- When building within an incorporated area, a developer will sometimes have to pay city and county impact fees. This varies by jurisdiction.

Comparison of Local Jurisdictions

[Please see next page.]

Comparison of Road Impact Fees by Jurisdiction for Listed Uses and Units

Land Use	Unit	City of Port St. Lucie	City of Ft. Pierce	City of Stuart	St. Lucie County	Martin County Unincorporated
Single Family 2,000 sf*	du	\$ 2,050.50	\$ 586.20	\$ 1,588.00	\$ 4,523.00	\$ 4,209.00
Office 20,000 sf or less**	sf	\$ 3.29	\$ 1.00	\$ 1.82	\$ 2.59	\$ 1.90
Retail Under 25,001-50,000 sf	sf	\$ 6.31	\$ 1.03	\$ 3.65	\$ 4.84	\$ 3.84

*

Category used for Martin County is 1,101 to 2,300 sf.

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Category used for City of Stuart is Office 10,001 to 25,000 sf.

Approximate Amount of Road Impact Fees to be paid based upon Project Location for Listed Uses and Units.

Land Use	Unit	City of Port St. Lucie	City of Ft. Pierce	City of Stuart	St. Lucie County	Martin County Unincorporated
Single Family 2,000 sf*	du	\$ 4,523.00	\$ 5,109.20	\$ 5,797.00	\$ 4,523.00	\$ 4,209.00
Office 20,000 sf or less**	sf	\$ 4.59	\$ 3.59	\$ 3.72	\$ 2.59	\$ 1.90
Retail Under 25,001-50,000 sf	sf	\$ 8.73	\$ 5.87	\$ 7.49	\$ 4.84	\$ 3.84

*

Category used for Martin County is 1,101 to 2,300 sf.

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Category used for City of Stuart is Office 10,001 to 25,000 sf.

I hope you find this information useful. If you have any questions or require additional information, please do not hesitate to let me know.

Thank you.