

OCTOBER 22, 1987

The Board of County Commissioners, Manatee County, Florida, met in PUBLIC HEARING in the Bradenton Financial Center, 1401 Manatee Avenue West, Bradenton, Florida, Thursday, October 22, 1987, at 6:04 p.m.

Present were Commissioners:

Kent G. Chetlain, Vice-Chairman
Westwood H. Fletcher, Jr.
James J. McGrath
Edward W. Chance, Chairman, entered during meeting

Absent was Commissioner: Patricia M. Glass

Also present were:

Ronald H. Rabun, County Administrator
Mark Barnebey, Assistant County Attorney
Richard H. Ashley, Chief Deputy Clerk, representing
R. B. Shore, Clerk of Circuit Court

Representatives of the various news media were present.

The meeting was called to order by Vice-Chairman Chetlain.

All witnesses/staff giving testimony were duly sworn.

ORDINANCE 87-38 - IMPACT FEES

Public hearing (Notice in The Bradenton Herald 10/15/87) was opened for the purpose of considering

ORDINANCE 87-38 AN ORDINANCE OF MANATEE COUNTY, FLORIDA PROVIDING FOR AN AMENDMENT TO MANATEE COUNTY ORDINANCE 81-4, THE MANATEE COUNTY COMPREHENSIVE ZONING AND LAND DEVELOPMENT CODE; PROVIDING FOR INFLATIONARY INCREASES TO THE AMOUNT OF IMPACT FEES FOR ROADS, PARKS AND RECREATION, SOLID WASTE, AND EMERGENCY MEDICAL SERVICES; AND PROVIDING FOR CHANGES IN THE FORMULA USED TO CALCULATE TRANSPORTATION COMPONENT IMPACT FEES; AND PROVIDING A DEFINITION FOR "DEVELOPMENT UNIT"; AND PROVIDING AN EFFECTIVE DATE.

Mark Barnebey, Assistant County Attorney, recommended continuing this public hearing to November 5, 1987 at 6:00 p.m., as the Planning Commission was not able to review all information regarding the Ordinance in order to make a recommendation. He further recommended the second public hearing, which is scheduled for November 5, 1987, be opened at the conclusion of the first hearing and continued until November 9, 1987 at 6:00 p.m.

Steve Logan, Planning & Development Department, advised the Ordinance provides inflationary increases for all components, however, Transportation Division has prepared a full presentation to provide for amendments to the Ordinance.

Amendments include: 1) Section 120C - definition for Development Unit (120C.9) which would renumber the subsequent subsections; 2) 1.7 percent inflationary increase to Parks and Recreation and Solid Waste components. Increases computed for Emergency Medical Services were so small none of the fees resulted in a dollar increase when rounded.

John Thomas, Public Works/Transportation, stated at the end of a one year period, transportation impact fees in the amount of \$1.9 million had been assessed and less than \$900,000 collected. In order to support the recommended projects, it would be necessary to change the lane-mile capacity.

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Larry Wills, Harland-Bartholomew (Traffic Consultants), reviewed methods for amending the lane-mile capacity to include increases for cost per lane-mile (2.25 percent) and right-of-way acquisition (6 percent) which have been incorporated into the formula.

Items included in the lane-mile capacity formula were: flow rate (number of vehicles passing a given point at a given time period), peak hour percentage (daily traffic that occurs during peak hour) and directional distribution percentage (traffic traveling in the heaviest direction during peak hour).

Mr. Wills advised the original formula for existing impact fees were based upon theoretical numbers from a Highway Capacity Manual, however a traffic count has been completed to be used in the new formula. The previous lane-mile capacity was figured at 6,600 vehicles per day per lane, whereas the lane-mile figure based upon the actual traffic count, was 4,100 vehicles per day per lane.

A letter from James A. Keene, President Board of Realtors, requesting the hearing be continued for two weeks, was entered into the record.

Edward Luff, representing 1,500 property owners in Desoto Lakes Country Club/Palm Aire, spoke in favor of 100 percent impact fees.

George Talburtt, League of Women Voters, quoted the position of the League: "Growth should come as close as possible to paying for itself through impact fees as is legally defensible."

Nancy Engel, Economic Development Council of the Chamber of Commerce, stated impact fees should be used to pay for growth, however, it should be fair, equitable and not discourage/penalize growth, yet place a burden on existing residents and businesses. Concerns are:

1. Not a tested, scientific formula that can predict the cost of growth and assign a value to indirect benefits.
2. Need opportunity to review changes made to the formula.
3. Impact fees only part of the solution.
4. Collection of funds should be at the Certificate of Occupancy (not when Permit pulled).

(Enter Mr. Chance during presentation)

Mr. Thomas stated changes to the formula include 1) lane-mile costs amended from \$503,700 to \$520,200 (Urban District) and 2) inflationary increases.

(Depart Mr. Fletcher)

Discussion: Capital Improvement Projects funds from gas tax; agreement with developers to extract funds for improvements and get credits toward impact fees on DRIs; fees not being generated as projected; returning impact fees if development does not occur; impact fees for overall road network; collecting fees at time Permit pulled, etc.

Jim Seuffert, Office of Management & Budget, stated there was not a clear consensus at the work session as to changing the time for collection from Permit to Certificate of Occupancy, therefore, it was not included in the Ordinance amendments.

Discussion: Developer pays a portion of impact fees at time of final site plan approval; person who pulls permit (contractor) would have to pay the fees, etc.

Mr. Barnebey recommended a motion to continue this public hearing to Thursday, November 5, 1987 at 6:00 p.m. or as soon thereafter as may be heard, in this hearing room.

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Mr. Chance moved to accept Mr. Barnebey's recommended motion. Motion was seconded by Mr. McGrath and carried unanimously.

At the conclusion of the first public hearing, the second public hearing will be opened and continued to a date certain.

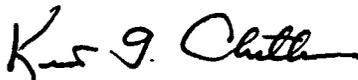
MEETING ADJOURNED

There being no further business, the meeting was adjourned.

Attest:

APPROVED:


Clerk


Chairman 1/5/88

Adj: 7:26 p.m.