

Village of  
**WELLINGTON**

**2023 Public Facilities Impact Fee Study**

January 19, 2024

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Mr. Tim Stillings  
Planning, Zoning and Building Director  
Village of Wellington  
12300 Forest Hill Boulevard  
Wellington, Florida 33414

**Subject: 2023 Public Facilities Impact Fee Study**

Enclosed is the 2023 public facilities impact fee report for your use and reference. The report herein includes an executive summary followed by technical sections regarding the calculation of the public facilities impact fees and additional background information. If you should have any questions, please do not hesitate to contact me. We appreciate the opportunity to work with you and the Village of Wellington staff on this important project.

Respectfully Submitted,

**Raftelis Financial Consultants, Inc.**

A handwritten signature in blue ink that reads 'Joe Williams'.

**Joe Williams**  
*Senior Manager*

A handwritten signature in blue ink that reads 'TJ Speight'.

**TJ Speight**  
*Consultant*

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# Executive Summary

## Introduction

The Village of Wellington (Wellington) has retained Raftelis Financial Consultants, Inc. (Raftelis) to calculate new public facilities impact fees that are designed to recover the costs of investment in facilities such as public works buildings, Wellington Village Hall expansions, and the new joint PBSO and building department facility. Impact fees are important sources of revenue for municipalities to fund infrastructure investments related to serving growth. The impact fee calculations are based on the costs to provide infrastructure to address needs related to growth based on data specific to public facilities and related to Wellington’s characteristics. The calculated impact fees set forth in this study reflect Florida case law, Florida Statutes, and generally acceptable impact fee methodologies, where applicable.

The report herein outlines the methodologies, assumptions, and considerations in the development of each impact fee calculation. The following tables summarize Wellington’s residential public facilities impact fees, which are applied per dwelling unit.

**Table ES- 1: Calculated Residential Public Facilities Impact Fees**

Description	Amount (per unit)
Single Family	\$1,250.00
Multi-family	\$935.00

As shown on the table above, the multi-family fee per unit is calculated to be less than the single family and is approximately a 75% ratio.

Wellington will also charge non-residential development per square footage of building space, pursuant to the building land use. The table below presents the non-residential fees, by land use, which is further discussed in Section 3 and on Exhibit 1.

**Table ES- 2: Calculated Non-residential Public Facilities Impact Fees**

Description	Impact Fee Unit	Amount
Industrial	Square Foot	\$0.74
Overnight Accommodations	Rooms	\$906.00
Recreational	Square Foot	\$2.03
Institutional	Square Foot	\$2.93
Office	Square Foot	\$1.63
Commercial and Retail	Square Foot	\$3.87

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## Observations and Recommendations

The following is a summary of the observations and recommendations developed by Raftelis during our investigation, analyses, and preparation of this report:

1. The imposition of impact fees must satisfy the rational nexus requirements as determined by case law. The impact fees must be reasonably related to the capital cost of providing capital facilities/equipment needed to accommodate needs attributable to new growth. The impact fees collected must be used by Wellington to address the capital costs related to serving new development. Based on the information made available by Wellington, the proposed impact fees are designed to meet these precedents and the requirements set forth in Florida Statutes Section 163.31801.
2. The fees developed within this report reflect recovery of identified costs and Wellington has discretion to phase-in (within the parameters of F.S. 163.31801) or otherwise adopt less than the fully calculated fees. However, the adoption of fees less than the fully calculated rates should be applied to all land uses equally to maintain the calculations herein in correct proportion. Adopting less than the calculated rates would increase the reliance on general fund and other revenue sources to meet the demands of growth.
3. In compliance with Florida Statutes, Wellington should collect and maintain revenues from public facilities impact fees in a designated sub-account and use such fees on the designated types of facilities.
4. Wellington should re-evaluate its municipal impact fees from time to time to maintain compliance with state statutes, considering the statute now limits impact fee increases to no more than every four years. Additionally, should any assumptions used in the development of the impact fees materially change, such as the level of growth and the types of facilities required to service that growth, it is encouraged that Wellington update the impact fee study to align the needs of growth with the facilities being provided.

# Section 1 – Introduction

## Introduction

Wellington is located in Palm Beach County, to the west of West Palm Beach, and has a total area of approximately 45.41 square miles. Based on recent demographic data, as provided by Wellington staff, the population is estimated at 74,594 as of 2023. Through discussions with Wellington’s staff and review of development plans, it is anticipated new development will continue a modest pace through 2033. For purposes of this report, it is estimated that the population will be 79,100 by 2033, representing an average growth rate of 0.59 percent compounded annually.

## Impact Fee Background

Impact fees are one-time charges established as a means to recover, in whole or in part, the costs associated with infrastructure and capital equipment needed to accommodate the demands anticipated to be generated by new development. Such capital costs generally include the construction of facilities together with necessary land costs. However recent changes to Florida Statutes governing impact fees require a minimum of five (5) year service life and therefore the impact fee calculations herein include only assets that meet this minimum. Historically, impact fees in Florida were a result of home rule powers with the requirements associated with the development, administration, accounting, and expenditure governed by case law. However, in 2006, Section 163.31801 was added to the Florida Statutes, which placed specific requirements and limitations on that home rule authority. This statute has been amended several times since its initial adoption, including significant additional provisions in 2021 such as limiting the percentage increase for a change in impact fees. Appendix 1 at the end of the report includes the full Florida impact fee statute.

Although the statute provides specific impact fee criteria, certain precedents established by case law also constitute the legal requirements associated with impact fees. Case law precedent for impact fees in Florida was originally set in the landmark Florida Supreme Court decision, Contractors and Builders Association of Pinellas County vs. City of Dunedin, Florida. In the ruling, the court identified certain conditions as necessarily present in order to have a valid impact fee. In general, the court decision addressed the following:

1. The impact fee should be reasonably equitable to all parties; that is, the amount of the fee must bear a relationship to the amount of services requested;
2. The system of fees and charges should be set up so that there is not an intentional windfall to existing users;
3. The impact fee should, to the extent practical, only cover the capital cost of construction and related costs thereto (engineering, legal, financing, administrative, etc.) for increases in or expansions of capacity or capital requirements that are required solely due to growth. Therefore, expenses due to normal renewal and replacement of a facility (e.g., replacement of a capital asset) should be borne by all users of the facility or municipality. Similarly, increased expenses due to operation and maintenance of that facility should be borne by all users of the facility; and
4. The local government must adopt a revenue-producing ordinance that explicitly sets forth restrictions on revenues (uses thereof) that the imposition of the impact fee generates. Therefore, the funds collected from the impact fees should be retained in a separate account, and separate accounting must be made for those funds to ensure that they are used only for the lawful purposes described.

Based on the criteria provided above, the impact fees herein will: 1) include local current costs of improvements associated with the capacities needed to serve new growth; 2) not reflect costs of improvements associated with the renewal and replacement (R&R) of existing capital assets or deficiencies in level of service attributed to existing development; and 3) not include any costs of operation and maintenance of the capital improvements and equipment.

This section provides only a general background regarding impact fees. Certain circumstances and issues regarding the interpretation of specific statutes or case law should be addressed by qualified legal counsel for Wellington, when questions arise.

## Summary of Report

In addition to Section 1, this report has been subdivided into two other sections. The following is a brief discussion of the remaining sections included in this report.

Section 2 – Service Area and Functional Population. This section of the report provides a general discussion of the residential and non-residential land use characteristics, and development of functional population estimates for both existing and future development.

Section 3 – Public Facilities Impact Fee. This section discusses the calculation of the proposed impact fee for the capital requirements associated with providing certain public facilities, the methodology for the proposed fees, assumptions utilized in the design of the fees, and other factors associated with the fee determination.

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# Section 2 – Service Area and Functional Population

## General

This section provides a general discussion of the current service area, population, and functional population factors.

## Population and Development Forecast

As mentioned in Section 1, an estimate of Wellington’s existing 2023 population is 74,594. Wellington is expecting a relatively low amount of growth over the next ten-years through 2033, resulting in a population estimate of 79,100, at a compound growth rate of 0.59% annually.

Current 2023 property data, that was provided by Wellington and obtained from the Palm Beach County Property Appraiser, provides details for each parcel in the municipal boundaries. For each parcel the detailed information includes land use designation, size of the parcel, the number buildings and dwelling units, and building square feet. In total, the data indicated there are 24,700 residential dwelling units (including single family and multi-family) developed in Wellington along with 2,845,132 square feet (SF) of non-residential building space. Based on the 24,700 residential dwelling units obtained from the Property Appraiser and the 2023 population estimate of 74,594 there are on average 3.02 persons per residential dwelling unit.

To determine the difference in functional population for single family units versus multi-family units, certain data from the US Census was obtained. American Community Survey (ACS) Table DP04 (provides the number of units by type of dwelling – single family versus multi-family) and ACS Table B25033 (provides the population by number of units by type of dwelling) were summarized to determine the estimated persons per household in Wellington. These tables are estimates and based on the ACS 5-year estimates for 2020. Based on the data from these two tables, as demonstrated on the table below, it was determined that on average multi-family units had a ratio of 75% persons per household compared as to single family. The result, after applying the 75% multi-family factor to the current 2023 data as outlined in the paragraph above, is a persons per household figure of 3.11 persons per single family unit and 2.33 persons per multi-family unit.

**Table 1: Persons Per Household Single Family and Multi-family**

Classification	Units in Structure	Dwelling Units [1]	Population [2]	Persons Per Household [3]	% of Single Family [4]
Single Family	1 unit attached or detached	19,979	54,057	2.7	
	2 to 4 units	1,184	2,015		
	Mobile home	43	257		
	Subtotal	21,206	56,329		
Multi-family	5 or more	2,570	5,099	2.0	75.0%
	Subtotal	2,570	5,099		
Total		23,776	61,428		

[1] From ACS Table DP04, estimates for 2020.

[2] From ACS Table B25033, estimates for 2020.

[3] Persons per household calculation for 2020 estimates. Primarily used to develop the ratio of multi-family to single family.

[4] Multi-family persons per household 2.0 divided by Single Family persons per household 2.7 and rounded.

Based on planned development data provided by Wellington staff, the residential units are estimated to increase by 1,492 units to a total of 26,192 by 2033. Compared to the existing 24,700 residential units, this figure represents a growth of approximately 6% over the 10-year period, or 0.6% compounded annually.

## Functional Population Parameters

A goal of the impact fee study is to assign the costs associated with each service provided to new development or re-development requiring an increased level of service on an equivalent unit basis. This study uses a method that allocates costs using population figures weighted and adjusted for time spent at various land uses based on traffic and other data and is commonly referred to as “functional population”. The functional population analysis typically relies on trip data obtained through survey sources. Trip data is readily available from sources such as the Institute of Transportation Engineers (ITE) and is widely accepted for the purpose of identifying functional population by land use. This study uses the 11<sup>th</sup> Edition ITE trip generation manual. The trip data is applied to each land use along with other demographic data to establish a functional population by land use. Functional population measures the number of persons at a particular location measured over a 24-hour period. For example, for single family residential a typical functional population would reflect a person at home 100 hours per week (e.g. 10-14 hours per day during weekdays and 20-30 hours during the weekend). Based on 168 hours per week, this equates to 60% occupancy or 0.6 functional population per resident. Applying this factor to the average household size throughout Wellington of 3.02 persons equates to 1.81 functional population per residential unit. Table 2 summarizes the existing single family and multi-family residential functional population based on these criteria:

**Table 2: Residential Functional Population**

Housing Type	2023 Population [1]	2023 Households [2]	Average Household Size	Occupancy Factor [3]	Functional Population/ Unit	2023 Functional Population
		(a)	(b)	(c)	(b) x (c) = (d)	(a) x (d)
Single Family	67,849	21,809	3.11	60.00%	1.87	40,783
Multi-Family	6,745	2,891	2.33	60.00%	1.40	4,047
Total	74,594	24,700	3.02	60.00%	1.81	44,830

[1] Population data obtained from the 2023 BEBR projections.

[2] Households obtained from property data provided by Wellington as obtained from the Palm Beach County Property Appraiser.

[3] Amount assumes 100 hours spent at home out of a 168-hour week.

For non-residential land uses, the functional population is determined through the process of applying the following attributes to each land use, typically measured per 1,000 square feet (i.e., per unit): 1) trips per unit and employees staffed per unit; 2) trip end adjustment; 3) hours worked by employees; 4) occupants per trip; 5) number of visitors, visitor hours, and visitor hours per week. Trip and employee data are primarily obtained from the ITE manual (11<sup>th</sup> Edition, 2022), and visitors and other data is obtained from sources including the 2017 National Household Travel Survey (U.S. Department of Transportation). Table 3 summarizes the results of this process, with a fully detailed schedule of figures provided on Exhibit 1:

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**Table 3: Non-Residential Land Uses and Functional Population**

Land Use	Bldg. SF	2023 Functional Population
Industrial	963,633	416
Overnight Accommodations [1]	26,378	42
Recreational	4,846	6
Institutional	896,871	1,532
Office	142,672	135
Commercial and Retail	810,732	1,830
<b>Total</b>	<b>2,845,132</b>	<b>3,961</b>

[1] Impact fees for hotels are charged based on the number of rooms.

As shown above, there are six primary non-residential land uses recommended for the purpose of impact fee application for public facility impact fees. Below is a list of the recommended non-residential land uses with general descriptions from the ITE manual:

- Industrial (ITE 110) – Generally includes Light Industrial, Heavy Industrial, Manufacturing, Mini-warehousing, and Industrial Parks.
- Overnight Accommodations (ITE 310) – A place of lodging that provides sleeping accommodation. Includes suites hotel, motel, resort hotels, etc.
- Recreational (ITE 495) – Generally includes gyms, indoor sports, kids activities, and other similar uses.
- Institutional (ITE 528) – Generally includes schools, daycares, and religious facilities.
- Office Building (ITE 710) – This land use consists of various types of office building.
- Commercial and Retail (ITE 820) – Generally includes all types of retail establishments such as shopping centers, stand-alone stores, grocery stores, department stores, auto repair shops, restaurants, bars, and several others.

Since impact fees are designed to recover the proportionate cost of new facilities attributed to growth, it is necessary to identify the existing and future development. The table below summarizes the expected residential growth in Wellington by year 2033, which will serve as the primary basis for cost allocations, future functional population, and impact fee levels. Based on anticipated future development currently known by Wellington, approximately 1,492 new residential units are projected to be developed over the next several years, including 1,317 single family homes and 175 multi-family units. With an additional 1,492 dwelling units, assuming the average single-family household size of 3.11 and an average multi-family household size of 2.33, it is estimated the population will increase by about 4,506 residents. Since this study uses functional population as the basis for impact fee development, the table below demonstrates the growth in functional population.

**Table 4: Residential Functional Population Growth**

Housing Type	2023	Functional Population/Unit	Growth in Households	2033	2033
	Functional Population			Households	Functional Population
Single Family	40,783	1.87	1,317	23,126	43,246
Multi-Family	4,047	1.40	175	3,066	4,292
<b>Residential</b>	<b>44,830</b>	<b>1.81</b>	<b>1,492</b>	<b>26,192</b>	<b>47,538</b>

As seen above, the total residential functional population is increasing by 2,330 from 37,050 to 39,380 with the single-family functional population increasing by 2,110 and the multi-family functional population increasing by 220.

**Table 5: Non-Residential Functional Population Growth**

Year	Building Square Feet	Functional Population
2023	2,845,132	3,961
2033	3,889,389	5,402

As shown above, the 2023 non-residential functional population is 3,961 and is forecast to grow from 1,441 to 5,402 by 2033. The projected 2033 building square feet is based on applying the same growth rate of residential development to that of non-residential development, assuming the existing mix of development remains relatively constant over time.

The following summarizes the combined residential and non-residential existing and projected functional population:

**Table 6: Summary of Functional Population**

Land Use	Functional Population		Percent in 2033
	2023	2033	
Residential	44,830	47,538	89.8%
Non-Residential	3,961	5,402	10.2%
Total	48,791	52,940	100.0%

The functional population assumptions used from ITE are representative of national averages. Therefore, in order to localize the functional population estimates, the data is weighted using the 2020 Inflow/Outflow Report from the US Census that is specific to Wellington. The Census inflow/outflow report shows how many residents work inside and outside of Wellington daily as well as how many non-residents work inside of Wellington. According to the Inflow/Outflow Report, there are 25,942 residents from Wellington in the work force. Of those, 3,122 work within Wellington and the other 22,820 work outside of Wellington. Using the estimated 2020 population of 61,637, it can be assumed that 35,695 residents are not working. It is assumed that a resident not working would spend 20 hours at home and that residents working would spend 14 hours at home. This would give a total of 363,188 residential hours (hours spent at home).

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**Table 7: Functional Population Weighting**

Description	Population	Hours Spent at Place	Hours
	(a)	(b)	(c) = (a) x (b)
2020 Population [1]	61,637		
<b>Residential</b>			
Residents Not Working [2]	35,695	20.0	713,900
Residential Work Force			
Works Inside City [3]	3,122	14.0	43,708
Works Outside City [3]	22,820	14.0	319,480
Total Residential Hours			1,077,088
Residential Share of Person Hours			77.4%
<b>Non-Residential</b>			
Residents Not Working [2]	35,695	4.0	142,780
Jobs Located in City			
Residents Working in City [3]	3,122	10.0	31,220
Non-resident Workers (inflow commuters) [3]	14,032	10.0	140,320
Total Non-Resident Hours			314,320
Non-Residential Share of Person Hours			22.6%
Total Daily Hours Within the City			1,391,408

[1] Population estimate based on historical growth from the 2010 and 2020 Census.

[2] Amount derived from subtracting the Residential Work Force from the 2020 Population.

[3] From US Census 2020 Inflow/Outflow Count of All Jobs Report.

As shown on the table above, Residential Hours account for 77.4% (1,077,088 / 1,391,408) of total daily hours spent within Wellington and Non-residential accounts for 22.6% (314,320 / 1,391,408). These percentages are used to allocate the capital costs for public facilities impact fee calculations.

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# Section 3 – Public Facilities Impact Fee

## Introduction

This section provides the development and design of the public facilities impact fees. These impact fees support the funding and expansion of administrative buildings and other facilities for Wellington’s administrative and public works functions necessitated by growth.

## Cost Basis

Costs related to the growth in the public facility department typically include providing the necessary facilities. Since eligible impact fees costs are limited to capital items, certain costs are excluded from the impact fee analysis. Items included in the impact fee calculation have a minimum of a five-year life.

Wellington’s fixed asset listing as of September 30, 2023, includes certain facilities such as Village hall, public works buildings, the mechanic shop, and other buildings and improvements such as the EOC. These facilities have been included in the fee calculation based on the original acquisition costs plus any improvements and upgrades that have been made over time. The table below presents the original cost of a few of these facilities, as included in the study and obtained from Exhibit 1.

**Table 8: Existing Public Facilities Assets**

Description [1]	Original Cost
Municipal Complex (Village Hall) and upgrades	\$12,619,014
Public Works Building	482,650
Mechanic Shop	396,092
EOC	305,685
Other	3,193,759
Total	\$16,997,200

[1] Amounts obtained from Exhibit 1.

As shown above, Wellington’s facilities currently in service have a combined value of \$16,997,200.

## Incremental Costs

Wellington has plans to construct several new buildings and improvements including the shared PBSO substation building, an additional public works storage facility, and an expansion of the Town Center. Due to the nature of relatively low growth, on a percentage basis in Wellington, it is anticipated these improvements will serve development extending beyond the 10-year forecast period included in this study. Therefore, a portion of the costs are allocated to future development beyond 2033. The percentage of these improvements included in the cost basis for this study are 90%. The methodology used assumes that the amount of growth expected from 2023 through 2033 will be replicated from 2034 through 2043. As such, this allocation was determined based on the existing functional population of 48,791, growth of 4,149 functional population through 2033, and additional growth of 4,149 functional population through 2043 resulting in a total functional population of 57,089 in 2043. The projected functional population in 2033 (48,791 plus 4,149, or 52,940 total) represents 92.7% of the total expected functional population in 2043, which was rounded to 90% for the purpose of this report. The total costs allocated for existing and growth over the forecast period and included in the impact fee study is \$24,054,300 for the various improvements identified to provide the necessary public facilities.

**Table 9: Public Facilities Capital Projects**

Description	Total Project Cost	Allocation	Allocated Cost
PBSO at Town Center Preliminary Site Plan	\$14,027,000	90.0%	\$12,624,300
Public Works Storage Facility Site Plan	4,000,000	90.0%	3,600,000
Town Center Phase 2 Site Plan	8,700,000	90.0%	7,830,000
<b>Total</b>	<b>\$26,727,000</b>		<b>\$24,054,300</b>

## Calculated Public Facilities Impact Fees

In order to develop the impact fees, it is necessary to calculate the cost per functional unit. First, the total capital costs are allocated between residential and non-residential using the functional population weighted estimates in Section 2 (Table 7).

**Table 10: Allocated Public Facilities Capital Costs**

Description	Total Capital Costs	% Residential	% Non-residential	Residential Capital Costs	Non-residential Capital Costs
Capital Costs	\$41,051,500	77.4%	22.6%	\$31,777,900	\$9,273,600

The allocated capital costs are divided by the functional population to get a fee per functional population. Then, these amounts are translated back into a cost per dwelling unit for residential purposes using the functional population factor identified in Section 2.

**Table 11: Public Facilities Residential Fee Calculation**

Description	Residential	Non-residential
Capital Costs	\$31,777,900	\$9,273,600
2033 Functional Population	47,538	5,402
Fee per Functional Population [1]	\$668.47	\$1,716.70
Single Family FP per Unit	1.87	
Calculated Residential Impact Fee per Unit	\$1,250.04	
Residential Impact Fee per Unit	\$1,250.00	
Multi-family FP per Unit	1.40	
Calculated Residential Impact Fee per Unit	\$935.86	
Residential Impact Fee per Unit	\$935.00	

It is recommended that Wellington implement the slightly rounded impact fee of \$1,250.00 for residential units based on the analysis discussed above.

In addition to the residential impact fees, a select number of non-residential land uses were identified in Section 2 with functional population factors. By applying these functional population factors to the public facilities fee per functional population amount, the rate per unit of development for each land use is calculated and provided on the table below.

**Table 12: Non-Residential Public Facilities Impact Fees**

Description	Impact Unit	FP Factor	Impact Fee
Industrial	Square Foot	0.43	\$0.74
Overnight Accommodations	Rooms	0.53	\$906.00
Recreational	Square Foot	1.18	\$2.03
Institutional	Square Foot	1.71	\$2.93
Office	Square Foot	0.95	\$1.63
Commercial and Retail	Square Foot	2.26	\$3.87

To meet Wellington’s needs in terms of providing the necessary public facilities related capital improvements, including construction of public buildings and expanding/upgrading existing facilities as required by growth, Wellington should set the fees at the maximum calculated amount as demonstrated on the tables above. It is anticipated that by establishing the fees identified on Tables 11 and 12, and the growth outlined in Section 2 of this report that Wellington could generate approximately \$6.2 million from new development.



City of Wellington  
 2023 Public Facility Impact Fee Study  
 Exhibit 1: Non-Residential Functional Population

Land Use	ITE Code	Number of		Impact Unit	Trips per Unit per Day	One Way Factor (50%)	Occupants per Trip per Day		People per Unit per Day		Visitor hours per Trip	Weekly Hours per Unit			Functional Pop. Coefficient	2023 Functional Population		
		Parcels	Bldg Sq Ft				Employees	Visitors	Employees	Visitors		Business hours	Days per Week	Per Employee			Per Visitor	Total Hours
		[a]	[b]				[d]	[e]	[f]	[g]		[h]	[i]	[j]			[k]	[l]
Industrial	110	57	963,633	1,000 Sq Ft	4.87	2.44	1.00	1.74	1.57	1.50	0.25	9.00	5.00	70.69	1.88	72.57	0.43	416.00
Overnight Accommodations[1]	310	2	26,378	Rooms	7.99	4.00	1.00	1.74	0.56	5.08	1.00	12.00	7.00	46.80	41.87	88.68	0.53	42.00
Recreational	495	21	4,846	1,000 Sq Ft	28.82	14.41	1.00	2.03	1.06	27.11	1.00	12.00	5.00	63.46	135.53	198.98	1.18	6.00
Institutional	528	54	896,871	1,000 Sq Ft	14.37	7.19	1.00	1.62	2.83	7.06	1.00	12.00	7.00	237.61	49.40	287.01	1.71	1,532.00
Office	710	16	142,672	1,000 Sq Ft	10.84	5.42	1.00	1.19	3.26	2.58	1.00	9.00	5.00	146.49	12.88	159.37	0.95	135.00
Commercial and Retail	820	62	810,732	1,000 Sq Ft	37.01	18.51	1.00	1.75	2.12	28.67	1.00	12.00	7.00	178.46	200.66	379.12	2.26	1,830.00
<b>Total</b>		<b>212</b>	<b>2,845,132</b>															<b>3,961.00</b>

Footnotes:

- [a] Summarized from property data obtained from the Putnam County website in May 2022
- [b] From 11th Edition ITE Manual
- [c] This factor is used to divide the trip rate in half which provides the basis for estimating visitors per day per impact unit
- [d] Assumed one employee per trip
- [e] From 2017 National Household Travel Survey, vehicle occupancy by trip purpose
- [f] From 11th Edition ITE Manual per employee
- [g]  $[a] - ([c] \cdot [d]) \cdot [e]$
- [h] Time assumption per visitor
- [i] Time assumption per employee
- [j] Time assumption
- [k]  $[f] \cdot [i] \cdot [j]$
- [l]  $[g] \cdot [h] \cdot [i]$
- [m]  $[k] + [l]$
- [n]  $[m] \cdot (24 \cdot 7)$
- [o]  $[n] \cdot [a] \cdot [b] / 1000$

[1] Hotel functional population is based off the national average hotel room size of 330 feet. Formula is  $[o] = [n] \cdot [a] / 330$

**Exhibit 2**  
**City of Wellington, Florida**  
**Public Facility Impact Fee Study**

**Functional Allocation of Existing Capital Equipment, Vehicles, and Facilities**

Asset Number	Department	Item Location Description	Description	Acquisition Date - Calc	Total Cost
10677	20000	Fleet & Equipment Maintenance	MECHANIC SHOP BLDG	9/30/2004	396,091.78
10791	20000	Fleet & Equipment Maintenance	TWO UNDERGROUND FUEL TANKS	3/14/2006	144,551.00
11211	34001	PBSO Law Enforcement	GREENBRIAR RENOVATIONS	11/30/2011	303,760.80
12189	18184	Promenade	FLOATING DOCKS @ TOWN CENTER	6/30/2021	344,542.24
12190	18184	Promenade	TOWN CENTER PLAYGROUND	7/31/2021	158,310.36
10004	20000	Public Works	OPERATIONS BUILDING	9/30/1976	33,535.00
10337	20000	Public Works	PW BUILDING	9/30/1996	482,649.84
10482	20000	Public Works	Hurricane Building/EOC	9/30/2001	305,685.38
10566	20000	Public Works	Buildings	9/30/2002	6,264.25
10621	20000	Public Works	OIL & AIR LINE - NEW BLD	9/26/2003	9,360.00
10626	20000	Public Works	SOD & ASPAHLT - PW PARKING LOT	9/30/2003	218,498.81
11361	20000	Public Works	ROOF INSTALL - EOC ANNEX	9/16/2013	11,482.00
11362	20000	Public Works	ROOF INSTALL - EOC BLDG	9/16/2013	33,592.00
11363	20000	Public Works	ROOF INSTALL - MECHANIC SHOP	9/16/2013	48,452.00
11364	20000	Public Works	ROOF INSTALL - SIGN SHOP	9/16/2013	10,644.00
10055	20000	Village Hall	ADMIN BUILDING	9/30/1981	107,917.71
10136	20000	Village Hall	VILLAGE CLERK'S BUILDING	9/30/1988	34,956.50
10218	20000	Village Hall	MEETING HALL	9/30/1991	42,471.00
10259	20000	Village Hall	Comm Cplx-Birkdale Site	9/30/1995	72,361.70
10268	20000	Village Hall	Admin Roof	2/6/1995	20,353.00
10751	20000	Village Hall	BIRKDALE SITE	9/30/2005	1,422,494.60
10752	20000	Village Hall	PUBLIC BUILDINGS	9/30/2005	170,226.60
11156	20000	Village Hall	MUNICIPAL COMPLEX	1/1/2011	11,328,604.72
11158	20000	Village Hall	CITY HALL TPP	1/1/2011	1,108,585.68
11178	20000	Village Hall	LAND IMP - MUNICIPAL COMPLEX	5/5/2011	89,447.37
11208	20000	Village Hall	VILLAGE HALL UPGRADES	1/1/2011	38,824.79
11290	20000	Village Hall	ROOF GUTTERS-VILLAGE HALL	8/31/2012	9,985.00
11335	20000	Village Hall	EMERGENCY DOOR UPGRADE - VHALL	11/15/2012	15,500.00
11339	20000	Village Hall	ELECT UPGRADES VHALL PARKING	12/26/2012	13,130.00
11520	20000	Village Hall	EMS UPGRADE-CITY HALL	3/31/2014	14,936.00
<b>Total</b>					<b>\$16,997,214</b>

Select Year:

## The 2023 Florida Statutes (including Special Session C)

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[Title XI](#)  
COUNTY ORGANIZATION AND INTERGOVERNMENTAL  
RELATIONS

[Chapter 163](#)  
INTERGOVERNMENTAL  
PROGRAMS

[View Entire  
Chapter](#)

### **163.31801 Impact fees; short title; intent; minimum requirements; audits; challenges.—**

(1) This section may be cited as the “Florida Impact Fee Act.”

(2) 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. Due to the growth of impact fee collections and local governments’ reliance on impact fees, it is the intent of the Legislature to ensure that, when a county or municipality adopts an impact fee by ordinance or a special district adopts an impact fee by resolution, the governing authority complies with this section.

(3) For purposes of this section, the term:

(a) “Infrastructure” means a fixed capital expenditure or fixed capital outlay, excluding the cost of repairs or maintenance, associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of at least 5 years; related land acquisition, land improvement, design, engineering, and permitting costs; and other related construction costs required to bring the public facility into service. The term also includes a fire department vehicle, an emergency medical service vehicle, a sheriff’s office vehicle, a police department vehicle, a school bus as defined in s. [1006.25](#), and the equipment necessary to outfit the vehicle or bus for its official use. For independent special fire control districts, the term includes new facilities as defined in s. [191.009\(4\)](#).

(b) “Public facilities” has the same meaning as in s. [163.3164](#) and includes emergency medical, fire, and law enforcement facilities.

(4) At a minimum, each local government that adopts and collects an impact fee by ordinance and each special district that adopts, collects, and administers an impact fee by resolution must:

(a) Ensure that the calculation of the impact fee is based on the most recent and localized data.

(b) Provide for accounting and reporting of impact fee collections and expenditures and account for the revenues and expenditures of such impact fee in a separate accounting fund.

(c) Limit administrative charges for the collection of impact fees to actual costs.

(d) Provide notice at least 90 days before the effective date of an ordinance or resolution imposing a new or increased impact fee. A local government is not required to wait 90 days to decrease, suspend, or eliminate an impact fee. Unless the result is to reduce the total mitigation costs or impact fees imposed on an applicant, new or increased impact fees may not apply to current or pending permit applications submitted before the effective date of a new or increased impact fee.

(e) Ensure that collection of the impact fee may not be required to occur earlier than the date of issuance of the building permit for the property that is subject to the fee.

(f) Ensure that the impact fee is proportional and reasonably connected to, or has a rational nexus with, the need for additional capital facilities and the increased impact generated by the new residential or commercial construction.

(g) Ensure that the impact fee is proportional and reasonably connected to, or has a rational nexus with, the expenditures of the funds collected and the benefits accruing to the new residential or nonresidential construction.

(h) Specifically earmark funds collected under the impact fee for use in acquiring, constructing, or improving capital facilities to benefit new users.

(i) Ensure that revenues generated by the impact fee are not used, in whole or in part, to pay existing debt or for previously approved projects unless the expenditure is reasonably connected to, or has a rational nexus with, the increased impact generated by the new residential or nonresidential construction.

(5)(a) Notwithstanding any charter provision, comprehensive plan policy, ordinance, development order, development permit, or resolution, the local government or special district must credit against the collection of the impact fee any contribution, whether identified in a proportionate share agreement or other form of exaction, related to public facilities or infrastructure, including land dedication, site planning and design, or construction. Any contribution must be applied on a dollar-for-dollar basis at fair market value to reduce any impact fee collected for the general category or class of public facilities or infrastructure for which the contribution was made.

(b) If a local government or special district does not charge and collect an impact fee for the general category or class of public facilities or infrastructure contributed, a credit may not be applied under paragraph (a).

(6) A local government, school district, or special district may increase an impact fee only as provided in this subsection.

(a) An impact fee may be increased only pursuant to a plan for the imposition, collection, and use of the increased impact fees which complies with this section.

(b) An increase to a current impact fee rate of not more than 25 percent of the current rate must be implemented in two equal annual increments beginning with the date on which the increased fee is adopted.

(c) An increase to a current impact fee rate which exceeds 25 percent but is not more than 50 percent of the current rate must be implemented in four equal installments beginning with the date the increased fee is adopted.

(d) An impact fee increase may not exceed 50 percent of the current impact fee rate.

(e) An impact fee may not be increased more than once every 4 years.

(f) An impact fee may not be increased retroactively for a previous or current fiscal or calendar year.

(g) A local government, school district, or special district may increase an impact fee rate beyond the phase-in limitations established under paragraph (b), paragraph (c), paragraph (d), or paragraph (e) by establishing the need for such increase in full compliance with the requirements of subsection (4), provided the following criteria are met:

1. A demonstrated-need study justifying any increase in excess of those authorized in paragraph (b), paragraph (c), paragraph (d), or paragraph (e) has been completed within the 12 months before the adoption of the impact fee increase and expressly demonstrates the extraordinary circumstances necessitating the need to exceed the phase-in limitations.

2. The local government jurisdiction has held not less than two publicly noticed workshops dedicated to the extraordinary circumstances necessitating the need to exceed the phase-in limitations set forth in paragraph (b), paragraph (c), paragraph (d), or paragraph (e).

3. The impact fee increase ordinance is approved by at least a two-thirds vote of the governing body.

(h) This subsection operates retroactively to January 1, 2021.

(7) If an impact fee is increased, the holder of any impact fee credits, whether such credits are granted under s. [163.3180](#), s. [380.06](#), or otherwise, which were in existence before the increase, is entitled to the full benefit of the intensity or density prepaid by the credit balance as of the date it was first established.

(8) A local government, school district, or special district must submit with its annual financial report required under s. [218.32](#) or its financial audit report required under s. [218.39](#) a separate affidavit signed by its chief financial officer or, if there is no chief financial officer, its executive officer attesting, to the best of his or her knowledge, that all impact fees were collected and expended by the local government, school district, or special district, or were collected and expended on its behalf, in full compliance with the spending period provision in the local ordinance or resolution, and that funds expended from each impact fee account were used only to acquire, construct, or improve specific infrastructure needs.

(9) In any action challenging an impact fee or the government's failure to provide required dollar-for-dollar credits for the payment of impact fees as provided in s. [163.3180\(6\)\(h\)2.b.](#), the government has the burden of proving by a preponderance of the evidence that the imposition or amount of the fee or credit meets the requirements of state legal precedent and this section. The court may not use a deferential standard for the benefit of the government.

(10) Impact fee credits are assignable and transferable at any time after establishment from one development or parcel to any other that is within the same impact fee zone or impact fee district or that is within an adjoining impact fee zone or impact fee district within the same local government jurisdiction and which receives benefits from the improvement or contribution that generated the credits. This subsection applies to all impact fee credits regardless of whether the credits were established before or after June 4, 2021.

(11) A county, municipality, or special district may provide an exception or waiver for an impact fee for the development or construction of housing that is affordable, as defined in s. [420.9071](#). If a county, municipality, or special district provides such an exception or waiver, it is not required to use any revenues to offset the impact.

(12) This section does not apply to water and sewer connection fees.

(13) In addition to the items that must be reported in the annual financial reports under s. [218.32](#), a local government, school district, or special district must report all of the following information on all impact fees charged:

(a) The specific purpose of the impact fee, including the specific infrastructure needs to be met, including, but not limited to, transportation, parks, water, sewer, and schools.

(b) The impact fee schedule policy describing the method of calculating impact fees, such as flat fees, tiered scales based on number of bedrooms, or tiered scales based on square footage.

(c) The amount assessed for each purpose and for each type of dwelling.

(d) The total amount of impact fees charged by type of dwelling.

(e) Each exception and waiver provided for construction or development of housing that is affordable.

**History.**—s. 9, ch. 2006-218; s. 1, ch. 2009-49; s. 5, ch. 2009-96; s. 5, ch. 2011-14; s. 1, ch. 2011-149; s. 1, ch. 2019-106; s. 5, ch. 2019-165; s. 5, ch. 2020-27; s. 1, ch. 2020-58; ss. 1, 2, ch. 2021-63.