

ORDINANCE 19-11A

**AN ORDINANCE TO AMEND TITLE 5, CHAPTER 5 - IMPACT FEE
AND TITLE 5, CHAPTER 6 - ADEQUATE FACILITIES TAX**

WHEREAS, the Board of Mayor and Aldermen adopted Ordinance 94-02 to establish an adequate facilities tax for residential and non-residential development to assure the provision for adequate park, road, police, fire, safety, sanitation, sewer and water facilities to serve new development in the city; and

WHEREAS, the Board of Mayor and Aldermen on December 21, 2015 adopted Ordinance 15-04 to establish an impact fee for residential and non-residential development in order to finance public facilities; and

WHEREAS, the Board of Mayor and Aldermen adopted Resolution 18-51 to enter into a Professional Services Agreement with Volkert, Inc. to prepare a Major Thoroughfare Plan and with their subconsultant Duncan Associates to prepare a Traffic Impact Fee Study; and

WHEREAS, on February 19, 2019 the Transportation Advisory Committee adopted Resolution 19-01 to favorably recommend to the Spring Hill Planning Commission the adoption of the City of Spring Hill Major Thoroughfare Plan dated February 2019; and

WHEREAS, the Spring Hill Planning Commission pursuant to Tennessee Code Annotated § 13-4-202 (a), advertised and held a public meeting regarding adoption of the City of Spring Hill Major Thoroughfare Plan dated February 2019; and

WHEREAS, the Spring Hill Planning Commission following the public meeting on March 25, 2019 adopted Resolution 19-15 to adopt the City of Spring Hill Major Thoroughfare Plan dated February 2019; and

WHEREAS, Title 5, Chapter 5, Section 5-509 (4) (a) through (g) allows the City to review, in conjunction with the capital budget and capital improvement adoption process, the development potential of the City and the capital improvement plan and make such modifications to impact fee schedules as are deemed necessary every three years; and

WHEREAS, Duncan Associates, a subconsultant to Volkert, Inc., prepared a Traffic Impact Fee Study along with recommendations on amendments to Title 5, Chapters 5 and 6 of the Code of Ordinances based upon the study referenced in Exhibits A and B attached hereto; and

WHEREAS, the Budget and Finance Committee reviewed the Traffic Impact Fee Study and amendments attached as Exhibits A and B to Ordinance 19-11 and provided a recommendation on March 4, 2019 to adopt Ordinance 19-11 and the amendments contained in Exhibits A to Title 5, Chapters 5 Impact Fee, and Title 5, Chapter 6 Adequate Facilities Tax of the Code of Ordinances.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF SPRING HILL, TENNESSEE the following amendments to the City of Spring Hill Code of Ordinances be enacted:

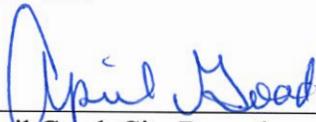
- 1) Title 5, Chapter 5, Impact Fee, be amended as referenced in Exhibit A, attached hereto
- 2) Title 5, Chapter 6, Adequate Facilities Tax, be amended as referenced in Exhibit B, attached hereto.

BE IT FUTHER ENACTED by the Board of Mayor and Aldermen of the City of Spring Hill that ordinance shall take effect from and after its final passage, the public welfare requiring it.

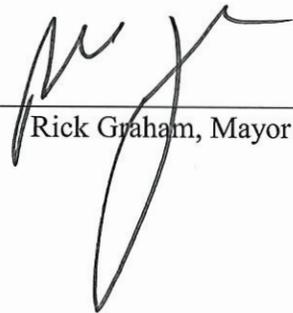
Passed First Reading March 18, 2019

Passed Second Reading April 15, 2019

ATTEST:

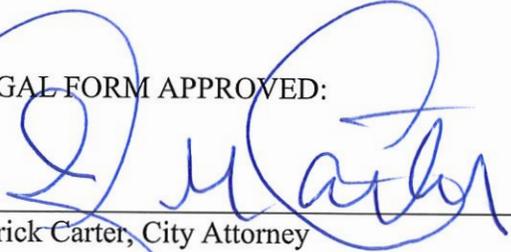


April Goad, City Recorder



Rick Graham, Mayor

LEGAL FORM APPROVED:



Patrick Carter, City Attorney

City of Spring Hill, Tennessee Code of Ordinances

TITLE 5

CHAPTER 5: IMPACT FEE; ~~PURPOSES AND ADMINISTRATION~~

[proposed changes indicated by underline and strike-out and highlighted]

§ 5-501 SHORT TITLE.

This chapter shall be known and cited as the "Spring Hill ~~Development Public Facilities Privilege Tax and~~ Impact Fee Ordinance Chapter".

§ 5-502 FINDINGS.

(A) The Board of Mayor and Aldermen ("Board") hereby finds and declares that:

(1) The city is committed to the provision of public facilities and services at levels attainable within its resources to cure any existing public service deficiencies in already developed areas;

(2) Such facilities and services levels will be provided by the city utilizing available funds allocated via the capital budget and capital improvements programming processes and relying upon the funding sources indicated therein;

(3) However, new residential and non-residential development ~~is aggregated in certain development subareas within areas annexed after the Saturn announcement in July of 1985 (the subareas). Such development causes and~~ imposes increased and excessive demands on city public facilities and services including, without limitation, sanitary sewers, storm sewers, water lines, water tanks, a fire hall, fire trucks and police cars, safety and rescue equipment, public works machinery, roads and parks that would not otherwise be necessary;

(4) Planning and zoning projections indicate that such development will continue and will place ever increasing demands on the city to provide necessary public facilities;

~~(5) The development potential and property values of properties in the designated development areas are strongly influenced and encouraged by city policy as expressed in the city's Zoning Ordinance and map;~~

~~(6)~~ (5) To the extent that such developments ~~in recently annexed areas~~ place demands on the public facility infrastructure, those demands should be satisfied by shifting the responsibility for financing the provision of such facilities from the public at large to the developments actually creating the demands; and

~~(7)~~ (6) The amount of the impact fee ~~and privilege tax (hereinafter, individually and collectively, sometimes referred to as "impact fees")~~ to be imposed shall be determined by the cost of the additional public facilities needed to support such development, ~~which public facilities shall be identified in the capital improvements program.~~

(B) The Board of Mayor and Aldermen, after careful consideration of the matter, hereby finds and declares that an impact fee imposed upon residential and non-residential development in order to finance specified major public facilities, ~~in designated development areas~~ the demand for which is created by such development is in the best interest of the general welfare of the city and its residents, is equitable, does not impose an unfair burden on such development by forcing developers and builders to pay more than their fair or proportionate share of the cost, and deems it advisable to adopt this chapter, as hereinafter set forth.

§ 5-503 INTENT.

This chapter is intended to impose an impact fee at the time of building permit or certificate of occupancy issuance, in an amount based upon the gross square footage of ~~residential or~~ non-residential development and number of ~~such residential dwelling~~ units in order to finance public facilities, the demand for which is generated by new development ~~in annexed development subareas~~. The city will meet, to the extent finances permit through the use of general city revenues, all capital improvement needs associated with existing development. Only needs created by new development ~~in the designated development areas~~ will be met by impact fees. Impact fees shall not exceed the cost of providing capital improvements for which the need is substantially attributable to those developments that pay the fees. The fees shall be spent on new or enlarged capital facilities improvements that substantially benefit those developments that pay the fees.

§ 5-504 AUTHORITY.

This chapter is passed pursuant to the general laws of the state, the charter of the city, including Tenn. Code Ann. § 6-2-201(14) and (15), and Priv. Acts 1988, Ch. 173 (HB 2436) of the state's General Assembly. The provisions of this chapter shall not be construed to limit the power of the city to adopt such chapter pursuant to any other source of local authority or to utilize any other methods or powers otherwise available for accomplishing the purposes set forth herein, either in substitution of or in conjunction with this chapter.

§ 5-505 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

BUILDING PERMIT. The permit required for new construction and additions pursuant to the International Building Code heretofore adopted. The term *BUILDING PERMIT*, as used herein, shall not be deemed to include permits required for remodeling, rehabilitation or other improvements to an existing structure or rebuilding a damaged or destroyed structure; provided, there is no increase in gross floor area or number of dwelling units resulting therefrom.

CAPITAL BUDGET. A separate budget dedicated to financing capital improvements.

CAPITAL IMPROVEMENT PLAN. Part of the Comprehensive Plan adopted by Res. 94-1.

CAPITAL IMPROVEMENTS.

- (1) Public facilities that are treated as capitalized expenses according to generally accepted accounting principles and does not include costs associated with the operation, administration, maintenance or replacement of capital improvements, nor does it include administrative facilities.
- (2) Any and/or all of the following, and including acquisition of land, construction, improvements, equipping and installing of same and which facilities are identified in the capital improvements plan to be financed by the imposition of an impact fee:
 - (a) Parks and recreational facilities;
 - (b) Road systems;
 - (c) Sanitary sewers and wastewater treatment facilities;
 - (d) Water treatment and distribution facilities;
 - (e) Storm and flood control facilities;
 - (f) Police and fire facilities;
 - (g) Solid waste facilities; and
 - (h) Other facilities the costs of which may be substantially attributed to new development.

CAPITAL IMPROVEMENTS PROGRAM. The official adopted schedule of capital improvements to be undertaken.

CITY. The City of Spring Hill, a duly constituted political subdivision of the state.

BOARD. The duly constituted governing body of the city.

DEVELOPMENT. Any human-made change to improved or unimproved real property, the use of any principal structure or land or any other activity that requires issuance of a building permit.

DEVELOPMENT SUBAREAS. The city limits and the urban growth boundary in which development potential may create the need for capital improvements program to be funded by impact fees.

DEVELOPMENT SUBAREA MAP. Areas annexed to the city since July of 1982, as if fully set out.

GROSS FLOOR AREA. The total square feet of enclosed space on the floor or floors comprising the structure. The total of the gross horizontal area of all floors that will be heated or cooled, including usable basements, cellars and attics, below the roof and within the outer surface of the main walls of principal or accessory buildings or the centerlines of a party wall separating such buildings or portions thereof, or within lines drawn parallel to and two feet within the roof line of any building or portions thereof without walls, but excluding enclosed parking areas, farm buildings, and arcades, porticoes and similar open areas that are accessible to the general public and are not designed or used as sales, display, storage, service or production areas.

IMPACT FEE. Any construction privilege tax charge, fee or assessment levied as a condition of issuance of a building permit or development approval for the purpose of funding when any portion

of the revenues collected is intended to fund any portion of the costs of capital improvements or any public facilities attributable to accommodating the additional demands created by new development.

IMPACT FEE COEFFICIENT. The charge per square foot of non-residential development or per dwelling unit as calculated for each designated development subarea by dividing total public facility costs by the gross square footage and/or number of dwelling units.

RESIDENTIAL DEVELOPMENT. Any development approved by the local government for residential use.

SITE. The land on which development takes place.

ZONING DISTRICTS. Those areas designated in the Zoning Ordinance as being reserved for specific land uses, subject to development and use regulations specified in the ordinance.

ZONING ORDINANCE. The official adopted zoning map and text regulating all development and land use in the city.

§ 5-506 APPLICABILITY OF IMPACT FEE.

This chapter shall be uniformly applicable to development that occurs within the city limits and the urban growth boundary.

§ 5-507 IMPOSITION OF IMPACT FEE.

(A) No building permit shall be issued for a development in unless the impact fee is imposed and calculated pursuant to this chapter.

(B) Impact fees shall not exceed the cost of providing capital improvements for which the need is reasonably attributable to those developments that pay the fees. The fees shall be spent on new or enlarged capital improvements that reasonably benefit those developments that pay the fees.

(C) The portion of impact fee revenues reasonably attributable to the equitable assessment described in subsection (B) above may be spent on new or enlarged capital improvements that will reasonably benefit anticipated future development rather than those developments that have paid the fee.

(D) Impact fees that are assessed against new development shall be assessed in such a manner that any new development having the same impacts on capital facilities shall be assessed the same impact fee. This provision notwithstanding, the Board may contribute from the General Fund any part or all of the impact fee assessed against certain new development that achieves other policies, including, but not limited to, the provision of affordable housing and the retention of existing employment or the generation of new employment.

§ 5-508 CAPITAL IMPROVEMENTS PROGRAM.

(A) To service the projected development, capital improvements will be required to be provided and financed via impact fees.

~~(B) In the specific case of roadway impact fees, only roadways classified as arterial roadways are eligible for use of roadway impact fees. [moved to § 5-517(C)]~~

§ 5-509 ADMINISTRATION OF IMPACT FEE.

(A) *Transfer of funds to Finance Department.* Upon receipt of impact fees, the city's Finance Department shall be responsible for placement of such funds into separate accounts, as hereinafter specified. All such funds shall be deposited in interest-bearing accounts in a bank authorized to receive deposits of city funds. Interest earned by each account shall be credited to that account and shall be used solely for the purposes specified for funds of such account. The City Engineer, or his or her designee, shall be responsible for oversight of the program and ensuring that impact fees are properly expended towards eligible projects.

(B) *Establishment and maintenance of accounts.* The city's Finance Department shall establish separate accounts and maintain records for each such account whereby impact fees collected can be segregated.

(C) *Maintenance of records.* The city's Finance Department shall maintain and keep accurate financial records for each such account that shall show the source and disbursement of all revenues; that shall account for all monies received; that shall ensure that the disbursement of funds from each account shall be used solely and exclusively for the provision of projects specified in the capital improvements program ~~for the particular development subarea~~; and that shall provide an annual accounting for each impact fee account showing the source and amount of all funds collected and the projects that were funded.

(D) *Review and modification.* The city shall review, in conjunction with the capital budget and capital improvements plan adoption processes, the development potential of the city and the capital improvements plan and make such modifications to impact fee schedules as are deemed necessary every **three** years as a result of:

- (1) Development occurring in the prior years;
- (2) Capital development potential of the city and the capital improvements actually constructed;
- (3) Changing facility needs;
- (4) Inflation;
- (5) Revised cost estimates for capital improvements;
- (6) Changes in the availability of other funding sources applicable to public facility projects;
- and
- (7) Such other factors as may be relevant.

§ 5-510 BONDING OF EXCESS FACILITY PROJECTS.

The city may issue bonds, revenue certificates and other obligations of indebtedness in such manner and subject to such limitations as may be provided by law in furtherance of the provision of capital improvement projects. Funds pledged toward retirement of bonds, revenue certificates or other obligations of indebtedness for such projects may include the fees and taxes herein imposed and impact fees and other city revenues as may be allocated by the Board of Mayor and Aldermen. Impact fees paid pursuant to this chapter, however, shall be restricted to use solely and exclusively for

financing directly, or as a pledge against bonds, revenue certificates and other obligations of indebtedness for the cost of capital improvements, as specified herein.

§ 5-511 REFUNDS.

(A) The current owner or contract purchaser of property on which an impact fee has been paid may apply for a refund of such fee if:

(1) The city has failed to expend the funds ~~provide a capital improvement eligible for use of funds paid~~ within six years of the date of payment of the impact fee, to be determined according to first-in/first-out accounting; or

(2) The project for which a building permit has been issued has been altered resulting in a decrease in the amount of the impact fee due.

(B) A petition for refund must be filed within one year of the event giving rise to the right to claim a refund.

(C) The petition for refund must be submitted to the City Engineer, or his or her designee, on a form provided by the city for such purpose.

(D) Within one month of the date of receipt of a petition for refund, the City Engineer, or his or her duly designated agent, must provide the petitioners in writing, with a decision on the refund request including the reasons for the decision. If a refund is due petitioner, the City Engineer, or his or her duly designated agent, shall notify the Finance Department and request that a refund payment be made to petitioner. The City Engineer, or his or her designee, shall publicly disclose all refunds made on behalf of the city to the Board of Mayor and Aldermen in a public meeting.

(E) The petitioner may appeal the determination of the City Engineer to the Board of Mayor and Aldermen.

§ 5-512 APPEALS.

After determination of the applicability of the impact fee, an applicant for a building permit or a property owner may appeal the amount of the impact fee or refund due to the Board of Mayor and Aldermen. The applicant must file a notice of appeal with the Board of Mayor and Aldermen within 30 days following the determination of the applicability of the impact fee ordinance, the impact fee or refund due. If the notice of appeal is accompanied by a bond or other sufficient surety satisfactory to the municipal counsel in an amount equal to the impact fee due, as calculated by the City Engineer, or his or her designee, the chief Building Official shall issue the building permit. The filing of an appeal shall not stay the collection of the impact fee due unless a bond or other sufficient surety has been filed.

§ 5-513 EFFECT OF IMPACT FEE ON ZONING AND SUBDIVISION REGULATIONS.

This chapter shall not affect, in any manner, the permissible use of property, density of development, design and improvement standards and requirements, or any other aspect of the development of land

or provision of capital improvements subject to the zoning and subdivision regulations or other regulations of the city, which shall be operative and remain in full force and effect without limitation with respect to all such development.

§ 5-514 IMPACT FEE AS ADDITIONAL AND SUPPLEMENTAL REQUIREMENT.

The impact fee is additional and supplemental to, and not in substitution of, any other requirements imposed by the city on the development of land or the issuance of building permits. It is intended to be consistent with and to further the objectives and policies of the capital improvements plan, and other city policies, ordinances and resolutions by which the city seeks to ensure the provision of public facilities in conjunction with the development of land. In no event shall a property owner be obligated to pay for capital improvements in an amount in excess of the amount calculated pursuant to this and any other impact fee or similar ordinance; but, provided that, a property owner may be required to pay, pursuant to city ordinances, regulations or policies, for other capital improvements in addition to the impact fee for capital improvements as specified herein.

§ 5-515 VARIANCES AND EXCEPTIONS.

Petitions for variances and exceptions to the application of this chapter shall be made to the Mayor in accordance with procedures to be established by resolution of the Board of Mayor and Aldermen.

§ 5-516 CREDITS.

(A) A property owner may elect, with written permission of the Board of Mayor and Aldermen, to construct an eligible capital improvement listed in the capital improvements plan. If the property owner elects to make such improvement, the property owner must enter into an agreement with the city prior to issuance of any building permit. The agreement must establish the estimated cost of the improvement, the schedule for initiation and completion of the improvement, a requirement that the improvement be completed to city standards, and such other terms and conditions as deemed necessary by the city. The city must review the improvement plan, verify costs and time schedules, determine if the improvement is an eligible improvement, and determine the amount of the applicable credit for such improvement to be applied to the otherwise applicable impact fee prior to issuance of any building permit. In no event may the city provide a refund for a credit that is greater than the applicable impact fee. If, however, the amount of the credit is calculated to be greater than the amount of the impact fee due, the property owner may utilize such excess credit toward the impact fees imposed on other building permits for development on the same site and in the same ownership.

(B) No credits shall be given for the construction of local on-site facilities required by zoning, subdivision or other city regulations.

§ 5-517 ROADWAY IMPACT FEE REVIEW.

This section contains additional provisions pertaining to roadway impact fees.

(A) The fees are based on the analysis contained in the Roadway Impact Fee Study prepared for the city in 2019, or on a subsequent similar study. That analysis ensures that the fees charge only for the cost of major roadway system improvements attributable to new development.

(A) Fee schedule.

(1) The following schedule of roadway impact fees shall be assessed on all new development in the city.

<u>Land Use Type</u>	<u>Unit</u>	<u>Fee per Unit (33% - Effective July 1, 2019)</u>	<u>Fee per Unit (100% - Effective July 1, 2020)</u>
Single-Family Detached	Dwelling	\$1,006	\$3,048
Multi Family	Dwelling	\$780	\$2,364
Mobile Home Park	Pad	\$533	\$1,614
Senior Adult Housing, Detached	Dwelling	\$453	\$1,374
Senior Adult Housing, Attached	Dwelling	\$394	\$1,194
Golf Course	Hole	\$289	\$875
Hotel/Motel	Room	\$624	\$1,891
Retail/Commercial/Shopping Center	1,000 sf	\$1,568	\$4,753
Restaurant, Standard	1,000 sf	\$3,009	\$9,118
Restaurant, Drive-Through	1,000 sf	\$6,676	\$20,229
Gas Station w/Convenience Mkt.	1,000 sf	\$2,590	\$7,848
Office/Institutional	1,000 sf	\$1,188	\$3,599
Elementary/Secondary School	1,000 sf	\$369	\$1,117
Community College	1,000 sf	\$831	\$2,517
Day Care Center	1,000 sf	\$979	\$2,966
Hospital	1,000 sf	\$919	\$2,784
Nursing Home	1,000 sf	\$560	\$1,698
Place of Worship	1,000 sf	\$594	\$1,800
Industrial	1,000 sf	\$446	\$1,350
Warehouse	1,000 sf	\$230	\$697
Mini-Warehouse	1,000 sf	\$199	\$602

(2) Periodic review and update. The Board of Mayor and Aldermen shall review the roadway impact fee schedule at least every three years or on a sooner basis as deemed necessary by the Board of Mayor and Aldermen.

(3) Automatic indexing for inflation. The fees shown in subsection (A)(1) above shall be adjusted to account for construction cost inflation on January 1 following each year in which the fees were not comprehensively updated based on a new impact fee study. The existing fees will be multiplied by the ratio of the Engineering News-Record Construction Cost Index for the most recent month for which the index is available to the index for the same month of the previous year. The adjusted fee schedule will be posted on the city's web site and made publicly available by December 1 and will become effective on January 1.

(4) Repeal or reduction. In the event that a proposal is presented to eliminate roadway impact fees or reduce the roadway impact fee schedule below an amount based on capital improvement needs as determined by the Board of Mayor and Aldermen, an amendment to this chapter shall have to pass by a two-thirds vote to repeal or significantly reduce roadway impact fees.

(B) Interpretation of fee schedule.

(1) Residential development shall be assessed based on the number and type of dwelling units. Non-residential development shall be assessed based on the gross floor area and type of land use.

(2) The following definitions shall be used to classify proposed land uses into the categories included in the roadway impact fee schedule. For proposed land uses that cannot be classified into one of the fee schedule categories, the fee shall be assessed using the most similar category based on trip generation or other relevant information.

Single-Family Detached means a building containing only one dwelling unit, including a mobile home not located in a mobile home park.

Multi-Family means a building containing two or more dwelling units. It includes duplexes, apartments, residential condominiums, townhouses, and timeshares.

Mobile Home/RV Park means a parcel (or portion thereof) or abutting parcels of land designed, used or intended to be used to accommodate two or more occupied mobile homes or recreational vehicles, with necessary utilities, vehicular pathways, and concrete pads or vehicle stands.

Hotel/Motel means a building or group of buildings on the same premises and under single control, consisting of sleeping rooms kept, used, maintained or advertised as, or held out to the public to be, a place where sleeping accommodations are supplied for pay to transient guests or tenants. This land use category includes rooming houses, boardinghouses, and bed and breakfast establishments.

Retail/Commercial/Shopping Center means an integrated group of commercial establishments planned, developed, owned or managed as a unit, or a free-standing retail or commercial use not otherwise listed in the impact fee schedule. Uses located on a shopping center outparcel are considered free-standing for the purposes of this definition. A retail or commercial use shall mean the use of a building or structure primarily for the sale to the public of nonprofessional services, or goods or foods that have not been made, assembled or otherwise changed in ways generally associated with manufacturing or basic food processing in the same building or structure. This category includes but is not limited to all uses located in shopping centers and the following free-standing uses:

Amusement park

Auto parts store

Auto wrecking yard

Automobile repair

Bank without drive-through facilities

Bar and cocktail lounge

Camera shop

Car wash

Convenience food and beverage store without gas pumps

Department store

Florist shop
Food store
Grocery
Hardware store
Health or fitness club
Hobby, toy and game shop
Junkyard
Laundromat
Laundry or dry cleaning
Lawn and garden supply store
Massage establishment
Music store
Newsstand
Nightclub
Racetrack
Recreation facility, commercial
Rental establishment
Repair shop, including auto repair
School, commercial
Specialty retail shop
Supermarket
Theater, indoor (including movie theater)
Used merchandise store
Variety store
Vehicle and equipment dealer

Gas Station with Convenience Market means an establishment offering the sale of motor fuels and convenience items to motorists.

Golf Course means a golf course that is not restricted primarily for use by residents of a residential development of which it is a part, including commercial uses such as pro shop or bar that are designed primarily to serve golfers on the site.

Office/Institutional means a general office, medical office or public/institutional use, as hereby defined.

General Office means a building exclusively containing establishments providing executive, management, administrative, financial, or non-medical professional services, and which may include ancillary services for office workers, such as a restaurant, coffee shop, newspaper or candy stand, or child care facilities. It may be the upper floors of a multi-story office building with ground floor retail uses. Typical uses include banks without drive-in facilities, real estate, insurance, property management, investment, employment, travel, advertising, secretarial, data processing, telephone answering, telephone marketing, music, radio and television recording and broadcasting studios; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, trade associations, unions and nonprofit organizations. This category does

not include an administrative office that is ancillary to a principal commercial or industrial use.

Medical Office means a building primarily used for the examination and/or treatment of patients on an outpatient basis (with no overnight stays by patients) by health professionals, and which may include ancillary services for medical office workers or a medical laboratory to the extent necessary to carry out diagnostic services for the medical office's patients. It includes the use of a site primarily for the provision of medical care and treatment of animals, which may include ancillary boarding facilities.

Public/Institutional means a governmental, quasi-public or institutional use, or a non-profit recreational use, not located in a shopping center or separately listed in the impact fee schedule. Typical uses include higher education institutions, city halls, courthouses, post offices, jails, libraries, museums, military bases, airports, bus stations, fraternal lodges, parks and playgrounds. It also includes bus terminals, fraternal clubs, adult day care centers, college dormitories, and prisons.

Restaurant, Standard means a stand-alone establishment, not located in a shopping center but may be located on an out-parcel, that sells meals prepared on site, and does not provide drive-through or drive-in service.

Restaurant, Drive-Through means a stand-alone establishment, not located in a shopping center but may be located on an out-parcel, that sells meals prepared on site, and provides drive-through or drive-in service.

Hospital means an establishment primarily engaged in providing medical, surgical, or skilled nursing care to persons, including overnight or longer stays by patients.

Nursing Home means an establishment primarily engaged in providing limited health care, nursing and health-related personal care but not continuous nursing services.

Place of Worship means a structure designed primarily for accommodating an assembly of people for the purpose of religious worship, including related religious instruction for 100 or fewer children during the week and other related functions.

Day Care Center means a facility or establishment that provides care, protection and supervision for six or more children unrelated to the operator and which receives a payment, fee or grant for any of the children receiving care, whether or not operated for profit. The term does not include public or nonpublic schools.

Elementary/Secondary School means a school offering an elementary through high school curriculum.

Industrial means an establishment primarily engaged in the fabrication, assembly or processing of goods. Typical uses include manufacturing plants, industrial parks, research and development laboratories, welding shops, wholesale bakeries, dry cleaning plants, and bottling works.

Warehouse means an establishment primarily engaged in the display, storage and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment. Typical uses include wholesale distributors, storage warehouses, trucking terminals, moving and storage firms, recycling facilities, trucking and shipping operations and major mail processing centers.

Mini-Warehouse means an enclosed storage facility containing independent, fully enclosed bays that are leased to persons for storage of their household goods or personal property.

(C) Expenditure of impact fees. Roadway impact fees collected pursuant to this chapter shall be limited to capacity improvements on the major roadway system. The major roadway system is defined as roads classified as arterials in the city's Major Thoroughfare Plan. Capacity improvements include but are not limited to new roads, road widening projects, intersection improvements, and signalization, as well as improvements such as installation of sidewalks, curb and gutter, drainage, bridges, landscaping and other elements needed to complete the roadway cross-section. Such expenditures shall not include costs of rights-of-way or land acquisition, but may include costs for design, preliminary engineering, construction engineering and inspection, and similar elements required for the project. Impact fee revenue may also be used to retire debt attributable to eligible cost components.

§ 5-518 ROADWAY IMPACT FEE CALCULATIONS RESERVED.

(A) For each land use, a demand factor shall be determined for use in calculating the appropriate roadway impact fee. The demand factors shall be based on the estimated trip generation rates for various land uses as identified in the latest edition of the ITE Trip Generation. In order to avoid double counting of vehicular trips between land uses, the ITE Trip Generation rate shall be divided by two to determine the appropriate demand factor.

(B) The base trip cost shall be determined by dividing the cost of the projected arterial roadway projects by the estimated daily trips projected for a ten year horizon. This calculation is detailed in Exhibit A -Base Trip Calculation, attached to the ordinance codified herein.

§ 5-519 IMPLEMENTATION SCHEDULE RESERVED.

This chapter shall become effective 90 days after final passage and the impact fee schedule shall be implemented as follows.

(A) Residential impact fees. The residential impact fees shall be 100% beginning at the effective date of this chapter as shown in Exhibit B, City of Spring Hill Roadway Impact Fee Schedule, attached to the ordinance codified herein.

(B) Non-residential impact fees. The non-residential impact fees shall be 33% beginning at the effective date of this chapter as shown in Exhibit B, City of Spring Hill Roadway Impact Fee Schedule, attached to the ordinance codified herein. The non-residential impact fees shall increase to 67% on 1-1-2017, as shown in Exhibit C, City of Spring Hill Roadway Impact Fee Schedule, attached to the ordinance codified herein. The non-residential impact fees shall increase to and remain at 100% on 1-1-2018, as shown in Exhibit D, City of Spring Hill Roadway Impact Fee Schedule, attached to the ordinance codified herein.

§ 5-520 SEVERABILITY.

If any section, phrase, sentence or portion of this chapter is held invalid or unconstitutional, same shall not affect the validity of the remaining portions hereof.

Land Use Type	Unit	Current Fees	Recommended Fees	Effective July 1, 2019 (33%)	Effective July 1, 2020 (100%)	Total Percent Change
Single-Family Detached	Dwelling	\$521	\$3,048	\$1,006	\$3,048	485%
Multi Family	Dwelling	\$365	\$2,364	\$780	\$2,364	548%
Mobile Home Park	Pad	n/a	\$1,614	\$533	\$1,614	n/a
Senior Adult Housing, Detached	Dwelling	\$195	\$1,374	\$453	\$1,374	605%
Senior Adult Housing, Attached	Dwelling	n/a	\$1,194	\$394	\$1,194	n/a
Golf Course	Hole	n/a	\$875	\$289	\$875	n/a
Hotel/Motel	Room	\$537	\$1,891	\$624	\$1,891	252%
Retail/Commercial/Shopping Center	1,000 sf	\$2,805	\$4,753	\$1,568	\$4,753	69%
Restaurant, Standard	1,000 sf	\$2,228	\$9,118	\$3,009	\$9,118	309%
Restaurant, Drive-Through	1,000 sf	\$5,433	\$20,229	\$6,676	\$20,229	272%
Gas Station w/Convenience Mkt.	1,000 sf	n/a	\$7,848	\$2,590	\$7,848	n/a
Office/Institutional	1,000 sf	\$725	\$3,599	\$1,188	\$3,599	396%
Elementary/Secondary School	1,000 sf	n/a	\$1,117	\$369	\$1,117	n/a
Community College	1,000 sf	n/a	\$2,517	\$831	\$2,517	n/a
Day Care Center	1,000 sf	n/a	\$2,966	\$979	\$2,966	n/a
Hospital	1,000 sf	n/a	\$2,784	\$919	\$2,784	n/a
Nursing Home	1,000 sf	n/a	\$1,698	\$560	\$1,698	n/a
Place of Worship	1,000 sf	n/a	\$1,800	\$594	\$1,800	n/a
Industrial	1,000 sf	\$511	\$1,350	\$446	\$1,350	164%
Warehouse	1,000 sf	\$511	\$697	\$230	\$697	36%
Mini-Warehouse	1,000 sf	\$511	\$602	\$199	\$602	18%

Roadway Cost Per Mile (Two-Lane Undivided Road per TDOT Cost Estimation Data and Procedures)				
Preliminary Engineering Cost per Mile			\$529,000	
Roadway Construction Cost per Mile			\$5,290,000	
Construction Engineering Inspection			\$529,000	
Total Cost Per Mile			\$6,348,000	

Current Traffic Impact Fee	\$521
No. Households to Cover Cost per Mile	12,184
No. Years to Cover Cost Per Mile (Assumes 750 residential permits @ \$521/permit per year)	16

Proposed Traffic Impact Fee (33%)	\$1,006
No. Households to Cover Cost per Mile	6,310
No. Years to Cover Cost Per Mile (Assumes 750 residential permits @ \$3,048/permit per year)	8

Proposed Traffic Impact Fee	\$3,048
No. Households to Cover Cost per Mile	2,083
No. Years to Cover Cost Per Mile (Assumes 750 residential permits @ \$3,048/permit per year)	3