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# Impact Fees: A Method of Paying for Growth in Florida

Impact Fees  
in Florida

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Local governments throughout the United States are wrestling with the problem of financing infrastructure (i.e. roads, bridges, sewage treatment plants and other capital facilities) to support new development. On the one hand many local jurisdictions are experiencing rapid growth, while on the other they are facing serious cutbacks in federal and state assistance. Compounding this problem is a citizenry which is increasingly reluctant to tolerate additional taxes to meet present levels of services or to finance existing or new infrastructure through bond issues. Added to these are several tax limitation statutes that have been enacted following California's Proposition 13 in 1978[1]. How to deal with this current state of affairs is a subject of serious debate among communities throughout the country.

Local jurisdictions have adopted different approaches to this problem. Some have continued to fund capital facilities out of revenues and user fees collected from the community at large (e.g. Georgia localities make use of a special purpose sales tax[2]). Others have shifted a significant portion of their responsibility for financing new infrastructure to the private sector (e.g. Santa Monica, Napa, and Fairfield[3]). Other localities have created special financing districts, for example, some cities in California, Texas and Illinois[4], while some localities have adopted tax increment financing, such as those in Illinois[5]. Other communities have adopted impact fees[6], or a combination of alternatives. The common denominator among these alternative growth financing mechanisms is their attempt to link the costs of capital improvement to those who benefit from the infrastructure.

This article focuses on the adoption of impact fees by Florida local governments. Adoption of impact fees is intended to help pay for burgeoning population growth (about 900 persons per day) in Florida[7, p. 41], at a time when federal and state assistance is declining. As its principal sources of data on impact fees in Florida, this study draws from selected portions of the Florida Advisory Commission on Intergovernmental Relations' (ACIR) 1986 and 1989 statewide surveys, and the Government Finance Officers Association (GFOA) 1989 national survey on growth financing techniques[8]. The ACIR surveys are the most comprehensive sources of information on the growth and use of impact fees in Florida. Five national studies[9] have included Florida as a state whose communities have adopted impact fees, but they do not offer the breadth and scope of study on Florida which the two ACIR studies provide. Inclusion of GFOA

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State	No. of impact fees	State	No. of impact fees
Alabama	–	Montana	1
Alaska	–	Nebraska	1
Arizona	4	New Jersey	4
California	56	New York	3
Colorado	8	North Carolina	6
Connecticut	2	North Dakota	–
Florida	33 <sup>a</sup>	Ohio	2
Georgia	5	Oklahoma	1
Hawaii	1	Oregon	14
Idaho	1	Pennsylvania	10
Illinois	10	Rhode Island	1
Indiana	2	South Carolina	3
Iowa	–	South Dakota	3
Kansas	3	Tennessee	1
Maine	2	Texas	14
Maryland	2	Utah	3
Massachusetts	2	Vermont	2
Michigan	3	Virginia	1
Minnesota	4	Washington	7
Missouri	1	Wisconsin	5

*Source:* Adapted from [8, p. 11]  
<sup>a</sup>See comment in [8]

**Table I.**  
Nationwide Status of  
Impact Fee Use

data in this article is intended to provide general understanding as to where Florida local governments fit in the national trend of impact fee adoption (see Table I). In addition the ACIR data are used to show the extent to which impact fee adoption has increased in Florida, their multiple use, dollar increases, and their proportion of total capital expenditure.

### Conceptual Overview

An impact fee is a compulsory exaction which is levied on developers or residents who are expected to benefit from off-site facilities (e.g. arterial roads, sewage treatment plants, parks, etc.) to be developed to serve occupants of new development. The fee is often levied against new development projects as a condition for permit approval to support capital facilities needed to serve the proposed development. Local governments are authorized to levy impact fees through their "police powers" and the revenues collected are earmarked for the retirement of debt resulting from development of off-site facilities[10].

Impact fees are designed to secure additional revenues for local governments as do other sources. The thinking behind this source of revenue is that new growth should pay for itself. This view differs from the traditional one, which advocates that general taxation, derived from bond issues or property taxes should pay for growth. Societal thinking apparently is shifting towards the notion that growth

should be financed on a pay-as-you-grow basis or on the basis of benefits received[7]. The fiscal retrenchment at all levels of government in the United States during the 1980s intensified the pay-as-you-grow mood and, consequently, the impact fee method has facilitated this approach to growth financing.

Two other sources of revenue should be mentioned here in order to clearly establish the conceptual basis of impact fees. These are impact taxes and land dedication. By impact tax is meant a compulsory assessment on individuals whose development project may not necessarily require the construction of facilities explicitly for the project, but, if constructed, would in some way benefit the residents of the development. It is a tax, therefore, "that need not bear any relationship to the cost of facilities needed to serve the development, and, further, there is no need to spend the money to construct facilities to benefit the development paying the tax"[11, p. 4].

Impact taxes can be used to finance the allocation of goods and services through general purpose funding. These taxes are therefore similar to property taxes in terms of general purpose expenditure. By contrast, impact fees are assessments that must be reasonably related to the cost of providing infrastructure to serve the development paying the fee. Second, impact fees are limited to the construction of related facilities. Land dedication or exaction is an in-kind arrangement by which a developer agrees to give a certain amount of acreage to government in lieu of a fee to recover the cost of off-site improvements.

An argument in support of impact fees is that they reduce the financial impact of new development on current residents who would normally have to share the cost of additional facilities through higher taxes and charges. In communities, therefore, where growth development is not particularly popular and where citizens are opposed to having their taxes earmarked to build facilities for new residents, impact fees would be the preferred funding approach.

The renewed emphasis on impact fees as a financing mechanism is due in part to the rapid growth in population in the sunbelt states where many of these fees are found[8, p. 11]. Fiscal retrenchment at all levels of government, accompanied by growing reluctance of citizens to pay more taxes, has raised serious public policy questions regarding the financing of growth. Two critical questions are pertinent here:

- (1) Who should pay for growth?
- (2) How should growth be financed?

Florida communities' search for answers to these questions points to the relevance of impact fees in this study. Many communities in Florida have responded to these questions through their adoption of impact fees. According to five national studies (already referred to), Florida is not alone (as is indicated in Table I).

## Issues

### *Political*

Several political and legal issues are associated with impact fees and four of the political ones are briefly discussed here. Legal issues will be addressed

subsequently. First, it is argued that impact fees contribute to higher housing costs. Snyder and Stegman[12] cite the experience of a Colorado Springs builder who was levied an impact fee of \$6,170 (indirect costs pushed it to \$7,900) on a \$75,000 house. The case is instructive because the impact fee added to the cost of housing. This fee also raises the question, "Who ultimately pays the cost of the impact fee?" In the first instance it is the builder, but it is unlikely that the builder will, in the long run, bear this cost if he can shift it forward to the buyer. Several studies on this issue of who ultimately pays have concluded that the answer is still not clear. At best some of the cost is shifted forward[13]. Factors which complicate an attempt to determine who actually bears the cost of increased housing costs include, market conditions, the competitiveness of the housing market and the availability of comparable substitutes of both new and existing houses.

Second, opponents view impact fees as another form of double taxation since they require new residents to pay twice for public facilities – once through an impact fee and again through taxes and charges used to retire the debt on existing facilities. The argument, according to some, is that it is unfair for new residents who have purchased homes with a new cost (i.e., the impact fee), to have to pay the same property taxes that old residents are paying for existing facilities and still pay for facilities necessary to make new development functional[14]. The counter argument to this is that public facilities in older areas have been paid for (or almost). Or, as the argument continues, the cost of building the infrastructure, and the property taxes to pay for capital facilities were much less then[14].

Briefly, two additional political issues to consider are as follow: impact fees unfairly benefit existing residents by giving them access to expanded public facilities without requiring them to bear the cost of that expansion[15]. Moreover, the imposition of an impact fee amounts to changing the rules in mid-process; that is, traditionally, the community as a whole has subsidized construction and maintenance of public facilities in new areas. Current owners, now established in their area, do not wish to subsidize public facilities needed by new residents [14, pp. 173-9].

### *Legal*

The legal issues have centred on whether these fees are a tax or regulation, whether communities have had the authority to impose such fees, "and whether impact fees violate constitutional due process and equal protection guarantees"[16]. For years a central question has been whether the fee is a reasonable imposition on new growth, and whether the fee can be shown to be reasonably connected to the new development. There are several tests of reasonableness but the most accepted criterion is known as the "rational nexus" criterion[13, pp. 56-60 and 15, pp. 139-41].

The rational nexus criterion requires that:

There must be proportionality between the need for new capital facilities generated by the development and the amount of the fee [and second], there must be a reasonable connection between the funds collected and the benefits accruing to the development[17].

This standard has its basis and legitimacy in case law. It was first raised in *Jordan v. Village of Menomonee Falls*, in 1966[18]. The rational nexus criterion received and passed its first test of constitutional validity in 1966 when the Wisconsin Supreme Court applied this test to determine whether the local government could have substantiated its claim. The jurisdiction contended that population growth from new development created the need to expand existing facilities and beneficiaries (homeowners), were justified in paying the fee. The court upheld a requirement “for dedication or fee in lieu of dedication, of a school and parks based on the costs of the portion of the facilities that was needed by the new development”[13, p. 57]. The essence of the rational nexus doctrine may be summarized as follows:

- (1) The expansion of the facility must be necessary and must be caused by new development.
- (2) The fees charged must be based on the costs of the new facility apportioned to the new residents.
- (3) The fees must benefit those who pay. This usually means that the funds collected are earmarked for a particular account[19].

### Experience of Florida

In Florida the rational nexus criterion is the principal basis for determining the assessment of impact fees. This criterion has been tested in Florida’s courts as well. In *Builders Association of Pinellas County v. City of Dunedin* (1976) the courts upheld Dunedin’s imposition of water and sewer impact fees, but simultaneously endorsed the reasonableness criterion by requiring that fees must be assessed on those who directly benefit from the development[19]. Since then there have been other court cases which, in effect, have validated the impact fee requirement of cities and counties in Florida[20].

Not only have the courts upheld the impact fee requirements but the state legislature adopted legislation (the Growth Management Act of 1985) which has encouraged increased use of impact fees in Florida. The Local Government Comprehensive Planning and Land Development Regulation Act, 1985 (LGCPLDRA), a corollary of the 1985 Comprehensive Act, has established several specific state mandates to which local government economic development plans must conform. These requirements, in essence, have validated the application of impact fees in Florida local governments. Examples of the LGCPLDRA mandates require that local governments should establish a capital improvement plan showing sources of revenues to pay for growth. They must identify needed infrastructure to accompany the anticipated growth and establish service level standards for capital facilities. Impact fees must be limited to a portion of the cost of new facilities[21]. Impact fees, as indicated earlier, must have bearing only on new development, not on existing infrastructure.

### *Types and Use of Impact Fees*

Several types of impact fees currently exist in Florida. Florida ACIR (1989) groups them into two categories, "most common" and "less common". Table II lists most common and less common impact fees in Florida as of 1989[22].

Fifteen different types of impact fees were identified by the Florida ACIR 1986 survey. The 1989 ACIR survey identified 19. Of these, water, sewer, parks, fire and road services are more frequently assessed impact fees. The Florida Advisory Commission on Intergovernmental Relations (Florida ACIR) conducted two statewide surveys on impact fee use in Florida (ACIR 1986, 1989).

The 1986 survey included 67 counties and 98 cities. The study reported that 15 (23 per cent) counties and 62 (63 per cent) cities had adopted impact fees. In 1986, 154 impact fees (i.e. total number of impact fee uses of all 19 types) were levied in cities. Of this amount, 94 were water and sewer. The total number of impact fee uses in counties was 41. Transportation, impact fees were the most frequently used in counties (12 of 41 or 29 per cent). In 1986, according to the ACIR study, there were 195 impact fee uses in cities and counties.

Three years later (1989) ACIR conducted a second statewide survey on impact fees. The 1989 survey included each of Florida's 67 counties and 87 cities (131 were surveyed but only 87 responded). The ACIR survey results show that there has been an increase in the use of impact fees since 1986. For example in 1986, 15 counties levied impact fees; in 1989, 32 did. In 1986, 62 cities levied impact fees; in 1989, 74 levied impact fees. Examples of increases include water and/or sewer impact fees from 15 to 27, and 94 to 106 in counties and cities respectively. Road impact fees rose from 12 to 27 in counties and from 8 to 14 in cities while park/recreation rose from 5 to 13 in counties and in cities from 14 to 33.

In sum, there were 41 levies of impact fees in counties and 154 in cities (totalling 195) for both jurisdictions in 1986. In 1989, there were 117 impact fee levies in counties and 197 levies in cities, a combined total of 314 in both jurisdictions (see Table III). The table also shows the increases in use among the various types of

Most common	Less common
Water facilities	Beach acquisition
Sewer facilities	Electric facilities
Parks and recreation	Correctional facilities
Roads and transportation	General capital fund
Fire and emergency services	General government buildings
Law enforcement	Land acquisition
	Libraries
	Off-site parking
	Right-of-way
	Sanitation facilities
	Schools
	Solid waste facilities
	Street lights

**Table II.**  
Impact Fees,  
Florida 1989

impact fees. For example, in 1986, 12 counties were using road impact fees, while in 1989, 27 levied such fees. Eight cities were using similar fees in 1986, while in 1989, 14 reported levying road impact fees.

Table III reveals that water and/or sewer impact fees are the most common levies in Florida counties and cities followed by park/recreation (in cities) and road impact fees (in counties). It is not surprising that water and sewer impact fees are the commonest types of fees. Three reasons are suggested. First, water and sewer services have always had connection charges, tap-in fees and the like, whose fee structures, for the most part, have made it relatively easy to develop a "new" kind of fee now known as impact fees. Second, national studies (see for example [9]) have shown that communities have regarded water/sewer impact fees as an important source of revenues for financing long-term expensive

	1986	1989
<i>Counties</i>		
Number using impact fees	15	32
Number surveyed/Number responding	67/67	67/67
Impact fees used:		
Road impact fees	12	27
Water and/or sewer impact fees	15	27
Park/Recreation impact fees	5	13
Fire and/or EMS impact fees	3	12
Law enforcement impact fees	1	10
All other impact fees	5	29
Total county impact fee uses	41	117
<i>Cities</i>		
Number using impact fees	62	74
Number surveyed/Number responding	98/98	131/87 <sup>a</sup>
Impact fees used:		
Road impact fees	8	14
Water and/or sewer impact fees	94	106
Park/Recreation impact fees	14	33
Fire and/or EMS impact fees	14	14
Law enforcement impact fees	7	13
All other impact fees <sup>b</sup>	17	19
Total city impact fee uses	154	197
<sup>a</sup> Despite the fact that less cities responded in 1989, the results show that impact fee use has increased.		
<sup>b</sup> Included in the "other" categories are drainage, beach acquisition, emergency and school impact fees.		
Source: [23, p. 13]		

**Table III.**  
Impact Fee Use in  
Florida Counties and  
Cities, 1986 and 1989

infrastructure, notably, sewage systems, particularly at a time when federal assistance has declined. Many communities see these fees as a way for newcomers to a community to help pay for growth. Florida, indeed, is no exception. Third, economically, the inelasticity of demand for water and sewer services may very likely have contributed to the relative ease of levying impact fees, not only in Florida, but elsewhere.

Florida ACIR study[22] also reported that six of the largest cities do not use impact fees although all counties within which these cities are located levy at least one impact fee except Alachua County (Gainesville) and Escambia County (Pensacola). Also, each of the counties in which the six cities are located has at least one countywide impact fee. These are Leon, Dade and Pinellas counties. Moreover, most of the counties with impact fees are large while most of those not levying the fee are small. This is not to suggest that smaller counties do not wish to levy impact fees. It could suggest, instead, that they fear that such fees might stifle growth. Also, political pressure from the business community may be very pronounced, and threats from local builders, for example, to relocate are significant enough to thwart the growth of impact fees in smaller jurisdictions[24].

Table IV provides data on the multiple use of impact fees in Florida cities and counties. Twenty-one per cent of cities in the survey use one impact fee, 39 per cent levy two. Two counties levy as many as seven fees. At least one fee is levied in seven counties, five counties levy at least two and one has used eight different fees. Water and sewer are the most common combination of fees in Florida municipalities. In many counties water and sewer impact fees are combined, as are road and park[22, p. 29].

Impact fee levies have increased between 1986 and 1989 and, consequently, the cost of many services and housing has increased. The ACIR studies addressed this change by comparing the average fee which was levied on a 1,500 square foot, three bedroom, two bath, single family home over a three year period. For

Number of impact fees	Used by cities (%)	Used by counties (%)
1	16 (21.6)	7 (21.9)
2	29 (39.2)	5 (15.6)
3	12 (16.2)	4 (12.5)
4	6 (8.1)	4 (12.5)
5	5 (6.8)	5 (15.6)
6	4 (5.4)	3 (9.4)
7	2 (2.7)	3 (9.4)
8	- -	1 (3.1)

Source: [23, p. 30]

**Table IV.**  
Frequency of Multiple  
Impact Fee Use, 1989



a housing unit of that size, residents paid an average of \$481.00 in water impact fees and \$739.00 for sewer in 1986. Compare those with 1989 costs: \$732.00 (or 52 per cent increase) for water and \$1,175.00 (or 58 per cent increase) for sewer. Counties show higher averages in impact fee levies than cities in both 1986 and 1989 but the percentage increase is less. In fact there is a decrease in the water impact fee average in 1989. Road impact fees, like sewer impact fees have shown a steady increase in both cities and counties over the three year period. On the other hand, fees for fire and law enforcement have decreased in 1989 (see Table V).

### *Impact Fees as a Percentage of Capital Expenditure*

Having provided data on the different types of impact fees, their increases or decreases in number, and their increased cost to developers, an important question may be raised here: Do these fees represent a significant share of revenues allocated to finance capital expenditures? The Florida ACIR 1989 [23] study does not provide a definitive answer but the question can be considered from two perspectives. First, if one uses total capital outlay on roads and streets as a gauge, then impact fee revenues, as a proportion of capital outlay, merely exceed a third (36 per cent). Second, using total capital expenditure (i.e. accounting for capital outlay, personal services and operating expenses) as a basis for comparison, the picture is somewhat different. Impact fee revenues as a percentage of total capital expenditures do not exceed 20 per cent. As Table VI indicates, impact fee revenues as a percentage of total capital expenditures are as

Average impact fee (\$), single family home				
Type of impact fee	Reported by cities		Reported by counties	
	1983	1989	1986	1989
Water	481	732	906	851
<i>n</i>	34	45	5	11
Sewer	739	1,175	1,228	1,588
<i>n</i>	36	43	5	10
Park/Recreation	225	276	295	211
<i>n</i>	11	20	4	10
Road/Transport	459	601	720	878
<i>n</i>	6	11	8	16
Fire/EMS	257	120	—	85
<i>n</i>	9	11	—	8
Law enforcement	119	67	—	58
<i>n</i>	5	12	—	9

Source: [23, p. 25]

**Table V.**  
Average Impact Fees,  
Single Family Home  
Comparisons: 1986 and  
1989 ACIR Impact Fee  
Surveys

low as 5.3 per cent in Clearwater, 15 per cent in Lake County, and as high as 20 per cent in Martin County. Other localities not mentioned in the ACIR study also reflect a low percentage. For instance, Tallahassee and Leon County impact fee revenues are about 8.5 per cent of capital expenditure[25].

### Summary and Conclusion

This study has emphasized that throughout the state of Florida local governments are attempting to pay for rapidly occurring growth. Florida continues to increase in population by as many as 900 people a day or 300,000 each year and 3 million a decade since 1960[7, p. 41], without an adequate increase in revenues to pay for new facilities to accommodate such growth. Local governments, which have the ultimate responsibility to provide most services to existing and new residents, are forced to exploit new sources of revenues to meet this phenomenal growth.

There are six concluding observations to be made about the search by Florida communities for ways to pay for growth. First, the adoption of impact fees by Florida communities to finance growth is increasing, and will very likely continue to do so, unless the gap between rapid growth and lagging revenues narrows. Once impact fees have met the rational nexus criterion they can be applied to development projects to help meet the cost of growth. Moreover, the number of services to which these fees can be applied and the steepness of the levies will be dictated, largely, by local politics.

Second, the adoption of fees is still not likely to overcome the mismatch between rapid growth and sagging revenues. The study points out that impact fee revenues represent about 20 per cent of funds allocated for capital expenditure. In many instances it is much lower. Impact fee revenues are restricted to financing new capital facilities, therefore, local governments must

**Table VI.**  
Road Impact Fee  
Revenues Compared  
with Road Capital  
Expenditures and Total  
Road Expenditures  
Three-year Average  
(\$ Millions)

City/County	Road and street capital outlay \$ 1985-1987	Impact fee revenue \$ 1985-1987	Revenue as per cent of capital outlay (%)	Impact Fee as per cent of total road expenditures (%)
Clearwater	2.22	0.38	17.1	5.3
Broward County	23.54	4.35	18.5	11.4
Hillsborough County	23.28	3.97	17.0	8.9
Lake County	3.24	0.98	30.1	15.4
Martin County	3.43	1.26	36.6	20.0
Sarasota County	10.95	2.40	21.9	13.1
Source: [23, p. 37]				

still find ways to subsidize or finance existing infrastructure. Since the use to which impact fee revenues can be put is limited, the fees' capacity to make a difference in meeting the needs of new development also is limited. Clearly, impact fees, by themselves, cannot be the only answer to growth financing in Florida. Overall, the politics of the community will dictate the scope and role of these fees in growth financing in Florida communities.

Third, the study notes that water and sewer impact fees were the most common fees among Florida localities, and that the fees have increased significantly between 1986 and 1989. The interplay of economic and political forces may help, in part, to explain the prevalence of these fees. For instance, the demand for water and sewer services is inelastic. That is, water and sewer services (combined) have no practical substitutes (assuming the unavailability of septic systems as an option) for homeowners of new development. Thus, the new homeowner cannot easily escape the fee. It is therefore politically easier to impose the fee.

Fourth, sewer plants and related facilities are very expensive capital projects. Federal and state assistance in the construction of these high cost projects has diminished and therefore impact fee assessments are perceived as a means of offsetting the lost assistance as well as meeting a proportion of the cost of growth. Conceivably, the opportunity to distribute the cost (e.g. of sewer treatment plants) among as many households or commercial units as possible is an economically attractive idea, since a wide distribution of cost or the prevalence of economies of scale results in a lower average cost.

Fifth, local political leadership must keep in mind that, reliance on impact fees as a method of paying for growth, has an inherent weakness due to the close link between impact fees and the building industry. That is, revenues derived from this sector of the local economy are tied to the fluctuations of that industry. Local governments are therefore bound to be affected by the local economic circumstances and political realities which the building industry may help to shape or influence. Consequently, the extent to which local governments in Florida (and elsewhere) should rely on impact fee revenues is an important policy question.

Sixth, it is to be noted also, that there exists a common denominator between the findings in Florida and those of several other states in the US. The Florida ACIR findings, when compared with those of other states, (see national studies already cited) arrive at similar conclusions particularly with regard to:

- the increasing uses of impact fees; and
- increasing popularity of water, sewer, fire and transport impact fees.

This is due to the fact that in all states water, sewer and transport, for example, are high cost infrastructure financing projects which have experienced reduction in federal assistance in infrastructure development. With regard to

determining what percentage of capital expenditure are impact fees, the picture is still cloudy and, therefore, more research is needed on this question.

A study of Florida's experience and that of other local governments in the United States, suggests a continuing serious policy debate regarding the scope and role of impact fees in growth financing. Such a debate will be especially significant because of its timing, i.e. during the 1990s, a decade virtually certain to be characterized by a widening gap between available state and local resources, and public demand for unmet needs.

#### Notes and References

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national studies cited in this study are consistent in their findings: that Florida's use of impact fees are as comparatively high and increasing.

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18. *Jordan v. Village of Menomonee Falls*, 137 North West 2d. 442 U.S. (Wisconsin Supreme Court 1966). Other landmark cases that have influenced the development of impact fees include: *Pioneer Trust and Savings Bank v. Village of Mount Prospect*, 176 North East Second Series (N.E.2d) 799, 804 (Illinois Supreme Court, (Ill. Sup. Ct.) 1961). *Associated Home Builders v. City of Walnut Creek*, 4 Cal.3d 633, 94 Cal. Repr. dism'd 404 U.S. 878 (1972). *Nollan v. California Coastal Commission*, 107 Sup. Ct. 3141 (1987). Also for an excellent discussion on the legal aspects of impact fees see Bosselman, F.P. and Stroud, N., "Legal Aspects of Development Exactions", in Frank, J.E. and Rhodes, R. (Eds), *Development Exactions*, Planner Press, Washington DC, 1987.
19. McKay, P.L., Milliman, J.W. and Shoemyen, A.H., *Understanding Impact Fees*, University of Florida, Gainesville, FL, 1986, pp. 8-9.

20. It is useful to cite three landmark cases that have significantly influenced the development and use of impact fees in Florida. They have assisted in establishing the validity of impact fees on the basis of the rational nexus test. *Contractors and Builders Association of Pinellas County v. City of Dunedin*; case decided in 1976; ruled on the validity of water and sewer impact fees (329 Southern Reporter second series (So. 2d) 314); *Hollywood, Inc., v. Broward County*; case decided in 1983; ruled on validity of park impact fees in a charter county (431 So. 2d 606 *Home Builders and Contractors Association v. Palm Beach County*. Case decided in 1983; ruled on the validity of road and transport impact fees in a non-charter county (446 So. 2d 140).
21. Local Government Comprehensive Planning Development Regulation Act, 1985, F.S. Chapter 163.
22. Advisory Commission on Intergovernmental Relations (ACIR), 1989, pp. 4, 25, 29, 37.
23. Impact Fee Use in Florida: An Update, Florida ACIR, Tallahassee, 1989, pp. 13, 25, 30, 37.
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25. Interview with Dave Bright, Senior Planner, City of Tallahassee, Leon County Planning Department, 17 April 1991. Interviewer supplied helpful data to author so that calculations can be made to establish impact fee revenues' share of capital expenditure.