

# City Explained<sup>Inc.</sup>

## Development Impact Fee Study Update Report

Fort Mill, SC



**Final Document**

March 31, 2025

# Acknowledgements

Preparation of the Development Impact Fee Study Update Report for the Town of Fort Mill was a collaborative process involving numerous stakeholders; including the Fort Mill Town Council, Fort Mill Planning Commission, Fort Mill Town staff, and their hired consultant. All of their efforts are greatly appreciated.

## Fort Mill Town Council

Guynn Savage, Mayor  
Allen Garrison, Ward 1  
Ronald Helms, Ward 2 (Mayor Pro Tem)  
Ben Hudgins, Ward 3  
Chris Moody, Ward 4  
Lisa Cook, At-Large  
Chris Wolfe, At-Large

## Fort Mill Planning Commission

Daniel Reynolds  
Matthew Lucarelli  
Jason Therrell  
Dan Stout, Jr.  
Mark Kerr (Chair)  
Sarah Curtis  
Erin Pratt

## Fort Mill Town Staff

Cary Vargo, Town Manager  
Chris Pettit, Assistant Town Manager  
Eric Davis, Assistant Town Manager

## Consultant

City Explained, Inc.  
Matt Noonkester

# Table of Contents

Introduction	Chapter 1
Parks & Recreation	Chapter 2
Fire Protection	Chapter 3
Municipal Facilities & Equipment	Chapter 4
Conclusion	Chapter 5
Appendices	
APPENDIX A	State Enabling Legislation
APPENDIX B	Town Development Impact Fee Ordinance
APPENDIX C	US Census Data & ITE Employee Space Ratio Calculations
APPENDIX D	Parks & Recreation Inventory & Analysis Tables
APPENDIX E	Fire Protection Inventory & Analysis Tables
APPENDIX F	Municipal Facilities & Equipment Inventory & Analysis Tables



# Chapter 1

## Introduction

## **INTRODUCTION**

The Town of Fort Mill, South Carolina implemented a development impact fee ordinance on August 24, 2015, and started collecting impact fees on October 1, 2015 (the original effective date of the ordinance). Section 2-315 of the town's ordinance requires a holistic review and update of the development impact fee system at least once every five years, which was last completed on June 8, 2020.

The development impact fee study update report presented herein fulfills the inventory and analysis requirements for the next five-year holistic review and update of the system. It documents existing conditions, anticipates future year needs and their implementation costs, and recommends maximum allowable impact fees (by category) in accordance with the rules and requirements of the South Carolina Development Impact Fee Act. Three categories are addressed in the study update report: parks and recreation, fire protection, and municipal facilities and equipment.

The report also serves as the foundation for amending the Town's Capital Improvements Plan and reviewing the Town's development impact fee ordinance for enforcing a local development impact fee system under the Act.

## **WHAT ARE IMPACT FEES?**

As communities grow, the demands placed on surrounding infrastructure continue to rise and eventually necessitate additional capacity improvements to maintain adequate levels of services. Traditionally, elected officials rely on rising property taxes, state or federal funding, or the development review process to pay for future year capital improvements. However, recent decreases in outside government funding, increases in construction costs for replacing and expanding public facilities, and rising resistance to increased property taxes have led many local governments to consider other funding mechanisms for implementing needed improvements.

Impact fees represent financial payments made from a developer to the local government for funding certain off-site capital improvements needed to accommodate future growth. Fees may be collected for different public facilities and services, including transportation, water, sewer, municipal facilities and services, storm water, police and fire protection, and parks and recreation. They generally provide a means for orderly development by mitigating the negative impacts of new growth, while passing costs on to new development rather than existing taxpayers.

Impact fees are most useful in communities that are experiencing rapid growth and have significant land available for development. Two factors control the legality of collecting impact fees. First, local governments must have authority to impose the fees as a condition of development approval. Second, the design and implementation of impact fee requirements must not be unfair, arbitrary, unreasonable, or without rational basis. In addition, impact fees may not violate a developer's right to due process or be discriminatory.

## STATE ENABLING LEGISLATION

The State of South Carolina grants the power for cities and counties to collect impact fees on new development pursuant to the rules and regulations set forth in the South Carolina Development Impact Fee Act (Code of Laws of South Carolina, Section 6-1-910 et seq.). A copy of the State enabling legislation is included in Appendix A of the report. Section 6-1-950(B) of the Act requires a review and update of the development impact fee program at least once every five years. In Fort Mill, the five-year deadline to review and update the program is June 8, 2025, based on the most recent effective date of the town's existing ordinance.

Generally, a governmental entity must have an adopted comprehensive plan to enact impact fees; however, certain provisions in State law allow counties, cities, and towns that have not adopted a comprehensive plan to impose development impact fees. Those jurisdictions must prepare a capital improvements plan as well as prepare an impact fee study that substantially complies with Section 6-1-960(B) of the Code of Laws of South Carolina. The Town of Fort Mill's Comprehensive Plan was last updated on September 13, 2021. The Town of Fort Mill currently maintains a Capital Improvements Plan that can be amended with new projects to support the local development impact fee system.

All counties, cities, and towns are also required to prepare a report that estimates the effect of impact fees on the availability of affordable housing before imposing impact fees on residential dwelling units. Based on the findings of the study, certain developments may be exempt from impact fees when all or part of the project is determined to create affordable housing, and the exempt development's proportionate share of system improvements is funded through a revenue source other than impact fees. A housing affordability analysis in support of the development impact fee study update is published as a separate report.

Eligible costs may include design, acquisition, engineering, and financing attributable to those improvements recommended in the local capital improvements plan that qualify for impact fee funding. Revenues collected by the county, city, or town may not be used for administrative or operating costs associated with imposing the impact fee. All revenues from impact fees must be maintained in an interest-bearing account prior to expenditure on recommended improvements. Monies must be returned to the owner of the property for which the impact fee was collected if they are not spent within three years of the date they are scheduled to be encumbered in the local capital improvements plan. All refunds to private land owners must include the pro rata portion of interest earned while on deposit in the impact fee account. The Town of Fort Mill is also responsible for preparing and publishing an annual report describing the amount of impact fees collected, appropriated, and spent during the preceding year for each service area in which impact fees were collected. The Planning Commission is required to review and update the impact fee study report, capital improvements plan, housing affordability analysis, and development impact fee ordinance. These updates must occur at least once every five years. Pursuant to State Law, the Town of Fort Mill is not allowed to charge higher maximum allowable impact fees until the development impact fee study and capital improvements plan have been updated.

## **TOWN ORDINANCE**

Chapter 2, Article IV, Division 4 of the Code of Ordinances for the Town of Fort Mill establishes the rules, requirements, and procedures for administering its development impact fee system. A copy of the local ordinance is included in Appendix B of the report. General sections in the ordinance include: title, authority, findings, definitions, supporting documents, jurisdiction, application and exemptions, provisions for affordable housing, determination of fees, impact fee trust funds, limitation on expenditures of funds collected, credits and reimbursements, penalties, appeal process, refunds, review, termination of development impact fees, and liberal construction. Impact fees are collected for all new development located inside Town limits, with the exception of those circumstances listed in Section 2-306 Ordinance (see Appendix B).

The Town's Planning Department calculates impact fees paid for parks and recreation, fire protection, and municipal facilities and equipment. Fees are determined at the time of building permit application and paid prior to issuance of the building permit.

Fees collected by the Town are deposited in a trust fund created for each impact fee category. Impact fee funds may be used to implement one or more projects specified in the Town's Capital Improvements Program (CIP), or for the principal payment on bonds used to fund expanded or new capital facilities or equipment that were in the CIP. Expenditures from each trust fund are approved by Town Council.

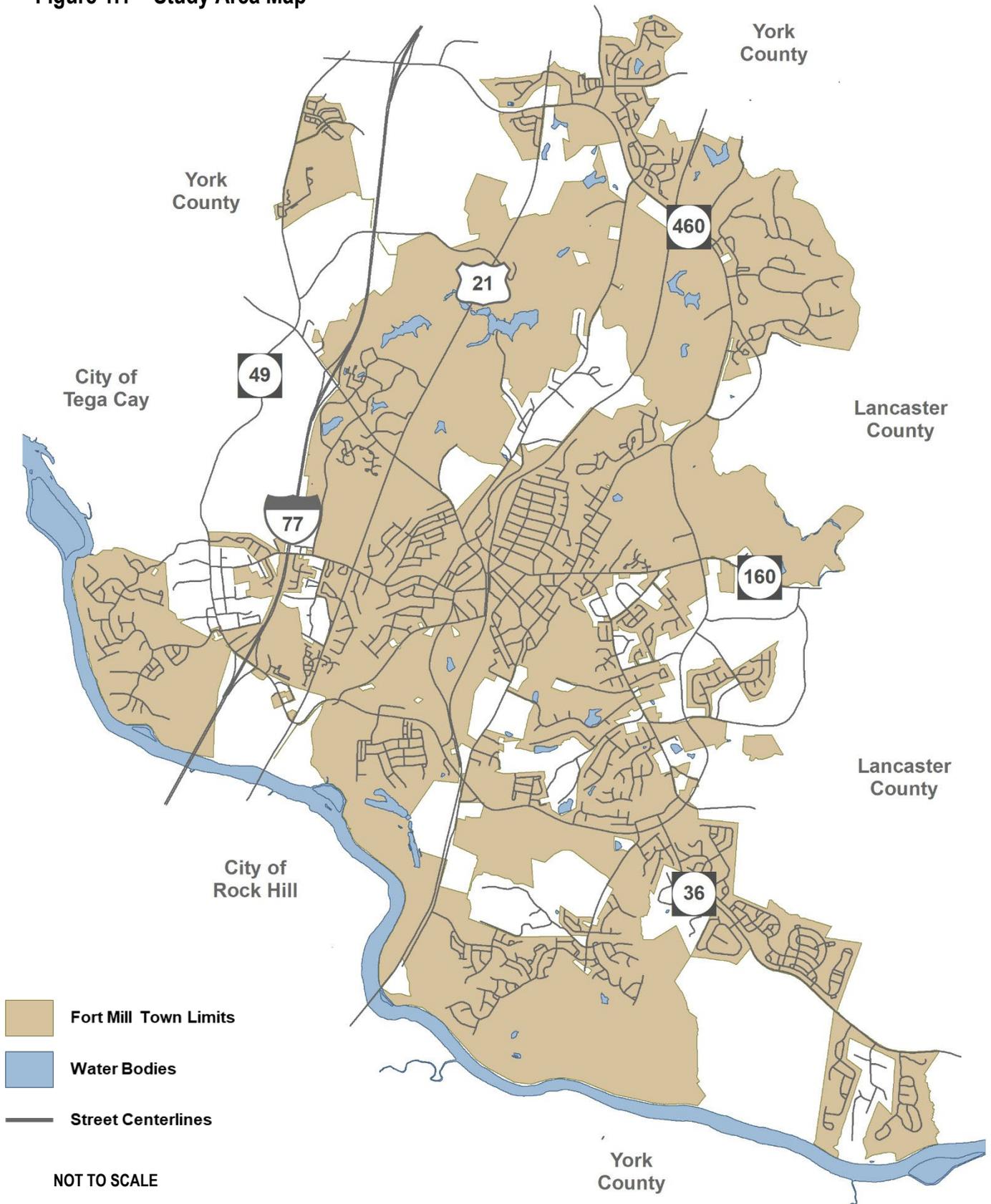
The Town's Finance Director produces an annual report for presentation to Town Council summarizing where impact fees have been collected and the projects that have been funded with these monies as part of the overall annual budget process.

## **STUDY AREA**

The study area for this analysis coincides with the Fort Mill Town Limits in northeastern York County (see Figure 1.1 on the following page). It includes land generally north and east of the Catawba River, west of Lancaster County, and south of Mecklenburg County in North Carolina.

One service zone was assumed to represent all of the study area.

Figure 1.1 – Study Area Map



## ANALYSIS PERIOD

The base year for the development impact fee study (all three categories) is 2024. The planning horizon is 2034. The ten-year planning horizon is a reasonable period of time pursuant to Section 6-1-960(B)(7) of the South Carolina Development Impact Fee Act.

## DEMOGRAPHIC DATA

Demographic data for the development impact fee study was collected from the U.S. Census Bureau. The 2024 population estimate for the Town of Fort Mill was 33,626, which was published on July 1, 2023, and deemed the best available data for this study (see the Quick Facts data series). The 2024 employment estimate for the Town of Fort Mill was 15,198, which was published on November 19, 2024, and deemed the best available data for this study (see the On the Map data tool).

Average persons per household statistics used in the study were calculated from information published in the US Census Bureau's American Community Survey, Five-Year Estimates, 2019-2023. Three dwelling unit categories were assumed based on available data: (1) single family, detached or attached, (2) mobile home, and (3) multifamily, two or more units. Employee space ratios used in the study were calculated using information published by the Institute of Transportation Engineers' in *Trip Generation Manual*, Tenth Edition.

Demographic data used in the study is summarized in Appendix C of the report.

## SERVICE UNITS

The development impact fee study assumes different service units for the proposed impact fee categories, as follows:

- |                                      |                          |
|--------------------------------------|--------------------------|
| • Parks and Recreation               | Population               |
| • Fire Protection                    | Population and Employees |
| • Municipal Facilities and Equipment | Population and Employees |

Maximum allowable impact fee schedules, by category, use residential and non-residential uses for reporting results. Statistics were calculated using the service units above and average persons per household or average employee space ratios (as appropriate) assumed for the study area (see Appendix C). The uses included in the maximum allowable impact fee schedules reflect the type of land uses routinely submitted to the Town's Planning Department for review.

## REPORT ORGANIZATION

Each impact fee category considered for the Town of Fort Mill is addressed as a separate chapter in the report. For each chapter, a full analysis and resulting maximum allowable impact fee schedule are provided. Impact fee chapters are presented in the following order:

parks and recreation, fire protection, and municipal facilities and equipment. Detailed worksheets for each impact fee category are provided in the Appendix of the report.



## Chapter 2

## Parks & Recreation

The parks and recreation impact fee category includes parkland, recreation buildings and facilities, park and recreation amenities, a trail system, and open space. This chapter inventories existing park land, buildings, facilities, and amenities; estimates their replacement costs; and recommends maximum allowable impact fees that could be collected in the Fort Mill Study Area (see Chapter 1, Figure 1.1).

## **METHODOLOGY**

The parks and recreation impact fee category assumes a consumption-driven methodology. This approach charges new residential development the cost of replacing existing capacity on a one-for-one basis, assuming constant current service delivery standards. Total replacement costs were determined using fee simple land values, site development costs, facility replacement costs, amenity replacement costs, trail system replacement costs, current lease agreements for specific parks, and related professional services. The total replacement value (system-wide) was divided by the current population estimate for the Fort Mill Study Area to determine the cost per capita for replacing the facilities and amenities currently serving park and recreation users.

The replacement cost per capita was multiplied by average persons per household estimates published in the US Census Bureau, American Community Survey, 2019-2023 to determine the maximum allowable impact fee schedule by dwelling unit category (see Appendix C).

## **REPLACEMENT VALUE**

Replacement values for park amenities and recreation facilities were determined using current estimates for fee simple land value; land lease agreements; site development costs; replacement costs for recreation buildings and facilities, recreation amenities, and a walking path; and professional fees. A detailed summary of the cost components included in the analysis is provided below.

### **Fee Simple Land Value**

A consultant was hired by the Town to complete an appraisal report for eight town-owned parks and recreation facilities in 2025. Information for land donated by the Spratt family for other park locations (constructed sometime in the future) was estimated using data provided by the town in 2019 (best available data). Together, these figures were used to estimate the fee simple market value (land value) for park properties under a hypothetical condition where the land was vacant, for sale, and ready to accept development. Copies of the two appraisal reports are available from the Town's Planning Department. Based on these estimates, land for town-owned parks and recreation facilities in the study area was valued at \$15,370,700.

### **Land Lease Agreements**

The Town of Fort Mill leases two properties from private landowners to use as a park and a recreation center — Fort Mill Community Center and Veterans Memorial Park. The lease terms for the two locations are different. The lease payment for the Fort Mill Community

Center is \$1.00 per year. The lease payment for Veterans Memorial Park is \$10.00 per year. Based on this information, it was assumed the Town would spend \$110.00 over a ten-year planning horizon (2024-2034) to continue leasing both locations.

### **Site Development Costs**

Site development costs represent incidental expenses incurred by the Town for constructing parks and recreation amenities. Site development costs might include clearing, grading, security lighting, parking, landscaping, utilities, etc. The amount of site development costs varies from property-to-property based on unique site characteristics.

Historical data is not available to recalculate site development costs associated with existing parks or recreation amenities in the study area. Therefore, their replacement values are factored by 15% to account for associated site development costs. This estimate is consistent with industry standards for preplanning related activities.

Site development costs assumed for parks and recreation amenities in the study area are summarized in the appendix of the report. Site development costs for both categories combined are valued at \$2,030,600.

### **Recreation Buildings and Facilities**

Recreation buildings and facilities represent heated buildings or structures used for park and recreation needs. Eight park locations with recreation buildings or facilities were identified in the study area, as follows: Walter Elisha Park, Recreation Complex, Steele Street Park, Harris Street Park, Calhoun Street Park, Banks Athletic Park, Banks Street Gym, and Doby's Bridge Park. Building replacement costs for the eight locations were quantified using information published in the *South Carolina Municipal Insurance and Risk Financing Fund for the Town of Fort Mill, Property Schedule, Updated in 2024*. Collectively, the replacement value for recreation buildings and facilities in the study area was valued at \$11,165,870.

A summary of building replacement values for parks and recreation facilities in the study area is provided in Appendix D of the report.

### **Park & Recreation Amenities**

Park and recreation amenities represent improvements made to support specific uses or activities programmed at each location — ranging from picnic tables to playground equipment to athletic fields and courts. An inventory of park and recreation amenities in the study area is provided in Appendix D of the report.

Replacement costs for the amenities were quantified using information published in the *South Carolina Municipal Insurance and Risk Financing Fund for the Town of Fort Mill, Updated in 2024*. Collectively, the replacement value for park and recreation amenities in the study area was valued at \$2,371,456.

A summary of replacement values for park and recreation amenities in the study area is provided in Appendix D of the report.

### **Walking Path**

The Town constructed a 0.6-mile walking path at Walter Elisha Park. The replacement value for the path was estimated to be \$1,257,062 (see Appendix D).

### **Professional Services**

State enabling legislation allows recovery of certain professional services through impact fees associated with parks or recreation buildings and facilities. Eligible professional services may include studies and reports, surveys, design plans, legal expenses, permitting, and construction administration. Professional service fees vary based on unique site characteristics. However, Town staff assumes 10% of the construction costs for new recreation buildings, park and recreation amenities, and trails is a good estimate to represent historical trends. This assumption was carried through for the analysis.

Professional service fee estimates assumed for recreation buildings, park and recreation amenities, and trails in the study area are summarized in Appendix D of the report. Collectively, professional service costs associated with existing parks or recreation buildings and amenities were valued at \$1,682,498.

## **OTHER AVAILABLE FUNDING SOURCES**

Other revenue sources have been used by the Town of Fort Mill to build existing parks and recreational facilities — including state grants and private donations. Grants or private donations generally represent discretionary, lump-sum funding for specific one-time projects. There is no assurance that previous grant monies or private donations will be made available again in the future. This analysis assumes some growth in the park and recreation system will continue to be funded with other revenue sources available.

For the period between 2015 and 2022, the Town of Fort Mill received \$11,004,023 in grant monies and private donations for improvements to the parks and recreation system. A table summarizing other available revenue sources secured by the Town for park land, amenities, or recreation facilities is provided in Appendix D of the report. This analysis assumes a credit of \$13,755,030 for the maximum impact fee calculations, representing the average award (\$1,375,503) per year and a ten-year planning horizon (2024-2034).

## TOTAL REPLACEMENT COST

The replacement values noted in this chapter represent the total replacement cost for building again the existing park and recreation system (in 2024 dollars). Offsets applied to the total replacement cost represent other funding sources available for implementing improvements. Based on these assumptions, the net total replacement cost for the existing park and recreation system in the Fort Mill study area is \$20,123,266, detailed in Table 2.1.

<b>Table 2.1 – Total Replacement Cost Parks and Recreation</b>	
<b>Replacement Category</b>	<b>Cost</b>
Fee Simple Land Value	\$15,370,700
Land Lease Agreement Payments (2018 to 2028)	\$110
Site Development Costs	\$2,030,600
Recreation Buildings	\$11,165,870
Park & Recreation Amenities	\$2,371,456
Walking Path	\$1,257,062
Professional Services	\$1,682,498
<b>Total Replacement Cost</b>	<b>\$33,878,296</b>
Anticipated Offsets — Grant Funding Forecast (2024 to 2034)	\$13,755,030
<b>Total Net Replacement Cost</b>	<b>\$20,123,266</b>

## COST PER CAPITA

Cost per capita represents a burden to each existing resident in the study area (in 2024 dollars) should the Town of Fort Mill have to build again the parks and recreation system using current service delivery standards. This statistic was developed using two factors: 1) net total replacement cost (system-wide) and 2) population estimates for the Town of Fort Mill published by the US Census Bureau. A cost per capita for the study area was calculated by dividing the net total replacement cost by the Town population estimate:

$$\text{Cost per Capita} = \frac{\text{Total Replacement Cost } (\$20,123,266)}{\text{Population Estimate } (33,626)}$$

Based on this analysis, the calculated cost per capita to replace the existing parks and recreation system is \$598.44.

## MAXIMUM ALLOWABLE IMPACT FEES

A maximum allowable impact fee schedule was developed to quantify a fair share cost to expand the Town's park and recreation system for new residential development. The cost per capita for park and recreation facilities was multiplied by average persons per household estimates published in the US Census Bureau, American Community Survey, 2019-2023 for the various dwelling unit categories to determine recommended maximum allowable impact fees (see Appendix C in the report for household size estimates).

Table 2.2 summarizes recommended maximum allowable impact fees — by dwelling unit category — to expand the park and recreation system for new residential development based on current service delivery standards.

<b>Land Use Category</b>	<b>Cost per Person</b>	<b>Persons per Household</b>	<b>Max. Allowable Impact Fee</b>
Single Family (Attached or Detached)	\$598.44	2.90	\$1,735
Mobile Home	\$598.44	2.58	\$1,544
Multifamily (> 2 Dwelling Units)	\$598.44	1.68	\$1,005

## DISCOUNT RATE

Town Council may choose to apply a discount rate to the maximum allowable impact fees presented herein. The discount rate could be used to provide a reasonable fee for continued residential investment or to ensure that impact fees collected for parks and recreation facilities do not exceed the cost of providing capital improvements identified to accommodate new growth. Chapter 5 of the report expands on the notion of discount rates for the Town of Fort Mill development impact fee system.



## Chapter 3

## Fire Protection

The Town of Fort Mill provides fire protection and emergency services to property located inside the Fort Mill Study Area (see Chapter 1, Figure 1.1). This chapter inventories existing assets, estimates replacement costs, and recommends maximum allowable impact fees that could be collected in the study area.

## **METHODOLOGY**

The fire protection impact fee category assumes a consumption-driven approach. This approach charges new residential and non-residential development the cost of replacing existing capacity on a one-for-one basis, assuming constant current service delivery standards. Total replacement costs were determined using fee simple land values, site development costs, facility replacement costs, vehicle and equipment replacement costs, and related professional services.

The replacement value (system-wide) was calculated in two steps. First, total replacement value was multiplied by the proportionate share of service calls received from residential and non-residential uses. Second, the resulting replacement values for residential and non-residential uses were divided by current population or employment estimates (as appropriate) to determine the cost per capita or cost per employee for replacing fire protection facilities and equipment currently serving the study area.

Cost per capita was converted to cost per dwelling unit category using information published for Fort Mill in the US Census Bureau, American Community Survey, 2019-2023 (see Appendix C). Cost per employee was converted to cost per 1,000 square feet of gross floor area (GFA) using information published in the Institute of Transportation Engineers' *Trip Generation Manual*, Tenth Edition (see Appendix C).

## **REPLACEMENT VALUE**

Replacement value (in 2024 dollars) for fire protection facilities and equipment was determined using current estimates for fee simple land value; site development costs; replacement costs for fire protection facilities, vehicles, and equipment; and professional fees. A detailed summary of the cost components included in the analysis is provided below.

### **Fee Simple Land Value**

The Town currently has two fire stations and a third station is under consideration. A consultant was hired by the Town in 2025 to complete an appraisal report for the land where Fire Station No. 1 is located. Land for Fire Stations No. 2 and No. 3 were sold to the town for \$1.00 each by adjacent developers. Based on the above estimates, land for fire protection facilities in the study area was valued at \$350,002.

### **Fire Protection Facilities**

Fire protection facilities include buildings or structures used for fire protection or emergency service needs. Two fire stations were identified in the study area (Fire Stations No. 1 and No.

2). Building replacement costs for the two locations were quantified using information published in the *South Carolina Municipal Insurance and Risk Financing Fund for the Town of Fort Mill, Property Schedule, 2024*. Collectively, the replacement value for fire protection facilities was valued at \$7,046,747.

A summary of building replacement values for fire protection facilities in the study area is provided in Appendix E of the report.

### **Site Development Costs**

Site development costs represent incidental expenses incurred by the Town for constructing fire protection facilities. Site development costs might include clearing, grading, security lighting, parking, landscaping, utilities, etc. The amount of site development costs varies from property-to-property based on unique site characteristics.

Historical data is not available to recalculate site development costs associated with existing fire stations in the study area. Therefore, their replacement values are factored by 15% to account for associated site development costs. This estimate is consistent with industry standards for preplanning related activities.

Site development costs assumed for the two fire stations in the study area are summarized in the appendix of the report. Site development costs for both categories combined are valued at \$1,057,012.

### **Professional Services**

State enabling legislation allows recovery of certain professional services through impact fees associated with land, buildings, or structures to support fire protection facilities. Eligible professional services may include: studies and reports, surveys, design plans, legal expenses, permitting, and construction administration. Professional service fees vary greatly based on unique site characteristics. However, Town staff assumes 10% of the construction costs for the two fire stations is a good estimate to represent historical trends. This assumption was carried through for the analysis.

Professional service fees assumed for fire protection facilities in the study area are summarized in Appendix E of the report. Collectively, professional service costs associated with existing fire protection facilities were valued at \$810,376.

### **Fire Protection Vehicles & Equipment**

Fire protection vehicles and equipment with an individual unit purchase price over \$100,000 are included in the analysis to comply with Section 6-1-920(18)(g) of the South Carolina Development Impact Fee Act. Appendix E of the report inventories eligible fire protection vehicles and equipment. The total replacement cost for eligible fire protection vehicles and equipment serving the study area is \$2,776,798.

## OTHER AVAILABLE FUNDING SOURCES

Other revenue sources have been used by the Town of Fort Mill to acquire fire protection equipment in the past, specifically donations from York County. Donations generally represent discretionary, lump-sum funding for specific one-time projects. There is no assurance that previous donations will be made again in the future. This analysis assumes some growth in fire protection services may continue to be funded through equipment donations.

A table summarizing equipment donations secured by the Town for fire protection is provided in Appendix E of the report. This analysis assumes a credit of \$1,315,830 for the maximum impact fee calculations, representing the average award (\$131,583) per year for the last six years and a ten-year planning horizon (2024 to 2034).

## TOTAL REPLACEMENT COST

Collectively, the replacement values noted in this chapter represent the total replacement cost for rebuilding fire protection facilities or purchasing new, eligible equipment (in 2024 dollars) to maintain current service delivery standards. Based on these assumptions, the net total replacement cost for existing fire protection facilities and eligible equipment in the Fort Mill study area is \$10,725,105; detailed in Table 3.1.

<b>Table 3.1 – Total Replacement Costs Fire Protection Facilities and Equipment</b>	
<b>Replacement Category</b>	<b>Cost</b>
Fee Simple Land Value	\$350,002
Fire Protection Facilities	\$7,046,747
Site Development Costs	\$1,057,012
Professional Services	\$810,376
Fire Protection Vehicles & Equipment (> \$100,000)	\$2,776,798
<b>Total Replacement Cost</b>	<b>\$12,040,935</b>
Anticipated Offsets — Grant Funding Forecast (2024-2034)	\$1,315,830
<b>Total Net Replacement Cost</b>	<b>\$10,725,105</b>

## FIRE SERVICE CALLS BY LAND USE

The Town of Fort Mill responded to 2,868 calls for service in 2024. Calls to residential uses (1,813) represented 63% of the total. Calls to non-residential uses (1,055) represented 37% of the total. The proportionate share between residential and non-residential uses to rebuild fire protection facilities and purchase eligible equipment is as follows: residential uses — \$6,779,852 and non-residential uses — \$3,945,253.

## **COST PER CAPITA**

Cost per capita represents a burden to each existing resident in the study area (in 2024 dollars) should the Town of Fort Mill have to build again fire protection facilities and replace eligible equipment at current service delivery standards. This statistic was developed using two factors: 1) net total replacement cost (system-wide) attributable to residential uses and 2) population estimates for the Town of Fort Mill published by the US Census Bureau. A cost per capita for the study area was calculated by dividing the net total replacement cost attributable to residential uses by the Town population estimate:

$$\text{Cost per Capita} = \frac{\text{Total Replacement Cost Attributable to Town Residents } (\$6,779,852)}{\text{Population Estimate } (33,626)}$$

Based on this analysis, the calculated cost per capita to replace fire protection facilities and eligible equipment is \$201.63.

## **COST PER EMPLOYEE**

Cost per employee represents a burden to each existing employee in the study area (in 2024 dollars) should the Town of Fort Mill have to build again fire protection facilities and replace eligible equipment using current service delivery standards. This statistic was developed using two factors: 1) net total replacement cost (system-wide) attributable to non-residential uses and 2) employment estimates for the Town of Fort Mill published by the US Census Bureau. A cost per employee for the study area was calculated by dividing the net total replacement cost attributable to non-residential uses by the Town employment estimate:

$$\text{Cost per Employee} = \frac{\text{Total Replacement Cost Attributable to Employees } (\$3,945,253)}{\text{Employee Estimate } (15,198)}$$

Based on this analysis, the calculated cost per employee to replace fire protection facilities and eligible equipment is \$259.59.

## **MAXIMUM ALLOWABLE IMPACT FEES**

A maximum allowable impact fee schedule was developed to quantify the fair share cost to build fire protection facilities and purchase eligible equipment to serve new development. The cost per capita for fire protection facilities and equipment was multiplied by average persons per household estimates published in the US Census Bureau, American Community Survey, 2019-2023 for various dwelling unit categories to determine recommended maximum allowable impact fees (see Appendix C of the report for household size estimates). The cost per employee for fire protection facilities and equipment was multiplied by employee space ratios developed from information published in the Institute of Transportation Engineers' *Trip Generation Manual*, Tenth Edition to determine recommended maximum allowable impact fees (see Appendix C of the report for employee space ratio estimates).

Table 3.2, starting on page 3-6, summarizes recommended maximum allowable impact fees, by dwelling unit category or non-residential land use category, to build fire protection facilities and purchase eligible equipment to serve new development.

## **DISCOUNT RATE**

Town Council may choose to apply a discount rate to the maximum allowable impact fees presented herein. The discount rate could be used to provide a reasonable fee for continued residential or non-residential investment or to ensure that impact fees collected for fire protection facilities and equipment do not exceed the cost of providing capital improvements identified to accommodate new growth. Chapter 5 of the report expands on the notion of discount rates for the Town of Fort Mill.

**Table 3.2 – Maximum Allowable Impact Fee Schedule for Fire Protection**

Land Use Category	Units	Persons per Household	Employee Space Ratio	Cost per Person	Cost per Employee	Max Allowable Impact Fee
<b>Residential Uses</b>						
Single Family (Attached or Detached)	d.u.	2.90	—	\$201.63	—	\$585
Mobile Home	d.u.	2.58	—	\$201.63	—	\$520
Multifamily (>2 Dwelling Units)	d.u.	1.68	—	\$201.63	—	\$339
<b>Hotel / Motel Uses</b>						
Hotel	room	—	0.58	—	\$259.59	\$151
All Suites Hotel	room	—	0.09	—	\$259.59	\$23
Business Hotel	room	—	0.12	—	\$259.59	\$31
Motel	room	—	0.13	—	\$259.59	\$34
Resort Hotel	room	—	1.92	—	\$259.59	\$498
<b>Recreation</b>						
Golf Driving Range	tee	—	0.25	—	\$259.59	\$65
Movie Theater	1,000 s.f.	—	1.47	—	\$259.59	\$382
Multiplex Movie Theater	1,000 s.f.	—	1.35	—	\$259.59	\$350
Amusement Park	acre	—	9.60	—	\$259.59	\$2,492
Water Slide Park	acre	—	8.99	—	\$259.59	\$2,334
Recreation Community Center	1,000 s.f.	—	1.06	—	\$259.59	\$275
<b>Institutional</b>						
School District Office	1,000 s.f.	—	2.83	—	\$259.59	\$735
Junior/Community College	1,000 s.f.	—	1.39	—	\$259.59	\$361
University/College	1,000 s.f.	—	2.93	—	\$259.59	\$761
Daycare	1,000 s.f.	—	2.23	—	\$259.59	\$579
Museum	1,000 s.f.	—	0.31	—	\$259.59	\$80
Library	1,000 s.f.	—	1.29	—	\$259.59	\$335
<b>Medical</b>						
Hospital	1,000 s.f.	—	2.83	—	\$259.59	\$735
Nursing Home	1,000 s.f.	—	2.28	—	\$259.59	\$592
Clinic	1,000 s.f.	—	4.13	—	\$259.59	\$1,072
Animal Hospital/Veterinary Clinic	1,000 s.f.	—	1.69	—	\$259.59	\$439

**Table 3.2 – Maximum Allowable Impact Fee Schedule for Fire Protection (cont.)**

Land Use Category	Units	Persons per Household	Employee Space Ratio	Cost per Person	Cost per Employee	Max Allowable Impact Fee
<b>Medical (cont.)</b>						
Medical/Dentist Office	1,000 s.f.	—	4.00	—	\$259.59	\$1,038
<b>Office</b>						
General Office Building	1,000 s.f.	—	2.97	—	\$259.59	\$771
Small Office Building	1,000 s.f.	—	2.03	—	\$259.59	\$527
Corporate Headquarters	1,000 s.f.	—	3.44	—	\$259.59	\$893
Single Tenant Office Building	1,000 s.f.	—	2.98	—	\$259.59	\$774
Government Office Building	1,000 s.f.	—	3.03	—	\$259.59	\$787
US Post Office	1,000 s.f.	—	1.80	—	\$259.59	\$467
Government Office Complex	1,000 s.f.	—	2.56	—	\$259.59	\$665
Office Park	1,000 s.f.	—	3.13	—	\$259.59	\$813
Research and Development Center	1,000 s.f.	—	3.42	—	\$259.59	\$888
Business Park	1,000 s.f.	—	3.08	—	\$259.59	\$800
<b>Retail</b>						
Building Materials/Lumber	1,000 s.f.	—	0.74	—	\$259.59	\$192
Variety Store	1,000 s.f.	—	0.66	—	\$259.59	\$171
Free Standing Discount Store	1,000 s.f.	—	2.16	—	\$259.59	\$561
Hardware Paint Store	1,000 s.f.	—	0.25	—	\$259.59	\$65
Nursery (Garden Center)	1,000 s.f.	—	3.12	—	\$259.59	\$810
Nursery (Wholesale)	1,000 s.f.	—	1.67	—	\$259.59	\$434
Shopping Center	1,000 s.f.	—	2.34	—	\$259.59	\$607
Auto Sales (New)	1,000 s.f.	—	2.49	—	\$259.59	\$646
Auto Sales (Used)	1,000 s.f.	—	2.17	—	\$259.59	\$563
Recreation Vehicle Sales	1,000 s.f.	—	0.63	—	\$259.59	\$164
Automobile Parts Sales	1,000 s.f.	—	1.64	—	\$259.59	\$426
Tire Store	1,000 s.f.	—	1.55	—	\$259.59	\$402
Supermarket	1,000 s.f.	—	1.42	—	\$259.59	\$369
Convenience Market	1,000 s.f.	—	1.56	—	\$259.59	\$405
Convenience Market w/ Gas Pumps	1,000 s.f.	—	2.56	—	\$259.59	\$665
Discount Superstore	1,000 s.f.	—	2.25	—	\$259.59	\$584

**Table 3.2 – Maximum Allowable Impact Fee Schedule for Fire Protection (cont.)**

Land Use Category	Units	Persons per Household	Employee Space Ratio	Cost per Person	Cost per Employee	Max Allowable Impact Fee
<b>Retail (cont.)</b>						
Discount Club	1,000 s.f.	—	1.30	—	\$259.59	\$337
Sporting Goods Superstore	1,000 s.f.	—	6.48	—	\$259.59	\$1,682
Pharmacy w/ Drive-Through Window	1,000 s.f.	—	1.58	—	\$259.59	\$410
Furniture Store	1,000 s.f.	—	0.58	—	\$259.59	\$151
Liquor Store	1,000 s.f.	—	2.86	—	\$259.59	\$742
<b>Industrial</b>						
Intermodal Truck Terminal	1,000 s.f.	—	2.63	—	\$259.59	\$683
General Light Industrial	1,000 s.f.	—	1.63	—	\$259.59	\$423
Industrial Park	1,000 s.f.	—	1.16	—	\$259.59	\$301
Manufacturing	1,000 s.f.	—	1.59	—	\$259.59	\$413
Warehousing	1,000 s.f.	—	0.34	—	\$259.59	\$88
Utility	1,000 s.f.	—	3.22	—	\$259.59	\$836
Specialty Trade Contractor	1,000 s.f.	—	2.75	—	\$259.59	\$714
<b>Services</b>						
Walk-in Bank	1,000 s.f.	—	4.27	—	\$259.59	\$1,108
Drive-in Bank	1,000 s.f.	—	3.15	—	\$259.59	\$818
Copy, Print and Express Ship Store	1,000 s.f.	—	1.86	—	\$259.59	\$483
Quality Restaurant	1,000 s.f.	—	4.63	—	\$259.59	\$1,202
High-Turnover Restaurant	1,000 s.f.	—	5.28	—	\$259.59	\$1,371
Fast-Food w/o Drive-Through Window	1,000 s.f.	—	5.18	—	\$259.59	\$1,345
Fast Food w/ Drive-Through Window	1,000 s.f.	—	10.35	—	\$259.59	\$2,687
Fast-Food w/ Drive-Thru (No Seating)	1,000 s.f.	—	13.36	—	\$259.59	\$3,468
Quick Lubrication Vehicle Shop	1,000 s.f.	—	4.35	—	\$259.59	\$1,129
Automobile Care Center	1,000 s.f.	—	2.45	—	\$259.59	\$636
Automobile Parts and Service Center	1,000 s.f.	—	1.50	—	\$259.59	\$389
Gas/Service Station	1,000 s.f.	—	4.36	—	\$259.59	\$1,132
Gas/Service Station w/ Convenience	1,000 s.f.	—	5.91	—	\$259.59	\$1,534
Super Convenience w/ Gas	1,000 s.f.	—	3.63	—	\$259.59	\$942



## Chapter 4

# Municipal Facilities & Equipment

The municipal facilities and equipment impact fee category includes the Town's public works, police, and government service departments (i.e., planning, building, and permitting departments) associated with managing or serving future growth. This chapter inventories existing assets, estimates replacement costs, and recommends maximum allowable impact fees that could be collected in the Fort Mill Study Area (see Chapter 1, Figure 1.1).

## **METHODOLOGY**

The municipal facilities and equipment impact fee category assumes a consumption-driven approach. This approach charges new residential and non-residential development the cost of replacing existing capacity on a one-for-one basis, assuming constant current service delivery standards. Total replacement costs were determined using fee simple land values, site development costs, facility replacement costs, vehicle and equipment replacement costs, and related professional services.

The replacement value (system-wide) was calculated in two steps. First, total replacement value was multiplied by the proportionate share of residents and employees in the study area. Second, the resulting replacement values for residents and employees were divided by current population or employment estimates (as appropriate) to determine the cost per capita or cost per employee for replacing municipal facilities and equipment currently serving the study area.

Cost per capita was converted to cost per dwelling unit category using information published for Fort Mill in the US Census Bureau, American Community Survey, 2019-2023 (see Appendix C). Cost per employee was converted to cost per 1,000 square feet of gross floor area (GFA) using information published in the Institute of Transportation Engineers' *Trip Generation Manual*, Tenth Edition (see Appendix C).

## **REPLACEMENT VALUE**

Replacement value (in 2024 dollars) for municipal facilities and equipment was determined using current estimates for fee simple land value; site development costs; replacement costs for municipal facilities, vehicles, and equipment; and professional fees. A detailed summary of the cost components included in the analysis is provided below.

### **Fee Simple Land Value**

A consultant was hired by the Town to complete an appraisal report for three town-owned municipal facilities in 2025. Information for the Town Hall Annex Buildings (one and two) was estimated using data provided by the town in 2019 (best available data). A copy of the appraisal report is available from the Town's Planning Department.

Utilization factors for three sites — Town Hall Annex Building One, Town Hall Annex Building Two, and Town Hall — were used to isolate areas associated with the work of departments that typically manage or serve future growth (i.e., public works, police, planning and building). Based on these assumptions, land for municipal facilities and equipment storage in the study area was valued at \$1,050,000.

## **Municipal Facilities**

Municipal facilities represent buildings or structures used for growth-related services and equipment storage needs. Four locations were identified in the study area, as follows: Town Hall, Town Hall Annex Building One, Town Hall Annex Building Two, and the Public Works Complex.

Building replacement costs were quantified using information published in the *South Carolina Municipal Insurance and Risk Financing Fund for the Town of Fort Mill, Property Schedule, Updated in 2024*. Utilization factors for three of the sites — Town Hall Annex Building One, Town Hall Annex Building Two, and Town Hall — were used to isolate areas associated with the work of departments that typically manage or serve future growth (i.e., public works, police, planning, building, and permitting).

Collectively, the replacement value for municipal facilities in the study area was valued at \$9,071,536. A summary of building and structure replacement values for municipal facilities in the study area is provided in Appendix F of the report.

## **Site Development Costs**

Site development costs represent incidental expenses incurred by the Town for constructing municipal facilities. Site development costs might include clearing, grading, security lighting, parking, landscaping, utilities, etc. The amount of site development costs varies from property-to-property based on unique site characteristics.

Historical data is not available to recalculate site development costs associated with existing municipal facilities in the study area. Therefore, their replacement values are factored by 15% to account for associated site development costs. This estimate is consistent with industry standards for preplanning related activities.

Site development costs assumed for municipal facilities in the study area are summarized in the appendix of the report. Site development costs for both categories combined are valued at \$1,360,730.

## **Professional Services**

State enabling legislation allows recovery of certain professional services through impact fees associated with land, buildings, or structures to support municipal facilities. Eligible professional services may include studies and reports, surveys, design plans, legal expenses, permitting, and construction administration. Professional service fees vary greatly based on unique site characteristics. However, Town staff assumes 10% of the construction costs for new municipal facilities is a good estimate to represent historical trends. This assumption was carried through for the analysis.

Professional service fees assumed for municipal facilities in the study area are summarized in Appendix F of the report. Collectively, professional service costs associated with existing municipal facilities were valued at \$1,043,226.

### Municipal Vehicles & Equipment

Only municipal vehicles and equipment with an individual unit purchase price over \$100,000 are included in the analysis to comply with Section 6-1-920(18)(g) of the South Carolina Development Impact Fee Act. Appendix F of the report inventories eligible Town-owned municipal vehicles and equipment. The total replacement cost for eligible municipal vehicles and equipment serving the study area is \$3,133,786.

(Note: The Town of Fort Mill provides curbside trash collection to single-family residences, and some older multifamily residences, inside Town Limits; therefore, the replacement cost for trash collection trucks summarized in Appendix F – \$1,572,415 of the total \$3,133,786 – is considered only for the cost per capita calculations summarized on page 4-4).

### TOTAL REPLACEMENT COST

Collectively, the replacement values noted in this chapter represent the total replacement cost for rebuilding municipal facilities or purchasing new, eligible equipment (in 2024 dollars) to maintain current service delivery standards. Based on these assumptions, the net total replacement cost for existing municipal facilities and eligible equipment in the Fort Mill study area is \$15,659,278; detailed in Table 4.1.

<b>Table 4.1 – Total Replacement Costs Municipal Facilities and Equipment</b>	
<b>Replacement Category</b>	<b>Cost</b>
Fee Simple Land Value	\$1,050,000
Municipal Facilities	\$9,071,536
Site Development Costs	\$1,360,730
Professional Services	\$1,043,226
Municipal Vehicles & Equipment – Trash Collection (> \$100,000)	\$1,572,415
Municipal Vehicles & Equipment – All Other (> \$100,000)	\$1,561,371
<b>Total Replacement Cost</b>	<b>\$15,659,278</b>

### TOWN RESIDENT / EMPLOYEE RATIO

Information published for the Fort Mill study area estimates 33,626 residents and 15,198 employees live or work in the area for the base year. The proportionate share between

residents (69%) and employees (31%) to rebuild municipal facilities and purchase eligible equipment is as follows: residents — \$9,701,885 and employees — \$4,384,978.

(Note: The proportionate share calculation was performed without considering trash collection vehicles. The value for trash collection vehicles – \$1,572,415 – was added to the resident proportion statistic – \$9,701,885 – to determine the total cost attributed to Town residents.)

## **COST PER CAPITA**

Cost per capita represents a burden to each existing resident in the study area (in 2024 dollars) should the Town of Fort Mill have to build again municipal facilities and replace eligible equipment at current service delivery standards. This statistic was developed using two factors: 1) net total replacement cost (system-wide) attributable to residents and 2) population estimates for the Town of Fort Mill published by the US Census Bureau. A cost per capita for the study area was calculated by dividing the net total replacement cost attributable to residents by the Town population estimate:

$$\text{Cost per Capita} = \frac{\text{Total Replacement Cost Attributable to Town Residents } (\$11,274,300)}{\text{Population Estimate } (33,626)}$$

Based on this analysis, the calculated cost per capita to replace municipal facilities and eligible equipment is \$335.29.

## **COST PER EMPLOYEE**

Cost per employee represents a burden to each existing employee in the study area (in 2024 dollars) should the Town of Fort Mill have to build again municipal facilities and replace eligible equipment at current service delivery standards. This statistic was developed using two factors: 1) net total replacement cost (system-wide) attributable to employees and 2) employment estimates for the Town of Fort Mill published by the US Census Bureau. A cost per employee for the study area was calculated by dividing the net total replacement cost attributable to employees by the Town employment estimate:

$$\text{Cost per Employee} = \frac{\text{Total Replacement Cost Attributable to Employees } (\$4,384,978)}{\text{Employee Estimate } (15,198)}$$

Based on this analysis, the calculated cost per employee to replace municipal facilities and eligible equipment is \$288.52.

## **MAXIMUM ALLOWABLE IMPACT FEES**

A maximum allowable impact fee schedule was developed to quantify the fair share cost to build municipal facilities and purchase eligible equipment to serve new development. The cost per capita for municipal facilities and equipment was multiplied by average persons per household estimates published in the US Census Bureau, American Community Survey, 2019-2023 for various dwelling unit categories to determine recommended maximum

allowable impact fees (see Appendix C of the report for household size estimates). The cost per employee for municipal facilities and equipment was multiplied by employee space ratios developed from information published in the Institute of Transportation Engineers' *Trip Generation Manual*, Tenth Edition to determine recommended maximum allowable impact fees (see Appendix C of the report for employee space ratio estimates).

Table 4.2, starting on page 4-6, summarizes recommended maximum allowable impact fees, by dwelling unit category or non-residential land use category, to build municipal facilities and purchase eligible equipment to serve new development.

## **DISCOUNT RATE**

Town Council may choose to apply a discount rate to the maximum allowable impact fees presented herein. The discount rate could be used to provide a reasonable fee for continued residential or non-residential investment or to ensure that impact fees collected for municipal facilities and equipment do not exceed the cost of providing capital improvements identified to accommodate new growth. Chapter 5 of the report expands on the notion of discount rates for the Town of Fort Mill.

**Table 4.2 – Maximum Allowable Impact Fee Schedule for Municipal Facilities and Equipment**

Land Use Category	Units	Persons per Household	Employee Space Ratio	Cost per Person	Cost per Employee	Max Allowable Impact Fee
<b>Residential Uses</b>						
Single Family (Attached or Detached)	d.u.	2.90	—	\$335.29	—	\$972
Mobile Home	d.u.	2.58	—	\$335.29	—	\$865
Multifamily (>2 Dwelling Units)	d.u.	1.68	—	\$335.29	—	\$563
<b>Hotel / Motel Uses</b>						
Hotel	room	—	0.58	—	\$288.52	\$167
All Suites Hotel	room	—	0.09	—	\$288.52	\$26
Business Hotel	room	—	0.12	—	\$288.52	\$35
Motel	room	—	0.13	—	\$288.52	\$38
Resort Hotel	room	—	1.92	—	\$288.52	\$554
<b>Recreation</b>						
Golf Driving Range	tee	—	0.25	—	\$288.52	\$72
Movie Theater	1,000 s.f.	—	1.47	—	\$288.52	\$424
Multiplex Movie Theater	1,000 s.f.	—	1.35	—	\$288.52	\$390
Amusement Park	acre	—	9.60	—	\$288.52	\$2,770
Water Slide Park	acre	—	8.99	—	\$288.52	\$2,594
Recreation Community Center	1,000 s.f.	—	1.06	—	\$288.52	\$306
<b>Institutional</b>						
School District Office	1,000 s.f.	—	2.83	—	\$288.52	\$817
Junior/Community College	1,000 s.f.	—	1.39	—	\$288.52	\$401
University/College	1,000 s.f.	—	2.93	—	\$288.52	\$845
Daycare	1,000 s.f.	—	2.23	—	\$288.52	\$643
Museum	1,000 s.f.	—	0.31	—	\$288.52	\$89
Library	1,000 s.f.	—	1.29	—	\$288.52	\$372
<b>Medical</b>						
Hospital	1,000 s.f.	—	2.83	—	\$288.52	\$817
Nursing Home	1,000 s.f.	—	2.28	—	\$288.52	\$658
Clinic	1,000 s.f.	—	4.13	—	\$288.52	\$1,192
Animal Hospital/Veterinary Clinic	1,000 s.f.	—	1.69	—	\$288.52	\$488

**Table 4.2 – Maximum Allowable Impact Fee Schedule for Municipal Facilities and Equipment (cont.)**

Land Use Category	Units	Persons per Household	Employee Space Ratio	Cost per Person	Cost per Employee	Max Allowable Impact Fee
<b>Medical (cont.)</b>						
Medical/Dentist Office	1,000 s.f.	—	4.00	—	\$288.52	\$1,154
<b>Office</b>						
General Office Building	1,000 s.f.	—	2.97	—	\$288.52	\$857
Small Office Building	1,000 s.f.	—	2.03	—	\$288.52	\$586
Corporate Headquarters	1,000 s.f.	—	3.44	—	\$288.52	\$993
Single Tenant Office Building	1,000 s.f.	—	2.98	—	\$288.52	\$860
Government Office Building	1,000 s.f.	—	3.03	—	\$288.52	\$874
US Post Office	1,000 s.f.	—	1.80	—	\$288.52	\$519
Government Office Complex	1,000 s.f.	—	2.56	—	\$288.52	\$739
Office Park	1,000 s.f.	—	3.13	—	\$288.52	\$903
Research and Development Center	1,000 s.f.	—	3.42	—	\$288.52	\$987
Business Park	1,000 s.f.	—	3.08	—	\$288.52	\$889
<b>Retail</b>						
Building Materials/Lumber	1,000 s.f.	—	0.74	—	\$288.52	\$214
Variety Store	1,000 s.f.	—	0.66	—	\$288.52	\$190
Free Standing Discount Store	1,000 s.f.	—	2.16	—	\$288.52	\$623
Hardware Paint Store	1,000 s.f.	—	0.25	—	\$288.52	\$72
Nursery (Garden Center)	1,000 s.f.	—	3.12	—	\$288.52	\$900
Nursery (Wholesale)	1,000 s.f.	—	1.67	—	\$288.52	\$482
Shopping Center	1,000 s.f.	—	2.34	—	\$288.52	\$675
Auto Sales (New)	1,000 s.f.	—	2.49	—	\$288.52	\$718
Auto Sales (Used)	1,000 s.f.	—	2.17	—	\$288.52	\$626
Recreation Vehicle Sales	1,000 s.f.	—	0.63	—	\$288.52	\$182
Automobile Parts Sales	1,000 s.f.	—	1.64	—	\$288.52	\$473
Tire Store	1,000 s.f.	—	1.55	—	\$288.52	\$447
Supermarket	1,000 s.f.	—	1.42	—	\$288.52	\$410
Convenience Market	1,000 s.f.	—	1.56	—	\$288.52	\$450
Convenience Market w/ Gas Pumps	1,000 s.f.	—	2.56	—	\$288.52	\$739
Discount Superstore	1,000 s.f.	—	2.25	—	\$288.52	\$649

**Table 4.2 – Maximum Allowable Impact Fee Schedule for Municipal Facilities and Equipment (cont.)**

Land Use Category	Units	Persons per Household	Employee Space Ratio	Cost per Person	Cost per Employee	Max Allowable Impact Fee
<b>Retail (cont.)</b>						
Discount Club	1,000 s.f.	—	1.30	—	\$288.52	\$375
Sporting Goods Superstore	1,000 s.f.	—	6.48	—	\$288.52	\$1,870
Pharmacy w/ Drive-Through Window	1,000 s.f.	—	1.58	—	\$288.52	\$456
Furniture Store	1,000 s.f.	—	0.58	—	\$288.52	\$167
Liquor Store	1,000 s.f.	—	2.86	—	\$288.52	\$825
<b>Industrial</b>						
Intermodal Truck Terminal	1,000 s.f.	—	2.63	—	\$288.52	\$759
General Light Industrial	1,000 s.f.	—	1.63	—	\$288.52	\$470
Industrial Park	1,000 s.f.	—	1.16	—	\$288.52	\$335
Manufacturing	1,000 s.f.	—	1.59	—	\$288.52	\$459
Warehousing	1,000 s.f.	—	0.34	—	\$288.52	\$98
Utility	1,000 s.f.	—	3.22	—	\$288.52	\$929
Specialty Trade Contractor	1,000 s.f.	—	2.75	—	\$288.52	\$793
<b>Services</b>						
Walk-in Bank	1,000 s.f.	—	4.27	—	\$288.52	\$1,232
Drive-in Bank	1,000 s.f.	—	3.15	—	\$288.52	\$909
Copy, Print and Express Ship Store	1,000 s.f.	—	1.86	—	\$288.52	\$537
Quality Restaurant	1,000 s.f.	—	4.63	—	\$288.52	\$1,336
High-Turnover Restaurant	1,000 s.f.	—	5.28	—	\$288.52	\$1,523
Fast-Food w/o Drive-Through Window	1,000 s.f.	—	5.18	—	\$288.52	\$1,495
Fast Food w/ Drive-Through Window	1,000 s.f.	—	10.35	—	\$288.52	\$2,986
Fast-Food w/ Drive-Thru (No Seating)	1,000 s.f.	—	13.36	—	\$288.52	\$3,855
Quick Lubrication Vehicle Shop	1,000 s.f.	—	4.35	—	\$288.52	\$1,255
Automobile Care Center	1,000 s.f.	—	2.45	—	\$288.52	\$707
Automobile Parts and Service Center	1,000 s.f.	—	1.50	—	\$288.52	\$433
Gas/Service Station	1,000 s.f.	—	4.36	—	\$288.52	\$1,258
Gas/Service Station w/ Convenience	1,000 s.f.	—	5.91	—	\$288.52	\$1,705
Super Convenience w/ Gas	1,000 s.f.	—	3.63	—	\$288.52	\$1,047



# Chapter 5

Conclusion

Significant growth and development in the Fort Mill Study Area (see Chapter 1, Figure 1.1) is expected to continue through 2034, which will likely overburden existing parks and recreation facilities, fire protection services, and municipal facilities and equipment beyond current service delivery standards or maximum service capacities. Therefore, it is appropriate to continue with a development impact fee program to mitigate a proportionate share of the anticipated future deficiencies associated with new growth.

## DISCOUNT RATE

Maximum allowable impact fees may be adopted at less than 100% of the amounts presented in previous chapters. Typically, the elected body will apply a discount rate to provide a reasonable fee for continued residential or non-residential investment or to ensure that impact fees collected for the various categories do not exceed the cost of providing recommended capital improvements. The study recommends a discount rate be considered for the maximum allowable impact fees presented in the report. The discount rate does not need to be the same across all three impact fee categories; however, a discount rate for any one impact category must be applied uniformly across all the land use categories represented in the schedule.

Tables 5.1 through 5.4 provide a comparison of different impact fee amounts that may be collected in the Town of Fort Mill under a set of hypothetical discount rates. Ultimately, the discount rate applied to maximum allowable impact fees will be a policy decision of Town Council.

<b>Table 5.1 – Discount Rate Comparison Table # Parks &amp; Recreation</b>						
<b>Land Use Category</b>	<b>Units</b>	<b>Max</b>	<b>0%</b>	<b>25%</b>	<b>50%</b>	<b>75%</b>
Single Family (Attached or Detached)	d.u.	\$1,735	\$1,735	\$1,301	\$868	\$434
Multifamily (>2 Dwelling Units)	d.u.	\$1,005	\$1,005	\$754	\$503	\$251

Note:

# = Hypothetical impact fees presented in Table 5.1 were calculated as Maximum Allowable Impact Fee x (1 – discount rate).

<b>Table 5.2 – Discount Rate Comparison Table # Fire Protection</b>						
<b>Land Use Category</b>	<b>Units</b>	<b>Max</b>	<b>0%</b>	<b>25%</b>	<b>50%</b>	<b>75%</b>
Single Family (Attached or Detached)	d.u.	\$585	\$585	\$439	\$293	\$146
Multifamily (>2 Dwelling Units)	d.u.	\$339	\$339	\$254	\$170	\$85
General Office Building	1,000 s.f.	\$771	\$771	\$578	\$386	\$193
Shopping Center	1,000 s.f.	\$607	\$607	\$455	\$304	\$152
General Light Industrial	1,000 s.f.	\$423	\$423	\$317	\$212	\$106

Note:

# = Hypothetical impact fees presented in Table 5.2 were calculated as Maximum Allowable Impact Fee x (1 – discount rate).

<b>Table 5.3 – Discount Rate Comparison Table # Municipal Facilities &amp; Equipment</b>						
<b>Land Use Category</b>	<b>Units</b>	<b>Max</b>	<b>0%</b>	<b>25%</b>	<b>50%</b>	<b>75%</b>
Single Family (Attached or Detached)	d.u.	\$972	\$972	\$729	\$486	\$243
Multifamily (>2 Dwelling Units)	d.u.	\$563	\$563	\$422	\$282	\$141
General Office Building	1,000 s.f.	\$857	\$857	\$643	\$429	\$214
Shopping Center	1,000 s.f.	\$675	\$675	\$506	\$338	\$169
General Light Industrial	1,000 s.f.	\$470	\$470	\$353	\$235	\$118

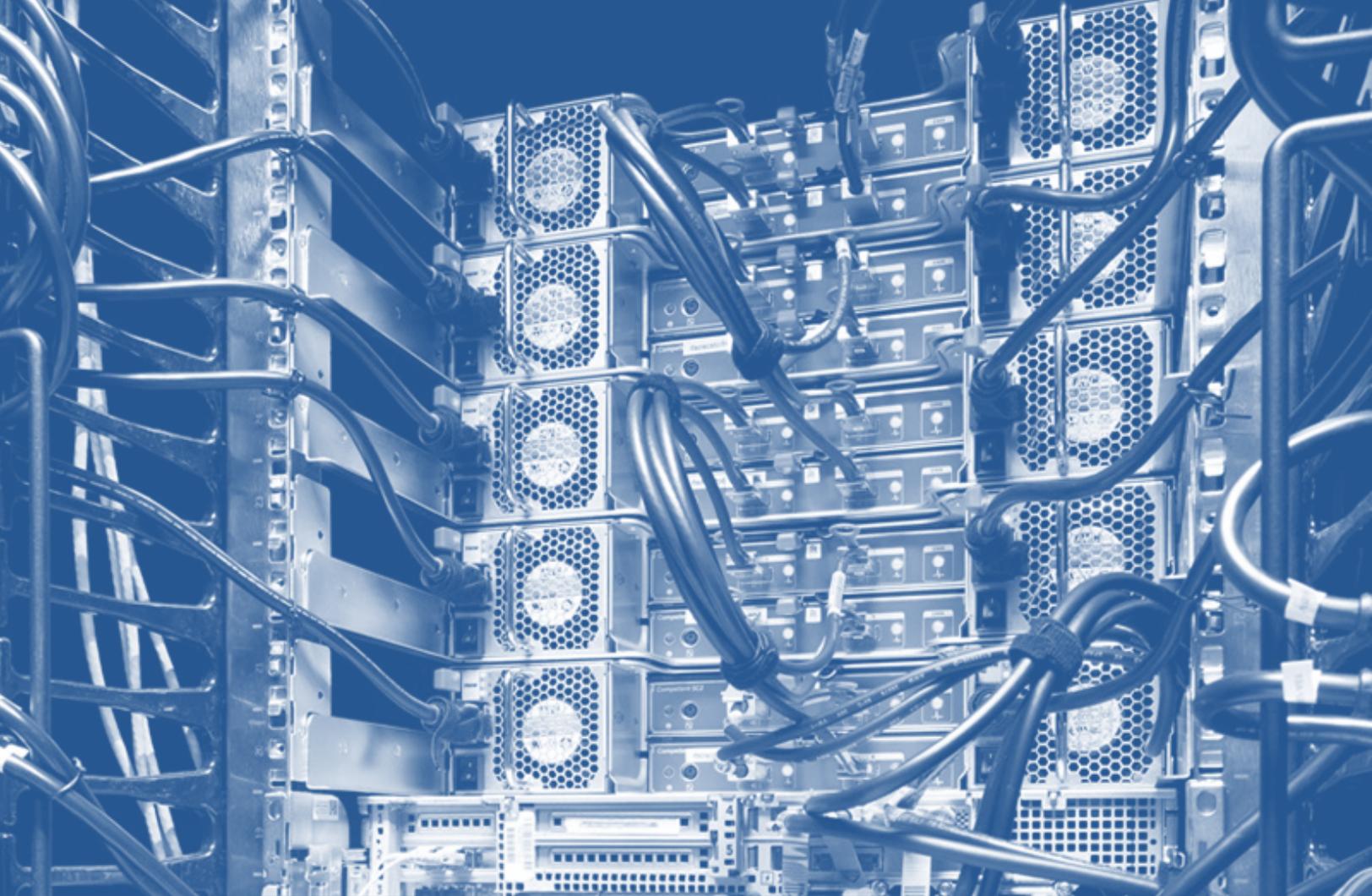
Note:

# = Hypothetical impact fees presented in Table 5.3 were calculated as Maximum Allowable Impact Fee x (1 – discount rate).

<b>Table 5.4 – Discount Rate Comparison Table # All Impact Fee Categories Combined</b>						
<b>Land Use Category</b>	<b>Units</b>	<b>Max</b>	<b>0%</b>	<b>25%</b>	<b>50%</b>	<b>75%</b>
Single Family (Attached or Detached)	d.u.	\$3,292	\$3,292	\$2,469	\$1,647	\$823
Multifamily (>2 Dwelling Units)	d.u.	\$1,907	\$1,907	\$1,430	\$955	\$477
General Office Building	1,000 s.f.	\$1,628	\$1,628	\$1,221	\$815	\$407
Shopping Center	1,000 s.f.	\$1,283	\$1,283	\$961	\$642	\$321
General Light Industrial	1,000 s.f.	\$893	\$893	\$670	\$447	\$224

Note:

# = Hypothetical impact fees presented in Table 5.4 were calculated as Maximum Allowable Impact Fee x (1 – discount rate).



# Appendix

**Appendix A — State Enabling Legislation**

Appendix B — Town Development Impact Fee Ordinance

Appendix C — US Census Data & ITE Employee Space Ratio Calculations

Appendix D — Parks & Recreation Inventory & Analysis Tables

Appendix E — Fire Protection Inventory & Analysis Tables

Appendix F — Municipal Facilities & Services Inventory & Analysis Tables

**Title 6 - Local Government - Provisions Applicable  
to Special Purpose Districts and Other Political Subdivisions**

**ARTICLE 9.**

**DEVELOPMENT IMPACT FEES**

**SECTION 6-1-910.** Short title.

This article may be cited as the "South Carolina Development Impact Fee Act".

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-920.** Definitions.

As used in this article:

(1) "Affordable housing" means housing affordable to families whose incomes do not exceed eighty percent of the median income for the service area or areas within the jurisdiction of the governmental entity.

(2) "Capital improvements" means improvements with a useful life of five years or more, by new construction or other action, which increase or increased the service capacity of a public facility.

(3) "Capital improvements plan" means a plan that identifies capital improvements for which development impact fees may be used as a funding source.

(4) "Connection charges" and "hookup charges" mean charges for the actual cost of connecting a property to a public water or public sewer system, limited to labor and materials involved in making pipe connections, installation of water meters, and other actual costs.

(5) "Developer" means an individual or corporation, partnership, or other entity undertaking development.

(6) "Development" means construction or installation of a new building or structure, or a change in use of a building or structure, any of which creates additional demand and need for public facilities. A building or structure shall include, but not be limited to, modular buildings and manufactured housing. "Development" does not include alterations made to existing single-family homes.

(7) "Development approval" means a document from a governmental entity which authorizes the commencement of a development.

(8) "Development impact fee" or "impact fee" means a payment of money imposed as a condition of development approval to pay a proportionate share of the cost of system improvements needed to serve the people utilizing the improvements. The term does not include:

(a) a charge or fee to pay the administrative, plan review, or inspection costs associated with permits required for development;

(b) connection or hookup charges;

(c) amounts collected from a developer in a transaction in which the governmental entity has incurred expenses in constructing capital improvements for the development if the owner or developer has agreed to be financially responsible for the construction or installation of the capital improvements;

(d) fees authorized by Article 3 of this chapter.

(9) "Development permit" means a permit issued for construction on or development of land when no subsequent building permit issued pursuant to Chapter 9 of Title 6 is required.

(10) "Fee payor" means the individual or legal entity that pays or is required to pay a development impact fee.

(11) "Governmental entity" means a county, as provided in Chapter 9, Title 4, and a municipality, as defined in Section 5-1-20.

(12) "Incidental benefits" are benefits which accrue to a property as a secondary result or as a minor consequence of the provision of public facilities to another property.

(13) "Land use assumptions" means a description of the service area and projections of land uses, densities, intensities, and population in the service area over at least a ten-year period.

(14) "Level of service" means a measure of the relationship between service capacity and service demand for public facilities.

(15) "Local planning commission" means the entity created pursuant to Article 1, Chapter 29, Title 6.

(16) "Project" means a particular development on an identified parcel of land.

(17) "Proportionate share" means that portion of the cost of system improvements determined pursuant to Section 6-1-990 which reasonably relates to the service demands and needs of the project.

(18) "Public facilities" means:

(a) water supply production, treatment, laboratory, engineering, administration, storage, and transmission facilities;

(b) wastewater collection, treatment, laboratory, engineering, administration, and disposal facilities;

(c) solid waste and recycling collection, treatment, and disposal facilities;

(d) roads, streets, and bridges including, but not limited to, rights-of-way and traffic signals;

(e) storm water transmission, retention, detention, treatment, and disposal facilities and flood control facilities;

(f) public safety facilities, including law enforcement, fire, emergency medical and rescue, and street lighting facilities;

(g) capital equipment and vehicles, with an individual unit purchase price of not less than one hundred thousand dollars including, but not limited to, equipment and vehicles used in the delivery of public safety services, emergency preparedness services, collection and disposal of solid waste, and storm water management and control;

(h) parks, libraries, and recreational facilities;

(i) public education facilities for grades K-12 including, but not limited to, schools, offices, classrooms, parking areas, playgrounds, libraries, cafeterias, gymnasiums, health and music rooms, computer and science laboratories, and other facilities considered necessary for the proper public education of the state's children.

(19) "Service area" means, based on sound planning or engineering principles, or both, a defined geographic area in which specific public facilities provide service to development within the area defined. Provided, however, that no provision in this article may be interpreted to alter, enlarge, or reduce the service area or boundaries of a political subdivision which is authorized or set by law.

(20) "Service unit" means a standardized measure of consumption, use, generation, or discharge attributable to an individual unit of development calculated in accordance with generally accepted engineering or planning standards for a particular category of capital improvements.

(21) "System improvements" means capital improvements to public facilities which are designed to provide service to a service area.

(22) "System improvement costs" means costs incurred for construction or reconstruction of system improvements, including design, acquisition, engineering, and other costs attributable to the improvements, and also including the costs of providing additional public facilities needed to serve new growth and development. System improvement costs do not include:

(a) construction, acquisition, or expansion of public facilities other than capital improvements identified in the capital improvements plan;

(b) repair, operation, or maintenance of existing or new capital improvements;

(c) upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;

(d) upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;

(e) administrative and operating costs of the governmental entity; or

(f) principal payments and interest or other finance charges on bonds or other indebtedness except financial obligations issued by or on behalf of the governmental entity to finance capital improvements identified in the capital improvements plan.

HISTORY: 1999 Act No. 118, Section 1; 2016 Act No. 229 (H.4416), Section 2, eff June 3, 2016.

**SECTION 6-1-930. Developmental impact fee.**

(A)(1) Only a governmental entity that has a comprehensive plan, as provided in Chapter 29 of this title, and which complies with the requirements of this article may impose a development impact fee. If a governmental entity has not adopted a comprehensive plan, but has adopted a capital improvements plan which substantially complies with the requirements of Section 6-1-960(B), then it may impose a development impact fee. A governmental entity may not impose an impact fee, regardless of how it is designated, except as provided in this article. However, a special purpose district or public service district which (a) provides fire protection services or recreation services, (b) was created by act of the General Assembly prior to 1973, and (c) had the power to impose development impact fees prior to the effective date of this section is not prohibited from imposing development impact fees.

(2) Before imposing a development impact fee on residential units, a governmental entity shall prepare a report which estimates the effect of recovering capital costs through impact fees on the availability of affordable housing within the political jurisdiction of the governmental entity.

(B)(1) An impact fee may be imposed and collected by the governmental entity only upon the passage of an ordinance approved by a positive majority, as defined in Article 3 of this chapter.

(2) The amount of the development impact fee must be based on actual improvement costs or reasonable estimates of the costs, supported by sound engineering studies.

(3) An ordinance authorizing the imposition of a development impact fee must:

(a) establish a procedure for timely processing of applications for determinations by the governmental entity of development impact fees applicable to all property subject to impact fees and for the timely processing of applications for individual assessment of development impact fees, credits, or reimbursements allowed or paid under this article;

(b) include a description of acceptable levels of service for system improvements; and

(c) provide for the termination of the impact fee.

(C) A governmental entity shall prepare and publish an annual report describing the amount of all impact fees collected, appropriated, or spent during the preceding year by category of public facility and service area.

(D) Payment of an impact fee may result in an incidental benefit to property owners or developers within the service area other than the fee payor, except that an impact fee that results in benefits to property owners or developers within the service area, other than the fee payor, in an amount which is greater than incidental benefits is prohibited.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-940.** Amount of impact fee.

A governmental entity imposing an impact fee must provide in the impact fee ordinance the amount of impact fee due for each unit of development in a project for which an individual building permit or certificate of occupancy is issued. The governmental entity is bound by the amount of impact fee specified in the ordinance and may not charge higher or additional impact fees for the same purpose unless the number of service units increases or the scope of the development changes and the amount of additional impact fees is limited to the amount attributable to the additional service units or change in scope of the development. The impact fee ordinance must:

(1) include an explanation of the calculation of the impact fee, including an explanation of the factors considered pursuant to this article;

(2) specify the system improvements for which the impact fee is intended to be used;

(3) inform the developer that he may pay a project's proportionate share of system improvement costs by payment of impact fees according to the fee schedule as full and complete payment of the developer's proportionate share of system improvements costs;

(4) inform the fee payor that:

(a) he may negotiate and contract for facilities or services with the governmental entity in lieu of the development impact fee as defined in Section 6-1-1050;

(b) he has the right of appeal, as provided in Section 6-1-1030;

(c) the impact fee must be paid no earlier than the time of issuance of the building permit or issuance of a development permit if no building permit is required.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-950.** Procedure for adoption of ordinance imposing impact fees.

(A) The governing body of a governmental entity begins the process for adoption of an ordinance imposing an impact fee by enacting a resolution directing the local planning commission to conduct the studies and to recommend an impact fee ordinance, developed in accordance with the requirements of this article. Under no circumstances may the governing body of a governmental entity impose an impact fee for any public facility which has been paid for entirely by the developer.

(B) Upon receipt of the resolution enacted pursuant to subsection (A), the local planning commission shall develop, within the time designated in the resolution, and make recommendations to the governmental entity for a capital improvements plan and impact fees by service unit. The local planning commission shall prepare and adopt its recommendations in the same manner and using the same procedures as those used for developing recommendations for a comprehensive plan as provided in Article 3, Chapter 29, Title 6, except as otherwise provided in this article. The commission shall review and update the capital improvements plan and impact fees in the same manner and on the same review cycle as the governmental entity's comprehensive plan or elements of it.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-960.** Recommended capital improvements plan; notice; contents of plan.

(A) The local planning commission shall recommend to the governmental entity a capital improvements plan which may be adopted by the governmental entity by ordinance. The recommendations of the commission are not binding on the governmental entity, which may amend or alter the plan. After reasonable public notice, a public hearing must be held before final action to adopt the ordinance approving the capital improvements plan. The notice must be published not less than thirty days before the time of the hearing in at least one newspaper of general circulation in the county. The notice must advise the public of the time and place of the hearing, that a copy of the capital improvements plan is available for public inspection in the offices of the governmental entity, and that members of the public will be given an opportunity to be heard.

(B) The capital improvements plan must contain:

(1) a general description of all existing public facilities, and their existing deficiencies, within the service area or areas of the governmental entity, a reasonable estimate of all costs, and a plan to develop the funding resources, including existing sources of revenues, related to curing the existing deficiencies including, but not limited to, the upgrading, updating, improving, expanding, or replacing of these facilities to meet existing needs and usage;

(2) an analysis of the total capacity, the level of current usage, and commitments for usage of capacity of existing public facilities, which must be prepared by a qualified professional using generally accepted principles and professional standards;

(3) a description of the land use assumptions;

(4) a definitive table establishing the specific service unit for each category of system improvements and an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, agricultural, and industrial, as appropriate;

(5) a description of all system improvements and their costs necessitated by and attributable to new development in the service area, based on the approved land use assumptions, to provide a level of service not to exceed the level of service currently existing in the community or service area, unless a different or higher level of service is required by law, court order, or safety consideration;

(6) the total number of service units necessitated by and attributable to new development within the service area based on the land use assumptions and calculated in accordance with generally accepted engineering or planning criteria;

(7) the projected demand for system improvements required by new service units projected over a reasonable period of time not to exceed twenty years;

(8) identification of all sources and levels of funding available to the governmental entity for the financing of the system improvements; and

(9) a schedule setting forth estimated dates for commencing and completing construction of all improvements identified in the capital improvements plan.

(C) Changes in the capital improvements plan must be approved in the same manner as approval of the original plan.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-970.** Exemptions from impact fees.

The following structures or activities are exempt from impact fees:

(1) rebuilding the same amount of floor space of a structure that was destroyed by fire or other catastrophe;

(2) remodeling or repairing a structure that does not result in an increase in the number of service units;

(3) replacing a residential unit, including a manufactured home, with another residential unit on the same lot, if the number of service units does not increase;

(4) placing a construction trailer or office on a lot during the period of construction on the lot;

(5) constructing an addition on a residential structure which does not increase the number of service units;

(6) adding uses that are typically accessory to residential uses, such as a tennis court or a clubhouse, unless it is demonstrated clearly that the use creates a significant impact on the system's capacity;

(7) all or part of a particular development project if:

(a) the project is determined to create affordable housing; and

(b) the exempt development's proportionate share of system improvements is funded through a revenue source other than development impact fees;

(8) constructing a new elementary, middle, or secondary school; and

(9) constructing a new volunteer fire department.

HISTORY: 1999 Act No. 118, Section 1; 2016 Act No. 229 (H.4416), Section 1, eff June 3, 2016.

**SECTION 6-1-980.** Calculation of impact fees.

(A) The impact fee for each service unit may not exceed the amount determined by dividing the costs of the capital improvements by the total number of projected service units that potentially could use the capital improvement. If the number of new service units projected over a reasonable period of time is less than the total number of new service units shown by the approved land use assumptions at full development of the service area, the maximum impact fee for each service unit must be calculated by dividing the costs of the part of the capital improvements necessitated by and attributable to the projected new service units by the total projected new service units.

(B) An impact fee must be calculated in accordance with generally accepted accounting principles.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-990.** Maximum impact fee; proportionate share of costs of improvements to serve new development.

(A) The impact fee imposed upon a fee payor may not exceed a proportionate share of the costs incurred by the governmental entity in providing system improvements to serve the new development. The proportionate share is the cost attributable to the development after the governmental entity reduces the amount to be imposed by the following factors:

(1) appropriate credit, offset, or contribution of money, dedication of land, or construction of system improvements; and

(2) all other sources of funding the system improvements including funds obtained from economic development incentives or grants secured which are not required to be repaid.

(B) In determining the proportionate share of the cost of system improvements to be paid, the governmental entity imposing the impact fee must consider the:

(1) cost of existing system improvements resulting from new development within the service area or areas;

(2) means by which existing system improvements have been financed;

(3) extent to which the new development contributes to the cost of system improvements;

(4) extent to which the new development is required to contribute to the cost of existing system improvements in the future;

(5) extent to which the new development is required to provide system improvements, without charge to other properties within the service area or areas;

(6) time and price differentials inherent in a fair comparison of fees paid at different times; and

(7) availability of other sources of funding system improvements including, but not limited to, user charges, general tax levies, intergovernmental transfers, and special taxation.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1000.** Fair compensation or reimbursement of developers for costs, dedication of land or oversize facilities.

A developer required to pay a development impact fee may not be required to pay more than his proportionate share of the costs of the project, including the payment of money or contribution or dedication of land, or to oversize his facilities for use of others outside of the project without fair compensation or reimbursement.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1010.** Accounting; expenditures.

(A) Revenues from all development impact fees must be maintained in one or more interest-bearing accounts. Accounting records must be maintained for each category of system improvements and the service area in which the fees are collected. Interest earned on development impact fees must be considered funds of the account on which it is earned, and must be subject to all restrictions placed on the use of impact fees pursuant to the provisions of this article.

(B) Expenditures of development impact fees must be made only for the category of system improvements and within or for the benefit of the service area for which the impact fee was imposed as shown by the capital improvements plan and as authorized in this article. Impact fees may not be used for:

- (1) a purpose other than system improvement costs to create additional improvements to serve new growth;
- (2) a category of system improvements other than that for which they were collected; or
- (3) the benefit of service areas other than the area for which they were imposed.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1020.** Refunds of impact fees.

(A) An impact fee must be refunded to the owner of record of property on which a development impact fee has been paid if:

- (1) the impact fees have not been expended within three years of the date they were scheduled to be expended on a first-in, first-out basis; or
- (2) a building permit or permit for installation of a manufactured home is denied.

(B) When the right to a refund exists, the governmental entity shall send a refund to the owner of record within ninety days after it is determined by the entity that a refund is due.

(C) A refund must include the pro rata portion of interest earned while on deposit in the impact fee account.

(D) A person entitled to a refund has standing to sue for a refund pursuant to this article if there has not been a timely payment of a refund pursuant to subsection (B) of this section.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1030.** Appeals.

(A) A governmental entity which adopts a development impact fee ordinance shall provide for administrative appeals by the developer or fee payor.

(B) A fee payor may pay a development impact fee under protest. A fee payor making the payment is not estopped from exercising the right of appeal provided in this article, nor is the fee payor estopped from receiving a refund of an amount considered to have been illegally collected. Instead of making a payment of an impact fee under protest, a fee payor, at his option, may post a bond or submit an irrevocable letter of credit for the amount of impact fees due, pending the outcome of an appeal.

(C) A governmental entity which adopts a development impact fee ordinance shall provide for mediation by a qualified independent party, upon voluntary agreement by both the fee payor and the governmental entity, to address a disagreement related to the impact fee for proposed development. Participation in mediation does not preclude the fee payor from pursuing other remedies provided for in this section or otherwise available by law.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1040.** Collection of development impact fees.

A governmental entity may provide in a development impact fee ordinance the method for collection of development impact fees including, but not limited to:

- (1) additions to the fee for reasonable interest and penalties for nonpayment or late payment;
- (2) withholding of the certificate of occupancy, or building permit if no certificate of occupancy is required, until the development impact fee is paid;
- (3) withholding of utility services until the development impact fee is paid; and
- (4) imposing liens for failure to pay timely a development impact fee.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1050.** Permissible agreements for payments or construction or installation of improvements by fee payors and developers; credits and reimbursements.

A fee payor and developer may enter into an agreement with a governmental entity, including an agreement entered into pursuant to the South Carolina Local Government Development Agreement Act, providing for payments instead of impact fees for facilities or services. That agreement may provide for the construction or installation of system improvements by the fee payor or developer and for credits or reimbursements for costs incurred by a fee payor or developer including interproject transfers of credits or reimbursement for project improvements which are used or shared by more than one development project. An impact fee may not be imposed on a fee payor or developer who has entered into an agreement as described in this section.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1060.** Article shall not affect existing laws.

(A) The provisions of this article do not repeal existing laws authorizing a governmental entity to impose fees or require contributions or property dedications for capital improvements. A development impact fee adopted in

accordance with existing laws before the enactment of this article is not affected until termination of the development impact fee. A subsequent change or reenactment of the development impact fee must comply with the provisions of this article. Requirements for developers to pay in whole or in part for system improvements may be imposed by governmental entities only by way of impact fees imposed pursuant to the ordinance.

(B) Notwithstanding another provision of this article, property for which a valid building permit or certificate of occupancy has been issued or construction has commenced before the effective date of a development impact fee ordinance is not subject to additional development impact fees.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1070.** Shared funding among units of government; agreements.

(A) If the proposed system improvements include the improvement of public facilities under the jurisdiction of another unit of government including, but not limited to, a special purpose district that does not provide water and wastewater utilities, a school district, and a public service district, an agreement between the governmental entity and other unit of government must specify the reasonable share of funding by each unit. The governmental entity authorized to impose impact fees may not assume more than its reasonable share of funding joint improvements, nor may another unit of government which is not authorized to impose impact fees do so unless the expenditure is pursuant to an agreement under Section 6-1-1050 of this section.

(B) A governmental entity may enter into an agreement with another unit of government including, but not limited to, a special purpose district that does not provide water and wastewater utilities, a school district, and a public service district, that has the responsibility of providing the service for which an impact fee may be imposed. The determination of the amount of the impact fee for the contracting governmental entity must be made in the same manner and is subject to the same procedures and limitations as provided in this article. The agreement must provide for the collection of the impact fee by the governmental entity and for the expenditure of the impact fee by another unit of government including, but not limited to, a special purpose district that does not provide water and wastewater utilities, a school district, and a public services district unless otherwise provided by contract.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1080.** Exemptions; water or wastewater utilities.

The provisions of this chapter do not apply to a development impact fee for water or wastewater utilities, or both, imposed by a city, county, commissioners of public works, special purpose district, or nonprofit corporation organized pursuant to Chapter 35 or 36 of Title 33, except that in order to impose a development impact fee for water or wastewater utilities, or both, the city, county, commissioners of public works, special purpose district or nonprofit corporation organized pursuant to Chapter 35 or 36 of Title 33 must:

(1) have a capital improvements plan before imposition of the development impact fee; and

(2) prepare a report to be made public before imposition of the development impact fee, which shall include, but not be limited to, an explanation of the basis, use, calculation, and method of collection of the development impact fee; and

(3) enact the fee in accordance with the requirements of Article 3 of this chapter.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-1090.** Annexations by municipalities.

A county development impact fee ordinance imposed in an area which is annexed by a municipality is not affected by this article until the development impact fee terminates, unless the municipality assumes any liability which is to be paid with the impact fee revenue.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-2000.** Taxation or revenue authority by political subdivisions.

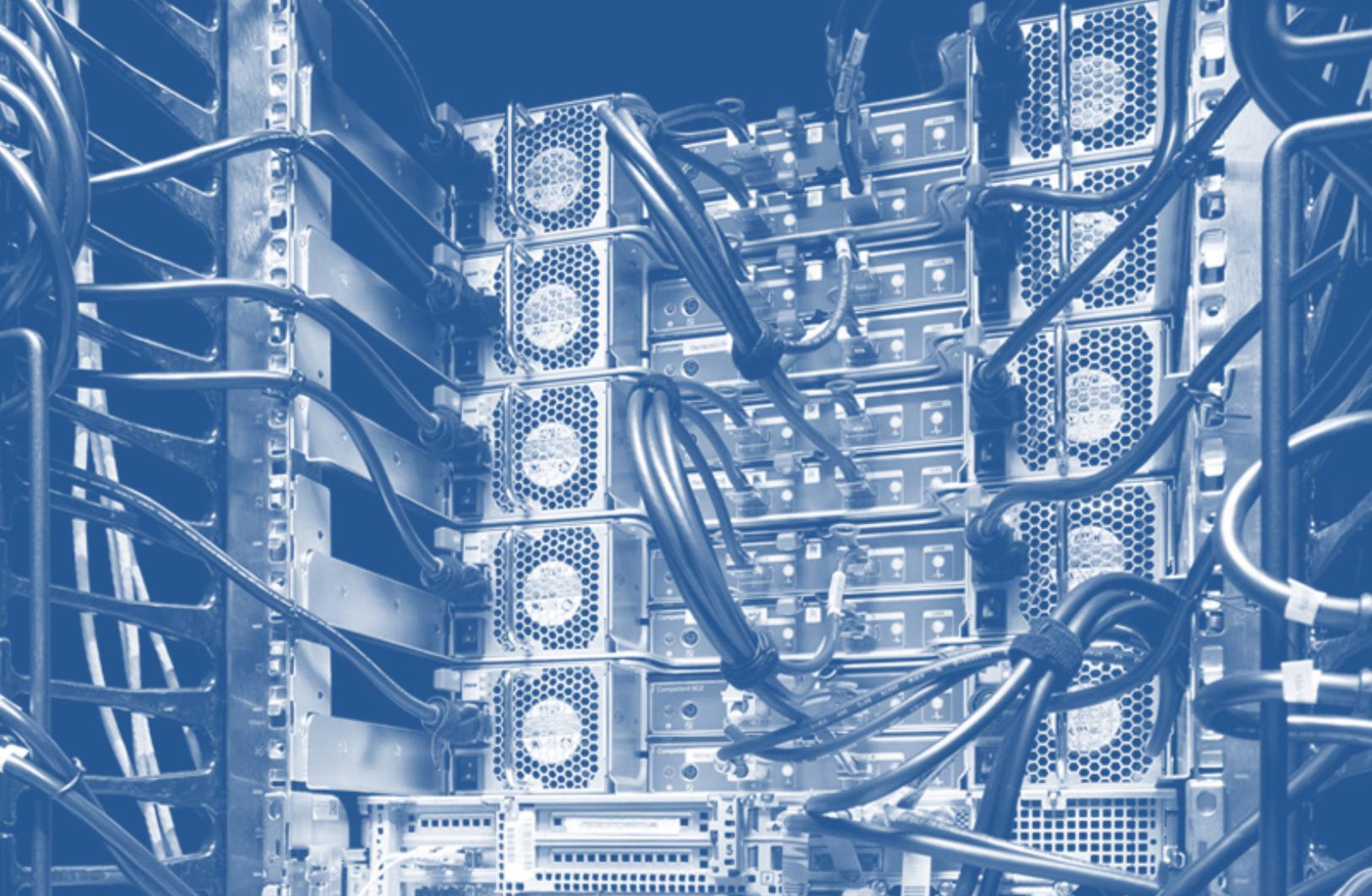
This article shall not create, grant, or confer any new or additional taxing or revenue raising authority to a political subdivision which was not specifically granted to that entity by a previous act of the General Assembly.

HISTORY: 1999 Act No. 118, Section 1.

**SECTION 6-1-2010.** Compliance with public notice or public hearing requirements.

Compliance with any requirement for public notice or public hearing in this article is considered to be in compliance with any other public notice or public hearing requirement otherwise applicable including, but not limited to, the provisions of Chapter 4, Title 30, and Article 3 of this chapter.

HISTORY: 1999 Act No. 118, Section 1.



# Appendix

Appendix A — State Enabling Legislation

**Appendix B — Town Development Impact Fee Ordinance**

Appendix C — US Census Data & ITE Employee Space Ratio Calculations

Appendix D — Parks & Recreation Inventory & Analysis Tables

Appendix E — Fire Protection Inventory & Analysis Tables

Appendix F — Municipal Facilities & Services Inventory & Analysis Tables

STATE OF SOUTH CAROLINA  
TOWN COUNCIL FOR THE TOWN OF FORT MILL  
ORDINANCE NO. 2020-\_\_

AN ORDINANCE AMENDING THE CODE OF ORDINANCES FOR THE TOWN OF FORT MILL; CHAPTER 2, ADMINISTRATION; ARTICLE IV, FINANCE AND TAXATION; DIVISION 4, DEVELOPMENT IMPACT FEES; SO AS TO UPDATE THE DEVELOPMENT IMPACT FEES FOR THE TOWN AS MANDATED BY THE SOUTH CAROLINA DEVELOPMENT IMPACT FEE ACT

WHEREAS, the Fort Mill Town Council originally adopted impact fees by Ordinance 2015-12 on August 24, 2015; and

WHEREAS, the South Carolina Development Impact Fee Act (the “Act”), as more fully set forth in Section 6-1-910, et seq, Code of Laws of South Carolina (1976), as amended, requires that the plans, studies, and ordinances relating to impact fees be updated at least once every five years; and

WHEREAS, on May 13, 2019 and January 27, 2020, the Fort Mill Town Council adopted resolutions directing the Fort Mill Planning Commission to conduct the necessary studies to update the town’s development impact fees and to make their recommendations to Town Council in accordance with the Act; and

WHEREAS, on February 18, 2020, the Fort Mill Planning Commission adopted a resolution to recommend in favor of approval of this updated development impact fee ordinance; and

WHEREAS, the Fort Mill Town Council finds that the continued use of development impact fees would be in the best interest of the Town of Fort Mill;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ORDAINED BY THE TOWN COUNCIL FOR THE TOWN OF FORT MILL:

SECTION I. Updated Reports. The Fort Mill Town Council hereby adopts the *Development Impact Fee Study Update Report for Fort Mill* dated February 10, 2020 and the *Housing Affordability Analysis in Support of the Development Impact Fee Study Update Report in Fort Mill* dated February 10, 2020.

SECTION II. The Code of Ordinances for the Town of Fort Mill; Chapter 2, Administration; Article IV, Finance and Taxation; Division 4, Development Impact Fees; is hereby amended to read as follows:

**DIVISION 4. DEVELOPMENT IMPACT FEES**

**Sec. 2-300. Title**

This ordinance shall be referred to as the “Development Impact Fee Ordinance for the Town of Fort Mill, South Carolina.”

### **Sec. 2-301. Authority**

This ordinance is adopted pursuant to and in compliance with the authority of the South Carolina Development Impact Fee Act, Code of Laws of South Carolina, Title 6, Article 9, Chapter 1 (the “Act”), and is to be interpreted in accordance with such Act , or as it may be amended in the future.

### **Sec. 2-302. Findings**

The Fort Mill Town Council hereby declares that:

- (a) Adequate parks and recreation facilities, fire protection, and municipal facilities and equipment are vital and necessary to the health, safety, welfare, and prosperity of the Town and its citizens. Substantial growth and new construction are taking place within the Town and is anticipated to continue. This growth creates substantial need for new infrastructure capacity. Meeting these needs is very costly; however, failure to do so will result in an inadequate system of facilities and equipment to accommodate anticipated demand. This would make the Town a less desirable place to live and do business and be detrimental to the health, safety, welfare, and prosperity of the Town and its citizens.
- (b) To the extent that future growth and new construction in the Town place demands on parks and recreation facilities, fire protection, or municipal facilities and equipment, those demands and needs should be met by shifting a portion of the capital costs for providing new capacity to serve new development, which creates, in whole or in part, these demands and needs.
- (c) By Resolutions adopted on May 13, 2019, and January 27, 2020, the Town Council directed the Planning Commission to conduct the necessary studies to review and update the development impact fee ordinance in accordance with the requirements of the Act.
- (d) The Planning Commission recommended to Town Council a *Development Impact Fee Study Update Report for Fort Mill* dated February 10, 2020, a *Town of Fort Mill Capital Improvements Plan* with projects eligible for impact fee funding dated February 10, 2020, and a *Housing Affordability Analysis in Support of the Development Impact Fee Study Update Report in Fort Mill* dated February 10, 2020, each of which have been adopted by the Town Council, as modified.
- (e) This ordinance is enacted to implement the findings and recommendations of the *Development Impact Fee Study Update Report for Fort Mill* and endorse the list of capital projects eligible for impact fee funding in the *Town of Fort Mill Capital Improvements Plan*.

- (f) The impact fees prescribed in this ordinance are equitable, do not impose an unfair or disproportionate burden on developers and new construction, and are in the best interests of the general welfare of Fort Mill and its citizens.
- (g) New facilities or equipment eligible for development impact fee funding will benefit all new development or redevelopment in Town limits. Therefore, it is appropriate to treat the entire town as one service area for calculating, collecting, and spending development impact fees.
- (h) This ordinance provides the procedures for timely processing of applications for determination of appropriate development impact fees applicable to all development inside Town limits subject to the impact fees, and for the timely processing of applications for individual assessment of development impact fees, credits, or reimbursements allowed or paid.
- (i) The maximum allowable parks and recreation impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill* has been reduced by ten percent (10%) for the General Development Impact Fee Schedule summarized in Exhibit A of this ordinance, setting the fees at ninety percent (90%) of the maximum amount to provide a reasonable fee for residential investment and to ensure that the impact fees collected do not exceed the cost to provide capital facilities that accommodate new development.
- (j) The maximum allowable fire protection impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill* has been reduced by ten percent (10%) for the General Development Impact Fee Schedule summarized in Exhibit A of this ordinance, setting the fees at ninety percent (90%) of the maximum amount to provide a reasonable fee for residential and non-residential investments and to ensure that the impact fees collected do not exceed the cost to provide capital facilities and equipment that accommodate new development.
- (k) The maximum allowable municipal facilities and equipment impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill* has been reduced by ten percent (10%) for the General Development Impact Fee Schedule summarized in Exhibit A of this ordinance, setting the fees at ninety percent (90%) of the maximum amount to provide a reasonable fee for residential and non-residential investments and to ensure that the impact fees collected do not exceed the cost to provide capital facilities and equipment that accommodate new development.
- (l) Property for which a valid building permit has been issued prior to the effective date of this ordinance shall be subject to the rules, procedures, and dollar amounts for development impact fees enacted by the Town on August 24, 2015.

## **Sec. 2-303. Definitions**

The following definitions apply within this ordinance consistent with the provisions set forth in the South Carolina Development Impact fee Act, or as it may be amended in the future. Where terms are not defined, the definitions used in the Town of Fort Mill Code of Ordinances shall apply.

- (a) Affordable Housing. Housing that is affordable to families whose incomes do not exceed eighty (80%) percent of the median income for the service zone established for the Town of Fort Mill.
- (b) Building Permit. A permit issued by the Town permitting the construction of a building or structure within Town limits.
- (c) Capital Improvement. Improvements with a useful life of five years or more, by new construction or other action, which increase the service capacity of the public facility. Public facilities for the purpose of this ordinance include parks and recreation facilities, fire protection, and municipal facilities and equipment.
- (d) Capital Improvements Plan (CIP). A multi-year planning tool used to identify capital projects and coordinate financing and implementation. The Plan also identifies capital improvements for which impact fees may be used as a funding source.
- (e) Certificate of Occupancy. A certificate allowing the occupancy or use of a building and certifying that the structure or use has been constructed or will be used in compliance with the Town of Fort Mill Code of Ordinances and all other applicable regulations.
- (f) Credits. Impact fee deductions allowed to a fee payor for eligible off-site capital improvements funded by the fee payor.
- (g) Developer. An individual, corporation, partnership, or other legal entity undertaking new development.
- (h) Development. Construction or installation of a new building or structure, or a change in use of an existing building or structure, any of which creates additional demand and need for public facilities (i.e., parks and recreation, fire protection, or municipal facilities and equipment). A building or structure shall include, but not be limited to, modular buildings and manufactured housing. Development does not include alterations made to existing single-family homes.
- (i) Development Impact Fee. A financial payment made by a developer to a local government for funding certain off-site capital improvements identified to accommodate future growth. Development impact fees (or “impact fees”) are collected by the Town for parks and recreation facilities, fire protection, and municipal facilities and equipment.
- (j) Fee Payor. A developer that pays or is required to pay a development impact fee.

- (k) Fire Protection Impact Fee. A payment of money imposed as a condition of approval to pay a proportionate share of the cost for improvements to the fire protection system identified to serve new development.
- (l) Municipal Facilities and Equipment Impact Fee. A payment of money imposed as a condition of approval to pay a proportionate share of the cost for improvements to the municipal facilities and equipment system identified to serve new development.
- (m) Off-Site Improvements. Capital improvements located outside of the boundaries of a development that are required to serve the development's demands and needs.
- (n) Parks and Recreation Impact Fee. A payment of money imposed as a condition of approval to pay a proportionate share of the cost for improvements to the parks and recreation system identified to serve new development.
- (o) Public Facilities. Improvements to and/or construction of capital improvements identified in the *Town of Fort Mill Capital Improvements Plan* as described in Section 2-304 hereof. Public facilities for the purpose of this ordinance shall include parks and recreation facilities, fire protection, and municipal facilities and equipment.
- (p) Square Feet (s.f.). As referred to in Exhibit A of this ordinance, means the sum (in square feet) of the area of each floor level, including cellars, basements, mezzanines, penthouses, corridors, lobbies, stores and offices, that are within the principal outside faces of exterior walls, not including architectural setbacks or projections. Included are all areas that have floor surfaces with clear standing head room (measured 6 foot, 6 inches minimum) regardless of their use. If a ground-level area of a building, or part thereof, within the principal outside faces of the exterior walls is not enclosed, this square footage definition considers it part of the overall square footage for the building. However, unroofed areas and unenclosed roofed-over spaces, except those contained within the principle outside faces of exterior walls, should be excluded from the area measurement. The area of any parking garage within a building shall not be included in the area measurement.
- (q) System Improvement. A capital improvement to a public facility which is designed to provide service to a service area.
- (r) System Improvement Costs. The costs incurred for construction and reconstruction of system improvements, including design, acquisition, engineering, and other costs attributable to the improvements, and also including the cost of providing additional public facilities needed to serve new growth and development. System improvement costs do not include:
- (1) Construction, acquisition, or expansion of public facilities other than capital improvements eligible for impact fee funding that are identified in the *Town of Fort Mill Capital Improvements Plan*;
  - (2) Repair, operation, or maintenance of existing or new capital improvements;

- (3) Upgrading, updating, expanding, or replacing existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental, or regulatory standards;
- (4) Upgrading, updating, expanding, or replacing existing capital improvements to provide better service to existing development;
- (5) Administrative and operating costs of the governmental entity; or
- (6) Principal payments and interest or other finance charges on bonds or other indebtedness except financial obligations issued by or on behalf of the governmental entity to finance capital improvements eligible for impact fee funding that are identified in the *Town of Fort Mill Capital Improvements Plan*.

#### **Sec. 2-304. Supporting Documentation**

This ordinance is based upon the conclusions and recommendations presented in the *Development Impact Fee Study Update Report for Fort Mill* and the *Housing Affordability Analysis in Support of the Development Impact Fee Study Update Report in Fort Mill*, prepared consistent with the provisions set forth in the Act and adopted by ordinance of Town Council on June 8, 2020 and the *Town of Fort Mill Capital Improvements Plan*, prepared consistent with the provisions set forth in the Act and adopted by ordinance of Town Council June 8, 2020. All three documents are and shall remain on file in the Town Planning Department and are hereby incorporated into this ordinance by reference.

All development impact fees collected pursuant to this ordinance shall be used to implement any or all of the public facilities deemed eligible for impact fee funding identified in the *Town of Fort Mill Capital Improvements Plan* as prioritized therein.

#### **Sec. 2-305. Jurisdiction**

A development impact fee shall apply to all new development or redevelopment located within Town limits.

#### **Sec. 2-306. Application and Exemptions**

The provisions of the ordinance shall apply to all new development or redevelopment within Town limits for which a building permit or development approval is required except for the following:

- (a) Rebuilding the same amount of floor space of a structure that was destroyed by fire or other natural catastrophe;

- (b) Remodeling or repairing a structure with the same land use that does not result in an increase in the number of service units or place new demand on parks and recreation facilities, fire protection, or municipal facilities and equipment;
- (c) Replacing a residential unit, including a manufactured home, with another residential unit on the same lot, if the amount of traffic generated by the new residential unit does not increase;
- (d) Placing a construction trailer or temporary office on a lot during the period of construction on the same lot;
- (e) Construction of an addition to a residential structure that does not increase the amount of traffic generated by the same land use;
- (f) Adding uses that are typically accessory to residential uses, such as a tennis court or a clubhouse, unless it is demonstrated clearly that the use creates new demand for parks and recreation facilities, fire protection, or municipal facilities and equipment;
- (g) All or part of a particular development project if:
  - (1) The project is determined to create affordable housing; and
  - (2) The exempt development's proportionate share of system improvements is funded through a revenue source other than development impact fees.
- (h) Constructing a new elementary, middle, or secondary school; and
- (h) Constructing a new volunteer fire department.

### **Sec. 2-307. Provisions for Affordable Housing**

Because all or part of any particular development project may be exempt from development impact fees for affordable housing, the following sets forth the administrative standards for determining what constitutes affordable housing and the procedures for exemption from one or more development impact fees.

#### (a) Median Household Income

Affordable housing is based upon eighty percent (80%) of the median household income for residents living within the Town of Fort Mill. Median household income shall be determined once a year utilizing the following procedure:

- (1) The most recently available figures from the US Census Bureau American Community Survey will serve as the base year for this evaluation;

- (2) Each subsequent year will be adjusted once annually thereafter during January of the calendar year based upon the previous year's published Consumer Price Index (CPI) increase, until the next US Census Bureau data set is published and this procedure is replicated.

(b) Maximum Expenditure

The maximum expenditure for housing costs shall correspond to the Fannie Mae Foundation Mortgage Calculator multiplier of thirty percent (30%) of gross household income as used in the *Housing Affordability Analysis in Support of the Development Impact Fee Study Update Report in Fort Mill*. Affordable housing based upon eighty percent (80%) of median household income is:

- (1) Multifamily rental dwelling units of which the gross monthly rent cost does not exceed thirty percent (30%) of eighty percent (80%) of the gross median household monthly income.
- (2) Fee simple ownership dwelling units of which the cost of homeownership for the dwelling unit do not exceed thirty percent (30%) of eighty percent (80%) of the gross median household monthly income as reflected in the sales price using the Fannie Mae Foundation Mortgage Calculator (or comparable methodology) assuming a 20% down payment and a specified interest rate. The specified interest rate shall be determined by selecting the lowest 30-year fixed mortgage rate reported by area lending institutions as of the first week of January for any given year and shall remain so for the balance of the year.

(c) Procedures for Exemption from Development Impact Fees

- (1) A developer seeking exemption from one or more development impact fees for the construction of affordable multifamily rental dwelling units must identify the alternate source of funds for the impact fee and, unless the alternate source is from Town resources, post a financial guarantee suitable to the Town prior to the issuance of a building permit. The amount of the financial guarantee shall reflect the amount of development impact fees due for all affordable housing units as if they were not affordable housing units. No Certificate of Occupancy for any of the units may be issued until the impact fees for the affordable housing units have been paid by the alternate source or from the proceeds of the financial guarantee.

If the alternate source of funds for impact fees is from Town resources, prior to issuance of the Certificate of Occupancy by the Town, the developer shall record an agreement approved by the Town restricting the monthly rental cost of each affordable housing unit for a period of six (6) years. Upon delivery of the recorded rent control agreement, the Certificate of Occupancy shall be issued.

- (2) A developer seeking exemption from one or more development impact fees for construction of a fee simple ownership dwelling unit shall identify the alternate source

of funds for the impact fees and, unless the alternate source is from Town resources, post a financial guarantee suitable to the Town prior to the issuance of a building permit. The amount of the financial guarantee shall reflect the amount of development impact fees due for all affordable housing units as if they were not affordable housing units. No Certificate of Occupancy may be issued for the affordable housing dwellings until the impact fees have been paid by the alternate source or from the proceeds of the financial guarantee.

If the alternate source of funds for impact fees is from Town resources, prior to the issuance of a Certificate of Occupancy by the Town, the developer shall file with the Town a closing statement for the dwelling unit indicating an arm's length sales price no greater than that allowed for affordable housing at the time of final sale and a recorded covenant, approved by the Town, restricting the sales price of the dwelling, for a period of six (6) years, to the original sales price, adjusted annually for inflation.

## **Sec. 2-308. Determination of Fees**

### **(a) General Provisions**

- (1) The Town Planning Department shall determine, assess, and collect all development impact fees administered within the Town limits.
- (2) Upon the effective date of this ordinance, development impact fees shall be charged to new development or redevelopment in accordance with the procedures set forth in this ordinance. The fees to be collected for a development will be determined at the time of application for a building permit. If the development is one that does not require a building permit, the impact fee for the development will be determined at the time of development approval. No building permit or development approval shall be issued for any development requiring the payment of development impact fees until the fees have been assessed by and remitted to the Town Planning Department, or in the case of affordable housing, the appropriate financial guarantees have been filed with the Town Manager. At the Town Planning Director's discretion, any development impact fees assessed at the time of permitting may be remitted after the issuance of a building permit, but in all instances, the development impact fees must be remitted to the Town Planning Department prior to the issuance of a Certificate of Occupancy. Payment of such fees shall not relieve the developer from obligations to comply with any other applicable Town ordinances, regulations, or requirements including, but not limited to, the "Zoning," "Subdivisions," or "Buildings and Building Regulations" Chapters of the Town of Fort Mill Code of Ordinances prior to receiving a Certificate of Occupancy.
- (3) All monies paid by the fee payor pursuant to this ordinance shall be identified as development impact fees and promptly deposited in the appropriate development impact fee trust fund described under Section 2-309 of this ordinance.
- (4) For the purpose of calculating development impact fees, the land use types assumed in the General Development Impact Fee Schedule of this ordinance (i.e., Exhibit A) shall

be defined in accordance with the definitions contained in the Institute of Transportation Engineers' *Trip Generation Manual*, Tenth Edition (see *Development Impact Fee Study Update Report for Fort Mill, Appendix C*).

- (5) Payment of development impact fees according to the General Development Impact Fee Schedule (i.e., Exhibit A), or independent impact fee calculation study reviewed and approved by the Town Planning Director, shall constitute full and complete payment of the new development's proportionate share of public facilities costs.
- (6) A developer may negotiate and contract with the Town to provide facilities or services in lieu of payment of development impact fees in accordance with Section 6-1-1050 of the Act.

(b) Parks and Recreation Impact Fees

(1) Parks and Recreation Impact Fee Formula

Parks and recreation impact fees collected within Town limits shall be in accordance with the following formula:

$$\text{Impact Fee} = (\text{NNDU}) \times (\text{P/HH}) \times (\text{COST}) \times (\text{TDR})$$

Where:

NNDU = The number of net new dwelling units generated by the proposed development.

P/HH = Average person per household estimate published by the US Census Bureau for various dwelling unit categories (see *Development Impact Fee Study Update Report for Fort Mill, Appendix C*).

COST = The cost per capita for providing improvements to parks and recreation facilities based on information presented in the *Development Impact Fee Study Update Report for Fort Mill* adopted by Town Council on June 8, 2020. The cost per capita is \$525.28.

TDR = For the purpose of this calculation, it is Town Council policy to charge only ninety percent (90%) of the maximum allowable parks and recreation impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill*.

(2) Determining Park and Recreation Impact Fees

The amount of parks and recreation impact fees attributable to a specific development shall be determined through the following process:

- a. Verify the type and number of new residential dwelling units for which the building permit is being sought;
- b. Determine whether any of the proposed residential dwelling units qualify as "affordable housing" and, if so, the number and type of such units;
- c. Determine the applicable residential dwelling unit category set forth in Exhibit A (as applicable) of this ordinance; and
- d. Multiply the discounted development impact fee rate for the residential dwelling unit category by the number of net new units within the development and the average persons per household estimate.

(3) Independent Parks and Recreation Impact Fee Calculation

In the event that a fee payor or Town staff contend that the land use for which the building permit is being sought is not within those land uses identified in Exhibit A, or if the fee payor contends that the Exhibit A calculations are not accurate for its intended use, then the Town' Planning Director, or its designee, shall make a determination as to the most comparable land use category to assume for calculating parks and recreation impact fees. If the fee payor disagrees with the determination of the Town Planning Director or if the Town otherwise deems it appropriate, an independent impact fee calculation may be performed to quantify the fair share of system improvement costs attributable to the development. Preparation of an independent impact fee calculation will immediately halt the building permit application process until such time that the necessary calculation is deemed complete by the Town Planning Director. If an independent calculation is requested, it must accompany the building permit application and be prepared in accordance with the following provisions:

- a. Independent calculations for the determination of parks and recreation impact fees must be performed by a certified professional engineer, architect, landscape architect, planner or other duly qualified and licensed professional approved by the Town Planning Director.
- b. The independent calculation shall be subject to review and approval by the Town Planning Director, or its designee. In the event that the Town Planning Director elects to contract with a third party to review the independent calculation, the cost of this review shall be borne by the applicant based on the cost of the third-party review, plus a ten percent (10%) administrative fee.
- c. The Town Planning Director shall either approve or provide in writing the reasons for disapproval of the independent calculation study within thirty (30) days of its submittal for review.

- d. Prior to commencing the study, the developer's hired professional and the Town Planning Director, or its designee, shall agree upon the relevant factors and values that will be utilized in the independent calculation of impact fees.
- e. The maximum allowable parks and recreation impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill* shall be reduced by ten percent (10%) for the purposes of completing an independent impact fee calculation, setting the fees at ninety percent (90%) of the maximum amount.
- f. The independent impact fee calculation shall be based on the following formula:

$$\text{Impact Fee} = (\text{NNDU}) \times (\text{P/HH}) \times (\text{COST}) \times (\text{TDR})$$

Where:

NNDU = The number of net new dwelling units generated by the proposed development.

P/HH = Average person per household estimate approved by the Town Planning Director.

COST = The cost per capita for providing improvements to parks and recreation facilities based on information presented in the *Development Impact Fee Study Update Report for Fort Mill* adopted by Town Council on June 8, 2020. The cost per capita is \$525.28.

TDR = For the purpose of this calculation, it is Town Council policy to charge only ninety percent (90%) of the maximum allowable parks and recreation impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill*.

(c) Fire Protection Impact Fees

(1) Fire Protection Impact Fee Formula

Fire protection impact fees collected within Town limits shall be in accordance with one of the following formulas:

a. Residential Development

$$\text{Impact Fee} = (\text{NNDU}) \times (\text{P/HH}) \times (\text{COST}) \times (\text{TDR})$$

Where:

NNDU = The number of net new dwelling units generated by the proposed development.

P/HH = Average person per household estimate published by the US Census Bureau for various dwelling unit categories (See *Development Impact Fee Study Update Report for Fort Mill, Appendix C*).

COST = The cost per capita for providing fire protection services based on information presented in the *Development Impact Fee Study Update Report for Fort Mill* adopted by Town Council on June 8, 2020. The cost per capita is \$203.64.

TDR = For the purpose of this calculation, it is Town Council policy to charge only ninety percent (90%) of the maximum allowable fire protection impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill*.

b. Non-Residential Development

$$\text{Impact Fee} = ((\text{NNSF})/1,000) \times (\text{ESR}) \times (\text{COST}) \times (\text{TDR})$$

Where:

NNSF = The amount of net new square footage generated by the proposed development. In instances where a variable other than square footage is used in determining the ESR (such as hotel rooms, hospital beds, etc.), then that variable shall be used in lieu of square footage, and such variable shall not be divided by 1,000 in the formula above.

ESR = Average employee space ratio developed using information published in the Institute of Transportation Engineers *Trip Generation, Tenth Edition* (see *Development Impact Fee Study Update Report for Fort Mill, Appendix C*).

COST = The cost per employee for providing fire protection services is based on information presented in the *Development Impact Fee Study Update Report for Fort Mill* adopted by Town Council on June 8, 2020. The cost per employee is \$497.05.

TDR = For the purpose of this calculation, it is Town Council policy to charge only ninety percent (90%) of the maximum allowable fire protection impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill*.

(2) Determining Fire Protection Impact Fees

The amount of fire protection impact fees attributable to a specific development shall be determined through the following process:

- a. Verify the type and number of new residential dwelling units or the type and intensity of new non-residential square footage or other land use measuring criteria for which the building permit is being sought;
- b. For residential development, determine whether any of the proposed residential dwelling units qualify as "affordable housing" and, if so, the number and type of such units;
- c. Determine the applicable land use type and impact fee per unit set forth in Exhibit A (as applicable) of this ordinance; and
- d. Multiply the discounted development impact fee rate for the specified land use category by the number of net new units or net new square footage within the development (as applicable) and the average persons per household or employee space ratio estimate (as applicable).

(3) Independent Fire Protection Impact Fee Calculation

In the event that a fee payor or Town staff contend that the land use for which the building permit is being sought is not within those land uses identified in Exhibit A, or if the fee payor contends that the Exhibit A calculations are not accurate for its intended use, then the Town Planning Director, or its designee, shall make a determination as to the most comparable land use category to assume for calculating fire protection impact fees. If the fee payor disagrees with the determination of the Town Planning Director or if the Town otherwise deems it appropriate, an independent impact fee calculation may be performed to quantify the fair share of system improvement costs attributable to the development. Preparation of an independent impact fee calculation will immediately halt the building permit application process until such time that the necessary calculation is deemed complete by the Town Planning Director. If an independent calculation is requested, it must accompany the building permit application and be prepared in accordance with the following provisions:

- a. Independent calculations for the determination of fire protection impact fees must be performed by a certified professional engineer, architect, landscape architect, planner or other duly qualified and licensed professional approved by the Town Planning Director.
- b. The independent calculation shall be subject to review and approval by the Town Planning Director, or its designee. In the event that the Town Planning Director elects to contract with a third party to review the independent calculation, the cost of this review shall be borne by the applicant based on the cost of the third-party review, plus a ten percent (10%) administrative fee.

- c. The Town Planning Director shall either approve or provide in writing the reasons for disapproval of the independent calculation study within thirty (30) days of its submittal for review.
- d. Prior to commencing the study, the developer's hired professional and the Town Planning Director, or its designee, shall agree upon the relevant factors and values that will be utilized in the independent calculation of impact fees.
- e. The maximum allowable fire protection impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill* shall be reduced by ten percent (10%) for the purposes of completing an independent impact fee calculation, setting the fees at ninety percent (90%) of the maximum amount.
- f. The independent impact fee calculation shall be based on one of the following formulas:

1. Residential Development

$$\text{Impact Fee} = (\text{NNDU}) \times (\text{P/HH}) \times (\text{COST}) \times (\text{TDR})$$

Where:

NNDU = The number of net new dwelling units generated by the proposed development.

P/HH = Average person per household estimate approved by the Town Planning Director.

COST = The cost per capita for providing fire protection services based on information presented in the *Development Impact Fee Study Update Report for Fort Mill* adopted by Town Council on June 8, 2020. The cost per capita is \$203.64.

TDR = For the purpose of this calculation, it is Town Council policy to charge only ninety percent (90%) of the maximum allowable fire protection impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill*.

2. Non-Residential Development

$$\text{Impact Fee} = ((\text{NNSF})/1000) \times (\text{ESR}) \times (\text{COST}) \times (\text{TDR})$$

Where:

NNSF = The amount of net new square footage generated by the proposed development. In instances where a variable other than

square footage is used in determining the ESR (such as hotel rooms, hospital beds, etc.), then that variable shall be used in lieu of square footage, and such variable shall not be divided by 1,000 in the formula above.

ESR = Average employee space ratio approved by the Town Planning Director.

COST = The cost per employee for providing fire protection services based on information presented in the *Development Impact Fee Study Update Report for Fort Mill* adopted by Town Council on June 8, 2020. The cost per employee is \$497.05.

TDR = For the purpose of this calculation, it is Town Council policy to charge only ninety percent (90%) of the maximum allowable fire protection impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill*.

(d) Municipal Facilities and Equipment Impact Fees

(1) Municipal Facilities and Equipment Impact Fee Formula

Municipal facilities and equipment impact fees collected within Town limits shall be in accordance with one of the following formulas:

a. Residential Development

$$\text{Impact Fee} = (\text{NNDU}) \times (\text{P/HH}) \times (\text{COST}) \times (\text{TDR})$$

Where:

NNDU = The number of net new dwelling units generated by the proposed development.

P/HH = Average person per household estimate published by the US Census Bureau for various dwelling unit categories (See *Development Impact Fee Study Update Report for Fort Mill, Appendix C*).

COST = The cost per capita for providing municipal facilities and equipment based on information presented in the *Development Impact Fee Study Update Report for Fort Mill* adopted by Town Council on June 8, 2020. The cost per capita is \$376.86.

TDR = For the purpose of this calculation, it is Town Council policy to charge only ninety percent (90%) of the maximum allowable municipal

facilities and services impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill*.

b. Non-Residential Development

$$\text{Impact Fee} = ((\text{NNSF})/1000) \times (\text{ESR}) \times (\text{COST}) \times (\text{TDR})$$

Where:

NNSF = The amount of net new square footage generated by the proposed development. In instances where a variable other than square footage is used in determining the ESR (such as hotel rooms, hospital beds, etc.), then that variable shall be used in lieu of square footage, and such variable shall not be divided by 1,000 in the formula above.

ESR = Average employee space ratio developed using information published in the Institute of Transportation Engineers *Trip Generation, Tenth Edition* (see *Development Impact Fee Study Update Report for Fort Mill, Appendix C*).

COST = The cost per employee for providing municipal facilities and equipment based on information presented in the *Development Impact Fee Study Update Report for Fort Mill* adopted by Town Council on June 8, 2020. The cost per employee is \$331.84.

TDR = For the purpose of this calculation, it is Town Council policy to charge only ninety percent (90%) of the maximum allowable municipal facilities and equipment impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill*.

(2) Determining Municipal Facilities and Equipment Impact Fees

The amount of municipal facilities and equipment impact fees attributable to a specific development shall be determined through the following process:

- a. Verify the type and number of new residential dwelling units or the type and intensity of new non-residential square footage or other land use measuring criteria for which the building permit is being sought;
- b. For residential development, determine whether any of the proposed residential dwelling units qualify as "affordable housing" and, if so, the number and type of such units;
- c. Determine the applicable land use type and impact fee per unit set forth in Exhibit A (as applicable) of this ordinance; and

- d. Multiply the discounted development impact fee rate for the specified land use category by the number of net new units or net new square footage within the development (as applicable) and the average persons per household or employee space ratio estimate (as applicable).

(3) Independent Municipal Facilities and Equipment Impact Fee Calculation

In the event that a fee payor or Town staff contend that the land use for which the building permit is being sought is not within those land uses identified in Exhibit A, or if the fee payor contends that the Exhibit A calculations are not accurate for its intended use, then the Town Planning Director, or its designee, shall make a determination as to the most comparable land use category to assume for calculating municipal facilities and equipment impact fees. If the fee payor disagrees with the determination of the Town Planning Director or if the Town otherwise deems it appropriate, an independent impact fee calculation may be performed to quantify the fair share of system improvement costs attributable to the development. Preparation of an independent impact fee calculation will immediately halt the building permit application process until such time that the necessary calculation is deemed complete by the Town Planning Director. If an independent calculation is requested, it must accompany the building permit application and be prepared in accordance with the following provisions:

- a. Independent calculations for the determination of municipal facilities and equipment impact fees must be performed by a certified professional engineer, architect, landscape architect, planner or other duly qualified and licensed professional approved by the Town Planning Director.
- b. The independent calculation shall be subject to review and approval by the Town Planning Director, or its designee. In the event that the Town Planning Director elects to contract with a third party to review the independent calculation, the cost of this review shall be borne by the applicant based on the cost of the third-party review, plus a ten percent (10%) administrative fee.
- c. The Town Planning Director shall either approve or provide in writing the reasons for disapproval of the independent calculation study within thirty (30) days of its submittal for review.
- d. Prior to commencing the study, the developer's hired professional and the Town Planning Director, or its designee, shall agree upon the relevant factors and values that will be utilized in the independent calculation of impact fees.
- e. The maximum allowable municipal facilities and equipment impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill* shall be reduced by ten percent (10%) for the purposes of completing an independent impact fee calculation, setting the fees at ninety percent (90%) of the maximum amount.

- f. The independent impact fee calculation shall be based on one of the following formulas:

1. Residential Development

$$\text{Impact Fee} = (\text{NNDU}) \times (\text{P/HH}) \times (\text{COST}) \times (\text{TDR})$$

Where:

NNDU = The number of net new dwelling units generated by the proposed development.

P/HH = Average person per household estimate approved by the Town Planning Director.

COST = The cost per capita for providing municipal facilities and equipment based on information presented in the *Development Impact Fee Study Update Report for Fort Mill* adopted by Town Council on June 8, 2020. The cost per capita is \$376.86.

TDR = For the purpose of this calculation, it is Town Council policy to charge only ninety percent (90%) of the maximum allowable municipal facilities and equipment impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill*.

2. Non-Residential Development

$$\text{Impact Fee} = ((\text{NNSF})/1000) \times (\text{ESR}) \times (\text{COST}) \times (\text{TDR})$$

Where:

NNSF = The amount of net new square footage generated by the proposed development. In instances where a variable other than square footage is used in determining the ESR (such as hotel rooms, hospital beds, etc.), then that variable shall be used in lieu of square footage, and such variable shall not be divided by 1,000 in the formula above.

ESR = Average employee space ratio approved by the Town Planning Director.

COST = The cost per employee for providing municipal facilities and equipment is based on information presented in the *Development Impact Fee Study Update Report for Fort Mill* adopted by Town Council on June 8, 2020. The cost per employee is \$331.84.

TDR = For the purpose of this calculation, it is Town Council policy to charge only ninety percent (90%) of the maximum allowable municipal facilities and equipment impact fee determined in the *Development Impact Fee Study Update Report for Fort Mill*.

(e) Special Cases

The Town Planning Department shall take the following special cases into account when calculating development impact fees for a building permit application:

- (1) When an application for a building permit has been made that contains two or more land uses in any combination, including two or more land uses within a single building or structure, the total development impact fee assessment shall be the sum of the products, as calculated above, for each land use unless an independent impact fee calculation is performed, and approved for use by the Town Planning Director, or its designee, consistent with subsections (b), (c), and (d) of this section.
- (2) In the case of a change, redevelopment, or modification of a land use which requires a building permit, and which is not exempted from development impact fees under Section 2-306 of this ordinance, the impact fee calculation shall be based upon the net increase in new or proposed land use as compared to the existing or previous land use.
- (3) In the case of a demolition or termination of an existing use or structure, development impact fees for future redevelopment shall be based upon the net increase in development impact fees for the new or proposed land use as compared to the existing actual active previous land use since its original occupancy. Credit for the prior use shall not be transferable to another location.
- (4) In the case of relocating an existing land use, development impact fees shall be assessed to the relocated use at its new location. Future redevelopment of the old location from which the use was removed will receive a credit against development impact fees assessed equal to the impact fees that would have been assessed against the relocated use. Credits shall not be transferable to the new location.
- (5) Before a building permit application may become eligible for the provisions set forth in paragraphs (2), (3) and (4), a developer shall provide reasonably sufficient evidence that a previous land use had been actively maintained on the site within twelve (12) months of the date of application for a building permit. Such evidence may include proof of utility records, records for the use sought to be shown, or other documentation.
- (6) Any claim of existing or previous use must be made no later than the time for application of a building permit. Any claim made after such time shall be deemed invalid.

## **Sec. 2-309. Impact Fee Trust Funds**

Development impact fees collected pursuant to this ordinance shall be kept separate from other revenue of the Town. There shall be one trust fund established for each development impact fee category depicted in Exhibit A of this ordinance: parks and recreation, fire protection, and municipal facilities and equipment. All development impact fees collected shall be properly identified by property address noted on the approved building permit and by the appropriate trust account.

Any funds on deposit not immediately necessary for expenditure shall be maintained in an interest-bearing account prior to expenditure on recommended projects. Interest earned on development impact fees in deposit must be considered revenue to the trust fund account for which income is earned and must be subject to all restrictions placed on the use of development impact fees pursuant to this ordinance.

## **Sec. 2-310. Limitation on Expenditures of Funds Collected**

### **(a) Eligible System Improvement Costs**

Funds from development impact fee trust accounts shall be expended only for the public facilities and system improvements identified as eligible for impact fee funding in the *Town of Fort Mill Capital Improvements Plan*, incorporated herein by reference. No funds shall be used for administrative or operating costs associated with imposing any of the development impact fees. Eligible components of a public facility may include, but are not limited to, the following:

- (1) Design and construction plan preparation;
- (2) Right-of-way acquisition;
- (3) Construction of new facilities, structures, or amenities that provide additional capacity;
- (4) Purchase of new equipment (>\$100,000 purchase price) that provide additional capacity;
- (5) Construction of new bridges;
- (6) Construction of new drainage facilities associated with capital improvements;
- (7) Purchase and installation of traffic signalization;
- (8) Construction of new curbs, medians, and shoulders;
- (9) Relocating utilities to accommodate new capital improvements; and

(10) Principal payments, interest and other finance charges on bonds or other indebtedness issued by or on behalf of the Town for financing any or all public facilities.

(b) Rational Nexus Test

The Town Finance Director, or its designee, shall make an annual report to the Town Council and publish this report for access by the general citizenry showing where development impact fees have been collected and what projects have been funded with these revenues. The Council shall consider this report and whether the fees are being spent for the benefit of new development within Town limits. If the Council determines that this is not the case, then it shall adjust the *Town of Fort Mill Capital Improvements Plan* and other projected capital expenditures to correct the condition.

(c) Expenditure of Funds

Development impact fee funds shall be expended in the order in which they were collected. The disbursement of such funds shall require approval of the Town Council, upon recommendation of the Town Manager or its designee.

(d) Reimbursement

Impact fee funds not obligated for expenditure within three (3) years of the date that they are scheduled to be expended in the *Town of Fort Mill Capital Improvements Plan* shall be returned, with actual interest earned, to the record owner of the property for which the fees were collected, on a first-in, first-out basis.

**Sec. 2-311. Credits / Reimbursements**

(a) General Provisions

(1) A developer shall be entitled to a credit against development impact fees assessed pursuant to this ordinance for Town-approved monetary or in-kind contributions toward some or all of the public facilities included in the *Town of Fort Mill Capital Improvements Plan* that are eligible for impact fee funding.

(2) Development impact fees shall not be imposed on a fee payor or developer who has entered into an agreement with the Town for certain contribution, payment, construction, or dedication of land up to the cash value of the specific improvements identified within the agreement. Any difference between total development impact fees due for the development and the cash value of the executed agreement remain eligible for collection pursuant to the rules and requirements of this ordinance.

(3) A fee payor shall be reimbursed for contributions of land or facilities that exceed his proportionate share of the cost of public facilities when such excess contribution is made at the request of the Town.

(b) Application for Credit Agreement

- (1) The determination of the amount of any credit shall be undertaken through submission of an Application for Credit Agreement, which shall be submitted through the Town Planning Department for review by the Town Planning Director, or its designee.
- (2) The Application for Credit Agreement shall include the following information:
  - a. The following documentation must be provided if the proposed application involves a credit for any cash contribution:
    1. A certified copy of the development approval in which the contribution was agreed; and
    2. Proof of payment (if already made); or
    3. Proposed method of payment (if not already made).
  - b. The following documentation must be provided if the proposed application involves credit for dedication of land:
    1. A drawing and legal description of the land;
    2. The appraised fair market value of the land at the date a building permit application is sought for the land use(s), prepared by a professional Real Estate Appraiser who is a member of the member Appraisal Institute (MAL) or who is a member of Senior Residential Appraisers (SRA); and
    3. A certified copy of the development permit in which the land was agreed to be dedicated (if applicable).
  - c. The following documentation must be provided if the proposed application involves credit for construction:
    1. The proposed construction documents of the specific construction project prepared and certified by a duly qualified and licensed engineer in the State of South Carolina;
    2. The projected costs for the suggested improvements, which shall be based on local information for similar improvements, along with the construction schedule for the completion of said improvements. Such estimated cost shall include construction or reconstruction of the project, the cost of labor and materials, the cost of all lands, property, rights, easements, and franchises acquired, financing charges, interest prior to and during construction and for one (1) year after completion of construction, costs of plans and specifications, surveys of estimates of costs and revenues, costs of professional services, and

all of the expenses necessary or incidental to determining the feasibility or practicability of such construction or reconstruction.

- (3) Within fourteen (14) days of receipt of the proposed Application for Credit Agreement, the Town Planning Director, or its designee, shall determine if the application is complete. If it is determined that the proposed agreement is not complete, the Town Planning Director shall send written notification to the applicant outlining the deficiencies. The Town Planning Director shall take no further action on the proposed Application for Credit Agreement until all such deficiencies have been corrected or otherwise settled.
- (4) Once the Town Planning Director determines that the proposed Application for Credit Agreement is complete, it shall be reviewed within thirty (30) days by a committee of designated staff composed of the Town Manager, Town Finance Director, Town Code Enforcement Officer (Plans Submittal Official), and Town Engineer (together known as the Credit Review Committee).
- (5) If the Application for Credit Agreement is approved by the Credit Review Committee, a Credit Agreement shall be prepared and signed by the applicant and the Town Manager. It shall specifically outline the contribution, payment, construction, or land dedication, the time by which it shall be complete, dedicated, or paid, and any extensions thereof, and the dollar credit the applicant shall receive for the contribution, payment, or construction against development impact fees. The agreement may also include provisions for rescinding the credit and issuing stop work orders if the dedication and/or work and/or construction are not timely accomplished.
- (6) A fee payor affected by the decision of the Credit Review Committee regarding credits may appeal such decision pursuant to Section 2-313(a) of this ordinance.

### **Sec. 2-312. Penalties**

Town Council shall have the following remedies, which may be exercised individually or collectively, for collecting development impact fees. The failure to pursue any remedy at any time shall not be deemed as a waiver of Town rights to pursue any remedy at such other time as may be deemed appropriate.

- (a) Interest and Penalties. The Town may, at its discretion, add to the amount of calculated development impact fees due prior to award of a Certificate of Occupancy, reasonable interest and penalties for non-payment or late payment of required funds. Penalties for unpaid development impact fees shall be administered consistent with Chapter 1 (General Provisions), Section 1-6 in the Town of Fort Mill Code of Ordinances, which declares the violation a penalty subject to a fine not to exceed five hundred dollars (\$500.00) or imprisonment not to exceed thirty (30) days. Each day of violation shall be deemed a separate offense.

- (b) Withholding Certificate of Occupancy. The Town may withhold a Certificate of Occupancy until full and complete payment has been made by the developer of development impact fees due for the development.
- (c) Withholding Utility Service. The Town may withhold the provision of utility services to a development until the required development impact fees have been paid in full.
- (d) Lien. The Town may impose a lien on the developer's property for failure of the developer to pay required development impact fees in full.
- (e) Other. The Town may pursue the collection of the development impact fees, including interest, by way of civil process in the Court of Common Pleas for York County.

### **Sec. 2-313. Appeal Process**

A developer shall have the following rights for appeal of development impact fees imposed by the Town on their development pursuant only to this ordinance:

#### (a) Administrative Appeal

- (1) A developer may file an administrative appeal with the Town Manager regarding the payment of development impact fees, independent calculation of impact fees, or credits or reimbursements by filing a written Notice of Appeal. Said Notice shall be filed within thirty (30) days of the decision sought to be appealed. The filing of an appeal will immediately halt the building permit application process, unless the developer posts a bond or submits an irrevocable letter of credit for the full amount of the development impact fees as calculated by the Town to be due. All Notices of Appeal shall include a full explanation of the reasons for the appeal, specifying the grounds therefore, and containing any documentation that the developer desires to be considered. The appeal shall contain the name and address of the developer filing the appeal and shall state their capacity to act as a representative or agent if they are not the owner of the property to which impact fees or credits pertain.
- (2) Within thirty (30) days following receipt of the written Notice of Appeal, the Town Manager will review the Appellant's written report, supporting documentation and departmental staff reports. The thirty (30) day review period may be extended if additional information is needed from the Appellant in order to render a decision. Upon completion of the administrative review, the Town Manager will provide a written response to the Appellant constituting a final administrative determination.
- (3) Any person desiring to appeal the final administrative determination of the Town Manager regarding payment of development impact fees or credits shall file a written Notice of Appeal to the Town Council. Said Notice of Appeal to Town Council shall be filed with the Clerk of Town Council within fifteen (15) days following receipt of the final administrative determination. Receipt shall be construed to have occurred when the final administrative decision is deposited in the United States mail postage

prepaid to the person whose name and address is identified in the original Notice of Appeal.

(4) The Town Clerk of Council will schedule all impact fee appeals for the first Town Council meeting following ten (10) days from receipt of the Written Notice of Appeal to the Town Council. Postponements of the Town Council appeal date may be granted by the Town Manager if they are requested in writing at least ten (10) days in advance of the scheduled Town Council meeting date.

(5) When an Appeal is scheduled for oral presentation before the Town Council, the Appellant and Town staff shall each be given ten (10) minutes at the oral argument to present the Appeal and to discuss the submitted written record.

(b) Payment Under Protest

A fee payer may pay development impact fees under protest. Payment under protest does not preclude the developer from filing an administrative appeal nor is the fee payer estopped from receiving a refund of an amount considered to have been collected illegally. A fee payor, at its option, may also post a bond or submit an irrevocable letter of credit for the amount of development impact fees due instead of making a cash payment under protest, pending the outcome of an appeal.

(c) Mediation

Town Council shall provide for mediation by a qualified independent party, upon voluntary agreement by both the developer and the Town, to address a disagreement related to development impact fees calculated by the Town. Neither a request for, nor participation in, mediation shall preclude a fee payor from pursuing other developer rights or remedies otherwise available by law.

**Sec. 2-314. Refunds**

(a) General Provisions

Funds not obligated for expenditure within three (3) years of the date that they are scheduled to be expended in the *Town of Fort Mill Capital Improvements Plan* shall be refunded to the record owner of property for which the impact fees were paid, with actual interest earned, on a first-in, first-out basis. For the purpose of determining whether fees have been spent or encumbered, the first money placed in a trust fund account shall be deemed to be the first money taken out of that account when withdrawals have been made.

(b) Refund Process

(1) The owner of property eligible for a refund of one or more development impact fee payments shall submit to the Town Planning Director a notarized sworn statement that the person is the current owner of the property for which a refund is due, a certified

copy of the latest recorded deed, and a copy of the most recent ad valorem tax bill for the property.

- (2) When a right to a refund exists, the Town shall send a refund to the current owner of record within ninety (90) days after it is determined by Town Council that a refund is due.
- (3) All refunds shall include the pro rata portion of the interest earned while on deposit in the specific development impact fee trust account.
- (4) A record owner of property for which one or more development impact fee refunds are due has standing to sue for such refund pursuant to Section 6-1-1020(D) of the Act if there has not been a good-faith effort towards a timely payment of a refund pursuant to this section.

#### **Sec. 2-315. Review**

- (a) Town Council shall be responsible for preparing and publishing an annual report describing the amount of development impact fees collected, appropriated, and spent during the preceding fiscal year.
- (b) Planning Commission shall be responsible for a holistic review and update of the *Development Impact Fee Study Update Report for Fort Mill, Town of Fort Mill Capital Improvements Plan, Housing Affordability Analysis in Support of the Development Impact Fee Study Update Report in Fort Mill*, and the *Development Impact Fee Ordinance for the Town of Fort Mill* in the same manner and on the same review cycle as the Town of Fort Mill Comprehensive Plan.

#### **Sec. 2-316. Termination of Development Impact Fees**

Development impact fees for the Town of Fort Mill shall be terminated within fifteen (15) years after the effective date of this ordinance, or when sufficient fees have been collected to fund all of the projects eligible for development impact fee funding that are identified in the *Town of Fort Mill Capital Improvements Plan*, whichever shall first occur, unless:

- (a) Town Council adopts a revised *Development Impact Fee Study Update Report for Fort Mill* or amends the *Town of Fort Mill Capital Improvements Plan* for a subsequent amount of time; or
- (b) Town Council adopts an updated *Development Impact Fee Ordinance for the Town of Fort Mill* pursuant to the substantive and procedural requirements set forth in the South Carolina Development Impact Fee Act, as amended.

#### **Sec. 2-317. Liberal Construction**

The provisions of this ordinance shall be liberally construed to effectively carry out its purpose in the interest of further promoting and protecting public health, safety, welfare, and convenience.

SECTION III. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court, such section, subsection, sentence, clause, phrase or portion of this ordinance shall be deemed to be a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of this ordinance nor impair or nullify the remainder of these provisions which shall continue in full force and effect.

If the application of any provision of this ordinance to any new development is declared to be invalid by a decision of any court, the intent of Town Council is that such decision shall be limited only to the specific new development expressly involved in the controversy, action, or proceeding in which such decision of invalidity was rendered. Such decision shall not affect, impair, or nullify this ordinance as a whole or the application of any provision of this ordinance to any other new development.

SECTION IV. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION V. Effective Date. This ordinance shall be effective from and after July 1, 2020.

**SIGNED AND SEALED** this \_\_\_\_ day of \_\_\_\_\_, 2020, having been duly adopted by the Town Council for the Town of Fort Mill on the \_\_\_\_ day of \_\_\_\_\_, 2020.

First Reading:  
Public Hearing:  
Second Reading:

TOWN OF FORT MILL

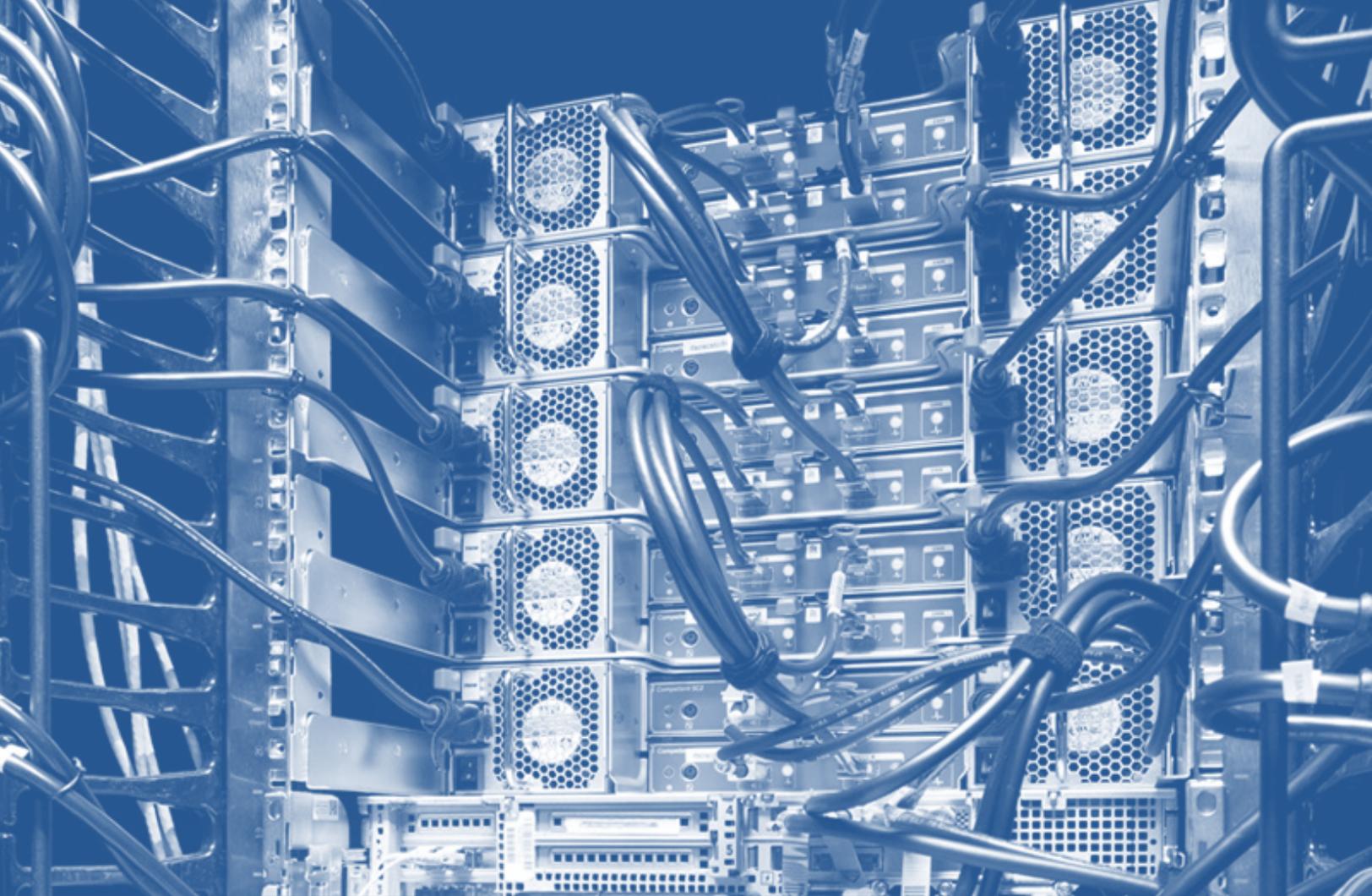
\_\_\_\_\_  
Guynn H. Savage, Mayor

LEGAL REVIEW

ATTEST

\_\_\_\_\_  
Barron B. Mack, Jr, Town Attorney

\_\_\_\_\_  
Virginia Burgess, Town Clerk



# Appendix

Appendix A — State Enabling Legislation

Appendix B — Town Development Impact Fee Ordinance

**Appendix C — US Census Data & ITE Employee Space Ratio Calculations**

Appendix D — Parks & Recreation Inventory & Analysis Tables

Appendix E — Fire Protection Inventory & Analysis Tables

Appendix F — Municipal Facilities & Services Inventory & Analysis Tables

**Table A.1 – Total Population in Fort Mill, SC**

Geography	Population
Town of Fort Mill, One-Year Estimate, 2023 <sup>A</sup>	33,626
Town of Fort Mill, Five-Year Estimate, 2019-2023 <sup>B</sup>	28,275

Source:

<sup>A</sup> = The source of this information is the US Census Bureau, Quick Facts Table, July 1, 2023. An estimate for 2024 was not available from the US Census Bureau (2023 was deemed to be the best available data for the development impact fee study). This statistic was used to calculate cost per resident statistics for all three impact

<sup>B</sup> = The source of this information is the US Census Bureau, American Community Survey, 2019-2023, Table B25033. This statistics was used to calculate person per household statistics by dwelling unit category in Table A.5 (deemed to be the best available data needed for the calculation).

**Table A.2 – Total Housing Units by Type in Fort Mill, SC**

Housing Category	Number of Units
Single Family (Attached or Detached)	8,941
Mobile Home	19
Multifamily (2 or more units)	1,351
Total	10,311

Source:

US Census Bureau, American Community Survey, 2019-2023, Table DP04

**Table A.3 – Population in Total Housing Units by Type in Fort Mill, SC**

Housing Category	Population
Single Family (Attached or Detached)	25,953
Mobile Home	49
Multifamily (2 or more units)	2,273
Total	28,275

Source:

US Census Bureau, American Community Survey, 2019-2023, Table B25033

**Table A.4 – Persons per Household in Total Housing Units by Type in Fort Mill, SC**

Housing Category	Persons / Household
Single Family (Attached or Detached)	2.90
Mobile Home	2.58
Multifamily (2 or more units)	1.68
Townwide Average	2.74

Source:

Computation Using US Census Bureau, American Community Survey Data, Tables DP04 and B25033

**Table B.1 – Total Primary Jobs Reported in Fort Mill, SC**

Condition	Labor Force
Total Primary Jobs	15,198

Source:

US Census Bureau, On the Map Web Application, 2022, Set for "Work Area" and "Primary Jobs" in the Town of Fort Mill, SC

Note:

Primary Job = public and private sector jobs combined, one job per worker. A primary job is the highest paying job for an individual worker if she or he has more than one job.

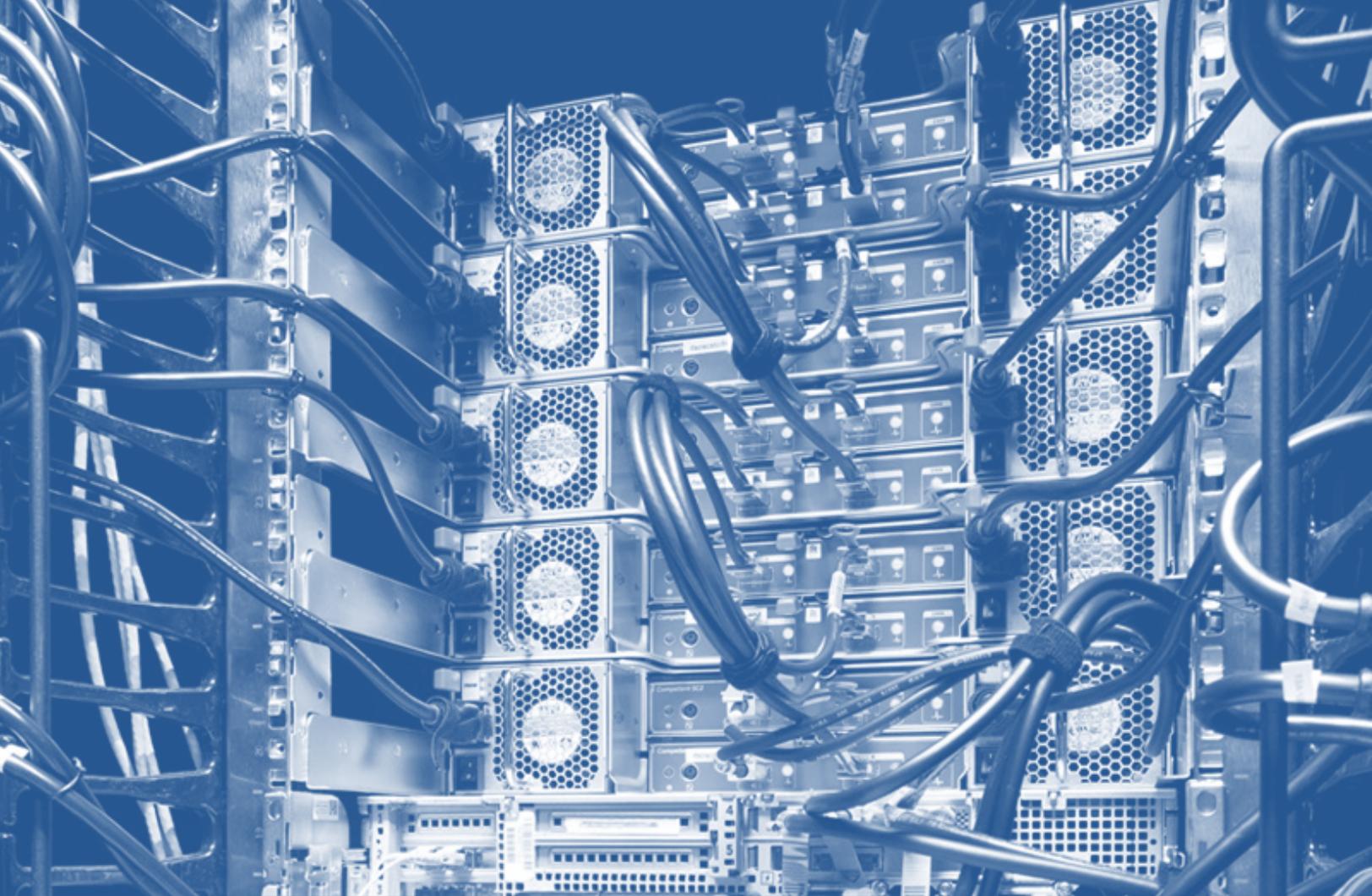
**Table B.2 – Calculated Employee Space Ratios Using ITE Trip Generation Manual, Tenth Edition Data**

Employment Category	ITE Code	Units	Space Ratio
Hotel	ITE 310	room	0.58
All Suite Hotel	ITE 311	room	0.09
Business Hotel	ITE 312	room	0.12
Motel	ITE 320	room	0.13
Resort Hotel	ITE 330	room	1.92
Golf Driving Range	ITE 432	tee	0.25
Movie Theater	ITE 444	1,000 s.f.	1.47
Multiplex Movie Theater	ITE 445	1,000 s.f.	1.35
Amusement Park	ITE 480	acre	9.60
Water Slide Park	ITE 482	acre	8.99
Recreation Community Center	ITE 495	1,000 s.f.	1.06
School District Office	ITE 538	1,000 s.f.	2.83
Junior/Community College	ITE 540	1,000 s.f.	1.39
University/College	ITE 550	1,000 s.f.	2.93
Daycare	ITE 565	1,000 s.f.	2.23
Museum	ITE 580	1,000 s.f.	0.31
Library	ITE 590	1,000 s.f.	1.29
Hospital	ITE 610	1,000 s.f.	2.83
Nursing Home	ITE 620	1,000 s.f.	2.28
Clinic	ITE 630	1,000 s.f.	4.13
Animal Hospital/Veterinary Clinic	ITE 640	1,000 s.f.	1.69
Medical/Densit Office	ITE 720	1,000 s.f.	4.00
General Office Building	ITE 710	1,000 s.f.	2.97
Small Office Building	ITE 712	1,000 s.f.	2.03
Corporate Headquarters	ITE 714	1,000 s.f.	3.44
Single Tenant Office Building	ITE 715	1,000 s.f.	2.98
Government Office Building	ITE 730	1,000 s.f.	3.03
US Post Office	ITE 732	1,000 s.f.	1.80
Government Office Complex	ITE 733	1,000 s.f.	2.56
Office Park	ITE 750	1,000 s.f.	3.13
Research and Development	ITE 760	1,000 s.f.	3.42
Business Park	ITE 770	1,000 s.f.	3.08
Building Materials/Lumber	ITE 812	1,000 s.f.	0.74
Variety Store	ITE 814	1,000 s.f.	0.66
Free Standing Discount Store	ITE 815	1,000 s.f.	2.16
Hardware Paint Store	ITE 816	1,000 s.f.	0.25
Nursery (Garden Center)	ITE 817	1,000 s.f.	3.12
Nursery (Wholesale)	ITE 818	1,000 s.f.	1.67
Shopping Center	ITE 820	1,000 s.f.	2.34
Auto Sales (New)	ITE 840	1,000 s.f.	2.49
Auto Sales (Used)	ITE 841	1,000 s.f.	2.17
Recreation Vehicle Sales	ITE 842	1,000 s.f.	0.63
Automobile Parts Sales	ITE 843	1,000 s.f.	1.64
Tire Store	ITE 848	1,000 s.f.	1.55
Supermarket	ITE 850	1,000 s.f.	1.42
Convenience Market	ITE 851	1,000 s.f.	1.56
Convenience Market with Gas Pumps	ITE 853	1,000 s.f.	2.56
Discount Superstore	ITE 854	1,000 s.f.	2.25

Discount Club	ITE 857	1,000 s.f.	1.30
Sports Goods Superstore	ITE 861	1,000 s.f.	6.48
Pharmacy with Drive-Through Window	ITE 881	1,000 s.f.	1.58
Furniture Store	ITE 890	1,000 s.f.	0.58
Liquor Store	ITE 899	1,000 s.f.	2.86
Intermodal Truck Terminal	ITE 030	1,000 s.f.	2.63
General Light Industrial	ITE 110	1,000 s.f.	1.63
Industrial Park	ITE 130	1,000 s.f.	1.16
Manufacturing	ITE 140	1,000 s.f.	1.59
Warehousing	ITE 150	1,000 s.f.	0.34
Utility	ITE 170	1,000 s.f.	3.22
Specialty Trade Contractor	ITE 180	1,000 s.f.	2.75
Walk-In Bank	ITE 911	1,000 s.f.	4.27
Drive-In Bank	ITE 912	1,000 s.f.	3.15
Copy, Print, and Express Ship Store	ITE 920	1,000 s.f.	1.86
Quality Restaurant	ITE 931	1,000 s.f.	4.63
High-Turnover Restaurant	ITE 932	1,000 s.f.	5.28
Fast-Food without Drive-Through Window	ITE 933	1,000 s.f.	5.18
Fast-Food with Drive-Through Window	ITE 934	1,000 s.f.	10.35
Fast-Food with Drive-Through Window, No Seating	ITE 935	1,000 s.f.	13.36
Quick Lubrication Vehicle Shop	ITE 941	1,000 s.f.	4.35
Automobile Care Center	ITE 942	1,000 s.f.	2.45
Automobile Parts and Service Center	ITE 943	1,000 s.f.	1.50
Gas/Service Station	ITE 944	1,000 s.f.	4.36
Gas/Service Station with Convenience Store	ITE 945	1,000 s.f.	5.91
Super Convenience Store with Gas Pumps	ITE 960	1,000 s.f.	3.63

Source:

Computation using information from the Institute of Transportation Engineers, Trip Generation Manual, Tenth Edition



# Appendix

Appendix A — State Enabling Legislation

Appendix B — Town Development Impact Fee Ordinance

Appendix C — US Census Data & ITE Employee Space Ratio Calculations

**Appendix D — Parks & Recreation Inventory & Analysis Tables**

Appendix E — Fire Protection Inventory & Analysis Tables

Appendix F — Municipal Facilities & Services Inventory & Analysis Tables

**Table C.1 – Parkland Replacement Values**

Park	Location	Acres	Estimated Land Value <sup>A</sup>
Walter Elisha Park <sup>B</sup>	345 North White Street	21.60	\$4,320,000
Recreation Complex <sup>B</sup>	971 Tom Hall Street	16.05	\$2,245,000
Spratt Properties <sup>B, C</sup>	Addresses Not Available	63.64	\$1,195,700
Harris Street Park	465 Harris Street	4.30	\$450,000
Millstone Park <sup>D</sup>	Access at Spratt & South White	2.46	\$0
Steele Street Park	600 Steele Street	2.90	\$365,000
Doby Bridge Park	1905 Doby Bridge Road	14.90	\$1,790,000
Calhoun Street Park	203 Calhoun Street	17.83	\$1,785,000
Confederate Park	193 Main Street	0.22	\$95,000
Veterans Memorial Park <sup>E</sup>	120 White Street	2.00	\$0
Fort Mill Community Center <sup>F</sup>	1011 Talbot Drive	0.72	\$0
Banks Athletic Park <sup>B</sup>	2364 Sparkling Brook Parkway	25.00	\$3,125,000
Totals		171.62	\$15,370,700

## Notes:

<sup>A</sup> = Estimated Land Values were captured from information published in a Restricted Appraisal Report prepared for the Town of Fort Mill on February 14, 2025 unless otherwise noted in the table.

<sup>B</sup> = Several properties were donated to the Town of Fort Mill for park and open space purposes. The consumption-based methodology assumes a land value for the calculation; however, the equivalent value is applied as a credit in other calculations to determine the maximum allowable impact fee.

<sup>C</sup> = Fee Simple Market Values were captured from information published in six Summary Narrative Commercial Appraisal Reports prepared by a hired consultant for the Town of Fort Mill in 2014, or information provided by the Town of Fort Mill for other properties in 2019.

<sup>D</sup> = This park location is entirely within a railroad right-of-way, which is used without a lease agreement and free-of-charge from the owner.

<sup>E</sup> = This park location is used under a lease agreement with Fort Mill SC, LLC. Annual rent is \$1.00 per year for the current lease period. An Estimated Land Value for this property was omitted from the analysis because the town does not own the property.

<sup>F</sup> = This park location is used under a lease agreement with the Hinson Family. Annual rent is \$10.00 per year for the current lease period. An Estimated Land Value for this property was omitted from the analysis because the town does not own the property.

**Table C.2 – Recreation Building Replacement Values**

Building Type	Park Location	Size (sq. ft.) <sup>A</sup>	Building Valuation <sup>A</sup>	Site Development Cost Allowance (15%) <sup>B</sup>	Professional Services Allowance (10%) <sup>C</sup>	Total Replacement Valuation <sup>D</sup>
Walter Elisha Amphitheater	345 North White Street	N/A	\$1,343,464	\$201,520	\$154,498	\$1,699,482
Recreation Complex (Building)	971 Tom Hall Street	12,046	\$3,798,699	\$569,805	\$436,850	\$4,805,354
Recreation Complex (Tennis, Restrooms, and Office)	971 Tom Hall Street	800	\$678,000	\$101,700	\$77,970	\$857,670
Steele Street Park Restrooms / Storage	600 Steele Street	408	\$56,334	\$8,450	\$6,478	\$71,262
Harris Street Restrooms / Storage	465 Harris Street	510	\$52,812	\$7,922	\$6,073	\$66,807
Calhoun Street Park Restrooms	201 Calhoun Street	629	\$259,375	\$38,906	\$29,828	\$328,109
Banks Athletic Park Restroom	2364 Sparkling Brook Parkway	1,086	\$401,926	\$60,289	\$46,222	\$508,437
Banks Athletic Park Scoring Tower	2364 Sparkling Brook Parkway	1,635	\$513,800	\$77,070	\$59,087	\$649,957
Banks Athletic Park Maintenance Shop	2364 Sparkling Brook Parkway	1,000	\$334,476	\$50,171	\$38,465	\$423,112
Banks Street Gymnasium	490 Academy Street	17,193	\$2,978,946	\$446,842	\$342,579	\$3,768,367
Doby's Bridge Park Restrooms / Storage	1905 Doby's Bridge Road	300	\$56,334	\$8,450	\$6,478	\$71,262
Doby's Bridge Park Utility Storage Building	1905 Doby's Bridge Road	420	\$10,883	\$1,632	\$1,252	\$13,767
Doby's Bridge Park Concessions / Press Box	1905 Doby's Bridge Road	221	\$87,862	\$13,179	\$10,104	\$111,145
Doby's Bridge Park Restroom	1905 Doby's Bridge Road	1,008	\$224,541	\$33,681	\$25,822	\$284,044
Walter Elisha Restroom	353 North White Street	1,234	\$368,418	\$55,263	\$42,368	\$466,049
	<b>Total</b>		<b>\$11,165,870</b>	<b>\$1,674,880</b>	<b>\$1,284,074</b>	<b>\$14,124,824</b>

**Notes:**

<sup>A</sup> = Size and Building Valuation statistics were captured from information published in the South Carolina Municipal Insurance and Risk Financing Fund (SCMIRF) for the Town of Fort Mill, Property Schedule, 2024. Building Value statistics presented in the schedule were used for the calculations.

<sup>B</sup> = Site development costs (15%) are assumed as part of "system improvements costs" summarized in Section 6-+920(22) of the South Carolina Development Impact Fee Act.

<sup>C</sup> = Professional services allowance (10%) assumed as part of "system improvements costs" summarized in Section 6-+920(22) of the South Carolina Development Impact Fee Act.

<sup>D</sup> = Building Valuation + Site Development Cost Allowance + Professional Services Allowance

**Table C.3 – Recreation Amenities Replacement Values**

Parking Location / Facility Type	Valuation
<b>Harris Street Park</b>	
Gazebo <sup>A</sup>	\$52,812
Playground Equipment <sup>A</sup>	\$47,322
Merry-Go-Round <sup>A</sup>	\$4,562
Field Lighting <sup>A</sup>	\$50,000
Additional Lighting on the Site <sup>A</sup>	\$69,936
Entrance Sign <sup>A</sup>	\$5,000
Site Development Costs <sup>B</sup>	\$34,445
Professional Services Allowance (10%) <sup>C</sup>	\$26,408
<b>Millstone Park</b>	
Fencing <sup>A</sup>	\$1,500
Signage, Pillars, Brickwork, Swings, Benches, Rails <sup>A</sup>	\$115,428
Swingset <sup>A</sup>	\$29,823
Brick Seat Wall <sup>A</sup>	\$8,800
Benches & Pads <sup>A</sup>	\$1,729
Playground Equipment <sup>A</sup>	\$39,920
Site Development Costs <sup>B</sup>	\$29,580
Professional Services Allowance (10%) <sup>C</sup>	\$22,678
<b>Recreation Complex</b>	
Fencing - Baseball / Softball Fields <sup>A</sup>	\$37,117
Entrance Sign <sup>A</sup>	\$30,281
Court Lighting <sup>A</sup>	\$15,000
Field Lighting <sup>A</sup>	\$18,707
Playground Equipment <sup>A</sup>	\$33,874
Site Development Costs <sup>B</sup>	\$20,247
Professional Services Allowance (10%) <sup>C</sup>	\$15,523
<b>Doby's Bridge Park</b>	
Covered Shelter No. 1 <sup>A</sup>	\$38,215
Covered Shelter No. 2 <sup>A</sup>	\$38,215
Fencing <sup>A</sup>	\$113,713
Field Lighting <sup>A</sup>	\$293,700
Playground Equipment <sup>A</sup>	\$25,000
Flagpoles (3) <sup>A</sup>	\$7,500
Bleachers <sup>A</sup>	\$15,471
Scoreboards <sup>A</sup>	\$7,000
Batting Cage <sup>A</sup>	\$6,265
Entrance Sign <sup>A</sup>	\$5,000

Site Development Costs <sup>B</sup>	\$82,512
Professional Services Allowance (10%) <sup>C</sup>	\$63,259
<b>Walter Elisha Park</b>	
Statues <sup>A</sup>	\$240,000
Playground Equipment <sup>A</sup>	\$55,000
Entrance Sign <sup>A</sup>	\$24,396
Site Development Costs <sup>B</sup>	\$47,909
Professional Services Allowance (10%) <sup>C</sup>	\$36,731
<b>Steele Street Park</b>	
Playground Equipment <sup>A</sup>	\$19,684
Court Lighting <sup>A</sup>	\$50,000
Entrance Sign <sup>A</sup>	\$5,000
Fencing <sup>A</sup>	\$2,000
Site Development Costs <sup>B</sup>	\$11,503
Professional Services Allowance (10%) <sup>C</sup>	\$8,819
<b>Calhoun Street Park</b>	
Gazebo <sup>A</sup>	\$52,493
Field Lighting <sup>A</sup>	\$80,000
Entrance Sign <sup>A</sup>	\$1,817
Fencing <sup>A</sup>	\$1,500
Site Development Costs <sup>B</sup>	\$20,372
Professional Services Allowance (10%) <sup>C</sup>	\$15,618
<b>Veterans Memorial Park</b>	
Statue w/ Plaques <sup>A</sup>	\$40,060
Pillars, Brickwork, Columns, Flagpoles <sup>A</sup>	\$108,530
Granite Benches <sup>A</sup>	\$4,100
Benches / Trash Receptacles <sup>A</sup>	\$3,261
Site Development Costs <sup>B</sup>	\$23,393
Professional Services Allowance (10%) <sup>C</sup>	\$17,934
<b>Confederate Park</b>	
Statues <sup>A</sup>	\$94,950
Site Development Costs <sup>B</sup>	\$14,243
Professional Services Allowance (10%) <sup>C</sup>	\$10,919
<b>Banks Athletic Park</b>	
Picnic Shelter <sup>A</sup>	\$168,514
Entrance Signs <sup>A</sup>	\$30,000
Benches / Trash Receptacles <sup>A</sup>	\$3,261
Scoreboards (4) <sup>A</sup>	\$10,000

Court Lighting <sup>A</sup>	\$10,000
Field Lighting <sup>A</sup>	\$100,000
Playground Equipment <sup>A</sup>	\$30,000
Bleachers <sup>A</sup>	\$15,000
Flag Poles (4) <sup>A</sup>	\$10,000
Fencing <sup>A</sup>	\$100,000
Site Development Costs <sup>B</sup>	\$71,516
Professional Services Allowance (10% ) <sup>C</sup>	\$54,829
<hr/>	
Total	\$2,999,894

Notes:

<sup>A</sup> = Replacement value statistics were captured from information published in the South Carolina Municipal Insurance and Risk Financing Fund for the Town of Fort Mill, Property Schedule, 2024.

<sup>B</sup> = Site development costs (15%) are assumed as part of "system improvements costs" summarized in Section 6-1-920(22) of the South Carolina Development Impact Fee Act.

<sup>C</sup> = Professional services allowance (10%) assumed as part of the "system improvements costs" summarized in Section 6-1-920(22) of the South Carolina Development Impact Fee Act.

**Table C.4 – Trail System Replacement Values**

Parks with Walking Trails	Paved Trail (Yes or No)	Miles of Trail	Width of Trail (Feet)	Construction Cost <sup>A</sup>	Professional Services Allowance (10%) <sup>B</sup>	Total Replacement Cost
Walter Elisha Park	Yes	0.6	8	\$1,257,062	\$125,706	\$1,382,768

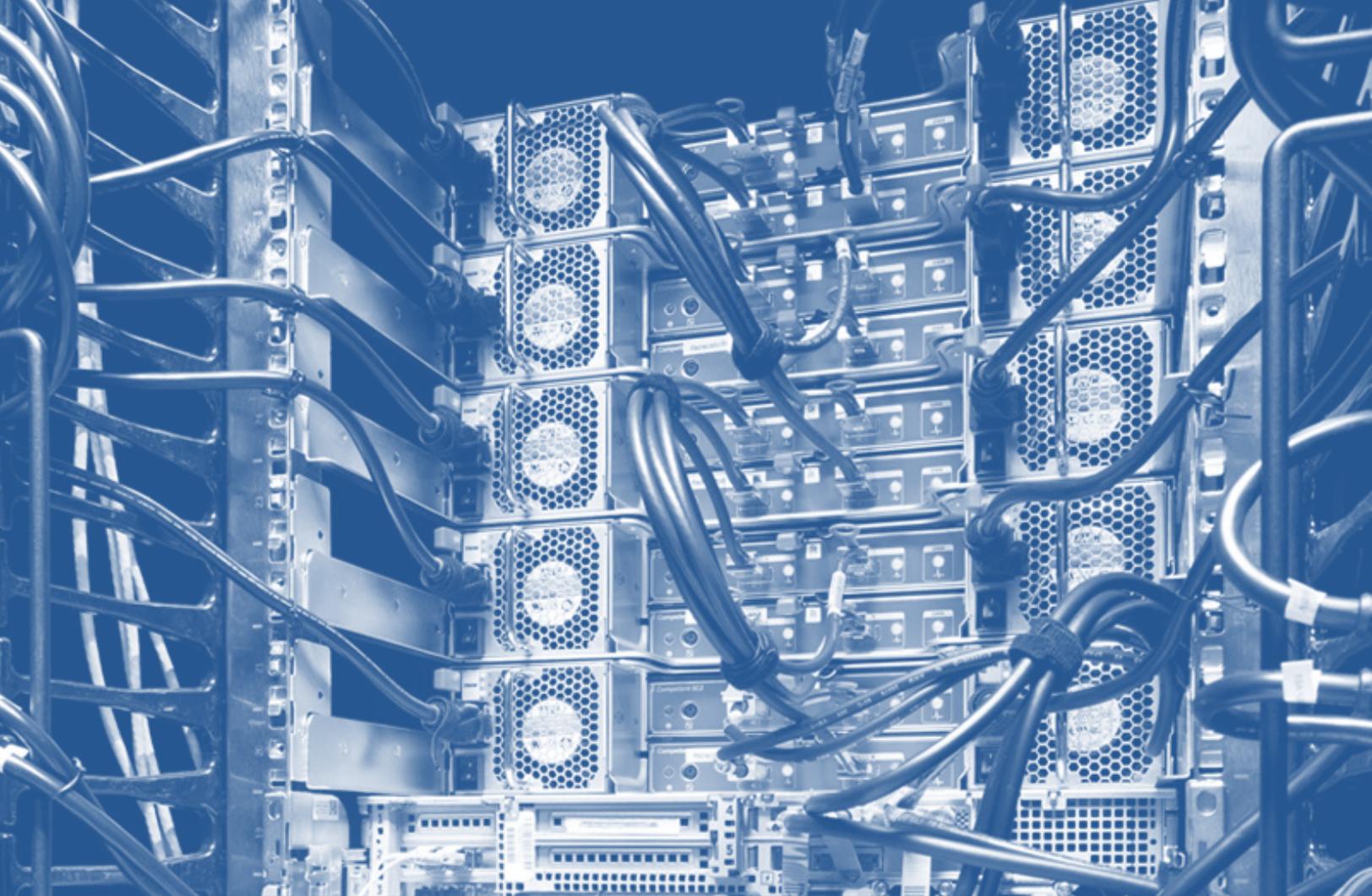
Notes:

<sup>A</sup> = The construction cost calculation used a per linear foot cost statistic (\$49.60) for an eight-foot wide greenway built on six inches of aggregate base course and four inches of asphalt. The cost statistic was published in the Buncombe County Greenways and Trails Master Plan, 2012.

<sup>B</sup> = Professional services allowance (10%) assumed as part of the "system improvements costs" summarized in Section 6-1-920(22) of the South Carolina Development Impact Fee Act.

**Table C.5 – Inventory of Other Funding Sources for Parks & Recreation Facilities in Fort Mill, SC**

Awarding Agency	Revenue Source	Award Amount	Start Date	Project
SC Parks & Recreation Development Fund	One-Time Grant	\$7,359	2015	Fencing and picnic facilities at Steele Street Park
SC Parks & Recreation Development Fund	One-Time Grant	\$4,714	2016	Doby Bridge Park playground resurfacing
SC Parks & Recreation Development Fund	One-Time Grant	\$25,000	2017	Harris Street Park playground resurfacing
Leroy Springs & Company	One-Time Donation	\$4,320,000	2017	Walter Elisha Park
Spratt Family	One-Time Donation	\$1,195,700	2017	Future Park Property (Land Only)
Leroy Springs & Company	One-Time Donation	\$2,245,000	2018	Recreation Complex
South Carolina Park and Recreation Development Fund	One-Time Grant	\$81,250	2019	Walter Elisha Park
Lennar Development Corporation	One-Time Donation	\$3,125,000	2022	Banks Athletic Park
				Award Total
				Eight-Year Average
				Ten-Year Forecast
				\$11,004,023
				\$1,375,503
				\$13,755,030



# Appendix

Appendix A — State Enabling Legislation

Appendix B — Town Development Impact Fee Ordinance

Appendix C — US Census Data & ITE Employee Space Ratio Calculations

Appendix D — Parks & Recreation Inventory & Analysis Tables

**Appendix E — Fire Protection Inventory & Analysis Tables**

Appendix F — Municipal Facilities & Services Inventory & Analysis Tables

**Table D.1 – Fire Protection Facilities Replacement Land Values**

Facility Type	Location	Acres	Estimated Land Value <sup>A</sup>
Station No. 1	121 Tom Hall Street	1.40	\$350,000
Station No. 2	1245 Fort Mill Parkway	1.26	\$1
Station No. 3	Masons Bend Drive	1.50	\$1
Totals		4.16	\$350,002

Notes:

<sup>A</sup> = Estimated Land Values were captured from information published in a Restricted Appraisal Report prepared for the Town of Fort Mill on February 14, 2025 unless otherwise noted in the table.

**Table D.2 – Fire Protection Facilities Replacement Values**

Facility Type	Location	Size (sq. ft.) <sup>A</sup>	Building Valuation <sup>A</sup>	Site Development Cost Allowance (15%) <sup>B</sup>	Professional Services Allowance (10%) <sup>C</sup>	Total Replacement Valuation <sup>D</sup>
Station No. 1	121 Tom Hall Street	9,660	\$2,233,879	\$335,082	\$256,896	\$2,825,857
Station No. 2	1245 Fort Mill Parkway	26,000	\$4,812,868	\$721,930	\$553,480	\$6,088,278
	<b>Total</b>	<b>35,660</b>	<b>\$7,046,747</b>	<b>\$1,057,012</b>	<b>\$810,376</b>	<b>\$8,914,135</b>

Notes:

<sup>A</sup> = Size and Building Valuation statistics were captured from information published in the South Carolina Municipal Insurance and Risk Financing Fund (SCMIRF) for the Town of Fort Mill, Property Schedule, 2024. Building Value statistics presented in the schedule were used for the calculations.

<sup>B</sup> = Site development costs (15%) are assumed as part of "system improvements costs" summarized in Section 6-1-920(22) of the South Carolina Development Impact Fee Act.

<sup>C</sup> = Professional services allowance (10%) assumed as part of "system improvements costs" summarized in Section 6-1-920(22) of the South Carolina Development Impact Fee Act.

<sup>D</sup> = Building Valuation + Site Development Cost Allowance + Professional Services Allowance

**Table D.3 – Fire Protection Equipment Replacement Values**

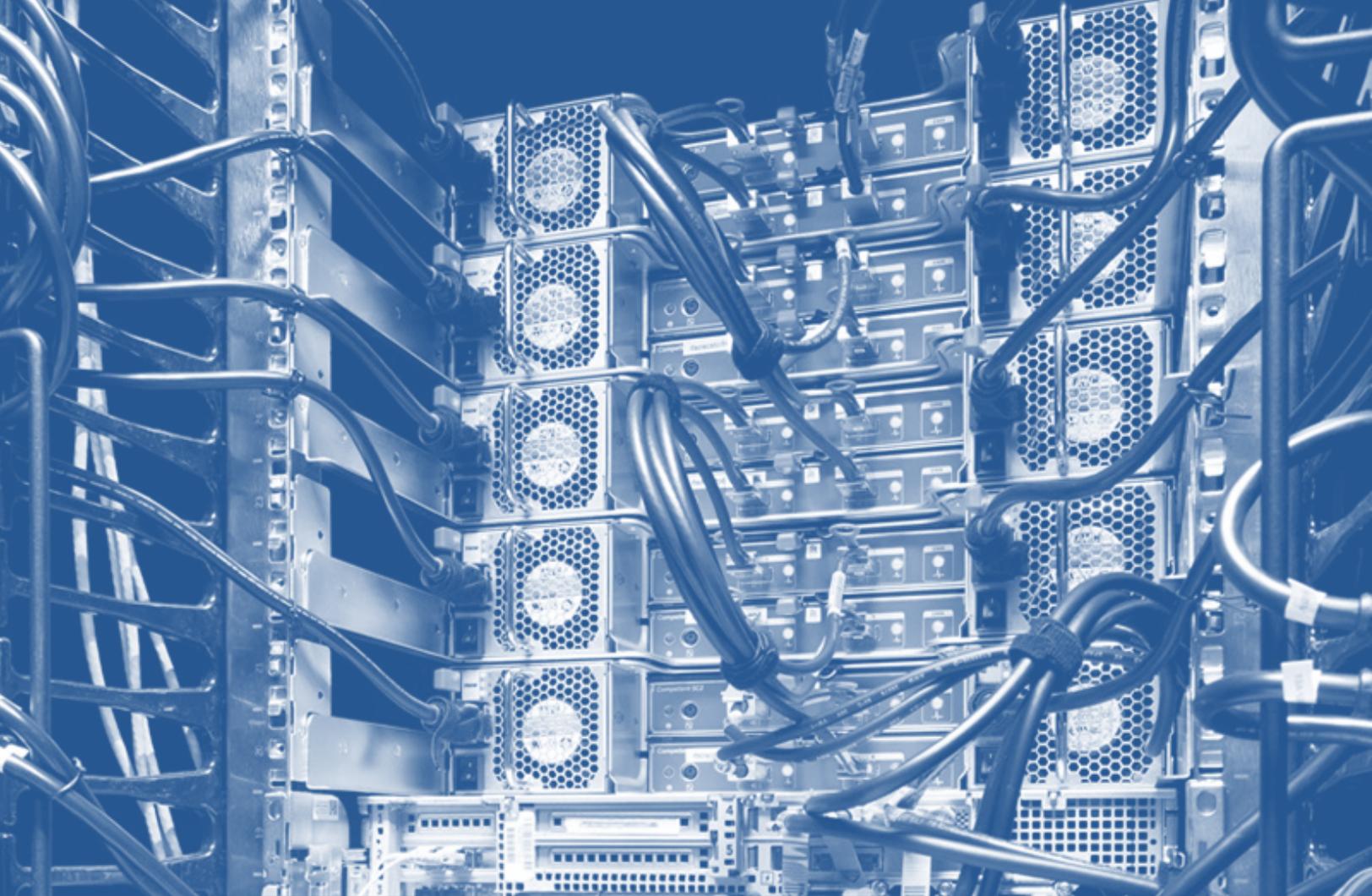
Equipment	Make / Model / Year	No. in Service	Unit Cost <sup>A</sup>	Replacement Cost
Fire Vehicle, #49	KME / Fire Truck (2004)	1	\$735,823	\$735,823
Fire Vehicle, #117	E-One / Typhoon (2013)	1	\$669,776	\$669,776
Fire Vehicle, #118	E-One / Typhoon (2013)	1	\$420,323	\$420,323
Light Duty Rescue, #210	Ford F550 (2019)	1	\$161,376	\$161,376
Reserve Engine <sup>B</sup>	KME Centaurion (2003)	1	\$300,000	\$300,000
Front Line Engine <sup>B</sup>	KME Predator Panther (2019)	1	\$489,500	\$489,500
Notes:			Total	\$2,776,798

<sup>A</sup> = Replacement value statistics were captured from information published in the South Carolina Municipal Insurance and Risk Financing Fund for the Town of Fort Mill, Auto Schedule, 2024.

<sup>B</sup> = The vehicle is owned by York County, by resides in a Fort Mill Fire Station. The consumption-based methodology assumes a vehicle value for the calculation; however, the equivalent value is applied as a credit in other calculations to determine the maximum allowable impact fee.

**Table D.4 – Inventory of Other Available Funding Sources for Fire Protection in Fort Mill**

Awarding Agency	Revenue Source	Award Amount	Start Date	Project
Reserve Engine	York County Donation	\$300,000	2019	Fire Equipment
Front Line Engine	York County Donation	\$489,500	2019	Fire Equipment
		Award Total		\$789,500
		Six-Year Average		\$131,583
		10-Year Forecast		\$1,315,830



# Appendix

Appendix A — State Enabling Legislation

Appendix B — Town Development Impact Fee Ordinance

Appendix C — US Census Data & ITE Employee Space Ratio Calculations

Appendix D — Parks & Recreation Inventory & Analysis Tables

Appendix E — Fire Protection Inventory & Analysis Tables

**Appendix F — Municipal Facilities & Services Inventory & Analysis Tables**

**Table E.1 – Municipal Facilities Replacement Land Values**

Facility Type	Location	Acres	Estimated Land Value <sup>A</sup>
Town Hall Annex Building One <sup>B,C</sup>	200 Tom Hall Street	2.71	\$35,000
Town Annex Building Two <sup>D</sup>	210 Tom Hall Street	4.41	\$0
Town Hall <sup>E</sup>	205 N. White Street	1.91	\$125,000
Public Works Complex	307 E. Hill Street	0.71	\$455,000
Armory Building	131 E. Elliott Street	1.90	\$435,000
<b>Totals</b>		<b>11.64</b>	<b>\$1,050,000</b>

**Notes:**

<sup>A</sup> = Estimated Land Values were captured from information published in a Restricted Appraisal Report prepared for the Town of Fort Mill on February 14, 2025 unless otherwise noted in the table.

<sup>B</sup> = Fee Simple Market Values were captured from information published in six Summary Narrative Commercial Appraisal Reports prepared by a hired consultant for the Town of Fort Mill in 2014, or information provided by the Town of Fort Mill for other properties in 2019.

<sup>C</sup> = Space in Town Hall Annex Building One is used for the Planning and Zoning Department, Development Services Department, and a Plan Reviewer position. Town officials estimate 35% of the building is being used to support the three departments. The fee simple market value was factored by 35% to estimate the value associated with the three departments. The starting land value for the property was provided by the Town of Fort Mill.

<sup>D</sup> = Town Annex Building Two is currently owned by the Town of Fort Mill but sits vacant. Therefore, the estimated land value for the building is \$0.00 for the development impact fee study.

<sup>E</sup> = Space in Town Hall is used for the Police Department, Parks and Recreation Department, and Building Department. Town officials estimate 25% of the building is being used to support the three departments. The fee simple market value was factored by 25% to estimate the value associated with the three departments. The starting land value for the property was provided in a Restricted Appraisal Report prepared for the Town of Fort Mill on February 14,

**Table E.2 – Municipal Facilities Building & Structure Replacement Values**

Building Type	Location	Size (sq. ft.) <sup>A</sup>	Building Valuation <sup>A</sup>	Site Development Costs <sup>B</sup>	Professional Services Allowance (10%) <sup>C</sup>	Total Replacement Valuation <sup>D</sup>
Town Hall Annex Building One	200 Tom Hall Street	11,658	\$797,365	\$119,605	\$91,697	\$1,008,667
Town Annex Building Two	210 Tom Hall Street	3,090	\$0	\$0	\$0	\$0
Town Hall	205 N. White Street	80,000	\$7,500,000	\$1,125,000	\$862,500	\$9,487,500
Shed Truck Garage	307 E. Hill Street	4,375	\$311,355	\$46,703	\$35,806	\$393,864
Public Works Truck Garage	307 E. Hill Street	4,284	\$344,855	\$51,728	\$39,658	\$436,241
Public Works Office	307 E. Hill Street	600	\$94,743	\$14,211	\$10,895	\$119,849
Modular Building	307 E. Hill Street	672	\$14,724	\$2,209	\$1,693	\$18,626
A-Frame Metal Building	307 E. Hill Street	520	\$8,494	\$1,274	\$977	\$10,745
<b>Totals</b>				<b>\$1,360,730</b>	<b>\$1,043,226</b>	<b>\$11,475,492</b>

**Notes:**

<sup>A</sup> = Size and Building Valuation statistics were captured from information published in the South Carolina Municipal Insurance and Risk Financing Fund for the Town of Fort Mill, Property Schedule, 2024, or other information provided by the Town of Fort Mill. Statistics reported for the Town Hall, Town Hall Annex Building One, and Town Hall Annex Building Two were factored by utilization rates to represent only the portion of buildings used for growth-related departments and services. See the notes in Table E.1 - Municipal Facilities Replacement Land Values for specific rates used for the different properties.

<sup>B</sup> = Site development costs (15%) are assumed as part of "system improvements costs" summarized in Section 6-1-920(22) of the South Carolina Development Impact Fee Act.

<sup>C</sup> = Professional services allowance (10%) assumed as part of "system improvements costs" summarized in Section 6-1-920(22) of the South Carolina Development Impact Fee Act.

<sup>D</sup> = Building Valuation + Site Development Cost Allowance + Professional Services Allowance

**Table E.3 – Municipal Vehicle and Equipment Replacement Values**

Equipment	Make / Model / Year	No. in Service	Unit Cost <sup>A</sup>	Replacement Cost
Sanitation Truck, #114	Autocar (2013)	1	\$248,768	\$248,768
Sweeper Truck, #104	International 4300-M7 Tymco (2012)	1	\$165,236	\$165,236
Storage Truck/Mover, #165	Freightliner M2106 (2017)	1	\$134,780	\$134,780
Recycle Truck, #243	Freightliner M2106 (2021)	1	\$168,935	\$168,935
Storage Truck/Mover, #88	Freightliner N2106 (2010)	1	\$108,300	\$108,300
Storage Truck/Mover, #159	Freightliner M2106 (2017)	1	\$174,845	\$174,845
Flatbed Truck, #149	Freightliner 114SD (2017)	1	\$330,100	\$330,100
Knuckle Boom Truck, #144	Freightliner (2016)	1	\$131,112	\$131,112
Front Load Refuse Truck, #180	Autocar ACX64 (2017)	1	\$286,261	\$286,261
Recycle Truck, #264	Freightliner M2106 (2022)	1	\$267,359	\$267,359
Front Load Refuse Truck, #158	Autocar ACX64 (2016)	1	\$284,976	\$284,976
Sanitation Truck, #256	Autocar (2021)	1	\$316,116	\$316,116
Backhoe Loader, #314	John Deere Backhoe (2024)	1	\$165,487	\$165,487
Radios for Police Department	Motorola, Thirty-One Units in System	1	\$233,216	\$233,216
Dual Station Police Dispatch Radio	N/A	1	\$118,295	\$118,295
	Total			\$3,133,786

Notes:

<sup>A</sup> = Replacement value statistics were captured from information published in the South Carolina Municipal Insurance and Risk Financing Fund for the Town of Fort Mill, Auto Schedule or Inland Marine Schedule, 2024.

Value of Trash Collection Vehicles      \$1,572,415

**Table E.4 – Inventory of Other Available Funding Sources for Municipal Facilities and Equipment in Fort Mill**

Awarding Agency	Revenue Source	Award Amount	Start Date	Project
None Reported by Town Officials	N/A	N/A	N/A	N/A
		Award Total		\$0
		10-Year Average		\$0
		10-Year Forecast		\$0

# City Explained<sup>Inc.</sup>

2207-C Horton Cove Road  
Camden, SC 29020

(T) 919-606-1620

(E) [matt.noonkester@city-explained.com](mailto:matt.noonkester@city-explained.com)