

ARTICLE IV - CONSISTENCY AND CONCURRENCY DETERMINATIONS

SECTION 4.1 GENERALLY

The Pierson Concurrency Review and Certification Procedure (CRCP) is hereby established for the purpose of ensuring that the issuance of a final development order will not result in the degradation of the level of service for any facility located within the Town below the adopted level of service standard.

4.1.1 Purpose

It is the purpose of this Article to describe the requirements and procedures for determination of consistency of proposed development projects within the Town's Comprehensive Plan, including meeting the concurrency requirements of the plan.

SECTION 4.2 DETERMINATION OF CONSISTENCY

Section 163, Florida Statutes mandates that no land development regulations shall be enacted by a local government, and no land development orders or permits shall be issued, unless such regulations, orders or permits are consistent with the adopted Comprehensive Plan. For the purposes of complying with this provision, the Town Council of the Town of Pierson has determined that upon its initial adoption, these Unified Land Development Regulations are consistent with the Town's adopted Comprehensive Plan. Before adopting any amendments to these Regulations, the Town Council shall determine that such amendment is consistent with the Comprehensive Plan. Hereafter, it shall be presumed that any development that complies with these Regulations are also consistent with the Town's Comprehensive Plan.

SECTION 4.3 SYSTEM FOR THE MANAGEMENT OF CONCURRENCY

4.3.1 Generally

[Reserved]

4.3.2 Adopted Levels of Service Shall Not Be Degraded

A. General Rule

1. All applications for development orders shall demonstrate that the proposed development does not degrade adopted levels of service in the Town.
2. An application for a development permit shall demonstrate that the proposed development does not degrade adopted levels of service if there exists no Preliminary or Final Development Order under which the permit is sought, and no Preliminary or Final Development Order is required prior to the issuance of the permit, e.g., a residence on a parcel of unplatted land.
3. The latest point at which compliance with this article is determined is the Final Development Order. If no Final Development Order is required, the latest point to determine concurrency is the first development permit on a site.

B. Exceptions and Exemptions

1. Degradation of Level of Service During Construction - Notwithstanding the foregoing, the prescribed levels of service may be degraded during the actual construction of new facilities, if upon completion of the new facilities the prescribed levels of service will be met.
2. Projects with No Significant Impact - The following development projects are deemed to have no significant impact on level of service, and are exempted from this Article:

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- a. An alteration of development otherwise exempt under these Regulations which does not create additional impact on public facilities.
 - b. The construction of residential accessory buildings and structures which are not intended or likely to be inhabited
 - c. The replacement of an existing dwelling unit when no additional dwelling units are created.
 - d. Room additions to residences when no additional dwelling units are created.
 - e. Public school facilities.
 - f. Health care facilities to be constructed to meet the obligation to furnish health care services to indigents and residents.
 - g. Fire or rescue facilities operated by any governmental entity.
3. Vested Developments - Based upon the following four part test for vested rights:

1) Upon some act or omission of the Town, 2) a property owner relying in good faith, 3) has made such a substantial change in position or has incurred such extensive obligations and expenses that it would be highly inequitable and unjust to destroy the rights acquired, and 4) that the development has commenced and is continuing in good faith,

The following developments are hereby determined to be vested for the purposes of this Article:

- a. Developments of Regional Impact as currently authorized under Section 380.06, Florida Statutes, which were issued as development orders by the Town Council on or before the effective date of these Regulations.
- b. Physical on-site construction if authorized by a building permit which had been issued on or before the effective date of these Regulations.
- c. Applications for final development plans tendered on or before the effective date of these Regulations. Any amendments or modifications to said development plans shall hereafter be subject to the provisions of this Article.
- d. Preliminary Subdivision Plats or Final Subdivision Plats approved by the Town Council on or before the effective date of these Regulations. Any amendments or modifications to said plats shall hereafter be subject to the provisions of this Article.
- e. Single family and duplex dwelling units and mobile homes on lots within subdivisions exempted by 4.3.2, B, 3, d.
- f. Developments authorized by a building permit issued by the Town on or before the effective date of these Regulations which has not expired.

4.3.3 Determination of Available Capacity

For purposes of these regulations the available capacity of a facility shall be determined by:

A. Adding Together The Following:

1. The total capacity of existing facilities;
2. The total capacity of new facilities, if any, that will become available on or before the date of occupancy of the development. The capacity of new facilities may be counted only if one or more of the following is shown:
 - a. Construction of the new facilities is under way at the time of issuance of the Final

Development Order.

- b. The new facilities are the subject of a binding executed contract for the construction of the facilities or the provision of services at the time of issuance of the Final Development Order.
- c. The new facilities are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3202, Florida Statutes, or an agreement or Development Order pursuant to Chapter 380, Florida Statutes. Such facilities shall be consistent with the capital improvements element of the Town's Comprehensive Plan. The agreement must guarantee that the necessary facilities and services will be in place when the impacts of the development occur.
- d. In the case of recreation facilities only, construction of such recreation facilities is guaranteed by a binding contract or an enforceable development agreement to commence not later than one year after issuance of a Development Permit.
- e. In the case of road facilities, construction of such road facilities is scheduled to commence within the first three years of the five-year schedule of capital improvements in the adopted Capital Improvement Element.

B. Subtracting From That Number The Sum of:

- 1. The demand for the service or facility created by existing development as documented in the Town's Comprehensive Plan; and
- 2. The demand for the service or facility created by the anticipated completion of other approved developments, redevelopment, or other development activity.

4.3.4 Action Upon Failure to Show Available Capacity

Where available capacity cannot be shown, the following methods may be used to maintain adopted level of service:

- A. The project owner or developer may provide the necessary improvements to maintain level of service. In such case the application shall include appropriate plans for improvements, documentation that such improvements are designed to provide the capacity necessary to achieve or maintain the level of service, and recordable instruments guaranteeing the construction, consistent with calculations of capacity above.
- B. The proposed project may be altered such that projected level of service is no less than the adopted level of service.
- C. The Town may approve the Development Order with conditions agreeable to both the Town and the developer. Such conditions shall be sufficient to ensure that the impact of the development will not degrade the level of service of any facility to a point below the adopted level of service standard for such facility.

4.3.5 Burden of Showing Compliance On Developer

The burden of showing compliance with these level of service requirements shall be upon the developer. In order to be approvable, applications for development approval shall provide sufficient information showing compliance with these standards.

4.3.6 Initial Determination of Concurrency

The initial determination of Concurrency occurs during the review of the Preliminary Development Plan, and shall include compliance with the level of service standards adopted by the Town.

4.3.7 Expiration of a Concurrency Determination of Compliance

A determination of compliance with the provisions of this section shall be valid for as long as the Development Order on which the determination was based shall remain valid. Upon expiration of the Development Order, all capacity that had been allocated to the proposed development shall become available for reallocation to other eligible developments. A new determination of compliance with the provisions of this section shall be required before capacity can be reallocated to the proposed development.

4.3.8 Issuance of Certificates of Capacity

If it is determined that adequate capacity is available for a proposed development, a Certificate of Capacity shall be issued for such development. Every Certificate of Capacity shall show on its face the project name, the date of issuance, and the expiration date which shall be the same date as the expiration date of the Development Order on which the determination of compliance with this section was based.

4.3.9 Annual Report

A. Contents

The Town Planning Commission, with assistance from the Town staff, shall prepare an Annual Report on the CRCP that includes:

1. A summary of actual development activity, including a summary of certificates of occupancy, indicating quantity of development represented by type and square footage.
2. A summary of building permit activity, indicating:
 - a. those that expired without commencing construction;
 - b. those that are active at the time of the report;
 - c. the quantity of development represented by the outstanding building permits;
 - d. those that result from final development orders issued prior to the adoption of these Regulations; and
 - e. those that result from final development orders issued pursuant to the requirements of these Regulations.
3. A summary of preliminary development orders issued, indicating:
 - a. those that expired without subsequent final development orders;
 - b. those that are valid at the time of the report; and
 - c. the phases and quantity of development represented by the outstanding preliminary development orders.
4. A summary of final development orders issued, indicating:
 - a. those that expired without subsequent building permits;
 - b. those that were completed during the reporting period;
 - c. those that are valid at the time of the report but do not have associated building permits or construction activity; and
 - d. the phases and quantity of development represented by the outstanding final development orders.
5. An evaluation of each facility and service indicating:

- a. the capacity available for each at the beginning of the reporting period and the end of the reporting period;
- b. the portion of the available capacity held for valid preliminary and final development orders;
- c. a comparison of the actual capacity to calculated capacity resulting from approved preliminary development orders and final development orders;
- d. a comparison of actual capacity and levels of service to adopted levels of service from the Town's Comprehensive Plan.
- e. a forecast of the capacity for each based upon the most recently updated schedule of capital improvements in the Town's Capital Improvements Element.

B. Approval of The Annual Report By The Town Council

The Town Council shall, after reviewing the Annual Report, approve it as received from the Planning Board or as amended.

C. Use of the Annual Report

Once approved by the Town Council, the CRCP Annual Report shall constitute prima facie evidence of the capacity and levels of service of public facilities for the purpose of issuing development orders during the twelve (12) months following approval of the annual report.

SECTION 4.4 CRITERIA FOR DETERMINING CONCURRENCY

4.4.1 Traffic Circulation System

A. Level of Service Standards

The following Level of Service Standards shall apply:

Type of facility.....	Peak Hour Level of Service
Principal Arterial Roads.....	"C"
Minor Arterial Roads	"C"
Collector Roads.....	"D"
Local Roads	"E"

B. Determination of Project Impact

The impact of a proposed development on available capacity shall be determined as follows:

- 1. **Area of Significant Impact:** The area of significant impact of the development shall be the entire area under the Town's jurisdiction.
- 2. **Traffic Volumes Generated by the Development:** Traffic generated by the proposed development at build out shall be calculated in the following manner:
 - a. **ITE Rates:** The traffic generation rates published in the Institute of Transportation Engineers, Trip Generation Report, 4th Edition, 1989, unless the Town Council shall accept other rates which it finds to more accurately represent the proposed development.
 - b. **Local Conditions:** The Town Council may adopt by resolution other trip generation rates derived from local studies.

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- c. **Comparable Developments:** Actual traffic counts used to establish trip generation rates for three (3) or more similar existing developments may be used for a proposed development located in the same general are, if approved by the Town Council, and the procedure is consistent with customary and accepted traffic engineering principals and practices. In deciding whether to use these counts, the Town Council shall consider the time of day, day of week, season of year and any other pertinent factors necessary to determine if the counts fairly indicate the anticipated impact of the proposed development.

The anticipated build-out period of the proposed development shall be specified in the application.

- 3. **Trip Capture Rates:** The Town acknowledges that some uses more than others tend to intercept or capture traffic that would otherwise occur. To the extent that these uses are capturing traffic, they are not generating new trips. Credit may be taken against the trip generation of a proposed development for these captured trips up to the percentage shown in Table IV-1. In order to claim a credit for captured trips, the developer must provide the following information: (1) the total volume of traffic generated by the proposed development as determined in accordance with 4.4.3, B., 2. and (2) the number of captured trips subtracted from the traffic generated by the proposed development when completely built out.

Uses other than those listed in Table IV-1 and any percentage credit proposed to be taken in excess of that shown in Table IV-1 must be justified based on customary and accepted traffic engineering principals and practices.

Table IV-1 - Maximum Percent of Total Generated Trips Captured from Passing Traffic

Shopping Centers with 100,000 to 400,000 square feet of floor area.....	30%
Shopping Centers with less than 100,000 square feet of floor area	40%
Supermarkets	45%
Hardware Stores.....	30%
Convenience Stores.....	45%
Fast Food Restaurants, Cocktail Lounges/Bars	60%
Full Service Restaurants	30%
Banks, Savings and Loans	50%
Day Care Centers	50%
Service Stations, Car Washes	60%
Offices.....	5%
Institutional Establishments.....	0%

- 4. **Assignment of Traffic:** Total traffic as determined in accordance with paragraph B, above, shall be assigned to each road link within the area of impact in conformance with the Comprehensive Plan and customary and accepted traffic engineering principals and practices.

C. Determination of Road Capacity

The maximum peak hour capacity on any given road at the adopted level of service standard shall be determined using the table identified as "Generalized Peak Hour Level of Service Maximum Volumes for Florida's Urban/Urbanized (5,000+) Areas", in the Florida Department of Transportation's Level of Service Standards and Guidelines Manual (1989).

D. Determination of Background Traffic

Background traffic shall be determined by adding together existing traffic as measured by actual traffic counts adjusted to peak hour volumes and anticipated peak hour volumes generated by developments which have been approved, but which are not yet reflected in the actual counts. The Development Regulations Administrator shall maintain a record of background traffic for all road links within the Town, and shall provide such information on request.

E. Determination of Available Capacity

Available capacity shall be determined by subtracting background traffic in the peak hour from total peak hour capacity.

F. Transportation Impact Analysis

A transportation impact analysis (TIA) in accordance with the Volusia MPO's Guidelines, a copy of which is available from the Town, will be required for developments that will generate 1,000 or more two-way external trips on a weekday or 100 or more peak hour two-way external trips or for developments generating less than these volumes if the Town Council, or their designee, determines that a TIA is necessary.¹

4.4.2 Potable Water

A. Level of Service Standard

The following level of service standard shall apply:

Minimum design flow- 280 gallons per day per equivalent residential unit (ERU)

B. Determination of Project Impact

The potable water required by a proposed development shall be determined based on the Equivalent Residential Unit (ERU) conversion factors set forth in the following table:

Table IV-2

Potable Water Demand Schedule

Category 1 - Residential Units:

Structures which are intended to be used as living accommodations, including customary accessory uses and structures, shall be considered one (1) ERU for purposes of this Section. Motel units and other short-term occupancy units are included in this category; however, in reference to these facilities, customary accessory uses and structures shall not include restaurants, lounges and other uses of a commercial character.

Category 2 - General Retail and Churches:

Structures include retail shops, light commercial establishment and churches, where sanitary facilities are used primarily by employees or, in the case of churches, are infrequently used. A value of one (1) ERU shall be applied to every two thousand (2,000) square feet of building floor area, with a minimum requirement of one (1) ERU per structure. The following are examples:

- a. Retail Stores
- b. Banks and Savings and Loans
- c. Barber and Beauty Shops

¹ Amended per Ordinance 09-05, August 25, 2009.

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- d. Professional Offices
- e. Grocery Stores
- f. Convenience Stores (without gas pumps)
- g. Churches

Category 3 - Commercial:

Establishments include service stations and convenience stores with gas pumps and other structures where sanitary facilities are primarily for use by customers or patrons. A value of one (1) ERU per establishment. The following are examples of such uses:

- a. Convenience Stores with Gas Pumps
- b. Automobile Service Stations

Category 4 - Institutional/Recreational Facilities:

Public meeting places or gathering establishments, educational, recreational and health-related facilities. A value of one (1) ERU is applicable for every one thousand (1,000) square feet of building floor area, with a minimum requirement of one (1) ERU per establishment. The following are examples of such uses:

- a. Schools
- b. Clubs
- c. Nursing Homes
- d. Hospitals - Health Care Facilities
- e. Auditoriums
- f. Movie Theaters
- g. Health and Fitness Centers
- e. Meeting and Banquet Rooms
- f. Parks (building floor area is for restroom facilities)

Category 5 - Food Service:

All establishments involved mainly in the preparation and serving of food and/or beverages on site for public consumption. A value of two and one-half (2.5) ERU per one thousand (1,000) square feet of building floor area is applicable, with a minimum requirement of two and one-half (2.5) ERUs per establishment. This category calculation accommodates both sanitary facilities for public use (i.e., restrooms) and water and waste water capacity requirements or food/beverage preparation and clean-up. The following are examples of such uses:

- a. Restaurant/Cafeteria
- b. Carry-out Restaurant
- c. Fast Food Restaurant
- d. Bars and Lounges

Category 6 - Warehousing and Storage Facilities:

Warehouses and storage facilities where sanitary facilities are used primarily by employees. . A rate of one (1) ERU for the first two thousand (2,000) square feet of building floor area, plus one (1) additional

ERU for every four thousand (4,000) square feet over the first two thousand (2,000) shall be applicable. A minimum of one (1) ERU per structure is required. This rate applies only to sanitary facilities required for domestic use and does not include process-related water requirements.

Category 7 - High Water Demand Uses:

Those establishments with an expected high water demand. Examples and applicable water use rates are shown below. One (1) ERU shall be added to the total facility use calculations for sanitary facilities for employee and customer use.

- a. Commercial Laundry19 ERU per one thousand (1,000) square feet of building floor area
- b. Self Service Laundry.....1.33 ERU per washing machine
- c. Car Washes.....3.2 ERU per wash bay

Category 8 - Other Cases:

Facilities whose water flows differ significantly from those included in Categories 1 through 7. These facilities must be considered on an individual basis. Water usage will be determined based on demand estimates supplied by the developer. All such estimates must be accompanied by documented supporting evidence.

Rules of Interpretation: (Applicable to Table IV-2 and Table IV-3)

- a. Any use not specifically defined in Categories 1 through 7 will be assigned to one of the above categories by the Development Regulations Administrator. In making this determination, the Development Regulations Administrator is encouraged to consult with the Town Engineer.
- b. If a building or plumbing permit is issued for an existing connection which will increase water and/or waste water demand, or if a building changes from residential to non-residential occupancy, the total number of ERUs for the old and new parts of the facility shall be computed and the number of additional ERUs determined by subtracting the old ERUs from the new total number ERUs for the facility.
- c. In order to differentiate between grocery and convenience stores, and for the purposes of this section, convenience stores are defined as mercantile establishments which offer food and other products similar to those offered by grocery stores but with a more restricted selection. Convenience stores are therefore defined as establishments which have a gross building floor area not exceeding 3,000 square feet.
- d. An Equivalent Residential Unit (ERU) represents a nominal usage of 280 gallons of potable water per day and 234 gallons of waste water per day as determined by historical water/waste water use records and population/housing unit estimates.

C. Concurrency Evaluation:

The Town Engineer shall make a determination as to whether sufficient capacity is available to accommodate the proposed development. In making this determination, the Town Engineer shall consider the amount of capacity that has already been allocated, but not yet used.

4.4.3 Waste water

A. Level of Service Standard

Pending the availability of a central waste water collection, transmission and treatment facility, and as

authorized by the Pierson Comprehensive Plan, those standards established by the State of Florida (Chapter 10D-6, Florida Administrative Code) for use of septic tanks and drainfields may be substituted for the specified sanitary sewer level of service standard.

B. Determination of Project Impact

The waste water collection, transmission and treatment facility capacity required by a proposed development shall be determined based on the Equivalent Residential Unit (ERU) conversion factors set forth in the following table:

Table IV-3
Sanitary Sewer Service Demand Schedule

Category 1 - Residential Units:

Structures which are intended to be used as living accommodations, including customary accessory uses and structures, shall be considered one (1) ERU for purposes of this Section. Hotel units and other short-term occupancy units are included in this category; however, in reference to these facilities, customary accessory uses and structures shall not include restaurants, lounges and other uses of a commercial character.

Category 2 - General Retail and Churches:

Structures include general retail shops, light commercial establishments and churches, where sanitary facilities are primarily for use by employees or, in the case of churches, are infrequently used. A value of one (1) ERU should be applied to every two thousand (2,000) square feet of building floor area, with a minimum requirement of one (1) ERU per structure. The following are examples of such uses:

- a. Retail Stores
- b. Banks and Savings and Loans
- c. Barber and Beauty Shops
- d. Professional Offices
- e. Grocery Stores
- f. Convenience Stores (without gas pumps)
- g. Churches

Category 3 - Commercial:

Establishments include service stations and convenience stores with gas pumps and other structures where sanitary facilities are primarily for use by customers or patrons. A value of one (1) ERU per establishment. The following are examples of such uses:

- a. Convenience Stores with Gas Pumps
- b. Automobile Service Stations

Category 4 - Institutional/Recreational Facilities:

Public meeting places or gathering establishments, educational, recreational and health-related facilities. A value of one (1) ERU is applicable for every one thousand (1,000) square feet of building floor are, with a minimum requirement of one (1) ERU per establishment. The following are examples of such uses:

- a. Schools

- b. Clubs
- c. Nursing Homes
- d. Hospitals - Health Care Facilities
- e. Auditoriums
- f. Movie Theaters
- g. Health and Fitness Centers
- e. Meeting and Banquet Rooms
- f. Parks (building floor area is for restroom facilities)

Category 5 - Food Service:

All establishments involved mainly in the preparation and serving of food and/or beverages on site for public consumption. A value of two and one-half (2.5) ERU per one thousand (1,000) square feet of building floor area is applicable, with a minimum requirement of two and one-half (2.5) ERUs per establishment. This category calculation accommodates both sanitary facilities for public use (i.e., restrooms) and water and waste water capacity requirements or food/beverage preparation and clean-up. The following are examples of such uses:

- a. Restaurant/Cafeteria
- b. Carry-out Restaurant
- c. Fast Food Restaurant
- d. Bars and Lounges

Category 6 - Warehousing and Storage Facilities:

Warehouses and storage facilities where sanitary facilities are used primarily by employees. . A rate of one (1) ERU for the first two thousand (2,000) square feet of building floor area, plus one (1) additional ERU for every four thousand (4,000) square feet over the first two thousand (2,000) shall be applicable. A minimum of one (1) ERU per structure is required. This rate applies only to sanitary facilities provided for domestic use and does not include process-related waste water generation.

Category 7 - High Waste Water Generating Uses:

Those establishments with an expected high waste water generation. Examples and applicable waste water generation rates are shown below. One (1) ERU shall be added to the total facility use calculation for sanitary facilities for employee and customer use.

- a. Commercial Laundry19 ERU per one thousand (1,000) square feet of building floor area
- b. Self Service Laundry1.33 ERU per washing machine
- c. Car Washes.....3.2 ERU per wash bay

Category 8 - Other Cases:

Facilities whose waste water flows differ significantly from those included in Categories 1 through 7. These facilities must be considered on an individual basis. Waste water generation will be determined based on estimates supplied by the developer. All such estimates must be accompanied by documented supporting evidence.

Rules of Interpretation: The rules of interpretation applicable to Table IV-2 shall also apply to Table IV-3.

C. Concurrency Evaluation:

The Town Engineer shall make a determination as to whether sufficient capacity is available to accommodate the proposed development. In making this determination, the Town Engineer shall consider the amount of capacity that has already been allocated, but not yet used.

4.4.4 Drainage System

No development shall be approved unless there is sufficient available capacity to sustain the following levels of service for the drainage system as established in the Drainage Sub-element of the Town's Comprehensive Plan.

A. Level of Service Standard:

1. The discharge hydrograph produced for the newly developed or redeveloped site shall not exceed, in terms of peak flow and total volume, the hydrograph produced by conditions existing before development or redevelopment for a twenty-four hour, twenty-five-year frequency storm. However, the first one inch of rainfall for each storm falling on all areas caused by or resulting from the project shall be retained on site. In addition, the cumulative impact of the outflow hydrograph on downstream flow shall be considered. Run-off rates and volumes resulting from the project in excess of existing amounts, shall be accommodated on site.
2. For existing development, treatment of the first inch of run-off shall be required on sites of less than 100 acres, and the first one-half inch shall be treated on sites of 100 acres or more.
3. The amount of pollutants in stormwater discharged into a natural surface water body shall be reduced to a level meeting the Florida Water Quality Standards found in Chapter 17-3, Florida Administrative Code.

B. Concurrency Evaluation:

In order to meet the level of service standard for drainage, the developer shall demonstrate that the proposed development complies with the requirements of Article VII.

4.4.5 Solid Waste

A. Level of Service Standard:

The level of service standard for solid waste is 8.6 lbs. per capita per day.

B. Concurrency Evaluation:

The developer shall be required to obtain a letter of approval for the proposed development from the Volusia County Department of Public Works. Such letter shall clearly state that sufficient capacity is available in the County's landfill to satisfy the projected demand of the development in question. In lieu of a letter pertaining to an individual development, the Town may receive in advance from Volusia County a reservation of capacity sufficient to accommodate more than one development. In such case, the Town Engineer shall make a determination as to whether sufficient capacity is available to accommodate the proposed development. In making this determination, the Town Engineer shall consider the amount of capacity that has already been allocated, but not yet used.

4.4.6 Parks and Recreation Facilities

A. Level of Service Standard:

<u>Type of Park Facility</u>	<u>Level of Service</u>
Community Park	1 acre/1,000 population
Neighborhood Park	1 acre/1,200 population

B. Determination of Project Impact:

The impact of a proposed development on available capacity shall be determined as follows:

1. Area of Impact: The area of impact of the development shall be the entire area under the Town's jurisdiction.
2. Demand Generated by the Residential Development: Only residential development shall be considered to generate a demand for parks and recreation facilities. Facilities intended for short-term occupancy, including motels, shall not be considered to generate demand for parks and recreation facilities.
3. Generation Rates: For purposes of this section, each residential dwelling unit shall be considered to contain 2.34 persons (excludes non-resident population).

C. Determination of Park Capacity:

The maximum resident population that can be accommodated by existing parks at the adopted level of service standard shall be determined by multiplying the number of acres of existing parks by the applicable level of service standard. The adopted Comprehensive Plan shall be the source of existing park acreage.

D. Determination of Background Demand:

Background demand shall be determined by adding together existing resident population as reported in the latest available estimates from the University of Florida, Bureau of Economic and Business Research (BEBR) added to the population anticipated to occupy dwelling units which have been approved, but which are not yet reflected in the BEBR resident population estimate. The Development Regulations Administrator shall maintain a record of background demand, and shall provide such information on request.

E. Determination of Available Capacity:

Available capacity shall be determined by subtracting background demand from total park capacity.

This figure was derived by multiplying 120 gallons per capita per day (the level of service standard set forth in the Comprehensive Plan) by 2.34 persons per household.