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**RE: Madeira Beach Impact Fee Evaluation**

**The City of Madeira Beach’s Mobility Fee**

The City of Madeira Beach’s mobility fee is calculated based on the Level of Service (LOS) ratio of improved municipal mobility assets to total building area. In other words, the fee determines a development’s proportionate share of the replacement cost of existing mobility assets. The service area is limited to the municipal limits of the City of Madeira Beach. Although the City’s mobility fee is calculated based on the replacement cost of existing assets, the collected fees are used to fund mobility facilities and service improvements identified in the Comprehensive Plan’s Capital Improvement Program Schedule of Capital Improvements. The City of Madeira Beach’s mobility fee is a flat rate per square foot, across all land use types.

The Madeira Beach mobility fees for two hypothetical developments are shown in **Table 1**.

*Table 1. Madeira Beach Hypothetical Development Fee*

Land Use	Fee	Size	Cost
Single-Family Dwelling Unit	\$2.88 per sq. ft.	2,000 sq. ft.	\$5,760
Shopping Center	\$2.88 per sq. ft.	60,000 sq. ft.	\$172,800

**Pinellas County’s Impact Fee**

The Pinellas County Impact Fee is calculated based on the cost to construct one lane-mile of roadway. The fees are proportionate to the Institute of Transportation Engineers (ITE) trip generation rates by land use, to reflect each land use’s unique impact on the County’s transportation infrastructure. The service area encompasses the entirety of Pinellas County, including all municipalities and unincorporated areas. Half of the impact fees collected by these municipalities are required to be returned to Pinellas County (“county share”), which will then be used to fund transportation improvement projects within the district in which they are collected. There are thirteen impact fee districts across the county, as shown on the next page in **Figure 1**. The other half of the impact fees collected by the county (“municipal share”) are kept by the municipality in which they are collected and are used to fund transportation improvement projects within that municipality.

The Pinellas County impact fees for two hypothetical developments are shown in **Table 2**.

*Table 2. Pinellas County Hypothetical Development Fee*

Land Use	Fee	Size	Cost
Single-Family Dwelling Unit	\$1,679 per dwelling unit	2,000 sq. ft.	\$1,679
Shopping Center	\$3,396 per 1,000 sq. ft.	60,000 sq. ft.	\$203,760

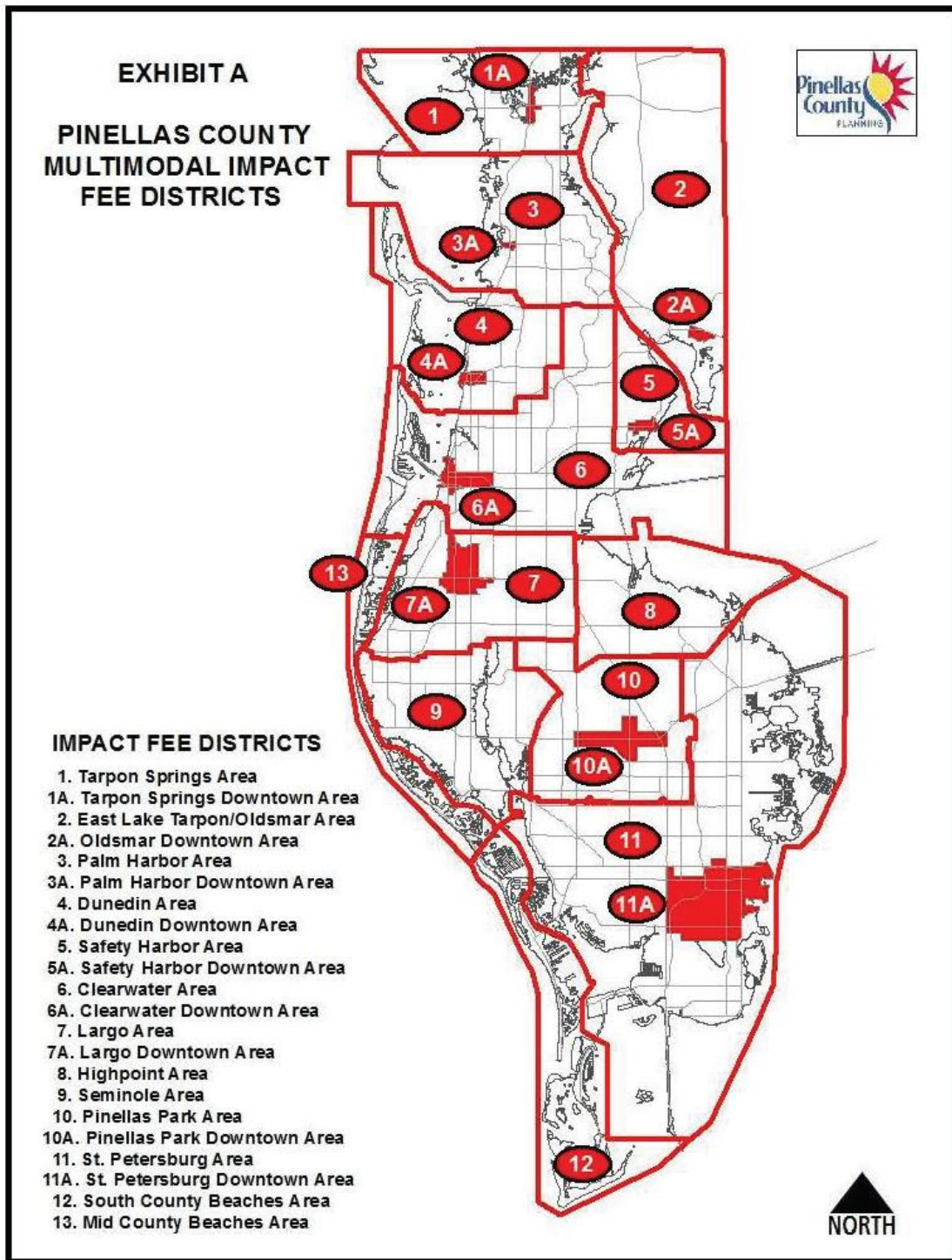


Figure 1. Pinellas County Multimodal Impact Fee Districts

## Comparing the Two Fees

Although both the City of Madeira Beach's mobility fee and Pinellas County's impact fees fund transportation improvement projects, the City of Madeira Beach's mobility fee funds specific projects in the City's Capital Improvement Program, whereas Pinellas County's impact fees are used for transportation improvement projects but not necessarily specific projects listed in the county's or a municipality's Capital Improvements Program. Generally, the two fees have different funding priorities (Capital Improvement Program projects vs. capacity expansion projects) but there are types of projects, such as bicycle and pedestrian facilities, that are eligible for funding under both fees.

## What does this mean for the City of Madeira Beach?

Based on review of the city's mobility fee, the county's impact fee, the 2025 interlocal agreement, and the applicable Florida Statutes, it is recommended that the city discontinue its mobility fee and continue to collect and administer only the county's transportation impact fees. While Florida Statute 163.3180(5)(j) allows both fees to exist simultaneously provided that an interlocal agreement is in place to prevent double charging, there are two main issues with the city's mobility fee moving forward. First, the overlap in the types of projects that are eligible for funding under each fee does not appear to support the city's position that it is charging new developments for transportation-related impacts that are not already covered under the county's impact fees. Second, Florida Statute 163.3180(5)(j)(2)(b) requires interlocal agreements between a county and a municipality establish a plan-based methodology for determining the legally permissible fee. The methodology used to determine the city's mobility fee is not plan-based but rather is based on the replacement cost of existing municipal mobility assets. If the city desires to move forward with its mobility fee, the methodology and interlocal agreement need to be overhauled to comply with this statutory requirement.

Given that Forward Pinellas is already working to update the county's fee to a plan-based methodology, relying solely on the county's impact fees is the more defensible and cost-effective path. The county's current impact fee methodology is more clearly tied to capacity expansion necessitated by new development, is coordinated countywide through the interlocal agreement, and the update will likely meet the plan-based methodology requirements of current law.

*Disclaimer: This analysis reflects the author's professional opinion as a transportation engineer and does not constitute legal advice.*

Sincerely,



Mike Woodward, PE