

Lee County Land Development Code, Section 2-275, the following documents must be submitted to support an application for road impact fee credits applicable to land dedication for approved roads:

1.
 - *A signed and sealed ALTA survey prepared by a licensed professional surveyor and mapper and certified to the county, encompassing the land to be dedicated to the county and covered by the title insurance policy;*
2.
 - *A specimen of the deed that will be used to convey title to the appropriate governmental body;*
3.
 - *An ALTA Form B title insurance policy in an amount equal to the approved value of the credits, to be issued by a company satisfactory to the county attorney and verifying that the proffered deed will convey unencumbered fee simple title to the appropriate governmental body;*
4.
 - *Property appraisals prepared by qualified professionals that appraise the road as part of the whole development of regional impact, planned development or parent parcel; and*
5.
 - *A document from the tax collector stating the current status of the property taxes.*
6.
 - *An affidavit of interest in real property in accord with F.S. § 286.23. The affidavit must certify to Lee County the name and address of every person having a beneficial interest in the real property, however small or minimal. The disclosure affidavit must specifically identify the property to be conveyed and be sworn before a notary.*

These submittals will be reviewed by the county manager in making the decision to approve credits or to make a recommendation to the Board of County Commissioners.

Except where a dedication is made pursuant to a condition of zoning approval or development of regional impact development order, the appraiser must value the land at its current zoning without any enhanced value that could be attributed to improvements on the parent parcel. If the land in question is subject to a valid agreement, zoning approval or development order prescribing a different valuation, that document will control the date of valuation. If the dedication is made pursuant to a condition of zoning or other development approval and is not a site-related improvement and the condition does not specifically prescribe otherwise, then the land value will be based upon the value of the land as it existed prior to the approval containing the condition of dedication. The county manager retains the right to independently determine the amount of credit to be approved or recommended by securing other property appraisals for right-of-way dedications.

Credit for dedication of right-of-way will be limited to the minimum amount of right-of-way needed by Lee County DOT. Credit for class 1 and class 2 roads will be given for the full value of the land in question, as determined by the methodology and procedures set out in this subsection. Credit for dedication of right-of-way for class 3 roads may be given by the Board of County Commissioners on a case-by-case basis if the Board finds that: (1) the dedication will not increase public infrastructure costs to serve the new development, and (2) the granting of credits will not significantly affect future roads impact fee collections within the roads impact fee benefit district in which the credit is created.

The amount of credit approved by the Board is limited to the value of the land in question, as determined by the methodology and procedures set out in this subsection, and may be reduced by the percentage the capacity of the road in question is reasonably expected to be utilized by local traffic from future development on adjacent lands owned or controlled by the grantor. This amount may be further reduced, at

the Board's discretion, to reflect the Board's estimate of the value of the accelerated acquisition of the road in relation to the county's schedule of planned road construction. In every case, roads impact fee credits must be calculated consistent with F.S. § 380.06(16).