

[(b) (1)] (2) (I) 1. [The] AFTER A PUBLIC HEARING, THE COUNTY COMMISSIONERS SHALL ANNUALLY SET THE costs to be compensated by the land owner or owners [shall be determined annually by the County Commissioners after a public hearing].

2. THE COSTS ASSESSED UNDER THIS SUBSECTION MAY NOT EXCEED \$5,000 PER RESIDENTIAL UNIT.

(II) 1. Proportionate division and provisions for payment of these costs shall be made according to reasonable schedules approved by the County Commissioners.

2. THE PAYMENT SCHEDULES SHALL REFLECT THE IMPACT OF THE DEVELOPMENT OVER TIME AND PROVIDE FOR THE TIMELY ACQUISITION OF LAND AND OTHER FACILITIES BY THE COUNTY, THE STATE, OR THE LAND OWNER, AS NEEDED TO SERVE THE RESIDENTS OF THE DEVELOPMENT. [However, in no case may this exceed \$5,000 per unit.]

[(2) (i)] (III) 1. [The] EACH YEAR, BEFORE THE PUBLIC HEARING TO SET THE IMPACT FEES, THE County Commissioners shall conduct [an annual] A study to determine the reasonableness of [these costs before] THE FEES TO BE PROPOSED AT the public hearing.

[(ii)] 2. The study shall include an analysis of the effect of the impact [fee] FEES on the cost of housing in the County.

3. The analysis shall be made available to the public at the time of the public hearing.

[(iii)] (IV) Any new or increased [costs] IMPACT FEES may not take effect until at least 90 days after the public hearing.

[(3) These schedules shall reflect the impact of the development over time and provide for the timely acquisition of land and other facilities by the County, State, or the land owners, as the case may be, designed to serve residents of the development.]

[(4)] (V) 1. [Up to] THE COUNTY COMMISSIONERS MAY REQUIRE THAT NOT EXCEEDING 20% of any fee imposed [under this section] for any residential dwelling unit UNDER THIS SUBSECTION [may be required to] be paid [at] ON or after the approval of a preliminary subdivision plan for lots that include the residential dwelling unit.

2. The LANDOWNER SHALL PAY THE balance of the fee [shall be paid] before the [issuance of] COUNTY COMMISSIONERS MAY ISSUE the occupancy permit for the residential dwelling unit.

[(c)] (3) (I) [Moneys] THE COUNTY COMMISSIONERS SHALL PLACE THE IMPACT FEES received by the County [for compensation] under this [section shall be placed] SUBSECTION in a [separate] SPECIAL fund.