

1 **Staff Summary**

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3 This ordinance amends Chapter 22, Lake County Code, Sections 22-21, 22-22 and 22-37
4 regarding Educational and Transportation Impact Fees. This ordinance will adopt the most
5 recent Impact Fee Study prepared by Henderson Young & Company, dated June 7, 2011, and
6 would re-impose the educational impact fees at twenty-five percent (25%) of the amount shown
7 in the Study. The suspension of impact fees shall be extended through January 12, 2014 for both
8 educational and transportation impact fees, and the educational impact fees and transportation
9 impact fees will become effective on January 13, 2014.

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12 **ORDINANCE NO. 2013 - ____**

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14 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE**
15 **COUNTY, FLORIDA; AMENDING SECTION 22-21, LAKE COUNTY CODE,**
16 **ENTITLED “LEGISLATIVE FINDINGS,” TO ADOPT THE EDUCATIONAL IMPACT**
17 **FEE STUDY DATED JUNE 7, 2011; AMENDING SECTION 22-22, LAKE COUNTY**
18 **CODE, EXTENDING THE SUSPENSION OF EDUCATIONAL IMPACT FEES**
19 **THROUGH JANUARY 12, 2014; RE-IMPOSING THE EDUCATIONAL IMPACT FEES**
20 **AT 25% OF THE RATE RECOMMENDED IN THE IMPACT FEE STUDY**
21 **EFFECTIVE JANUARY 13, 2014; AMENDING SECTION 22-37(a), LAKE COUNTY**
22 **CODE, REGARDING TRANSPORTATION IMPACT FEES, TO EXTEND THE**
23 **SUSPENSION DATE THROUGH JANUARY 12, 2014; PROVIDING FOR**
24 **SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR**
25 **FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN**
26 **EFFECTIVE DATE.**

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28 **WHEREAS**, Chapter 22 of the Lake County Code imposes impact fees for
29 Transportation, Educational Facilities, Parks, Libraries and Fire; and

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31 **WHEREAS**, the Board of County Commissioners wishes to stimulate the local economy
32 by encouraging economic development and promoting job creation through the suspension of
33 educational impact fees; and

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35 **WHEREAS**, educational and transportation impact fees are applicable to all residential
36 and multi-family development, and can be a substantial component of a developer’s total
37 development costs; and

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39 **WHEREAS**, in Ordinance No. 2013-14, the Board extended the suspension of the
40 collection of educational impact fees until December 31, 2013; and

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42 **WHEREAS**, in Ordinance No. 2013-7 and 2013-42, the Board did re-impose
43 transportation impact fees to be effective January 1, 2014; and

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45 **WHEREAS**, the Board has determined that it is in the best interests of the County to
46 impose both the transportation and educational impact fees on the same date; and

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(b) Effective January 13, 2014, All all residential construction occurring within the county, both within the unincorporated area and within the municipalities, shall pay the following educational system impact fees:

Single-family detached house, per dwelling unit	\$ 9,324.00 <u>2,573.10</u>
Multi-family dwelling unit	5,689.00 <u>1,545.25</u>
Mobile home, per dwelling unit	3,297.00 <u>845.50</u>

Section 4. Amendment. Section 22-37(a), Lake County Code, regarding Transportation Impact Fees, shall be amended to read as follows:

Sec. 22-37. Imposition.

(a) The imposition of transportation impact fees on new development shall be suspended for a period beginning on March 2, 2010 and extending through ~~December 31, 2013~~ January 12, 2014. The suspension shall not apply to prepayments, concurrency reservation accounts, deferral agreements unless the agreement specifically allows, or the use of impact fee credits. Effective ~~January 1, 2014~~ January 13, 2014, ~~the suspension of transportation impact fees shall end and fees shall be collected as provided herein.~~

{All other subsections shall remain unchanged}

Section 5. Severability. If any section, sentence, clause, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance.

Section 6. Inclusion in the Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 7. Filing with the Department of State. The clerk shall be and is hereby directed forthwith to send a certified copy of this Ordinance to the Secretary of State for the State of Florida.

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Section 8. **Effective.** This Ordinance shall become effective upon filing with the Secretary of State.

Enacted this _____ day of _____, 2013.

Filed with the Secretary of State _____, 2013.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

Neil Kelly, Clerk of the
Board of County Commissioners
of Lake County, Florida

Leslie Campione, Chairman

This _____ day of _____, 2013.

Approved as to form and legality:

Sanford A. Minkoff
County Attorney