

1 **Summary of Ordinance**

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3 The purpose of this ordinance is to establish a higher Transportation Impact Fee rate in the South
4 Transportation Benefit District effective January 1, 2014.

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7 **ORDINANCE NO. 2013 - _____**

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9 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE**
10 **COUNTY, FLORIDA; AMENDING SECTION 22-37, ARTICLE III, LAKE COUNTY**
11 **CODE, ENTITLED TRANSPORTATION IMPACT FEES; PROVIDING FOR THE**
12 **ESTABLISHMENT OF A HIGHER TRANSPORTATION IMPACT FEE RATE FOR**
13 **THE SOUTH TRANSPORTATION BENEFIT DISTRICT TO BE EFFECTIVE**
14 **JANUARY 1, 2014; PROVIDING FOR SEVERABILITY; PROVIDING FOR**
15 **INCLUSION IN THE CODE; PROVIDING FOR FILING WITH THE DEPARTMENT**
16 **OF STATE; AND PROVIDING AN EFFECTIVE DATE.**

17
18 **WHEREAS**, Chapter 22 of the Lake County Code imposes impact fees for
19 Transportation, Educational Facilities, Parks, Libraries and Fire; and

20 **WHEREAS**, the Board of County Commissioners did in Ordinance 2012-3 suspend the
21 collection of transportation impact fees until March 1, 2013; and

22 **WHEREAS**, the County did have prepared an updated transportation impact fee study to
23 evaluate and propose reasonable and appropriate transportation impact fee rates; and

24 **WHEREAS**, such study has been calculated based on the most recent and localized data;
25 and

26 **WHEREAS**, on February 12, 2013, the Board enacted Ordinance 2013-7 which extended
27 the suspension on collection of transportation impact fees until December 31, 2013; reinstated
28 the collection of impact fees effective January 1, 2014; adopted the updated Transportation
29 Impact Fee Study; and reduced the number of impact fee districts from six (6) to three (3); and

30 **WHEREAS**, the Board now finds it is in the best interests of the citizens of Lake County
31 to make this change to the Lake County Code.

32 **NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of
33 Lake County, Florida, that:

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35 **Section 1. Recitals.** The foregoing recitals are true and correct and incorporated
36 herein by reference.

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38 **Section 2. Amendment.** Chapter 22 Article III, Transportation Impact Fees, Section
39 22-37 of the Lake County Code, is hereby revised to read as follows:

1 **Sec. 22-37. - Imposition.**

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

8 (b) Transportation impact fees for the North and Central Benefit Districts shall be determined as
 9 follows:

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Lake County Transportation Impact Fee Schedule <u>North and Central Benefit Districts</u>		
Category	Unit	Fee
Single-Family		
Less than 1,500	Dwelling	\$375
1,500 to 2,499 sf	Dwelling	\$500
2,500 sf or greater	Dwelling	\$590
Multi-Family	Dwelling	\$229
Mobile Home Park	Space	\$143
Active Adult Community	Dwelling	\$182
Lodging	Room	\$242
Retail/Commercial	1,000 sf	\$569
Office	1,000 sf	\$485
Industrial/Manufacturing	1,000 sf	\$278
Warehousing	1,000 sf	\$259
Mini-Warehouse	1,000 sf	\$66
Public/Institutional	1,000 sf	\$150
Source - Duncan/Associates, Updated as of January 2013.		

12 sf = square foot

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1 (c) Transportation impact fees for the South Benefit District shall be determined as follows:

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<u>Lake County Transportation Impact Fee Schedule</u> <u>South Benefit District</u>		
<u>Category</u>	<u>Unit</u>	<u>Fee</u>
<u>Single-Family</u>		
<u>Less than 1,500</u>	<u>Dwelling</u>	<u>\$2,032</u>
<u>1,500 to 2,499 sf</u>	<u>Dwelling</u>	<u>\$2,706</u>
<u>2,500 sf or greater</u>	<u>Dwelling</u>	<u>\$3,194</u>
<u>Multi-Family</u>	<u>Dwelling</u>	<u>\$1,240</u>
<u>Mobile Home Park</u>	<u>Space</u>	<u>\$776</u>
<u>Active Adult Community</u>	<u>Dwelling</u>	<u>\$985</u>
<u>Lodging</u>	<u>Room</u>	<u>\$1,311</u>
<u>Retail/Commercial</u>	<u>1,000 sf</u>	<u>\$3,080</u>
<u>Office</u>	<u>1,000 sf</u>	<u>\$2,623</u>
<u>Industrial/Manufacturing</u>	<u>1,000 sf</u>	<u>\$1,505</u>
<u>Warehousing</u>	<u>1,000 sf</u>	<u>\$1,403</u>
<u>Mini-Warehouse</u>	<u>1,000 sf</u>	<u>\$359</u>
<u>Public/Institutional</u>	<u>1,000 sf</u>	<u>\$812</u>
<u>Source - Duncan/Associates, Updated as of January 2013 adopted as seventy percent (70%) of recommended rates.</u>		

4 sf = square foot

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7 **Section 4. Severability.** If any section, sentence, clause, or phrase of the Ordinance

8 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding

9 shall in no way affect the validity of the remaining portion of this Ordinance.

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11 **Section 5. Inclusion in the Code.** It is the intent of the Board of County

12 Commissioners that the provisions of this Ordinance shall become and be made a part of the

13 Lake County Code and that the sections of this Ordinance may be renumbered or relettered and

14 the word "ordinance" may be changed to "section," "article," or such other appropriate word or

15 phrase in order to accomplish such intentions.

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1 **Section 6. Filing with the Department of State.** The clerk shall be and is
2 hereby directed forthwith to send a certified copy of this Ordinance to the Secretary of State for
3 the State of Florida.

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5 **Section 7. Effective.** This Ordinance shall become effective upon filing with the
6 Secretary of State.

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9 Enacted this _____ day of _____, 2013.

10
11 Effective _____, 2013.

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16 ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

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20 _____
21 Neil Kelly, Clerk of the
22 Board of County Commissioners
23 of Lake County, Florida

Leslie Campione, Chairman

24 This _____ day of _____, 2013.

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29 Approved as to form and legality:

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33 _____
34 Sanford A. Minkoff
35 County Attorney