

ORDINANCE NO.: 2012 - 13

AN ORDINANCE AMENDING CHAPTER 23, ARTICLE III OF THE HERNANDO COUNTY CODE OF ORDINANCES RELATING TO IMPACT FEES; AMENDING IMPACT FEE SCHEDULES IN SECTIONS 23-46 (FIRE/EMS), 23-69 (EDUCATIONAL FACILITIES), 23-91 (CAPITAL FACILITIES), 23-114 (PARKS), 23-138 (ROADS), TO PROVIDE FOR A NINETY (90) DAY DELAY (FROM NOVEMBER 15, 2012 TO FEBRUARY 13, 2013) IN THE RESTORATION OF IMPACT FEE RATES; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

FILED
OCT 26 2012
11:52 AM
CLERK OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

WHEREAS, Ordinance 2011-20 extended the suspension of certain impact fees, such that fees would be restored effective on November 15, 2012; and

WHEREAS, the Hernando County School Board and the Hernando County Board of County Commissioners have scheduled a workshop on October 30, 2012 to discuss impact fee issues, including the possible extension or expiration of the suspension of such fees; and

WHEREAS, the Hernando County Board of County Commissioners desires to extend the suspension of fees by ninety (90) days to facilitate the drafting and advertisement of an ordinance amendment which will incorporate input from the School District at the October 30, 2012, workshop.

NOW THEREFORE:

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA:

SECTION I. Hernando County Code of Ordinances, Section 23-46 (*Computation of the amount of fire protection and emergency medical services impact fee*) is hereby amended to reflect a ninety day delay from November 15, 2012 to February 13, 2013 in restoration of impact fee rates as more precisely delineated with strike-through and underlined text on the Schedule set forth in Exhibit A, attached hereto and made a part hereof by this reference:

SECTION II. Hernando County Code of Ordinances, Section 23-69 (*Computation of the amount of educational facilities impact fee*) is hereby amended to reflect a ninety day delay from November 15, 2012 to February 13, 2013 in restoration of impact fee rates as more precisely delineated with strike-through and underlined text on the Schedule set forth in Exhibit B, attached hereto and made a part hereof by this reference:

SECTION III. Hernando County Code of Ordinances, Section 23-91 (*Computation of the amount of public capital facilities impact fee*) is hereby amended to reflect a ninety day delay from November 15, 2012 to February 13, 2013 in restoration of impact fee rates as more precisely

1 delineated with strike-through and underlined text on the Schedule set forth in Exhibit C, attached
2 hereto and made a part hereof by this reference:

3
4 **SECTION IV.** Hernando County Code of Ordinances, Section 23-114 (*Computation of the amount*
5 *of parks impact fee*) is hereby amended to reflect a ninety day delay from November 15, 2012 to
6 February 13, 2013 in restoration of impact fee rates as more precisely delineated with strike-through
7 and underlined text on the Schedule set forth in Exhibit D, attached hereto and made a part hereof
8 by this reference:

9
10 **SECTION V.** Hernando County Code of Ordinances, Section 23-138 (*Computation of the amount*
11 *of road impact fee*) is hereby amended to reflect a ninety day delay from November 15, 2012 to
12 February 13, 2013 in restoration of impact fee rates as more precisely delineated with strike-through
13 and underlined text on the Schedule set forth in Exhibit E, attached hereto and made a part hereof by
14 this reference:

15
16 **SECTION VI. APPLICABILITY.** This Ordinance shall be applicable throughout Hernando
17 County.

18
19 **SECTION VII. SEVERABILITY.** It is declared to be the intent of the Board of County
20 Commissioners that if any section, subsection, clause, sentence, phrase, or provision of this
21 ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the
22 validity of the remaining portions of this ordinance.

23
24 **SECTION VIII. CONFLICTING PROVISIONS.** Special acts of the Florida Legislature
25 applicable only to unincorporated areas of Hernando County, Hernando County ordinances, County
26 resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance
27 to the extent of such conflict except for ordinances concerning either adoption or amendment of the
28 Comprehensive Plan, pursuant to Chapter 163, part II, Florida Statutes.

29
30 **SECTION IX. REMAINDER.** All sections, subsections, clauses, sentences, phrases, and
31 provisions of Chapter 23, Article III, Division 1, of the Hernando County Code of Ordinances not
32 amended herein shall stay the same and remain in full force and effect until amended, repealed or
33 otherwise acted upon by the Board of County Commissioners.

34
35 **SECTION X. FILING WITH THE DEPARTMENT OF STATE.** The clerk shall be and is
36 hereby directed forthwith to send a certified copy of this ordinance to the Bureau of Administrative
37 Code, Department of State, R.A. Gray Bldg., Room 101, 500 S. Bronough Street, Tallahassee, FL
38 32399-0250.

39
40 **SECTION XI. INCLUSION IN CODE.** It is the intention of the Board of County
41 Commissioners of Hernando County, Florida, and it is hereby provided, that the provisions of this
42 Ordinance shall become and be made a part of the Code of Ordinances of Hernando County,
43 Florida. To this end, any section or subsection of this Ordinance may be renumbered or re-lettered
44 to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or
45 other appropriate designation. Section VI through Section XII need not be codified.

1 SECTION XII. EFFECTIVE DATE. This ordinance shall take effect immediately upon filing
2 with the Department of State.
3

4
5 DULY PASSED AND ADOPTED IN REGULAR SESSION THIS 13th DAY OF
6 November, 2012
7

8
9 BOARD OF COUNTY COMMISSIONERS
10 HERNANDO COUNTY, FLORIDA
11

12
13 Attest: Genine Miner, Deputy Clerk
14 DEN NICOLAI, CLERK Wayne D. Duke
15 WAYNE DUKES, CHAIRMAN
16



17
18 Approved to Form and
19 Legitimacy
20 By: Richard Gill
21 Assistant County Attorney
22
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**EXHIBIT A
SECTION 23-46**

SCHEDULE OF FIRE AND EMS IMPACT FEES

Land Use Type	Spring Hill Fire <u>See footnote 2</u>		Hernando Beach		Hernando County		Hernando County EMS		City of Brooksville							
	effective 11-15-11	effective 11-15-12 2-13-13	effective 11-15-11	effective 11-15-12 2-13-13	effective 11-15-11	effective 11-15-12 2-13-13	effective 11-15-11	effective 11-15-12 2-13-13	effective 11-15-11	effective 11-15-12 2-13-13						
Residential, per unit:	See footnote 1		See footnote 1		See footnote 1		See footnote 1		See footnote 1							
Single-family, detached	\$128.00	\$0.00	\$128.00	\$211.00	\$0.00	\$211.00	\$211.00	\$0.00	\$211.00	\$18.00	\$0.00	\$18.00	\$202.00	\$0.00	202.00	
Single-family, attached	98.00	0.00	98.00	161.00	0.00	161.00	161.00	0.00	161.00	14.00	0.00	14.00	154.00	0.00	154.00	
Multifamily, 1 & 2 story	101.00	0.00	101.00	167.00	0.00	167.00	167.00	0.00	167.00	14.00	0.00	14.00	159.00	0.00	159.00	
Multifamily 3 story & up	107.00	0.00	107.00	175.00	0.00	175.00	175.00	0.00	175.00	14.00	0.00	14.00	229.00	0.00	229.00	
Mobile home, 1 acre	128.00	0.00	128.00	211.00	0.00	211.00	211.00	0.00	211.00	18.00	0.00	18.00	202.00	0.00	202.00	
Mobile home, other	115.00	0.00	115.00	189.00	0.00	189.00	189.00	0.00	189.00	17.00	0.00	17.00	181.00	0.00	181.00	
Recreational vehicle-lot	62.00	0.00	62.00	102.00	0.00	102.00	102.00	0.00	102.00	9.00	0.00	9.00	98.00	0.00	98.00	
Hotel/motel, 1 & 2 story	62.00	0.00	62.00	102.00	0.00	102.00	102.00	0.00	102.00	9.00	0.00	9.00	98.00	0.00	98.00	
Hotel/motel, 3 story & up	66.00	0.00	66.00	107.00	0.00	107.00	107.00	0.00	107.00	9.00	0.00	9.00	141.00	0.00	141.00	
Residential-Other	128.00	0.00	128.00	211.00	0.00	211.00	211.00	0.00	211.00	18.00	0.00	18.00	202.00	0.00	202.00	
Industrial & warehousing, per 1,000 sq. ft.																
Industrial--Under 30,000 sq. ft.	48.00	0.00	48.00	80.00	0.00	80.00	80.00	0.00	80.00	7.00	0.00	7.00	76.00	0.00	76.00	
Industrial--30,000 sq. ft. and over	51.00	0.00	51.00	83.00	0.00	83.00	83.00	0.00	83.00	7.00	0.00	7.00	110.00	0.00	110.00	
Warehouse--Under 30,000 sq. ft.	35.00	0.00	35.00	59.00	0.00	59.00	59.00	0.00	59.00	5.00	0.00	5.00	56.00	0.00	56.00	
Warehouse--30,000 sq. ft. and over	38.00	0.00	38.00	62.00	0.00	62.00	62.00	0.00	62.00	5.00	0.00	5.00	80.00	0.00	80.00	
Storage--Under 30,000 sq. ft.	20.00	0.00	20.00	34.00	0.00	34.00	34.00	0.00	34.00	3.00	0.00	3.00	32.00	0.00	32.00	
Storage--30,000 sq. ft. and over	22.00	0.00	22.00	35.00	0.00	35.00	35.00	0.00	35.00	3.00	0.00	3.00	47.00	0.00	47.00	
Office, financial, retail & restaurant, per 1,000 sq. ft.																
Medical--Under 30,000 sq. ft.	165.00	0.00	165.00	272.00	0.00	272.00	272.00	0.00	272.00	23.00	0.00	23.00	260.00	0.00	260.00	
Medical--30,000 sq. ft. and over	176.00	0.00	176.00	286.00	0.00	286.00	286.00	0.00	286.00	23.00	0.00	23.00	374.00	0.00	374.00	
General--Under 30,000 sq. ft.	96.00	0.00	96.00	158.00	0.00	158.00	158.00	0.00	158.00	14.00	0.00	14.00	152.00	0.00	152.00	
General--30,000 sq. ft. and over	103.00	0.00	103.00	167.00	0.00	167.00	167.00	0.00	167.00	14.00	0.00	14.00	218.00	0.00	218.00	
Retail--Under 30,000 sq. ft. and 36 ft.	187.00	0.00	187.00	308.00	0.00	308.00	308.00	0.00	308.00	27.00	0.00	27.00	294.00	0.00	294.00	
Retail--30,000 sq. ft. or 36 ft. and over	199.00	0.00	199.00	323.00	0.00	323.00	323.00	0.00	323.00	27.00	0.00	27.00	424.00	0.00	424.00	
Restaurant--Under 30,000 sq. ft. and 36 ft.	290.00	0.00	290.00	477.00	0.00	477.00	477.00	0.00	477.00	41.00	0.00	41.00	457.00	0.00	457.00	
Restaurant--30,000 sq. ft. or 36 ft. and over	309.00	0.00	309.00	503.00	0.00	503.00	503.00	0.00	503.00	41.00	0.00	41.00	658.00	0.00	658.00	

1 /The new impact fee rates shall apply to all building permits and certificates of use issued after the stated effective date; building permit and certificate of use applications which are in process but not yet issued shall be subject to the impact fee rates in effect at the time the building permit or certificate of use is actually issued by the county.

2 /These impact fee rates shall apply to Spring Hill Fire until such time the county and Spring Hill Fire enter into an interlocal agreement to provide for the amendment or repeal of this division as pertaining to Spring Hill Fire and which interlocal agreement otherwise complies with the provisions contained in Chapter 2009-261, Laws of Florida, and section 191,009, Florida Statutes, as such section may be amended or renumbered from time to time.

EXHIBIT B
SECTION 23-69

SCHEDULE OF EDUCATIONAL FACILITIES IMPACT FEES

Land Use Type	Impact Fee	Effective ¹	Effective ¹
		11/15/11	11/15/12 <u>2/13/13</u>
Residential:			
Single-family, detached	\$4,266.00	\$0.00	\$4,266.00
Single-family, attached	3,255.00	\$0.00	3,255.00
Multifamily	3,360.00	\$0.00	3,360.00
Mobile home, 1 acre	4,266.00	\$0.00	4,266.00
Mobile home, other	3,822.00	\$0.00	3,822.00
Other residential	4,266.00	\$0.00	4,266.00

¹ /The new impact fee rates shall apply to all building permits issued after the stated effective date; building permits applications which are in process but not yet issued shall be subject to the impact fee rates in effect at the time the building permit is actually issued by the county.

**EXHIBIT C
SECTION 23-91**

SCHEDULES OF CAPITAL FACILITIES IMPACT FEES

Land Use Type	Library		Buildings		Law Enforcement	
	Effective ¹ 11/15/11	Effective ¹ 11/15/12 2/13/13	Effective ¹ 11/15/11	Effective ¹ 11/15/12 2/13/13	Effective ¹ 11/15/11	Effective ¹ 11/15/12 2/13/13
Residential:						
Single-family, detached	\$154.00	\$0.00	\$154.00	\$362.00	\$0.00	\$99.00
Single-family, detached	118.00	0.00	118.00	276.00	0.00	76.00
Multifamily	122.00	0.00	122.00	285.00	0.00	78.00
Mobile home, 1 acre	154.00	0.00	154.00	362.00	0.00	99.00
Mobile home, other	138.00	0.00	138.00	324.00	0.00	89.00
Recreational vehicle lot	0.00	0.00	0.00	176.00	0.00	48.00
Hotel/motel--room	0.00	0.00	0.00	176.00	0.00	48.00
Residential--Other	154.00	0.00	154.00	362.00	0.00	99.00
Industrial and warehousing, per 1,000 square feet:						
Industrial*	0.00	0.00	0.00	136.00	0.00	37.00
Warehouse*	0.00	0.00	0.00	101.00	0.00	28.00
Storage*	0.00	0.00	0.00	58.00	0.00	16.00
Office, financial, retail and restaurant, per 1,000 square feet						
Medical*	0.00	0.00	0.00	467.00	0.00	128.00
General*	0.00	0.00	0.00	272.00	0.00	74.00
Retail*	0.00	0.00	0.00	527.00	0.00	145.00
Restaurant*	0.00	0.00	0.00	819.00	0.00	225.00
*Indicates square feet of gross building area						

¹ /The new impact fee rates shall apply to all building permits and certificates of use issued after the stated effective date: building permit and certificate of use applications which are in process but not yet issued shall be subject to the impact fee rates in effect at the time the building permit or certificate of use is actually issued by the county.

EXHIBIT D
SECTION 23-114

PARKS IMPACT FEE SCHEDULE

Land Use Type (Unit)	Fee per Unit	Effective ¹	Effective ¹
		11-15-11	11-15-12 <u>2-13-13</u>
Single-family, detached	\$501.00	\$0.00	\$501.00
Single-family, attached	382.00	0.00	382.00
Multifamily	395.00	0.00	395.00
Mobile home--1 acre lot	501.00	0.00	501.00
Mobile home--Other	449.00	0.00	449.00
Recreation vehicle--Lot	182.00	0.00	182.00
Hotel/motel--Room	182.00	0.00	182.00
Other residential	501.00	0.00	501.00

¹ /The new impact fee rates shall apply to all building permits issued after the stated effective date: building permits applications which are in process but not yet issued shall be subject to the impact fee rates in effect at the time the building permit is actually issued by the county.

EXHIBIT E
SECTION 23-138

SCHEDULE OF ROADS IMPACT FEES

Land Use Type	Fee	Effective ¹	Effective ¹
		11/15/11	11/15/12 <u>2/13/13</u>
Residential:			
Single-family, detached	\$3,627.00	\$0.00	\$3,627.00
Single-family, attached	2,222.00	0.00	2,222.00
Multifamily	2,498.00	0.00	2,498.00
Mobile home--1 acre lot	3,627.00	0.00	3,627.00
Mobile home--Other	1,823.00	0.00	1,823.00
Recreational vehicle--Lot	3,454.00	0.00	3,454.00
Hotel/motel--Room	3,454.00	0.00	3,454.00
Other residential	3,627.00	0.00	3,627.00
Industrial and warehouse, per 1,000 square feet:			
Industrial buildings*	1,838.00	0.00	1,838.00
Warehouse buildings*	1,308.00	0.00	1,308.00
Storage buildings*	644.00	0.00	644.00
Office and financial, per 1,000 square feet:			
Medical offices*	7,316.00	0.00	7,316.00
General offices*	2,567.00	0.00	2,567.00
Retail, per 1,000 square feet*	5,411.00	0.00	5,411.00
Restaurant, per 1,000 square feet*	12,705.00	0.00	12,705.00
*Denotes square feet of gross building area			

¹ /The new impact fee rates shall apply to all building permits and certificates of use issued after the stated effective date; building permit and certificate of use applications which are in process but not yet issued shall be subject to the impact fee rates in effect at the time the building permit or certificate of use is actually issued by the county.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

November 26, 2012

Honorable Karen Nicolai
Clerk of the Circuit Court
Hernando County
Room 131, 20 North Main Street
Brooksville, Florida 34601-2800

Attention: Ms. Ashley Hofecker, Deputy Clerk

Dear Ms. Nicolai:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated November 19, 2012 and certified copies of Hernando County Ordinance Nos. 2012-12 and 2012-13, which were filed in this office on November 26, 2012.

As requested, the date stamped originals are being return for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/elr

Enclosure