

## Ashley Hofecker

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**From:** Bryant, Linda C. <Linda.Bryant@DOS.MyFlorida.com>  
**Sent:** Thursday, May 14, 2015 4:05 PM  
**To:** Ashley Hofecker  
**Cc:** County Ordinances  
**Attachments:** Hernando20150514\_Ordinance2015\_08\_Ack.pdf

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## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

May 14, 2015

Honorable Don Barbee Jr.  
Hernando County Clerk's Office  
20 North Main Street, Rm. 3621  
Brooksville, Florida 34601

Attention: Ashley Hofecker

Dear Mr. Barbee:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hernando County Ordinance No. 2015-08, which was filed in this office on May 14, 2015.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

ORDINANCE NO.: 2015 - 08

1  
2  
3 **AN ORDINANCE AMENDING CHAPTER 23, ARTICLE III, DIVISION 2 OF THE**  
4 **HERNANDO COUNTY CODE OF ORDINANCES RELATING TO IMPACT FEES;**  
5 **AMENDING IMPACT FEE SCHEDULES IN SECTION 23-69 (EDUCATIONAL**  
6 **FACILITIES), TO PROVIDE A REDUCED SCHEDULE EDUCATIONAL**  
7 **FACILITIES IMPACT FEE RATES; PROVIDING FOR THE EFFECTIVE DATE;**  
8 **PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY;**  
9 **PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR FILING WITH**  
10 **THE DEPARTMENT OF STATE; PROVIDING FOR INCLUSION IN THE CODE;**  
11 **PROVIDING FOR AN EFFECTIVE DATE.**

12  
13 **WHEREAS,** Ordinance 2014-7 extended the suspension of certain impact fees, such that fees would  
14 be restored effective on May 9, 2015; and

15  
16 **WHEREAS,** the Hernando County Board of County Commissioners participated with the Hernando  
17 County School District to complete a study to update the impact fee rates for educational facilities; and

18  
19 **WHEREAS,** this study was managed to its completion by the Hernando County School District; and

20  
21 **WHEREAS,** the completed study was presented to and accepted by the Hernando County Board of  
22 County Commissioners at its meeting of February 11, 2014, as the most recent and localized data pursuant to  
23 Chapter 163 F.S.; and

24  
25 **WHEREAS,** the completed study clearly demonstrates that the educational facilities impact fee rate  
26 schedule that was previously suspended by the Hernando County Board of County Commissioners is  
27 supported; and

28  
29 **WHEREAS,** the Hernando County Board of County Commissioners desires to establish a reduced  
30 schedule of impact fee rates for Educational Facilities consistent with the study results; and

31  
32 **WHEREAS,** the Hernando County Board of County Commissioners desires to establish the effective  
33 date of reduced fees for educational facilities for March 1, 2016.

34  
35 **NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS**  
36 **OF HERNANDO COUNTY, FLORIDA:**

37  
38 **SECTION I.** Hernando County Code of Ordinances, Section 23-69 (*Computation of the amount of*  
39 *educational facilities impact fee*) is hereby amended to provide for a reduced schedule of Educational Facilities  
40 rates and establish an effective date of March 1, 2016, as more precisely delineated with strike-through and  
41 underlined text on the Schedule set forth in Exhibit A, attached hereto and made a part hereof by this reference.

42  
43 **SECTION II. APPLICABILITY.** This Ordinance shall be applicable throughout the unincorporated areas  
44 of Hernando County and throughout the incorporated areas of Hernando County, to the extent permitted by  
45 Article VIII, Section 1(f) of the Constitution of the State of Florida.

1 **SECTION III. SEVERABILITY.** It is declared to be the intent of the Board of County Commissioners that  
2 if any section, subsection, clause, sentence, phrase, or provision of this ordinance is for any reason held  
3 unconstitutional or invalid, the invalidity thereof shall not affect the validity of the remaining portions of this  
4 ordinance.

6 **SECTION IV. CONFLICTING PROVISIONS.** Special acts of the Florida Legislature applicable only  
7 to unincorporated areas of Hernando County, Hernando County ordinances, County resolutions, or parts  
8 thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict  
9 except for ordinances concerning either adoption or amendment of the Comprehensive Plan, pursuant to  
10 Chapter 163, part II, Florida Statutes.

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

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

21 **SECTION VII. INCLUSION IN CODE.** It is the intention of the Board of County Commissioners of  
22 Hernando County, Florida, and it is hereby provided, that the provisions of this Ordinance shall become and be  
23 made a part of the Code of Ordinances of Hernando County, Florida. To this end, any section or subsection of  
24 this Ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may  
25 be changed to "section," "article," or other appropriate designation. Section VI through Section XII need not  
26 be codified.

28 **SECTION VIII. EFFECTIVE DATE.** This ordinance shall take effect immediately upon filing with the  
29 Department of State.

31 **DULY PASSED AND ADOPTED IN REGULAR SESSION ON THIS 12<sup>TH</sup> DAY OF MAY, 2015.**

33 **BOARD OF COUNTY COMMISSIONERS**  
34 **HERNANDO COUNTY, FLORIDA**

36  
37 Attest:   
38 ALD C. BARBEE JR., CLERK

36  
37 By:   
38 NICHOLAS W. NICHOLSON, CHAIRMAN



43 Approved as to Form and  
44 Legal Sufficiency  
45  
46 By: 

**EXHIBIT A**  
**SECTION 23-69**

**SCHEDULE OF EDUCATIONAL FACILITIES IMPACT FEES**

Land Use Type	Impact Fee	Effective <sup>1</sup> 11/15/11	<del>Effective <sup>1</sup> 5/9/15</del>	<u>Effective <sup>1</sup> 3/1/16</u>
<b>Residential:</b>				
Single-family, detached	\$4,266.00	\$0.00	<del>\$4,266.00</del>	<u>\$2133.00</u>
Single-family, attached	3,255.00	0.00	<del>3,255.00</del>	<u>1628.00</u>
Multifamily	3,360.00	0.00	<del>3,360.00</del>	<u>1680.00</u>
Mobile home, <del>1-acre</del> <u>Parcel</u>	4,266.00	0.00	<del>4,266.00</del>	<u>2133.00</u>
Mobile home, <del>other</del> <u>Park</u> <sup>2</sup>	3,822.00	0.00	<del>3,822.00</del>	<u>955.00</u>
Other residential	4,266.00	0.00	<del>4,266.00</del>	<u>2133.00</u>

<sup>1</sup> /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.

<sup>2</sup> /Maximum rate justified by Hernando County Educational Facilities Impact Fee update study prepared by Tindale Oliver and Associates on September 30, 2013.