

**Charlotte County Board Of County Commissioners
Agenda Item Summary**

Item Number: E- 1

1 DEPARTMENT MAKING REQUEST

County Attorney

2 MEETING DATE

9/9/2014 9:00:00 AM

3 REQUESTED MOTION/ACTION

Set a public hearing for September 23, 2014, at 10:00 a.m. or soon thereafter as may be heard, to consider approving an Ordinance extending the temporary suspension of all non-transportation impact fees.

4 AGENDA

Consent

5 IS THIS ITEM BUDGETED (IF APPLICABLE) -

Budget Action
No action needed.

Financial Impact Summary Statement
No additional impact if approved.

Detailed Analysis Attached -

Budget Officer-

6 BACKGROUND (Why is this Action Necessary, and What Action will be accomplished)

The current suspension of the non-transportation impact fees is scheduled to sunset on September 30, 2014.

This Ordinance will extend the current suspension of the non-transportation impact fees.

ATTACHMENTS:

Name:

Description:

Type:

[September 2014 impact fee reduction extension ordinance.doc](#)

Exhibit

Ordinance

[September 2014 Economic Impact Estimate.doc](#)

Exhibit

Exhibit

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O R D I N A N C E
N U M B E R 2 0 1 4 -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; AMENDING ORDINANCE NO. 2012-024 WHICH TEMPORARILY SUSPENDED CERTAIN IMPACT FEES, BY EXTENDING THE AUTOMATIC SUNSET DATE OF THE ORDINANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Board of County Commissioners of Charlotte County (the “Board”), in an effort to aid and assist in the economic recovery of Charlotte County, and to stimulate economic development and the construction of residential and commercial development within Charlotte County, on July 10, 2012, adopted Ordinance No. 2012-024, which temporarily suspended impact fees for libraries, parks, law enforcement, Fire/EMS and public buildings for one year; and

WHEREAS, the Board, on June 25, 2013, adopted Ordinance No. 2013-019, which amended Ordinance No. 2012-024 by extending the temporary suspension of the impact fees for libraries, parks, law enforcement, Fire/EMS and public buildings to April 10, 2014; and

WHEREAS, the Board, on March 25, 2014, adopted Ordinance No. 2014-010, which amended Ordinance No. 2012-024 by extending the temporary suspension of the impact fees for libraries, parks, law enforcement, Fire/EMS and public buildings to September 30, 2014; and

WHEREAS, the Board finds that the local economy in Charlotte County is still suffering from the effects of the economic downturn and wishes to continue the effort to

31 stimulate the economic recovery in the County by further amending Ordinance No.
32 2012-024 to continue the temporary suspension of impact fees for libraries, parks, law
33 enforcement, Fire/EMS and public buildings; and

34 WHEREAS, the Board has noticed, advertised, scheduled and held a public
35 hearing in compliance with Florida Statutes on this proposed Ordinance; and

36 WHEREAS, the Board finds it to be in the public interest and general welfare of
37 the citizens of Charlotte County to further amend Ordinance No. 2012-024 for the
38 purposes expressed herein.

39 NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners
40 of Charlotte County, Florida that:

41 Section 1. The above Recitals are hereby incorporated into and made a part
42 of this Ordinance.

43 Section 2. Section 5. Sunset Date of Ordinance No. 2012-024, as amended, is
44 hereby further amended as follows (underlined sections are additions; strikethrough
45 sections are deletions):

46 “Section 5. Sunset Date. If no action is taken by the Board, this
47 Ordinance amending Section 3-3.5-6 of Chapter 3-3.5, Code of Laws and
48 Ordinances, Charlotte County, Florida, shall automatically sunset and be
49 repealed at 5:00 p.m. on ~~Tuesday~~, _____, ~~September 30, 2014.~~
50 _____.”

51
52 Section 3. Severability. If any provision of this ordinance or the application
53 thereof to any person or circumstance is held invalid, the invalidity shall not affect other
54 provisions or applications of this Ordinance which can be given effect without the invalid
55 provision or applications. To this end, the provisions of this Ordinance are declared
56 severable.

Economic Impact Estimate

PURPOSE:

Analyze what the ordinance is designed to accomplish. The Ordinance would amend the provisions of Ordinance No. 2012-024, by extending the temporary suspension of non-transportation impact fees (libraries, parks, law enforcement, fire and public buildings).

A. Costs

1. Monetary--private sector

The temporary elimination of all categories of fees except transportation impact fees may have the effect of transferring some costs of new development capacity needs for libraries, parks, law enforcement, fire, and public buildings from the developer to the County.

2. Non-monetary--private sector

Revenue reductions may reduce the County's ability to pay for public infrastructure.

3. Monetary--public sector

There may be a reduction in the funding available for capital improvements or other projects.

4. Non-monetary--public sector

May affect Charlotte County's ability to compete for new businesses and residents as new development often locates in areas offering attractive public amenities, public facilities and infrastructure.

B. Benefits

1. Monetary--private sector

The temporary elimination of all categories of fees except transportation impact fees could assist developers by continuing the reduced impact fees for residential and commercial construction projects which could increase demand for new construction.

2. Non-monetary--private sector

Provide an increased incentive for new residential and commercial construction projects which would create more jobs for Charlotte County residents.

3. Monetary--public sector

None.

4. Non-monetary--public sector

There may be an increase in specialty services/retail for county residents.

C. Specific groups which will be impacted: Builders/Developers, Charlotte County citizens and taxpayers, Charlotte County Government and businesses.