

1 **Summary of Ordinance**

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3 The purpose of this ordinance is to extend the suspension of the collection of transportation
4 impact fees until December 31, 2013. Upon the expiration of the suspension period, the impact
5 fees will be reinstated, at lower rates, and with a reduced number of categories. The ordinance
6 will additionally reduce the number of impact fee districts from six (6) to three (3).
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10 **ORDINANCE NO. 2013 - 7**

11
12 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE**
13 **COUNTY, FLORIDA; AMENDING SECTION 22-4, LAKE COUNTY CODE,**
14 **ENTITLED DEFINITIONS; AMENDING CHAPTER 22, ARTICLE III, LAKE**
15 **COUNTY CODE, ENTITLED TRANSPORTATION IMPACT FEES; PROVIDING FOR**
16 **THE ADOPTION OF AN UPDATED TRANSPORTATION IMPACT FEE STUDY;**
17 **PROVIDING FOR THE CONTINUATION OF THE SUSPENSION OF THE**
18 **COLLECTION OF IMPACT FEES UNTIL DECEMBER 31, 2013; PROVIDING FOR A**
19 **REVISED IMPACT FEE SCHEDULE TO BE EFFECTIVE JANUARY 1, 2014;**
20 **REDUCING THE NUMBER OF IMPACT FEE DISTRICTS FROM SIX (6) TO THREE**
21 **(3); PROVIDING LEGAL DESCRIPTIONS FOR THE IMPACT FEE DISTRICTS;**
22 **PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE;**
23 **PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING**
24 **AN EFFECTIVE DATE.**

25
26 **WHEREAS,** Chapter 22 of the Lake County Code imposes impact fees for
27 Transportation, Educational Facilities, Parks, Libraries and Fire; and

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

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

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

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

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

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

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DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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3 **Section 2. Amendment.** Section 22-4, Lake County Code, entitled Definitions, is
4 hereby amended to read as follows:

5
6 **Sec. 22-4. Definitions.**

7 The following words, terms and phrases, when used in Chapter 22, shall have the meaning
8 ascribed to them in this chapter, except where the context clearly indicates a different meaning.
9 For words, terms and phrases not listed in this section, reference shall be made to Chapter 2,
10 Lake County Code, Appendix E, Land Development Regulations.

11 (1) *Accessory building or structure* is a detached, subordinate building, the use of which
12 is clearly indicated and related to the use of the principal building or use of the land and
13 which is located on the same lot as the principal building or use.

14 (2) *Active adult community* is defined as a community which meets the definition of
15 housing for older persons contained in this Code, which has been approved by the county
16 attorney to be exempt from educational system impact fees pursuant to section 22-14(8),
17 and which contains on-site facilities and services specifically designed to meet the
18 physical or social needs of its residents, such as pools, spas, tennis courts, basketball
19 courts, golf courses, horseshoe areas, bachi courts, community center, banquet halls,
20 health gyms, clubhouses and/or other sports or activities for use by the residents,
21 including at least one thousand (1,000) square feet of building space per one hundred
22 (100) dwelling units. If a community ceases to contain at least two (2) or more of such
23 facilities or services, and a minimum of at least one thousand (1,000) square feet of
24 building space for residents per one hundred (100) dwelling units, the applicable
25 transportation impact fee in effect at the time of the change in circumstances shall be due
26 and payable for all such residential units located within the subdivision, mobile home or
27 manufactured housing park, or multi-family structure. To be recognized as being within
28 the active adult transportation impact fee category, the property must meet the above
29 described qualifications

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31 (3) *Ancillary plant* includes the buildings, sites and site improvements necessary to
32 provide support services to educational programs and shall include, but not be limited to,
33 such facilities as vehicle maintenance, warehouses, maintenance or administrative
34 buildings not located at educational plants. Any such building, site or site improvement
35 may be independently referred to as an ancillary facility.

- 1 (4) *Apartment* is a rental dwelling unit located within the same building as other
2 dwelling units.
- 3 (5) *Assisted living facilities* are any building or buildings licensed as an assisted living
4 facility pursuant to F.S. Ch. 400, Pt. III, or its statutory successor in function.
- 5 (6) *Auxiliary facilities* shall mean those portions of an educational plant which are not
6 designated for student occupant stations.
- 7 (7) *Building* is any structure, either temporary or permanent, designed or built for the
8 support, enclosure shelter or protection of persons, chattels or property of any kind. This
9 term shall include trailers, mobile homes or any other vehicles serving in any way the
10 function of a building. This term shall not include temporary construction sheds or
11 trailers erected to assist in construction and maintained during the term of a construction.
- 12 (8) *Capital equipment* is equipment with a life expectation of three (3) years or more.
- 13 (9) *Capital improvement* includes expenditures for facility planning, land acquisition,
14 site improvements, construction, necessary off-site improvements, acquisition of, or
15 additions to buildings and capital equipment, but excludes maintenance and operation.
- 16 (10) *Condominium* is a dwelling unit that has at least one (1) other similar unit within
17 the same building structure. The term "condominium" includes all fee-simple or titled
18 multi-unit structures, including townhouses and duplexes.
- 19 (11) *County fire rescue system* shall mean the buildings, apparatus, and capital
20 equipment provided by the county that are used for suppression and prevention of fires,
21 responses to medical emergencies or other disasters and the handling of incidents
22 involving hazardous materials.
- 23 (12) *County library system* shall mean the buildings, books, periodicals, audio and
24 video resources and equipment, computer equipment and facilities and other collection
25 items provided by the county and/or a municipal member of the public library
26 cooperative.
- 27 (13) *County park system* shall include all parks owned and operated by the county,
28 including active parks, passive parks, water access sites, and associated recreational
29 facilities and buildings, but does not include those parks and recreational facilities that
30 are owned and operated by a municipal corporation within the county or those parks that
31 are owned and operated by the State of Florida. County park system shall include the
32 system of trails owned and operated by Lake County.

- 1 (14) *Development* means the carrying out of any building activity or mining operation,
2 the making of any material change in the use or appearance of any structure or land, or
3 the dividing of land into three (3) or more parcels.
- 4 (15) *Development order/permit* means any order granting, denying, or granting with
5 conditions an application to carry out development.
- 6 (16) *Dwelling unit* is a building, or a portion thereof, which is designed for residential
7 occupancy, consisting of one (1) or more rooms which are arranged, designed or used as
8 living quarters for one (1) family only. For purposes of the educational impact fee only,
9 the term dwelling unit excludes assisted living facilities and time-share property.
- 10 (17) *Educational facilities* shall mean the building, furniture and equipment that are
11 built, installed or established to serve educational purposes and are designated for student
12 occupant stations or to facilitate the delivery of educational services.
- 13 (18) *Educational plant* shall mean the land, building, furniture, equipment and site
14 improvements necessary to accommodate students, faculty, administrators, staff and the
15 activities of the educational programs and services for each student and shall include both
16 the educational facilities and auxiliary facilities.
- 17 (19) *Educational system* shall mean the educational plants and ancillary plants which are
18 used to provide instruction within the public schools or the administrative or support
19 activities related thereto.
- 20 (20) *Educational system impact fee* shall mean the fee imposed pursuant to section
21 22-22 of the Lake County Code, as it may be amended from time-to-time.
- 22 (21) *Fire rescue impact construction* shall mean construction designed or intended to
23 permit a use of the land which will contain more dwelling units, buildings or floor space
24 than the existing use of land, or to otherwise change the use of the land in a manner that
25 increases the impact upon the county fire rescue system.
- 26 (22) *Fire rescue impact fee* shall mean the fee imposed by the county pursuant to
27 section 22-47 of the Lake County Code, as it may be amended from time-to-time.
- 28 (23) *Fire rescue impact fee land use category* shall mean those categories of land use
29 incorporated in the fire impact fee rate schedule in section 22-47 of the Lake County
30 Code.
- 31 (24) *Fire rescue impact fee study* shall mean that certain study entitled "Impact Fees for
32 Fire and Rescue Services in Lake County, Florida," dated as of July 21, 2003, prepared
33 by Henderson Young & Company, as adopted by the board of county commissioners.

1 (25) *Housing for older persons* shall mean residential dwelling units that (1) are within a
2 community or subdivision that is operated as Housing for Older Persons in compliance
3 with the terms and provisions of the Federal Fair Housing Act, Title VIII of the Civil
4 Rights Acts of 1968, as amended by the Fair Housing Amendments Act of 1988 and the
5 Housing for Older Persons Act of 1995, 42 U.S.C. §§ 3601--3619, or its statutory
6 successor in function; and (2) prohibit any person under the age of eighteen (18) years of
7 age from residing within any dwelling unit on the property as a permanent resident, as
8 evidenced by a recorded declaration of covenants and restrictions that runs with the land
9 and is not subject to revocation or amendment for a period of at least thirty (30) years
10 from the date of recording.

11 (26) *Industrial/manufacturing* shall mean an establishment primarily engaged in the
12 *fabrication, assembly or processing of goods. Typical uses include manufacturing plants,*
13 *industrial parks, welding shops, wholesale bakeries, utility plants and agricultural*
14 *processing facilities for produce or livestock not raised on the site.*

15 (2627) *Library impact fee* shall mean the fee imposed pursuant to section 22-60 of the
16 Lake County Code, as it may be amended from time-to-time.

17 (2728) *Library impact fee study* shall mean that certain study entitled "Impact Fees for
18 Library Facilities in Lake County, Florida," dated as of June 17, 2003, prepared by
19 Henderson Young & Company, as adopted by the board of county commissioners.

20 (29) *Lodging* shall mean a building or part thereof, in which sleeping accommodations
21 *are offered to the public and in which there may be a public dining room for the*
22 *convenience of the guests. Typical uses include hotels, motels, bed and breakfast inns,*
23 *boarding houses, campsites and recreational vehicle parks. For campsites and*
24 *recreational vehicle parks, a camping or RV space shall be considered the equivalent of a*
25 *hotel or motel room.*

26 (30) *Mini-warehouse* shall mean an enclosed storage facility containing independent,
27 *fully enclosed bays that are leased to persons for storage of their household goods or*
28 *personal property.*

29 (2831) *Mobile home* is a structure transportable in one (1) or more sections, which
30 structure is eight (8) body feet or more in width and over thirty-five (35) feet in length,
31 and which structure is built on an integral chassis and designed to be used as a dwelling
32 unit when connected to the required utilities, and includes the plumbing, heating, air
33 conditioning, and electrical systems contained therein. The term mobile home includes
34 manufactured homes designed to be used as a dwelling unit, as defined in F.S. Ch. 553.

1 (32) Mobile home park shall mean an establishment that leases spaces for occupancy by
2 mobile homes.

3 ~~(2933)~~ Multi-family dwelling unit shall mean a building or a portion of a building,
4 regardless of ownership, containing more than one (1) dwelling unit designed for
5 occupancy by a single family, which units are not customarily offered for rent for one (1)
6 day, and shall include apartments and condominiums. For purposes of the transportation
7 impact fee, the term shall also include duplexes, townhouses and timeshares.

8 ~~(30 34)~~ Nonsite-related improvements are improvements that are required by the
9 permitting authority as part of the development approval process which are beyond what
10 is mandated by federal, state or local codes or regulations to provide safe and adequate
11 ingress and egress to the site. These may include, but are not limited to, additional lanes,
12 deceleration lanes, left-turn lanes, signalization and widening of roads not at or near the
13 site. Nonsite-related improvements improve the transportation system of the area over
14 and above the improvements required based on criteria outlined in applicable federal,
15 state or local codes or regulations as part of the development approval and can be
16 credited against transportation impact fees.

17 (35) Office shall mean an establishment providing executive, management,
18 administrative or professional services, not located in a shopping center, and which may
19 include ancillary services for office workers, such as a restaurant, coffee shop, newspaper
20 or candy stand, or child-care facilities. Typical uses include real estate, insurance,
21 property management, investment, employment, travel, advertising, secretarial, data
22 processing, photocopy and reproduction, telephone answering, telephone marketing,
23 music, radio and television recording and broadcasting studios; professional or consulting
24 services in the fields of law, architecture, design, engineering, accounting and similar
25 professions; interior decorating consulting services; medical and dental offices and
26 clinics, including veterinarian clinics; and business offices of private companies, public
27 agencies, utility companies, trade associations, unions and nonprofit organizations.

28 ~~(34 36)~~ Owner of record means the most recent owner of a parcel of property appearing
29 in the Official Records of Lake County, Florida.

30 ~~(32 37)~~ Park impact fee shall mean the fee imposed pursuant to section 22-54 of the
31 Lake County Code, as it may be amended from time-to-time.

32 ~~(33 38)~~ Park impact fee study shall mean that certain study entitled "Impact Fees for
33 Parks and Recreational Facilities in Lake County, Florida," dated as of July 2, 2003,
34 prepared by Henderson Young & Company, as adopted by the board of county
35 commissioners

1 (39) Public/institutional shall mean a governmental, quasi-public, institutional or
2 non-profit recreational use, other than government administrative offices or uses located
3 in a shopping center. Typical uses include elementary, secondary or higher educational
4 establishments, day care centers, hospitals, mental institutions, nursing homes, assisted
5 living facilities, fire stations, jails, libraries, museums, places of religious worship,
6 cemeteries, military bases, airports, bus stations, fraternal lodges, parks and playgrounds.

7 (3440) *Public schools* are all pre-kindergarten classes; kindergarten classes; elementary,
8 middle and high school grades and special classes; and all adult, part-time, vocational and
9 evening schools, courses or classes operated by law under the control of the school board
10 or a public school charter board.

11 (~~35~~ 41) *Residential* means multi-family dwelling units, mobile homes and single-family
12 detached houses.

13 (~~36~~42) *Residential construction* is land development designed or intended to permit
14 more dwelling units than the existing use or non-use of land contains.

15 (43) Retail/commercial means establishments engaged in the selling or rental of goods,
16 services or entertainment to the general public. Such uses include, but are not limited to,
17 shopping centers, discount stores, supermarkets, furniture stores, home improvement
18 stores, pharmacies, automobile sales and service, banks, movie theaters, amusement
19 arcades, bowling alleys, barber shops, laundromats, funeral homes, gas stations, quick
20 lubes, car washes, automobile sales and service, convenience stores, restaurants, bars,
21 vocational or technical schools, dance studios, meeting facilities, marinas, health clubs
22 and golf courses that are open to the public. All uses within a shopping center shall be
23 considered to be retail/commercial uses.

24 (3744) *School board* is the School Board of Lake County, Florida, which is the
25 governing body of the School District of Lake County, Florida.

26
27 (45) Shopping center shall mean a building or group of buildings containing multiple
28 retail and other establishments and served by a common vehicular access and parking
29 area so that patrons may visit multiple establishments without taking access to a public
30 street.

31 (46) Single-family detached house for purposes of transportation impact fees shall mean,
32 a dwelling unit, including a mobile home, modular home or manufactured home, on an
33 individual lot, unattached to any other dwelling. For all other impact fee purposes, is a
34 dwelling unit on an individual lot.

1 (39 47) *Site-related improvements* are those improvements that are mandated by federal,
2 state or local codes or regulations to provide safe and adequate ingress and egress to the
3 site. These may include but are not limited to additional lanes, deceleration lanes,
4 left-turn lanes, signalization widening of adjacent roadways and resurfacing. These
5 improvements are designed to improve safety for the increased traffic generated from the
6 site, prevent the development of the site from causing physical deterioration of the
7 existing adjacent roadways, and accommodate increased traffic generation caused by the
8 development of the site. Site-related improvements that are so required as part of a
9 development approval based on criteria outlined in applicable federal, state or local codes
10 or regulation shall not be credited against transportation impact fees.

11 (40 48) *Student occupant station* shall mean the area necessary for a student to engage
12 in educational activities, excluding ancillary and auxiliary spaces.

13 (41 49) *Superintendent* shall mean the chief administrative officer of the public schools
14 or the designee of such person.

15 (42 50) *Square footage* shall mean, when applied to nonresidential uses, the gross area
16 measured in square feet from the exterior faces of exterior walls or other exterior
17 boundaries of the building, including all floors and mezzanines within said building, but
18 excluding areas within the interior of the building that are utilized for parking. ~~This~~
19 ~~definition applies to Article IV, Fire Impact Fees only.~~ When applied to residential uses,
20 square footage shall refer to enclosed, air conditioned and heated living area, measured
21 from the exterior surface of exterior walls or the center of common walls.

22 (43 51) *Time-share property* means the facilities and accommodations offered in a
23 time-share plan that are classified as time-share estates and time-share licenses as those
24 terms are defined in F.S. Ch. 721.

25 ~~(44) *Unit for residential and motel uses* means each entity of occupancy within a~~
26 ~~building and not the entire building. For land uses calculated using units of one thousand~~
27 ~~(1,000) square feet, the rate is to be calculated on total square feet. For land uses~~
28 ~~expressed in acres, the rate is to be calculated on number of acres in production during a~~
29 ~~typical five year period.~~

30 (52) *Warehousing/wholesale* shall mean an establishment primarily engaged in the
31 display, storage and sale of goods to other firms for resale, as well as activities involving
32 significant movement and storage of products or equipment. Typical uses include
33 wholesale distributors, storage warehouses, high-cube warehouses, moving and storage
34 firms, trucking and shipping operations, major mail processing centers and agricultural
35 product storage and distribution.

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Section 3. Amendment. Chapter 22 Article III, Transportation Impact Fees, Sections 22-36 through Section 22-42 of the Lake County Code, is hereby revised to read as follows:

Sec. 22-36. - Short title, authority.

- (a) This article shall be known and may be cited as the "Transportation Impact Fee Ordinance."
- (b) F.S. Ch. 336, vests the board of county commissioners with general supervision and control of all county roads and road facilities within Lake County which comprise the county road system as defined in F.S. Ch. 334, including county roads within municipalities.
- (c) The board of county commissioners hereby adopts the "Lake County Transportation Impact Fee Update Study Final Report," dated ~~December 2004~~, January 2013 prepared by ~~Tindale-Oliver and Associates, Inc~~ Duncan/Associates.

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 ~~March 1~~ December 31, 2013. The suspension shall not apply to pre-payments, concurrency reservation accounts, deferral agreements unless the agreement specifically allows, or the use of impact fee credits. Effective January 1, 2014 the suspension of transportation impact fees shall end and fees shall be collected as provided herein.
- (b) Transportation impact fees shall be determined as follows:

Lake County Transportation Impact Fee Schedule			
Land Use Code	Land Use	Unit	Rate
	Residential:		
210	Single-family/Mobile Home (On Single-family Lot) - Less than 1,500 sf* living space	du*	\$1,642.00
210	Single-family/Mobile Home (On Single-family Lot) - 1,501 sf to 2,500 sf living space	du	\$2,189.00

210	Single family/Mobile Home (On Single family Lot) - Greater than 2,500 sf living space	du	\$2,583.00
N/A	Active Adult (Deed Restricted)	du	\$1,153.00
221	Multi-Family (1 or 2 Stories)	du	\$1,408.00
222	Multi-Family (3 & more Stories)	du	\$898.00
240	Mobile Home Park (Mobile Homes clustered in a Park)	du	\$859.00
252	ACLF	du	\$309.00
	Lodging:		
310	Hotel	Room	\$1,446.00
320	Motel/Bed and Breakfast	Room	\$774.00
416	Campground/RV Park	Space	\$536.00
	Recreational:		
412	General Recreation/County Park	Acre	\$388.00
420	Marina	Slip	\$668.00
430	Golf Course	Hole	\$6,594.00
473	Amusement & Recreation Services	1,000-sf	\$25,880.00
492	Racquet Club/Health Spa	1,000-sf	\$3,303.00
494	Bowling Center	1,000-sf	\$6,286.00
N/A	Dance Studio	1,000-sf	\$3,303.00
495	Community Recreation Center	1,000-sf	\$3,895.00

N/A	Horse Training	Acre	\$964.00
	Institutional:		
520	School (Elementary)	Student	\$180.00
522	Middle School	Student	\$287.00
530	School (High)	Student	\$355.00
550	School (College)	Student	\$552.00
540	Junior College	Student	\$357.00
560	Church/Religious Organization	1,000 sf	\$1,322.00
565	Day Care Center	1,000 sf	\$4,507.00
566	Cemetery	Acre	\$1,073.00
590	Library	1,000 sf	\$4,265.00
610	Hospital	1,000 sf	\$2,444.00
620	Nursing Home	Bed	\$242.00
730	Government Office Building—Municipal	1,000 sf	\$4,304.00
733	Government Office Building—County	1,000 sf	\$8,711.00
N/A	Fire Station	1,000 sf	\$2,494.00
	Office:		
710	Office under 10,000 GSF	1,000 sf	\$4,452.00
710	Office 10,001 GSF to 30,000 GSF	1,000 sf	\$3,790.00

710	Office 30,001 GSF to 100,000 GSF	1,000 sf	\$2,883.00
710	Office 100,001 GSF to 400,000 GSF	1,000 sf	\$2,110.00
710	Office greater than 400,000 GSF	1,000 sf	\$1,722.00
715	Single Tenant Office Building	1,000 sf	\$2,275.00
720	Medical Office	1,000 sf	\$6,717.00
750	Office-Park	1,000 sf	\$2,123.00
760	Research Center	1,000 sf	\$1,508.00
770	Business Park	1,000 sf	\$2,373.00
	General-Commercial:		
820	Under 50,000 GSF	1,000 sf	\$2,816.00
820	50,000 to 200,000 GSF	1,000 sf	\$2,177.00
820	200,001 to 600,000 GSF	1,000 sf	\$2,171.00
820	Greater than 600,000 GSF	1,000 sf	\$2,385.00
	Retail/Services:		
444	Movie Theater w/Matinee	Screen	\$11,552.00
812	Building Materials and Lumber Store	1,000 sf	\$5,930.00
813	Discount Superstore (greater than 120,000 sf)	1,000 sf	\$2,969.00
814	Specialty Retail	1,000 sf	\$3,553.00
815	Discount Superstore (less or equal to 120,000 sf)	1,000 sf	\$3,580.00

816	Hardware/Paint Store	1,000 sf	\$9,939.00
818	Wholesale Nursery	Acre	\$858.00
831	Quality Restaurant	1,000 sf	\$8,731.00
832	High Turnover Restaurant	1,000 sf	\$11,422.00
834	Fast Food Restaurant/W Drive Thru	1,000 sf	\$17,706.00
836	Bar/Lounge/Drinking Place	1,000 sf	\$11,422.00
837	Quick Lube	Bay	\$3,884.00
840	Auto Repair	1,000 sf	\$4,010.00
841	New and Used Auto Sales	1,000 sf	\$5,742.00
844	Service Station	Fuel Position	\$2,080.00
847	Car Wash	1,000 sf	\$5,973.00
850	Supermarket	1,000 sf	\$4,952.00
853	Convenience Market w/Gas	1,000 sf	\$14,834.00
881	Pharmacy/Drugstore	1,000 sf	\$3,915.00
890	Furniture Store	1,000 sf	\$704.00
911	Bank	1,000 sf	\$8,202.00
912	Bank w/Drive-Thru	1,000 sf	\$12,207.00
N/A	Convenience Mkt. w/Gas, Fast Food and Car Wash	1,000 sf	\$32,865.00
N/A	Stand-Alone Meeting Facility w/ Catering	1,000 sf	\$3,368.00

N/A	Veterinary Clinic	1,000 sf	\$1,788.00
	Industrial:		
110	General Light Industrial	1,000 sf	\$2,157.00
120	General Heavy Industrial	1,000 sf	\$464.00
130	Industrial Park	1,000 sf	\$2,084.00
140	Manufacturing	1,000 sf	\$1,182.00
150	Warehouse	1,000 sf	\$1,535.00
151	Mini Warehouse	1,000 sf	\$290.00
152	High Cube Warehouse (4)	1,000 sf	\$535.00
N/A	Airport Hanger	1,000 sf	\$1,535.00
170	Utilities Building	1,000 sf	\$1,684.00
Notes:			
N/A - Does not have an ITE Land Use Code			

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Lake County Transportation Impact Fee Schedule		
Category	Unit	Fee
<u>Single-Family</u> Less than 1,500 1,500 to 2,499 sf 2,500 sf or greater	<u>Dwelling</u>	<u>\$375</u>
	<u>Dwelling</u>	<u>\$500</u>
	<u>Dwelling</u>	<u>\$590</u>
<u>Multi-Family</u>	<u>Dwelling</u>	<u>\$229</u>
<u>Mobile Home Park</u>	<u>Space</u>	<u>\$143</u>
<u>Active Adult Community</u>	<u>Dwelling</u>	<u>\$182</u>
<u>Lodging</u>	<u>Room</u>	<u>\$242</u>
<u>Retail/Commercial</u>	<u>1,000 sf</u>	<u>\$569</u>

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 - ~~Tindale Oliver and Associates~~ Duncan/Associates, Updated as of ~~October 2003~~ January 2013.

sf = square foot

du = dwelling-unit

Sec. 22-38. - Alternative transportation impact fee; mixed uses; change of use; fee challenges.

~~(a) In the event that the determination of a transportation impact fee is required for a land use not contained in section 22-37, the following procedure shall be followed. The determination of an alternative transportation impact fee shall be the responsibility of a county designated planning, zoning or land use professional and supportable by documentation.~~

~~(1) The two-digit Standard Industrial Classification (SIC) Code, or two-digit Department of Revenue (DOR) Land Use Code, into which the land use falls is to be determined.~~

~~(2) The two-digit SIC Code, or two-digit DOR Land Use Code shall be cross-referenced to an appropriate Institute of Transportation Engineers (ITE) Land Use Code in order to derive an appropriate trip generation rate.~~

~~(3) At the discretion of the county's designated agent, information provided by the person seeking to develop land may be used in determining the appropriate trip generation rate.~~

~~(4) Once a trip generation rate has been determined for a land use not contained within the "Fee Schedule," located in subsection (a), that rate shall be considered precedence for future assessment of similar land uses.~~

~~(5) The person seeking to develop land shall either pay the transportation impact fee determined by the county agent authorized to make the trip generation determination, or prepare a traffic study in accordance with the methodology contained in this article.~~

~~(b)~~ (a) If a building or development permit is requested for mixed uses, then the transportation impact fee shall be determined by using the above fee schedule, and apportioning the space committed according to the building or development permit to uses specified on the fee schedule. However, any secondary use which takes up less than twenty-five (25) percent of the square footage of the primary use will be considered an incidental use, not a mixed use, when such use is necessary to carry out the primary use, i.e., office space needed to operate warehouse.

1 (eb) In the case of a change of use, redevelopment, or modification of an existing use on-site
2 which requires the issuance of a building permit or development permit, the transportation
3 impact fee shall be determined as set forth in the above fee schedule, based upon the net
4 increase in vehicular traffic generated fee calculated by the new use as compared to the fee
5 calculated on the most intense previous use since February 19, 1985. The county manager or
6 a designee shall be guided in this determination by using the most recent edition of the ITE
7 Trip Generation Manual, and the most recent edition of the SIC Manual. If impact fees have
8 been previously paid on the site, then a credit shall be given and the applicant shall pay the
9 difference, if any. If the previous fees paid exceed the fee determined in the above fee
10 schedule, no fees shall be due. No refunds shall be given.

11 (ec) If the person seeking to develop land challenges the transportation impact fee as determined
12 according to the section 22-37, the person shall prepare and submit a traffic study and
13 independent impact fee calculation for the development activity for which a building permit
14 or development order is sought in accordance with the procedures set forth below. The
15 independent fee calculation shall employ the methodology contained in the "Transportation
16 Impact Fee Update Study," dated ~~May 30, 2001~~ January 2013, prepared by ~~Tindale-Oliver~~
17 ~~and Associates, Inc~~ Duncan/Associates, and be calculated at the same rate as set forth in the
18 fee schedule. The study reduces all development uses to eleven general categories which
19 will be the basis of the traffic study and independent impact fee calculation. A study of a
20 specific use within these categories will not be allowed.

21
22 (ed) The traffic study shall document the basis upon which the independent fee calculation was
23 made and be in accordance with the methodology described above. The county manager or
24 designee shall consider the documentation submitted; however, the county manager or
25 designee is not required to accept such documentation if it is deemed to be inaccurate or not
26 reliable. The county manager or designee may require the submission of additional and
27 distinct documentation for consideration. If an acceptable independent impact fee
28 calculation is not presented, the county manager or designee shall require payment in
29 accordance with the fee schedule located in subsection (a). If an acceptable independent
30 impact fee calculation is presented, the county manager or designee may adjust the impact
31 fee, as appropriate to a specific building permit or development order.

32 (ef) The following procedures shall be used to prepare the alternative transportation impact fee
33 study:

34 (1) *Pre application conference.* Feepayers are encouraged to schedule a meeting with the
35 public works department before proceeding with a study. At such a meeting, the basic
36 requirements of a study can be discussed.

37 (2) *Application, study methodology, and initial approval.* The following materials shall be
38 submitted and approved prior to the study being conducted. Submitted materials will be
39 reviewed and every effort will be made to approve, approve with conditions, or deny the
40 study methodology within ten (10) working days of the date submitted.

41 a. An application form indicating the name, address and telephone number of the
42 feepayer and the name, address and telephone number of any agent for the

1 feepayer, a legal description of the property involved and a description of the
2 development activity proposed.

3 b. If the feepayer proposes relying on the results of any previous studies, such as
4 studies originally submitted as part of the zoning approval process, copies of those
5 reports should be provided. Such studies must meet the requirements of this
6 procedure in order to be relied upon.

7 c. The feepayer shall, in accordance with the following guidelines, provide the study
8 methodology that is proposed to be used for the study.

9 1. The proposed methodology shall identify a minimum of three (3) comparable
10 sites to be studied. Such sites shall be located within Lake County unless sites
11 are not available in Lake County. The site descriptions should include the
12 specific location, the character of the location (Central Business District,
13 urban, suburban, or rural), and the land use(s) at the location. An explanation
14 of why the proposed sites are similar to the proposed new development should
15 be included. The explanation should address pertinent characteristics, such as
16 land use, adjacent area, and demographics. A map should be included showing
17 the location of the proposed new development and the proposed study sites.

18 2. The proposed methodology shall discuss the proposed data elements of the
19 study. These shall include trip generation rate, trip length and percent new
20 trips, and any other applicable data elements that may be necessary.

21 3. The trip generation rate should normally be determined by machine counts.
22 The proposed methodology should provide documentation depicting the
23 proposed machine counter sites and locations within the site as well as the type
24 of equipment, hose/loop detector configurations, and the proposed dates of
25 counting.

26 4. The machine counters should normally be placed at project driveways, for a
27 minimum of seven (7) consecutive days of twenty-four-hour machine
28 counting, on days representative of typical traffic patterns at that site (not
29 during a holiday, for example).

30 5. The data to be collected should include:

31 i. Date and time counts,

32 ii. A summary of counts by fifteen-minute increments (entering, exiting and
33 total),

34 iii. Average daily volume, and

35 iv. Volume during the a.m. and p.m. peak hours of the adjacent street.

36 6. The study methodology should show that the correct operation of the machine
37 counters will be verified by manually observing their proper data recording for
38 at least fifteen (15) minutes on at least four (4) occasions. Two (2) of the four
39 (4) occasions can be verifications performed at the start and finish of the

1 counting period. This manual verification should be documented in the study
2 report.

3 d. The trip length and percent new trips will normally be determined by an
4 origin/destination survey, consisting of motorist surveys. The proposed study
5 methodology should provide the proposed location of interviewers, interview
6 forms, and dates and times of day for conducting interviews. The origin/destination
7 survey will collect the following information:

- 8 1. Date of interview,
- 9 2. Location of the interview,
- 10 3. Name of the interviewer,
- 11 4. Time of day of the interview,
- 12 5. Origin of the interviewee's trip,
- 13 6. Destination of the interviewee's trip, and
- 14 7. Trip purpose.

15 e. The place of origin or destination should be identified as accurately as possible.
16 The origin and destination should be determined with one (1) of the following
17 methods:

- 18 1. The specific name of the place (mall, town, bank, supermarket, subdivision,
19 school, etc.),
- 20 2. The address of the place,
- 21 3. The intersection nearest to the place, and
- 22 4. The major intersection nearest to the place.

23 The most preferred method to the least preferred method is indicated by the order
24 listed above.

25 f. The proposed methodology should include a copy of the interview form to record
26 the interview responses which are proposed to be used. Copies of the completed
27 interview forms should be included in the study report.

28 g. It is not acceptable to collect trip length as estimated and reported by the
29 interviewee. The proper method to determine a trip length is to use a scaled map to
30 measure the shortest route between the site and the reported places of origin and
31 destination, or to measure the distance directly using a vehicle odometer.

32 h. Acceptable procedures to determine if a trip is classified as primary, secondary,
33 diverted, or captured, and to compute the assessable trip length are described in
34 "Measuring Travel Characteristics for Transportation Impact Fees" W.E. Oliver,
35 (ITE Journal, April 1991). Another acceptable procedure is in the most recent
36 Florida Department of Transportation-site Impact Handbook.

37 i. Also included in the study report should be the following:

- 1 1. The number of observations (useable interview responses),
- 2 2. The mean trip length, rounded off to one-tenth (0.1) mile, and
- 3 3. The percent new trips.
- 4 j. In determining a reasonable estimate of the trip length and percent new trips the
- 5 proposed methodology must propose surveys to be performed for a minimum of
- 6 three (3) sites for three (3) days. These surveys will be conducted for nine (9) hours
- 7 each day. The specific time period to be covered should be governed by the type of
- 8 land being surveyed and the typical daily operations of the specific land use. The
- 9 total survey hours should be approximately eighty-one (81) hours (3 x 3 x 9 = 81).
- 10 k. The study report should be submitted in the following format:
- 11 1. Table of contents,
- 12 2. Letter of transmittal,
- 13 3. Findings of the report:
- 14 Trip generation rate
- 15 Trip length and percent new trips,
- 16 4. Impact fee calculations, and appendices:
- 17 Trip generation rate summary
- 18 Trip length worksheet
- 19 Percent new trips worksheet
- 20 Trip generation data
- 21 Interview forms
- 22 l. The proposed study shall include a completed impact fee work sheet in the format
- 23 provided by the county manager or designee.
- 24 m. After submittal of the proposed methodology, the county manager or designee will
- 25 either approve the proposed study methodology or request additional information
- 26 or changes to the proposed methodology.
- 27 (3) Upon approval of the study methodology, the feepayer may proceed with the study.
- 28 Upon completion, three (3) copies shall be submitted to the county manager or
- 29 designee. A review fee specified in the board of county commissioners fee resolution
- 30 shall be submitted with the study.
- 31 (4) County review will be made within thirty (30) days and a written decision will be
- 32 rendered approving or disapproving of the study and specifying the applicable fee, if
- 33 necessary.
- 34 (5) If a property owner desires to obtain a building permit prior to the time the protest is
- 35 completed he/she shall pay the challenged impact fee at the time of issuance of the

1 building permit. If the county approves the traffic study referenced above and the study
2 establishes a lower fee the owner shall be entitled to a refund representing the difference
3 between that paid and the new established fee. The traffic study described herein shall
4 be completed in a time frame agreed upon in writing by the owner and the county
5 manager at the time of fee payment.
6

7 **Sec. 22-39. - Dedication of land and impact fee credits.**

8 (a) In lieu of all or part of the transportation impact fee, the county manager or a designee, may
9 enter into a developer's agreement with a person seeking to develop land to allow such
10 person to construct part of a road improvement project shown in the Lake County
11 Comprehensive Plan, or to construct off-site road improvements determined necessary as a
12 result of the development of the property or to donate land or right-of-way for a project
13 shown in the Lake County Comprehensive Plan so long as the project or improvement is
14 within the road benefit district in which the funds were collected. The person seeking to
15 enter into the developer's agreement shall submit a construction cost estimate certified by an
16 engineer registered pursuant to F.S. Ch. 471, to the county manager or designee. If
17 acceptable, the county manager or designee shall agree to credit the cost of construction of
18 the improvements towards the transportation impact fee chargeable to the proposed
19 development. If right-of-way dedicated is to be included in the credit, the person shall
20 provide to the county manager or designee an MAI appraisal indicating the fair market value
21 of the property to be dedicated; provided, however, that if the parcel is valued by the
22 property appraiser at fifteen thousand dollars (\$15,000.00) or less, the property appraiser's
23 assessed value may be used to determine the square footage value of the right-of-way. The
24 county manager or designee may additionally determine the value of the right-of-way by
25 using the square footage value as determined from an appraisal of a similarly situated parcel
26 so long as such appraisal was completed upon request of the county and is no older than one
27 (1) year. If the county manager or designee elects to use an appraisal of a similarly situated
28 parcel, the county manager or designee shall make a determination that such the economic
29 conditions at the time of the appraisal have not changed significantly so as to invalidate such
30 appraisal. The developer's agreement shall be approved by the board of county
31 commissioners and shall set forth all other applicable requirements and conditions of
32 performance.

33 (b) In the event the impact fee credits for construction shall exceed the impact fees chargeable
34 to a particular development, the county manager or designee may agree to compensate the
35 person seeking to develop land with cash, impact fee credit or a combination thereof, as set
36 forth in the developer's agreement. If the person seeking to develop elects cash
37 reimbursement, the person shall be required to competitively bid the construction project
38 and/or professional services. Professional services shall be bid in accordance with F.S. §
39 287.055, known as the Consultants' Competitive Negotiation Act, and construction services
40 shall be bid in accordance with the county's standard competitive bidding procedures and
41 any other applicable Florida Statutes. A construction cost estimate and/ or right-of-way
42 appraisal shall be provided in the same manner as subsection (a) above. The developer's

1 agreement shall be approved by the board of county commissioners and shall set forth all
2 other applicable requirements and conditions.

3 **Sec. 22-40. - Transfer of impact fee credits.**

4 The transfer of impact fee credits shall be permitted on a project-by-project basis subject to
5 the following:

6 | (1a) A request to permit the transfer of impact fee credits, if any, shall be submitted
7 | simultaneously with the property owner's request to construct road improvements in
8 | accordance with section 22-389 above. All requests to permit the transfer of impact fees
9 | credits shall be approved by the board of county commissioners. Untimely requests
10 | shall not be considered, nor shall the board of county commissioners consider a request
11 | to transfer any impact fee credits distributed by the county to any owner of record prior
12 | to the effective date of this subsection, unless the project was specifically approved at
13 | the time of submittal to allow the future transfer of such credits.

14 | (2b) The county manager or designee shall establish an account in the name of the owner of
15 | record and credit to the account the amount of impact fee credits due and owing as
16 | certified by the county manager or designee. In the event the owner of record desires to
17 | transfer any portion of the impact fee credits to another party, and the board of county
18 | commissioners has previously approved the transfer of credits for the project, the owner
19 | of record shall submit a notarized affidavit to the county manager or designee indicating
20 | to whom the credits are to be transferred. Upon receipt of the notarized affidavit, the
21 | impact fee credits shall be transferred to a similar account established for the transferee.

22 | (3c) The transfer shall become effective upon confirmation by the county manager or
23 | designee that the credits have been:

- 24 | a. Duly distributed to the transferor;
25 | b. Approved by the board of county commissioners for transferring; and
26 | c. Are being transferred within the same transportation benefit district.

27 | The county manager or designee shall notify the transferee when the credits are
28 | available to the transferee.

29 | (4d) In no event shall any impact fee credit be transferred outside of the transportation
30 | benefit district in which the original project was completed. Any transfer of impact fee
31 | credit sheet attempting to transfer such credits outside of the transportation benefit
32 | district shall be immediately voided by the county manager or designee.

33 | (5e) In no event shall the transferee be entitled to further transfer those same credits to a
34 | second transferee.

35 | (6f) All other provisions, policies and procedures that are applicable to the payment of
36 | impact fees, or to impact fee credits shall be applicable to the transfer of impact fee
37 | credits.

1 (7g) A schedule of fees may be established by resolution of the board of county
2 commissioners in order to cover the costs of the administrative activities required
3 pursuant to this section.

4 **Sec. 22-41. - Impact fee trust account and use of monies.**

5 (a) A separate transportation benefit district account shall be established for each road benefit
6 district and funds shall be deposited accordingly. Such accounts shall be known as the
7 "Transportation Impact Fee Trust Account." Effective for any transportation impact fee paid
8 on or after January 1, 2014, the Transportation Benefit Districts have been redrawn and
9 reduced in number from six (6) to three (3). Transportation impact fees collected on or
10 before December 31, 2013, shall be expended in the District in which they are collected,
11 utilizing all six (6) Districts. Transportation impact fees collected on or after January 1,
12 2014, shall be expended in the District in which they were collected utilizing all three (3)
13 Districts.

14 (b) All funds collected from transportation impact fees shall be used solely for the purpose of
15 providing capital improvements to transportation facilities associated with the arterial and
16 collector road network under the jurisdiction of the county, or the state, and shall not be used
17 for maintenance or operations. Such improvements shall be of the type as are made
18 necessary by new development.

19 (c) All funds shall be used exclusively for capital improvements within the transportation
20 benefit district in which the funds were collected or for projects in other transportation
21 benefit districts which are of direct benefit to the transportation benefit districts from which
22 the funds were collected. In the event, funds collected in one (1) transportation benefit
23 district are to be utilized for a project in another transportation benefit district that is of
24 direct benefit to the transportation benefit district in which the funds were collected, such
25 use shall be approved by a majority of the municipalities in the transportation benefit district
26 within which the funds were collected. Said recommendation shall be forwarded to the
27 board of county commissioners through the county manager or designee. The board of
28 county commissioners shall approve the use of funds collected in one (1) transportation
29 benefit district for a project in another transportation benefit district after a specific finding
30 that there shall be a direct benefit to the transportation benefit district in which the funds
31 were collected. Funds shall be expended in the order in which they are collected.

32 (d) Each fiscal year the county manager shall present to the board of county commissioners, a
33 proposed transportation capital improvement program based upon the recommendations of
34 the municipalities within the transportation benefit district and senior department director of
35 the department of public works which shall assign funds, including any accrued interest,
36 from the transportation impact fee trust account, to specific road improvement projects and
37 related expenses. Monies, including any accrued interest, not assigned in any fiscal year
38 shall be retained in the same transportation benefit district account until the next fiscal year,
39 except as provided elsewhere in this chapter. The board of county commissioners shall hold
40 a public hearing to adopt the program including any amendments which the board of county
41 commissioners determines are necessary.

1 (d) The governmental authority issuing the permit or other approval for the development shall
2 determine whether road improvements constructed by the person seeking to develop land are
3 "site-related" or "nonsite-related" as defined herein. In the event the permitting authority has
4 a question as to whether a particular improvement is site-related or nonsite-related, the
5 county shall be consulted and make the final decision.

6 **Sec. 22-42. - Transportation benefit districts.**

7 (a) The following Transportation Benefit Districts are established and shall be used for
8 transportation impact fees collected on or before December 31, 2013:

9 (1) *Transportation Benefit District 1.* Begin at C-42 and the Lake County line in Section
10 31, Township 17 South, Range 27 East, Lake County, Florida; run easterly along C-42
11 to C-439; thence run southerly along C-439 to C-44A; thence run easterly along C-44A
12 to SR-44; thence run southwesterly along SR-44 to C-46A; thence run southeasterly
13 along C-46A to SR-46; thence run easterly along SR-46 to the Lake County line in
14 Section 21, Township 19 South, Range 29 East; thence run northeasterly, northerly,
15 northwesterly, and southerly along the Lake County line to the aforementioned C-42
16 being the end of this description.

17 (2) *Transportation Benefit District 2.* Beginning at C-561 and C-455 in Section 8,
18 Township 21 South, Range 26 East, Lake County, Florida; run west along C-455 to 3-
19 2739 North Buckhill Road; thence run northerly along 3-2739 North Buckhill Road to a
20 point on the north line of Section 1, Township 21 South, Range 25 East; thence run east
21 to the theoretical northeast corner of said Section 1; thence run north to the theoretical
22 northeast corner of Section 13, Township 20 South, Range 25 East; thence run thence
23 run west to the theoretical southeast corner of Section 14, Township 20 South, Range 25
24 East; thence run northwest to the theoretical northwest corner of said Section 14; thence
25 run north to a point lying east of the mouth of Dead River and Lake Harris; thence run
26 east to the mouth of said Dead River; thence run northeasterly along Dead River to
27 Lake Eustis; thence run east to the theoretical east line of Section 19, Township 19
28 South, Range 26 East; thence run north to the northeast corner of Section 6, Township
29 19 South, Range 26 East; thence run west to C-44; thence northeasterly along C-44 to 5-
30 6744 Fish Camp Road; thence run north along 5-6744 Fish Camp Road to C-452;
31 thence run northerly along C-452 to the Lake County Line in Section 2, Township 18
32 South, Range 25 East; thence run east and north along the Lake County line to C-42 in
33 Section 31, Township 17 South, Range 27 East; thence run easterly along C-42 to C-
34 439; thence run southerly along C-439 to C-44A; thence run easterly along C-44A to
35 SR-44; thence run southwesterly along SR-44 to C-46A; thence run southeasterly along
36 C-46A to SR-46; thence run easterly along SR-46 to the Lake County Line in Section
37 21, Township 19 South, Range 29 East designated as point "A". Return to point of
38 beginning. From said point of beginning run southeasterly along C-455 to the south line
39 of Section 22, Township 21 South, Range 26 East; thence run east to the Lake County
40 line; thence run north, east and northerly along the Lake County line to SR-46 and the
41 aforementioned point "A" being the end of this description.

1 (3) *Transportation Benefit District 3.* Begin at the Oklawaha River and the Lake County
2 line in Section 6, Township 18 South, Range 25 East, Lake County Florida; run
3 southerly along the Oklawaha River to a point on the theoretical west line of Section 17,
4 Township 18 South, Range 25 East; thence run south to the theoretical northeast corner
5 of Section 19, Township 19 South, Range 25 East; thence run west to the theoretical
6 northwest corner of said Section 19; thence run south to the theoretical southwest corner
7 of Section 31, Township 19 South, Range 25 East; thence run east to the theoretical
8 southwest corner of Section 35; thence run north to a point lying west of the mouth of
9 Dead River and Lake Harris; thence run east to the mouth of said Dead River; thence
10 run northeasterly along Dead River to Lake Eustis; thence run east to the theoretical east
11 line of Section 19, Township 19 South, Range 26 East; thence run north to the northeast
12 corner of Section 6, Township 19 South, Range 26 East; thence run west to C-44;
13 thence run northeasterly along C-44 to 5-6744 Fish Camp Road; thence run north along
14 5-6744 Fish Camp Road to C-452; thence run northwesterly along C-452 to the Lake
15 County line; thence run west along the Lake County line to the aforementioned
16 Oklawaha River being the end of this description.

17 Also:

18 Begin at C-470 and the Lake County line in Section 7, Township 20 South, Range 24
19 East, Lake County, Florida run easterly along C-470 to C-33; thence run northeasterly
20 along C-33 to US-27; thence run northerly along US-27 to the north line of Section 2,
21 Township 20 South, Range 24 East; thence run East to the theoretical northeast corner
22 of Section 1, Township 20 South, Range 24 East designated as Point "A." Return to
23 point of beginning. From said point of beginning run north along the Lake County line
24 to the northwest corner of Section 6, Township 18 South, Range 24 East; thence run
25 east along the Lake County line to the Oklawaha River being in Section 6, Township 18
26 South, Range 25 East; thence run southerly along the Oklawaha River to a point on the
27 theoretical west line of Section 17, Township 18 South, Range 25 East; thence run south
28 to the theoretical northeast corner of Section 19, Township 19 South, Range 25 East;
29 thence run south to the northeast corner of Section 1, Township 19 South, Range 25
30 East; thence run south to the corner of Section 1, Township 20 South, Range 24 East
31 and the aforementioned point 'A' being the end of this description.

32 (4) *Transportation Benefit District 4.* Begin at C-561 and US-27 in Section 36, Township
33 21 South, Range 25 East, Lake County, Florida; run northerly along C-561 to C-455;
34 thence run west along C-455 to 3-2739 North Buckhill Road; thence run northerly along
35 3-2739 North Buckhill Road to a point on the north line of Section 1, Township 21
36 South, Range 25 East; thence run east to the theoretical northeast corner of said Section
37 1; thence run north to the theoretical southeast corner of Section 13, Township 20
38 South, Range 25 East; thence run west to the theoretical southeast corner of Section 14,
39 Township 20 South, Range 25 East; thence run northwest to the theoretical northwest
40 corner of said Section 14; thence run north to the theoretical northwest corner of Section
41 2; Township 20 South, Range 25 East designated as point "A". Return to point of
42 beginning. From said point of beginning run northwesterly along US-27 to 2-2713
43 Bridges Road; thence run westerly along 2-2713 Bridges Road, 2-2607 Austin Merritt
44 Road, and 2-2403 Youth Camp Road to the Lake County line; thence run north along

1 the Lake County Line to C-470; thence run easterly along C-470 to C-33; thence run
2 northeasterly along C-33 to US-27; thence run northerly along US-27 to the north line
3 of Section 2, Township 20 South, Range 24 East; thence run east to the theoretical
4 northwest corner of Section 2, Township 20 South, Range 24 East, and the
5 aforementioned point "A" being the end of this description.

6 (5) *Transportation Benefit District 5.* Begin at SR-33 and the Lake County line in Section
7 28, Township 24 South, Range 25 East, Lake County, Florida; run northerly along SR-
8 33 to C-565B; thence run easterly along C-565B to C-561; thence run northerly along
9 C-561 to C-561A; thence run northwesterly, northeasterly along C-561A to US-27;
10 thence run northerly along US-27 to C-561; thence run northerly along C-561 to C-455;
11 thence run southeasterly along C-455 to the south line of Section 22, Township 21
12 South, Range 26 East; thence run east to the Lake County line, thence run southerly,
13 west, north, and west along the Lake County line to the aforementioned SR-33 being the
14 end of this description.

15 (6) *Transportation Benefit District 6.* Begin at SR-33 and the Lake County line in Section
16 28, Township 24 South, Range 25 East, Lake County, Florida; run northerly along SR-
17 33 to C-565B; thence run easterly along C-565B to C-561; thence run northerly along
18 C-561 to C-561A; thence run northwesterly, northeasterly along C-561A to US-27;
19 thence run northwesterly along US-27 to 2-2713 Bridges Road; thence run westerly
20 along 2-2713 Bridges Road, 2-2607 Austin Merritt Road, and 2-2403 Youth Camp
21 Road to the Lake County line; thence run south, east, north and east along the Lake
22 County line to the aforementioned SR-33 being the end of this description.

23
24 (b) The following Transportation Benefits Districts are established and shall be used for
25 transportation impact fees collected on or after January 1, 2014:

26 (1) *North Transportation Benefit District.* Begin at the Lake County line at the northwest corner
27 of Section 6, Township 18 South, Range 26 East; thence run south to the northwest corner of
28 Section 6, Township 19 South, Range 26 East; thence run east to the northeast corner of Section
29 6, Township 19 South, Range 26 East; thence run south to the theoretical southeast corner of
30 Section 18, Township 19 South, Range 26 East; thence run west to CR 473; thence run south
31 along CR 473 to US 441; thence run west along US 441 to the eastern boundary of Section 23,
32 Township 19 South, Range 25 East; thence run south to the southeast corner of Section 23,
33 Township 19 South, Range 25 East; thence run west to the theoretical northeast corner of Section
34 27, Township 19 South, Range 25 East; thence run south to the theoretical northeast corner of
35 Section 15, Township 20 South, Range 25 East; thence run southeasterly in a straight line to the
36 theoretical northeast corner of Section 23, Township 20 South, Range 25 East; thence run east to
37 the theoretical northeast corner of Section 24, Township 20 South, Range 25 East, thence run
38 south to the southeast corner of Section 1, Township 21 South, Range 25 East; thence run east to
39 the southeast corner of Section 1, Township 21 South, Range 26 East; thence north along the
40 Lake County line and continuing along the Lake County line to the aforementioned northwest
41 corner of Section 6, Township 18 South, Range 26 East being the end of this description.

1 (2) Central Transportation Benefit District. Begin at Youth Camp Road and the Lake County
2 line in Section 18, Township 21 South, Range 24 East; run northeasterly along Youth Camp
3 Road/Austin Merritt Road to CR 33; thence run northerly along CR 33 to the northern boundary
4 of Section 10, Township 21 South, Range 24 East; thence run east to the southeast corner of
5 Section 1, Township 21 South, Range 25 East; thence run north to the theoretical northeast
6 corner of Section 24, Township 20 South, Range 25 East; thence run west to the theoretical
7 northeast corner of Section 23, Township 20 South, Range 25 East; thence run northwesterly in a
8 straight line to the theoretical northeast corner of Section 15, Township 20 South, Range 25 East;
9 then run north to the theoretical northeast corner of Section 27, Township 19 South, Range 25
10 East; thence run east to the northeast corner of Section 26, Township 19 South, Range 25 East;
11 thence run north to US 441; thence run easterly along US 441 to CR 473; thence run northerly
12 along CR 473 to the northern boundary of Section 24, Township 19 South, Range 25 East;
13 thence run east to the theoretical southeast corner of Section 18, Township 19 South, Range 26
14 East; thence run north to the northeast corner of Section 6, Township 19 South, Range 26 East;
15 thence run west to the northwest corner of Section 6, Township 19 South, Range 26 East; thence
16 run north to the Lake County line; thence run west along the Lake County line to the northwest
17 corner of Section 6, Township 18 South, Range 24 East; thence run south along the Lake County
18 line to the aforementioned Youth Camp Road being the end of this description.

19 (3) South Transportation Benefit District. Begin at Youth Camp Road and the Lake County line
20 in Section 18, Township 21 South, Range 24 East; run northeasterly along Youth Camp
21 Road/Austin Merritt Road to CR 33; thence run northerly along CR 33 to the northern boundary
22 of Section 10, Township 21 South, Range 24 East; thence run east to the theoretical southeast
23 corner of Section 1, Township 21 South, Range 26 East at the Lake County line; thence run
24 south along the Lake County line to the southeast corner of Section 36, Township 24 South,
25 range 26 East; thence run west along the Lake County line to the southeast corner of Section 34,
26 Township 24 South, Range 25 East; thence run north along the Lake County line to the southeast
27 corner of Section 27, Township 24 South, Range 25 East; thence run west along the Lake County
28 line to the southwest corner of Section 30, Township 24 South, Range 25 East; thence run south
29 along the Lake County line to the southwest corner of Section 31, Township 24 South, Range 25
30 East; thence run west along the Lake County line to the southwest corner of Section 31,
31 Township 24 South, Range 24 East; thence run north along the Lake County line to the
32 aforementioned Youth Camp Road being the end of this description.

33
34 **Section 4. Severability.** If any section, sentence, clause, or phrase of the Ordinance
35 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
36 shall in no way affect the validity of the remaining portion of this Ordinance.
37

38 **Section 5. Inclusion in the Code.** It is the intent of the Board of County
39 Commissioners that the provisions of this Ordinance shall become and be made a part of the

1 Lake County Code and that the sections of this Ordinance may be renumbered or relettered and
2 the word "ordinance" may be changed to "section," "article," or such other appropriate word or
3 phrase in order to accomplish such intentions.
4

5 **Section 6. Filing with the Department of State.** The clerk shall be and is
6 hereby directed forthwith to send a certified copy of this Ordinance to the Secretary of State for
7 the State of Florida.
8

9 **Section 7. Effective.** This Ordinance shall become effective as provided for by
10 law.
11
12

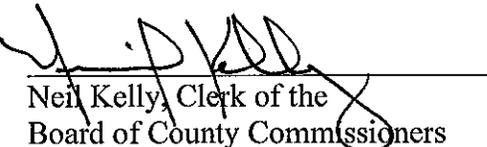
13
14 Enacted this 12 day of February, 2013.

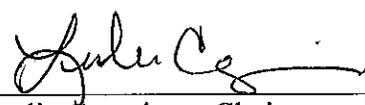
15
16 Filed with the Secretary of State February 21, 2013.

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18 Effective February 21, 2013.
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24 ATTEST:

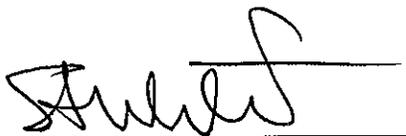
BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

25
26
27
28 
29 Neil Kelly, Clerk of the
30 Board of County Commissioners
31 of Lake County, Florida


Leslie Campione, Chairman

32
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38 This 13th day of February, 2013.

39 Approved as to form and legality:

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41 
42
43 Sanford A. Minkoff
44 County Attorney
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