

**ORDINANCE NO. 2021-**

**AN ORDINANCE OF CITRUS COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING THE FEE SCHEDULE OF CHAPTER 54 OF THE CITRUS COUNTY CODE, ALSO KNOWN AS THE CITRUS COUNTY IMPACT FEE ORDINANCE, FOR TRANSPORTATION, SCHOOLS, PARKS, LIBRARY, FIRE, EMERGENCY MEDICAL SERVICES (EMS), LAW, AND PUBLIC BUILDINGS; PROVIDING FOR SHORT TITLE, AUTHORITY, APPLICABILITY, AND ADOPTION OF TECHNICAL REPORT; PROVIDING FOR DEFINITIONS AND RULES OF CONSTRUCTION; PROVIDING FOR FEE TO BE IMPOSED; PROVIDING FOR INDIVIDUAL ASSESSMENT; PROVIDING FOR LIBERAL CONSTRUCTION, SEVERABILITY, AND PENALTY; CONFLICTS OF LAW; CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS; MODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Board of County Commissioners of Citrus County, has determined that future growth and new development that creates the need for and benefits from the provision of new County Facilities should contribute its fair share of the costs of providing such facilities; and

**WHEREAS**, the Board of County Commissioners of Citrus County has studied the necessity for and implications of updating current impact fees for County Facilities, and recently retained a qualified consultant to prepare an impact fee study (hereinafter the "Technical Report"); and

**WHEREAS**, the Technical Report sets forth reasonable methodologies for determining the impact of new development, or "Impact-Generating Land Development," on capital transportation, schools, parks, library, fire, emergency medical services, law, and public building facilities; and

**WHEREAS**, the Board of County Commissioners of Citrus County has determined that the impact fees calculated in the Technical Report are based on the most recent and localized data; and

**WHEREAS**, the Technical Report and the impact fees established in the report reflect the proportionate demand created by the new Impact-Generating Land Development for additional capital transportation, schools, parks, library, fire, emergency medical services, law, and public building facilities; and

**WHEREAS**, the Board of County Commissioners of Citrus County has determined that a nexus exists between new Impact-Generating Land Development and the need for additional capital transportation, schools, parks, library, fire, emergency medical services, law, and public building facilities; and

**WHEREAS**, this ordinance includes provisions for use of impact fee funds for capital transportation facilities for multi-modal improvements undertaken to accommodate and which will substantially benefit additional vehicular, pedestrian and bicycle traffic resulting from new Impact-Generating Land Development; and

**WHEREAS**, the County provided notice on the 10th day of March, 2021, prior to the effective date of this Ordinance; and

**WHEREAS**, an updated impact fee schedule based on the Technical Report requires new Impact-Generating Land Development to contribute its fair share of the capital facility costs for new users and is consistent with the Citrus County Comprehensive Plan;

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Citrus County, Florida, as follows:

**SECTION 1.** Amendment to Code of Ordinances, Section 54-01 of Part II, Chapter 54, Impact Fees, of the Citrus County Code of Ordinances is hereby deleted.

**SECTION 2.** Amendment to Code of Ordinances. Section 54-1, of the Citrus County Code of Ordinances is hereby amended to read as follows.

**Sec. 54-1. - Short title, authority, applicability, and adoption of technical report.**

- (a) *Short title.* This chapter shall be known and may be cited as the "Citrus County Impact Fee Ordinance."
- (b) *Authorization.* The board of county commissioners of Citrus County has the authority to adopt this chapter pursuant to Article VIII of the Florida Constitution and F.S. chg. 125 and F.S. §§ 163.31801, 163.3201, 163.3202 and 380.06(16).
- (c) *Applicability.* This chapter shall apply to the unincorporated area of Citrus County, and to the incorporated area of Citrus County to the extent authorized by the Florida Constitution, Article VIII, Section 1(f) and as specifically provided herein.
  - (1) *Incorporation of technical report.* The board of county commissioners of Citrus County has reviewed and accepted, and incorporates into this chapter by reference, the report prepared by Duncan Associates, titled "Citrus County, Florida Impact Fee Update" and dated March 22, 2021 (hereinafter the "Technical Report"), which establishes the need for and appropriate amount of impact fees for capital transportation, park, school, fire, emergency medical services (EMS), law enforcement, library, and public building facilities, necessary to serve new development.

The technical report is hereby adopted, including particularly the assumptions, conclusions and findings in such study as to the allocation of anticipated costs of capital improvements and additions to the county facilities between those costs required to accommodate existing development and those costs required by new growth.

**SECTION 3.** Amendment to Code of Ordinances, Section 54-3(a) of the Citrus County Code of Ordinances is hereby amended to read as follows.

**Sec. 54-3. - Definitions and rules of construction.**

(a) *Definitions.* For the purposes of this chapter, the following terms shall have the following meanings:

- (1) *Access improvements* means improvements primarily designed to insure safe and adequate ingress and egress to the site of a proposed development. The term "access improvements" includes, but is not limited to, acceleration, deceleration and turn lanes, traffic signals and signs and any transportation capital facility which does not increase transportation system capacity.
- (2) *Board* means the board of county commissioners of Citrus County, Florida.
- (3) *Building permit* means that development permit issued by the Citrus County Division of Building, or the City of Inverness or the City of Crystal River, whichever is appropriate, before any building or construction activity can be initiated on a parcel of land.
- (4) *Capital EMS facilities* means capital improvements, including, land improvements, buildings, and equipment related to the provision of emergency medical services (EMS) to new impact-generating development and having a useful life of at least five years and a cost of at least \$5,000.00.
- (5) *Capital fire facilities* mean capital improvements, including, land improvements, buildings, and equipment related to the provision of fire protection services to new impact-generating development and having a useful life of at least five years and a cost of at least \$5,000.00.
- (6) *Capital law enforcement facilities* means capital improvements, including, land improvements, buildings, and equipment related to the provision of law enforcement services to new impact-generating development and having a useful life of at least five years and a cost of at least \$5,000.00.
- (7) *Capital library facilities* means capital improvements, including land, land improvements, buildings, library volumes, equipment, or other capacity-adding capital improvements having a useful life of at least five years and a cost of at least \$5,000.00 necessary for the provision of library services to new impact-generating land development.
- (8) *Capital park facilities* means capital improvements, including land, land improvements, buildings, and equipment having a useful life of at least five years and a cost of at least \$5,000.00 necessary for the provision of park and recreation services to new impact-generating development.
- (9) *Capital public building facilities* mean capital improvements, including land, land improvements, equipment, buildings, or other capacity-adding capital improvements with a cost of at least \$50,000.00, which are necessary for the provision of public services to new impact-generating land development.
- (10) *Capital transportation facilities* means capacity-expanding capital improvements to the major road system as well as pedestrian improvements, bikeways and trails along major roadways or on off-road alignments that provide comparable connectivity, including the transportation planning, preliminary engineering, engineering design studies, land surveys, alignment studies, right-of-way acquisition, engineering, permitting, and construction of all necessary features for improvements undertaken to accommodate and which will substantially benefit additional vehicular, pedestrian and bicycle traffic resulting from new impact-generating land development.

These include but are not limited to:

- a. Construction of new through lanes,
- b. Construction of new bridges,
- c. Construction of new drainage facilities in conjunction with new road construction,
- d. Purchase and installation of traffic signals, including new and upgraded signalization,
- e. Construction of curbs, gutters, medians and shoulders,
- f. Relocating utilities to accommodate new road construction,
- g. The construction and reconstruction of intersections,
- h. The widening of existing roads,
- if. Acceleration and deceleration lanes,
- j. Interchanges,
- k. Traffic control devices,
- l. Sidewalks,
- m. Bikeways, and
- n. Trails.

Capital transportation facilities have a total cost of at least \$50,000.00 and do not include maintenance as defined in F.S. §§ 334.03(19) or (24).

- (11) *Capital school facilities* mean capital improvements, including land, buildings, vehicles, equipment, or other capacity-adding capital improvement having a useful life of at least five years and a cost of at least \$5,000.00 necessary for the provision of educational services to new impact-generating land development.
- (12) *Certificate of occupancy* means that development permit issued by the Citrus County Division of Building, or the City of Inverness or the City of Crystal River, after completion of the final inspection for building or construction activity as required pursuant to the Florida Building Code or other laws that are enforced by the department of building safety.
- (13) *Commencement of impact-generating land development* occurs upon any of the following events, whether in unincorporated Citrus County or within a participating city, as provided in section 54-7 of this chapter:
  - a. The approval of a development of regional impact.
  - b. The issuance of any permit to authorize building or construction of any kind on the property.
  - c. The issuance of any certificate of occupancy.
- (14) *County facilities* mean the capital facilities for which impact fees are imposed pursuant to this chapter.
- (15) *Existing impact-generating land development* means the most intense use of land since December 9, 1986.
- (16) *Expansion of the capacity of a road* includes any widening, intersection improvement or other capital improvement which results in an increase of the existing road's capacity.
- (17) *Fee payer* means a person commencing impact-generating land development who is obligated to pay an impact fee in accordance with the terms of this chapter.
- (18) *Housing for older persons* means a dwelling unit in a subdivision, mobile home or manufactured housing park, or multifamily structure operated as a community for older persons in compliance with the terms and provisions of the Federal Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 and the Housing for Older Persons Act of 1995, 42 U.S.C., §§ 3601 through 3619, that also prohibits persons under the age of 18 from residing within the dwelling units on the property as a permanent resident, as

evidenced by a recorded declaration of covenants and restrictions that run with the land and are not subject to revocation or amendment for a period of at least 30 years from the date of recording.

- (19) *Gross floor area* means the total area of all floors of a building as measured to the outside surfaces of exterior walls and including, but not limited to, halls, stairways, and elevator shafts. Parking garages are excluded from the definition of gross floor area.
- (20) *Impact-generating land development* is land development designed or intended to permit a use of the land which will contain more dwelling units or floor space than the then existing use of the land in a manner that increases the generation of vehicular traffic or the demand on county facilities. The type of proposed impact-generating land development shall be based on the proposed use of the land.
- (21) *Land* shall have the same meaning as set forth in F.S. § 380.031 (7).
- (22) *Low Income* shall mean homes with less than 1500 square feet of living area (site built, mobile home, modular, etc.) and owner occupied housing being at or below low income (80% of median income, adjusted for family size as defined by the U .S. Department of Housing and Urban Development) and a residential building or structure of any size owned and operated by a 501(c)(3) entity, housing, non-school age individuals who have a developmental disability as defined in 393.063, Fla. Statute, as amended from time to time.
- (23) *Major road system* means all existing and planned state, county, and city arterials and major collector roads within Citrus County, including those roads within the incorporated areas of the county.
- (24) *Person* means an individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other entity.
- (25) *Road* shall have the same meaning as set forth in F.S. § 334.03(22).
- (26) Land use categories listed in the impact fee schedule are defined as follows for the purpose of classifying proposed developments:

*Single-family detached* means the use of a lot primarily for a dwelling unit that is not attached to any other dwelling unit, including a mobile home not located in a mobile home park, provided that the lot and structure may contain an accessory dwelling unit as allowed by the Land Development Code. An accessory dwelling unit on a lot primarily used for a single-family detached unit shall be assessed as a multi-family unit.

*Single-family, age-restricted* means a single-family detached unit that meets the definition of housing for older persons set forth in this section.

*Accessory dwelling unit* means an ancillary or secondary living unit that has a separate kitchen, bathroom, and sleeping area existing either within the same structure, or the same lot, as the primary dwelling unit.

*Multi-family* means a building that contains two or more dwelling units.

*Multi-family, age-restricted* means a multi-family dwelling that meets the definition of housing for older persons set forth in this section.

*Mobile home park* means a parcel (or portion thereof) or abutting parcels of land designed, used or intended to be used to accommodate two or more occupied mobile homes, with necessary utilities, vehicular pathways, and concrete pads.

*RV park* means a parcel (or portion thereof) or abutting parcels of land designed, used or intended to be used to accommodate two or more occupied recreational vehicles, with necessary utilities, vehicular pathways, and concrete pads or vehicle stands.

*Hotel/motel* means a building or group of buildings on the same parcels and under single control, consisting of sleeping rooms kept, used, maintained or advertised as, or held out to the public to be, a place where sleeping accommodations are supplied for pay to transient guests or tenants. Restaurants and meeting rooms suitable for conventions, weddings, dining or similar activities shall be assessed separately based on the square footage of such spaces at the retail/commercial rate.

*Retail/commercial* means establishments engaged in the selling or rental of goods, services or entertainment to the general public. Such uses include, but are not limited to, amusement parks, automobile sales and service, banks, bowling alleys, barber shops, building material and lumber stores, car washes, convenience stores, dance studios, discount stores, funeral homes, furniture stores, health clubs, golf courses and driving ranges, hardware and paint stores, home improvement stores, marinas, miniature golf courses, movie theaters, pharmacies, restaurants, shopping centers, supermarkets, tire stores and vocational or technical schools. Any land use within a shopping center shall be considered a retail/commercial use.

*Office* means a building not located in a shopping center and exclusively containing establishments providing executive, management, administrative or professional services, and which may include ancillary services for office workers, such as a restaurant, coffee shop, newspaper or candy stand, or childcare facilities. Typical uses include real estate, insurance, property management, investment, employment, travel, advertising, secretarial, data processing, photocopy and reproduction, telephone answering, telephone marketing, music, radio and television recording and broadcasting studios; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; medical and dental offices and clinics, including veterinarian clinics; and business offices of private companies, utility companies, trade associations, unions and nonprofit organizations.

*Public/institutional* means a governmental, quasi-public, institutional or nonprofit recreational use, not located in a shopping center. Typical uses include elementary, secondary or higher educational establishments, day care centers, hospitals, mental institutions, nursing homes, assisted living facilities, fire stations, city halls, county court houses, post offices, jails, libraries, museums, places of religious worship, military bases, airports, bus stations, fraternal lodges, parks and playgrounds.

*Industrial* means a facility primarily intended for the production or assembly of goods, processing of foods, mining of raw materials, or similar activities. Typical uses include factories, welding shops, wholesale bakeries, and water and wastewater treatment plants.

*Warehouse* means an establishment primarily engaged in the display, storage and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment. Typical uses include wholesale distributors, storage warehouses, moving and storage firms, trucking and shipping operations and major mail processing centers.

*Mini-warehouse* means an enclosed storage facility containing independent, fully enclosed bays that are leased to persons for storage of their household goods or personal property.

**SECTION 4.** Amendment to Code of Ordinances, Section 54-4 of Part II, Chapter 54, Impact Fees, of the Citrus County Code of Ordinances is hereby amended to read as follows.

**Sec. 54-4. - Fee to be imposed.**

(a) *Fee obligation, determination, and payment.*

- (1) *General.* After the effective date of this chapter, any person or governmental body commencing impact-generating land development, except those exempted pursuant to subsection 54-4(a)(2), shall be obligated to pay an impact fee upon the commencement of impact-generating land development, pursuant to the fee schedule attached to this chapter as exhibit "A" and incorporated herein by reference.

The fee shall be determined and paid to the county administrator, or a designee, or the appropriate city official in the cities, at the time of issuance of a building permit or any such approval as may be required to initiate an impact-generating land development. If the building permit or other approval is for less than the entire development, the fee shall be computed separately for the amount of development covered by the permit. If the fee is exacted for impact-generating land development that increases impact because of the expansion of an existing use, the fee shall be determined by computing the difference in the fee schedule between the new impact-generating land development and the existing impact-generating land development. The obligation to pay the impact fee shall run with the land.

If the issuance of a conventional building permit for the development is not required, then an applicant shall pay the impact fee prior to the occurrence of any one of the following events, whichever occurs first:

- a. The date when the first building permit has been issued for any building or structure accessory to the principal use or structure of the development; or
  - b. The date when the first building permit is issued for the first nonaccessory building or nonaccessory structure to be used by any part of the development; or
  - c. The date when a final development order, final development permit or other final authorization is issued authorizing construction of a parking facility for any portion of the development; or
  - d. The date when a final development order, final development permit or other final approval is issued for any part of the development in instances where no further building permit is required for that part of the development; or
  - e. The date when any part of the development opens for business or goes into use. Owners of all golf courses must submit to the county a certified legal description and a certified surveyor's sketch, to scale, of the course prepared by a professional engineer before the date the construction of the golf course commences.
- (2) *Exemptions.* The following development shall be exempt from the terms of this chapter. An exemption shall be claimed by the fee payer at the time of application for a building permit.
- a. Alterations or expansion of an existing building where no additional dwelling units are created, and no additional vehicular trips will be produced over and above that produced by the existing use, or no additional impact will be made on the demand for county facilities.
  - b. The construction of accessory buildings or structures which will not produce additional vehicular trips over and above that produced by the principal building or use of the land or increase the demand for county facilities above that produced by the principal building or use of the land.
  - c. The replacement of a residential building or structure of the same use provided no additional dwelling units are added as such term is defined by the Citrus County Building Code.

- d. The replacement of a nonresidential building or structure with a building of the same size and use, as long as no additional vehicular trips are added, or there is no increase in the demand for county facilities.
  - e. All public educational and ancillary plants constructed by a district school board or a community college district board of trustees, pursuant to F.S. § 1013.371 (1)(a).
  - f. Charter school facilities, pursuant to F.S. § 1002.33(18)(d).
  - g. Housing for older persons, as defined herein, shall be exempt from the capital school facility component of the impact fee only.
  - h. An addition or expansion of an existing dwelling unit provided no additional dwelling units are created.
  - i. A change of use within an existing building.
  - j. Churches or places of worship, with or without related schools or day care centers.
  - k. A residential building or structure owned and operated by a 501(c)(3) entity, housing non-school age individuals who have a developmental disability as defined in 393.063(12), Florida Statute, as amended from time to time, shall be exempt from the capital school facility component of the impact fee study. If there is a change of use to the residential building or structure, then the owner shall immediately pay the capital school facility impact fee.
- (3) *Payment deferral.* For commercial, industrial, or other nonresidential development, the landowner may delay payment by executing a noninterest bearing promissory note payable to the county or participating city for the amount of the fee. The promissory note shall be paid prior to the issuance of a certificate of occupancy for the impact-generating land development. If the building permit is for less than the entire development, the fee shall be computed separately for the amount of the development covered by the permit. The obligation to pay the impact fee shall run with the land. A longer-term payment plan will be made available to fee payers, which will be implemented and administered through the county's administrative regulations.
- (4) *Dedication of land or facilities.* Any land or facilities agreed to be dedicated to the county as a condition of development approval shall be dedicated by either easement or deed, at the discretion of the county, no later than the time at which impact fees are required to be paid under this section.
- (5) *Fee agreement.* At any time prior to issuance of a building permit, the owner of property may enter into a fee agreement with the board of county commissioners providing for payment of the fee pursuant to the terms of this chapter.
- (b) *Establishment of fee schedule.*
- (1) *Fee schedule.* Any person who shall initiate any new impact-generating land development, except those exempted pursuant to subsection 54-4(a)(2), exemptions, or those preparing an individual assessment pursuant to section 54-5, individual assessment, shall pay an impact fee as determined by the revised fee schedule attached to this chapter as exhibit "A" and incorporated herein by reference.
- (2) *Fee computation.*
- a. If a building permit is requested for mixed uses, then the fee shall be determined according to the above schedule by apportioning the space committed to uses specified on the schedule.
  - b. If the type of impact-generating land development for which a building permit is requested is not specified on the fee schedule, the county administrator or designee shall determine the fee on the basis of the fee applicable to the most nearly comparable type of land use on the fee schedule, or if there is not a comparable land use, conduct an individual assessment pursuant to section 54-5, individual assessment.
- (3) *Five-year review.* At least once every five years, the county administrator or a designee, after consultation with the Citrus County School Superintendent on school fees, and all other



appropriate providers of county facilities, shall recommend to the board of county commissioners whether any changes should be made to the impact fee schedule to reflect changes in the factors that affect the fee schedule. The purpose of this review is to analyze the effects of inflation on the actual costs of facilities, to assess potential changes in needs, to assess any changes in the characteristics of land uses, and to ensure that the fee charged new impact-generating land development will not exceed its pro rata share for the reasonably anticipated expansion costs of facilities necessitated by its presence.

**SECTION 5.** *Amendment to Code of Ordinances, Section 54-5(c) of Part II, Chapter 54, Impact Fees, of the Citrus County Code of Ordinances is hereby amended to read as follows*

**Sec. 54-5. - Individual assessment.**

(c) *Individual assessment standards. The individual assessments shall be in accordance with the following standards:*

- (1) Capital transportation facilities. The individual assessment for the transportation component shall be in accordance with the following standards:
  - a. The individual assessment shall be calculated in a manner consistent with the formulas and methodology used in the technical report.
  - b. The fee calculations shall be based on data, information or assumptions contained in this chapter or independent sources, provided that:
    1. The source is an accepted standard source of transportation engineering or planning data or information; or
    2. The independent source is a local study carried out by a qualified traffic planner or engineer pursuant to an accepted methodology of transportation planning or engineering.
    3. The county administrator or a designee or a city official (whichever is appropriate), will approve the methodology in writing prior to the applicant undertaking the individual assessment study.
  - c. The trip rate, trip length and percent new trips used in the individual assessment shall be based on actual surveys conducted in Citrus County. In the absence of like impact-generating land development activity in Citrus County, the county administrator or a designee or a city official (whichever is appropriate) may allow the applicant undertaking the individual assessment study using a like impact-generating land development activity in an area outside of Citrus County, provided that the proposed study site has similar demographic characteristics as the location in Citrus County. For the purposes of this analysis, the percent new trips figure shall be the percentage of trips that a proposed use will generate that constitutes new or additional trips not already on the major road system.
- (2) County facilities other than capital transportation facilities. The individual assessment for any county facilities other than the transportation component shall determine if the proposed impact-generating land development is designed or located so that the occupants of the development will use the particular county facility more or less than that projected in the fee schedule for the same county facility. The county administrator or a designee or a city official (whichever is appropriate) will approve the methodology in writing prior to the applicant undertaking the individual assessment study.

**SECTION 6.** *Amendment to Code of Ordinances, Section 54-7(a)(1) and (a)(2) of Part II, Chapter 54, Impact Fees, of the Citrus County Code of Ordinances is hereby amended to read as follows.*

#### **Sec. 54-7. - Benefit districts.**

- (a) *Establishment.* For the purpose of further ensuring fee payers, receive sufficient benefit for fees paid, the following benefit districts are established for each component of the chapter:
- (1) *Capital transportation facilities.* Five (5) transportation benefit districts are established. The boundaries of the transportation benefit districts are shown in exhibit "B", which is attached hereto and incorporated herein by reference. The transportation benefit districts are described as follows:
- a. Transportation benefit district A is the area north of SR 44 west of US 41 and north of CR 486 east of US 19, west of CR 491 and west of US 41/SR45, excluding the incorporated area of Crystal River;
  - b. Transportation benefit district B is the area north of SR 44 east of US 41 and north of CR 486 west of US 41, east of CR 491 and east of US 41/SR 45, excluding the incorporated area of Inverness;
  - c. Transportation benefit district C is the area south of SR 44 west of US 19 and south of CR 486 east of US 19, and west of CR 491, excluding the incorporated area of Crystal River;
  - d. Transportation benefit district D is the area south of SR 44 east of US 41 and south of CR 486 west of US 41, and east of CR 491, excluding the incorporated area of Inverness;
  - e. Crystal River transportation benefit district is the area within the corporate limits of the city of Crystal River;
- (2) *Capital park facilities.* The park benefit district shall include the entirety of Citrus County. The park benefit districts do not include the incorporated areas of the municipalities.

**SECTION 7.** Amendment to Code of Ordinances. Section 54-6(a), of the Citrus County Code of Ordinances is hereby amended to read as follows.

#### **Sec. 54-6. - Credits.**

- (a) *Capital transportation facilities.*
- (1) *General.* For any credit against any transportation fee proposed to be paid, the contribution, payment, or construction may be credited in an amount equal to its full fair market value if it is for a capital transportation improvement as herein defined.
- (2) *Establishment of fair market value.* Credit may be in an amount equal to the fair market value of the construction at the time of its completion, or the value of the contribution or payment at the time it is made.
- (3) *Capital contribution front-ending agreement.* Citrus County may enter into a capital contribution front-ending agreement with any person who proposes to construct capital transportation facilities. To the extent that the fair market value of the construction of these capital transportation facilities exceed the obligation to pay impact fees for which a credit is provided pursuant to this section, the capital contribution front-ending agreement shall provide proportionate and fair share reimbursement linked to new growth and development's use of the capital transportation facilities constructed.

#### **SECTION 8. LIBERAL CONSTRUCTION, SEVERABILITY, AND PENALTY**

- (a) *Liberal construction.* The provisions of this chapter shall be liberally construed to effectively carry out its purposes in the interest of the public health, safety, welfare and convenience.

- (b) Severability. If any section, phrase, sentence or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions. All ordinances or parts of ordinances in conflict with the provisions of this chapter are hereby repealed.
- (c) Violation; remedies. A violation of this chapter shall be a misdemeanor punishable according to law; however, in addition to or in lieu of any criminal prosecution, Citrus County shall have the power to sue in civil court to enforce the provisions of this chapter.

## **SECTION 9. CONFLICT OF LAW**

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted Citrus County Ordinance or Florida Statutes, the more restrictive shall apply.

## **SECTION 10. CODIFICATION, INCLUSION IN CODE, AND SCRIVENER'S ERRORS**

It is the intention of the Board of County Commissioners of Citrus County, Florida, and it is hereby provided, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Citrus County, Florida. To this end, the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, the word "ordinance" may be changed to "section," "article," or other appropriate designation, and typographical errors that do not affect the intent may be authorized by the County Administrator, or the County Administrator's designee, without need of public hearing, by filing a corrected or re-codified copy of same with the Clerk of Circuit Court.

## **SECTION 11. MODIFICATION**

It is the intent of the Board of County Commissioners that the provisions of this ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated in the final version of the ordinance adopted by the Board and filed by the Clerk to the Board.

## **SECTION 12. EFFECTIVE DATE**

This Ordinance shall become effective as outlined in Florida law.

**DONE AND ADOPTED** in a regular meeting of the Board of County Commissioners of Citrus County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**ATTEST:**

**BOARD OF COUNTY COMMISSIONERS OF  
CITRUS COUNTY, FLORIDA, A POLITICAL  
SUBDIVISION OF THE STATE OF FLORIDA**

\_\_\_\_\_  
**ANGELA VICK, CLERK**

**BY:**\_\_\_\_\_  
**Scott Carnahan, CHAIRMAN**

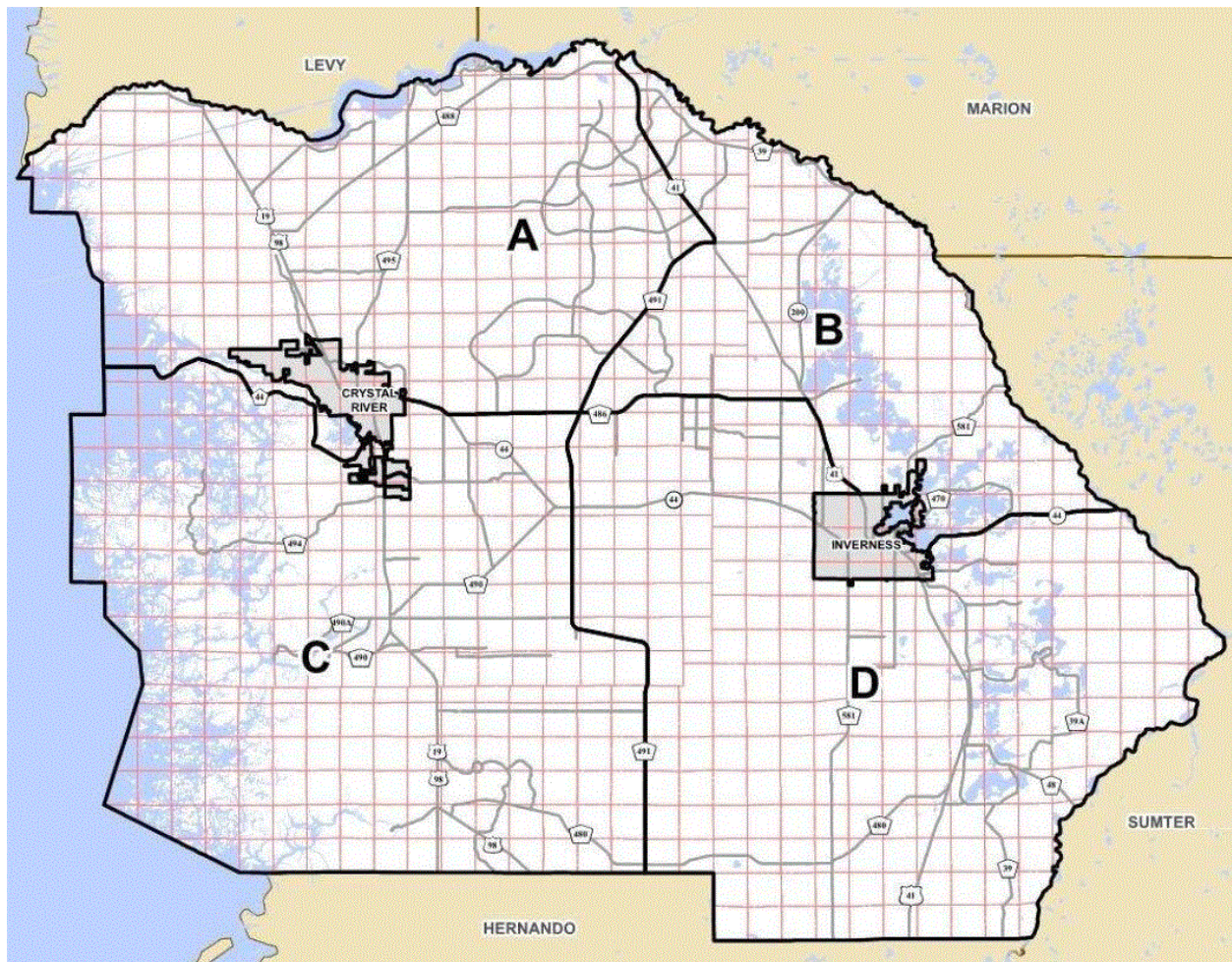
**APPROVED AS TO FORM FOR THE  
THE RELIANCE OF CITRUS COUNTY ONLY:**

\_\_\_\_\_  
**COUNTY ATTORNEY**

**Exhibit "A"**  
**Impact Fee Schedule**

Land Use	Unit	Transp. -50%	Schools -50%	Parks	Library	Fire	EMS	Law Enf.	Public Bldgs.	Total
Single-Family Detached	Dwelling	\$1,932	\$2,059	\$661	\$308	\$281	\$62	\$416	\$298	\$6,017
Accessory Dwelling Unit	Dwelling	\$575	\$593	\$403	\$188	\$170	\$38	\$253	\$181	\$2,401
Single-Family, Age-Rest.	Dwelling	\$608	n/a	\$469	\$219	\$200	\$44	\$297	\$213	\$2,050
Single-Family, Low Income	Dwelling	\$1,275	\$1,778	\$529	\$246	\$225	\$50	\$334	\$239	\$4,676
Multi-Family	Dwelling	\$728	\$1,035	\$509	\$237	\$216	\$48	\$320	\$229	\$3,322
Multi-Family, Age-Rest.	Dwelling	\$318	n/a	\$350	\$163	\$150	\$33	\$222	\$159	\$1,395
Mobile Home Park	Pad/Space	\$604	\$1,940	\$628	\$293	\$268	\$59	\$397	\$284	\$4,473
RV Park	Pad/Space	\$604	n/a	n/a	n/a	\$268	\$59	\$397	\$284	\$1,612
Hotel/Motel	Room	\$467	n/a	n/a	n/a	\$108	\$24	\$160	\$115	\$874
Retail/Commercial	1,000 sq.ft.	\$1,160	n/a	n/a	n/a	\$355	\$78	\$526	\$377	\$2,496
Office	1,000 sq.ft.	\$1,184	n/a	n/a	n/a	\$169	\$37	\$250	\$179	\$1,819
Industrial/Manufacturing	1,000 sq.ft.	\$429	n/a	n/a	n/a	\$73	\$16	\$108	\$77	\$703
Warehousing	1,000 sq.ft.	\$221	n/a	n/a	n/a	\$33	\$7	\$48	\$35	\$344
Mini Warehouse	1,000 sq.ft.	\$193	n/a	n/a	n/a	\$5	\$1	\$8	\$5	\$212
Public/Institutional	1,000 sq.ft.	\$406	n/a	n/a	n/a	\$80	\$18	\$119	\$85	\$708

**Exhibit "B"**  
**CAPITAL TRANSPORTATION FACILITIES BENEFIT DISTRICT**



**Exhibit "C"**  
**CAPITAL PARK FACILITIES BENEFIT DISTRICT**

