

**CITY OF CALLAWAY  
BOARD OF COMMISSIONERS  
AGENDA ITEM SUMMARY**

DATE: JANUARY 26, 2016

ITEM: ORDINANCE NO. 964 – REDUCTION OF TRANSPORTATION IMPACT FEES

**1. PLACED ON AGENDA BY:**

J. Michael Fuller, City Manager

**2. AGENDA:**

- PRESENTATION
- PUBLIC HEARING
- CONSENT
- OLD BUSINESS
- REGULAR

**3. IS THIS ITEM BUDGETED (IF APPLICABLE)?:** YES  NO

N/A

**4. BACKGROUND: (WHY, WHAT, WHO, WHERE, WHEN, HOW, & IDENTIFY ALL ATTACHMENTS)**

On August 28, 2008, the City Commission adopted Ordinance No. 862 imposing transportation impact fees on land development in the City. From time to time, the City Commission has approved temporary reduction of the transportation impact fees. Most recently, Ordinance No. 945, adopted on Oct 28, 2014, amended Ordinance No. 862 to temporarily reduce all transportation impact fees by one hundred (100%) percent for twelve (12) months. Staff has drafted an ordinance for consideration by the City Commission which will allow the reduction of the transportation impact fees to continue for another one year period.

There has not been a significant amount of new development in Callaway since the beginning of the economic recession, although the city did see a positive, but minor, increase in construction and land development activity during the last year. It is anticipated that the temporary reduction of transportation impact fees for another year will help encourage new development in Callaway.

Commission approved the first reading of Ordinance No. 964 at their December 15, 2015, meeting.

**ATTACHMENTS:**

- Ordinance No. 964

**5. REQUESTED MOTION/ACTION:**

Staff recommends approval of Ordinance No. 964 upon second reading.

**ORDINANCE NO. 964**

**AN ORDINANCE OF THE CITY OF CALLAWAY, FLORIDA, TEMPORARILY REDUCING BY 100% THE CITY OF CALLAWAY'S TRANSPORTATION IMPACT FEE PREVIOUSLY ESTABLISHED BY ORDINANCE 862; PROVIDING FOR REINSTATEMENT OF THE AMOUNT OF IMPACT FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Callaway has determined that a reduction in impact fees will serve a public purpose of encouraging development.

**NOW, THEREFORE, BE IT ENACTED** by the City Commission of the City of Callaway, Florida that:

**SECTION 1. REDUCTION OF THE CURRENT AMOUNT OF IMPACT FEES.**

The Callaway Transportation Impact Fee Ordinance No. 862 is hereby amended to temporarily reduce the current amount of all transportation impact fees by one hundred percent (100%) of twelve (12) months for the effective date of this ordinance.

**SECTION 2. REINSTATEMENT OF THE CURRENT AMOUNT OF IMPACT FEES.** The current amount of all Impact Fees set forth in Ordinance No. 862 shall be automatically reinstated, enforced and collected twelve (12) months after the effective date of this ordinance. This ordinance shall not be applicable to development for which a building permit was issued and impact fees were paid prior to the date of this ordinance.

**SECTION 3. SEVERABILITY.** If any section, subsection, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

**SECTION 4. REPEAL.** All ordinances or part of ordinances in conflict with this ordinance are, to the extent of such conflict, hereby repealed. Except as set forth herein all other provisions of Ordinance No. 862 shall remain in full force and effect.

**SECTION 5. INCLUSION IN CODE.** It is the intention of the City Commission and is hereby provided that the provisions of this ordinance shall become and be made a part of the City of Callaway Code of Ordinances; that the sections of this ordinance may be re-numbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section", "article" or other appropriate designation.

**SECTION 6. EFFECTIVE DATE.** This ordinance shall take effect immediately.

**PASSED, APPROVED AND ADOPTED** at the regular meeting of the City Commission of the City of Callaway, Florida, this 26<sup>th</sup> day of January, 2016.

**CITY OF CALLAWAY, FLORIDA**

By: \_\_\_\_\_  
Thomas W. Abbott, Mayor

ATTEST: \_\_\_\_\_  
Janice L. Peters, MMC, City Clerk

PASSED ON FIRST READING: DECEMBER 15, 2015

NOTICE PUBLISHED ON: JANUARY 15, 2016

PASSED ON SECOND READING: \_\_\_\_\_

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY FOR THE CITY OF CALLAWAY  
ONLY:

**VOTE OF COMMISSION:**

Abbott \_\_\_\_\_  
Covey \_\_\_\_\_  
Henderson \_\_\_\_\_  
Hollister \_\_\_\_\_  
Pelletier \_\_\_\_\_

\_\_\_\_\_  
Kevin D. Obos, City Attorney