

**CITY OF QUINCY
CITY COMMISSION
AGENDA REQUEST**

MEETING DATE: March 12, 2019

DATE OF REQUEST: March 8, 2019

TO: Honorable Mayor and Members of the City Commission

FROM: Jack L. McLean, Jr. Interim City Manager
Bernard O. Piawah, Building and Planning Director

SUBJECT: Ordinance No.1104-2019 on Second Reading; Zeroing Out Impact Fees

Statement of Issue:

This is the Second Reading of Ordinance Number 1104-2019 zeroing our impact fees in the City. The Ordinance presented for Second Reading today is identical to the one that passed on First Reading on February 12, 2019. The agenda item from the meeting of February 12, 2019 is attached for information sake only. Staff is recommending that the City Commission approve Ordinance 1104-2019 on Second Reading. (See attachment A for Ordinance No.1104-2019).

OPTIONS

- Option 1: Move to approve Ordinance No.1104-2019 on Second Reading.
- Option 2: Do not approve Ordinance No. 1104-2019 on Second Reading.

STAFF RECOMMENDATION:

Option 1.

Attachments:

- A. Ordinance 1104-2019 on Second Reading
- B. Agenda Item from the Commission meeting of February 12, 2019

ATTACHMENT A.

ORDINANCE NO. 1104-2019

AN ORDINANCE OF THE CITY OF QUINCY, FLORIDA, RELATING TO IMPACT FEES; PROVIDING FOR AUTHORITY; PROVIDING FINDINGS; AMENDING THE CODE OF ORDINANCES TO ELIMINATE IMPACT FEE CHARGES IN SECS. 46-975 - FIRE RESCUE, 46-976 - LAW ENFORCEMENT, 46-977 - PARKS AND RECREATION AND 46-978 - PUBLIC FACILITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

SECTION 1. AUTHORITY.

The authority for the Ordinance is Section 2(b), Article VIII of the Constitution of the State of Florida, Section 166.021(1), Florida Statutes, and the City Charter of the City of Quincy.

SECTION 2. FINDINGS.

WHEREAS, as provided in Section 2(b), Article VIII of the Constitution of the State of Florida, and Section 166.021(1), Florida Statutes, the City of Quincy, Florida (the “City”), a municipal corporation, enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, as provided in Section 166.021(3), Florida Statutes, the governing body of each municipality in the state has the power to enact legislation concerning any subject matter upon which the state legislature may act, except when expressly prohibited by law; and

WHEREAS, by Ordinance No. 1001, adopted on June 26, 2007, the City adopted impact fees to fund capital improvements for Fire Rescue, Law Enforcement, Parks and Recreation and Public Facilities; and

WHEREAS, the City Commission has determined that it is advisable to eliminate such fees as indicated on the Impact Fee Schedules, but to otherwise keep in place provisions in the Code of Ordinances relating to impact fees; and

WHEREAS, the City Commission hereby finds that this Ordinance is in the best interest of the public health, safety, and welfare.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF QUINCY, FLORIDA:

SECTION 3. AMENDMENT TO CODE OF ORDINANCES SECS. 46-975, 46-976, 46-977 AND 46-978.

Code of Ordinances Secs. 46-975, 46-976, 46-977 and 46-978 are amended as follows:

ARTICLE IX. - IMPACT FEE

DIVISION 2. - IMPOSITION OF IMPACT FEES

Sec. 46-975. - Fire rescue impact fee.

- (a) All construction occurring within the City of Quincy shall pay the fire rescue impact fee as established in this article.
- (b) Subject to section 46-979 herein, on and after the effective date of this article, all construction occurring within City of Quincy, shall pay the fire rescue impact fee according to the following table:

Fire Rescue Impact Fee Schedule

Land Use	Impact Fee Unit	Net Impact Fee
Residential		
Single Family Detached		
- Less than 1,600 square feet	Square feet	\$ 0.113 <u>0</u>
) 1,600 square feet	Dwelling unit	180.08 <u>0</u>
Non Residential	Square feet	0.113 <u>0</u>
Multi Family	Square feet	\$ 0.113 <u>0</u>
Non Residential in Downtown District	Square feet	0.090 <u>0</u>
Mobile Home	Dwelling unit	\$ 135.60 <u>0</u>

- (c) and (d). No change.

Sec. 46-976. - Law enforcement impact fee.

- (a) All construction occurring within City of Quincy shall pay the law enforcement impact fee, as established in this article.
- (b) Subject to section 46-979 herein, on and after the effective date of this article, all construction within the City of Quincy, shall pay the law enforcement impact fee according to the following table:

Law Enforcement Impact Fee Schedule

Land Use	Impact Fee Unit	Net Impact Fee
Residential		
Single Family Detached		
- Less than 1,600 square feet	Square feet	\$ 0.073 <u>0</u>
) 1,600 square feet	Dwelling unit	\$ 116.80 <u>0</u>
Non Residential		
Multi-family	Square feet	\$ 0.073 <u>0</u>
Non Residential in Downtown District	Square feet	\$ 0.058 <u>0</u>
Mobile Home	Dwelling unit	\$ 87.60 <u>0</u>

- (c) and (d). No change.

Sec. 46-977. - Parks and recreation impact fee.

- (a) All residential construction occurring within the City of Quincy shall pay the parks and recreation impact fee, as established in this article.
- (b) Subject to section 46-979 herein, on and after the effective date of this article, all residential construction within the City of Quincy, shall pay the parks and recreation impact fee according to the following table:

Parks and Recreation Impact Fee Schedule

Land Use	Impact Fee Unit	Net Impact Fee
Single Family Detached		
- Less than 1,600 square feet	Square feet	\$0.111 0
) 1,600 square feet	Dwelling unit	\$177.60 0
Multi-family	Square feet	\$0.111 0
Mobile Home	Dwelling unit	\$133.20 0

(c), (d), (e) and (f). No change.

Sec. 46-978. - Public facilities impact fee.

- (a) All construction occurring within the City of Quincy, shall pay the EMS impact fee, as established in this article.
- (b) Subject to section 46-979 herein, on and after the effective date of this article, all construction within the City of Quincy, shall pay the EMS impact fee according to the following table:

Public Facilities Impact Fee Schedule

Land Use	Impact Fee Unit	Net Impact Fee
Residential		
Single Family Detached		
- Less than 1,600 square feet	Square feet	\$0.163 0
-) 1,600 square feet	Dwelling unit	\$260.80 0
Multi Family	Square feet	\$0.163 0
Non Residential	Square feet	\$0.163 0
Non Residential in Downtown District	Square feet	\$0.130 0
Mobile Home	Dwelling unit	\$195.60 0

(c) and (d). No change.

SECTION 4. SEVERABILITY.

If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.

SECTION 5. EFFECTIVE DATE.

This Ordinance takes effect immediately upon adoption by the City Commission of the City of Quincy, and the signature of the Mayor.

INTRODUCED IN OPEN SESSION ON FIRST READING THIS 12TH DAY OF FEBRUARY, 2019 BY THE CITY COMMISSION OF THE CITY OF QUINCY, FLORIDA.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COMMISSION OF THE CITY OF QUINCY, FLORIDA, THIS 12TH DAY OF MARCH, 2019.

APPROVED

Angela G. Sapp, Mayor and Presiding
Officer of the City Commission and of the
City of Quincy, Florida

ATTEST:

Sylvia Hicks
Clerk of the City of Quincy and
Clerk to the Commission thereof

**CITY OF QUINCY
CITY COMMISSION
AGENDA REQUEST**

MEETING DATE: February 12, 2019

DATE OF REQUEST: February 7, 2019

TO: Honorable Mayor and Members of the City Commission

FROM: Jack L. McLean, Jr. Interim City Manager
Bernard O. Piawah, Director, Building and Planning

SUBJECT: Ordinance No.1104-2019 on First Reading; Ordinance
Zeroing Out Impact Fees

Statement of Issue:

This agenda item is a follow-up to the directive from the Commission's regular meeting of July 24, 2018. At that time the Commission voted to reduce certain fees associated primarily with commercial development to reduce the costs of development in the City of Quincy. Subsequently, on August 14, 2018, the Commission adopted Resolution No. 1374-2018, which approved changes to the fee schedule to significantly reduce the fees charged for commercial development. Also at the meeting of July 24, 2018, the commission voted to stop charging impact fees. Ordinance No. 1104-2019 attached hereto as Attachment "A" will formally accomplish this by zeroing out such fees in the impact fee tables.

Discussion

Code of Ordinances Article IX; Secs. 46-975 through 46-978 establishes development impact fees for Fire Rescue, Law Enforcement, Public Facilities, and Recreation and open space (this applies only to residential development). The City is proposing to leave the ordinance in place and zero out the fees. This is because even though impact fees sound meaningful to impose, the associated tracking and administrative requirements make it more cumbersome to run and it is sometimes not worth the administrative burden it places

on a City. On a typical 12,000 square foot commercial development this fee amounts to about \$4,188.00. Ordinance No. 1104-2019 will eliminate this fee by replacing each of the impact fee values with a zero. Simply zeroing out the fees in the impact fee tables keep to overall impact fee ordinance in place. This will make it simpler to re-impose impact fees if, at some point in the future, the City Commission so desires.

Recommendation: Staff recommends that proposed Ordinance No. 1104-2019 be approved on first reading.

OPTIONS

Option 1: Move to approve Ordinance No.1104-2019 on first reading.

Option 2: Do not approve Ordinance No. 1104-2019 on first reading.

STAFF RECOMMENDATION:

Option 1.

ATTACHMENTS:

1. "Attachment A" Proposed Ordinance No. 1104-2019.

ATTACHMENT A.

ORDINANCE NO. 1104-2019

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Non Residential	Square feet	0.113 <u>0</u>
Multi Family	Square feet	\$ 0.113 <u>0</u>
Non Residential in Downtown District	Square feet	0.090 <u>0</u>
Mobile Home	Dwelling unit	\$ 135.60 <u>0</u>

- (c) and (d). No change.

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APPROVED:

Angela G. Sapp, Mayor and Presiding
Officer of the City Commission and of the
City of Quincy, Florida

ATTEST:

Sylvia Hicks
Clerk of the City of Quincy and
Clerk to the Commission thereof