



Marion County Board of County Commissioners

Office of the County Attorney

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Business Impact Estimate

In accordance with Section 125.66(3)(a), F.S., a Business Impact Estimate (BIE) is required to be: 1) prepared before enacting certain ordinances and 2) posted on Marion County Board of County Commissioners' website no later than the date the notice proposed enactment/notice of intent to consider the proposed ordinance, is advertised in the newspaper (which, per Section 125.66(2)(a), F.S., is ten (10) days before the Public Hearing).

AN ORDINANCE TO AMEND ARTICLE XI OF CHAPTER 10 OF THE MARION COUNTY CODE TO ADD A NEW CATEGORY OF TRANSPORTATION IMPACT FEES: FAST-FOOD RESTAURANT WITH DRIVE-THRU; ADDING A NEW SUBSECTION 10-282(b) ADOPTING A MARION COUNTY TRANSPORTATION FEE UPDATE STUDY SUPPLEMENT DATED JUNE 6, 2025; AMENDING THE TRANSPORTATION IMPACT FEE SCHEDULE IN SECTION 10-327 TO INCLUDE THE NEW CATEGORY AND FEE AMOUNT; INCLUDING FINDINGS, AND ADMINISTRATIVE PROCEDURES.

This Business Impact Estimate is provided in accordance with Section 125.66(3)(a), *Florida Statutes*. If one or more boxes are checked below, this means that the Marion County Board of County Commissioners is of the view that a business impact estimate is not required by state law for the proposed ordinance.

Notwithstanding, Marion County is preparing this BIE to prevent an inadvertent procedural issue from impacting the enactment of this proposed Ordinance. Marion County reserves the right to revise this BIE following its initial posting and to discontinue providing this information for proposed ordinances believed to be exempt under state law.

- ☒ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☒ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☒ The proposed ordinance is enacted to implement the following:

- a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
- b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
- c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
- d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

Consistent with the posting requirement set forth in Section 125.66(3)(a), F.S., the County hereby publishes the following BIE information for this proposed ordinance on its website for public viewing and consideration on this **20th day of June, 2025**.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

A transportation impact fee is a one-time capital charge levied against new development to provide a source of funding to Marion County to provide new transportation facilities necessary to accommodate the new traffic on public roads attributable to new development. Transportation impact fees can provide a significant source of funding for the County's future capital transportation projects to minimize the financial impact on existing residents caused by new traffic-generating development. The County's population is projected to increase by 107,000 persons by 2050 and providing adequate funding for needed capital facilities is necessary to maintain the quality of life expected by Marion County residents. The County last established transportation impact fee rates in 2015, but the rates that were then adopted were significantly lower than the rates supported by the technical study at that time. After the Covid pandemic, Marion County has experienced accelerated population growth with the result that available revenues for construction of new transportation facilities have not kept pace with that growth. Further aggravating that phenomenon has been the major increases in the cost of planning, designing, permitting, and constructing new transportation facilities.

Although the Florida Impact Fee Act, Section 163.31801(6) contains a presumptive schedule of caps on annual impact fee increases, this proposed ordinance amends the Transportation Impact Fee Ordinance to establish fees for a brand-new category of land use. These are high traffic generation uses.

There is a rational nexus between future growth, as measured by new construction, and the need to provide new transportation facilities to maintain traffic levels of service in Marion County. Requiring new growth to pay for its transportation-related impacts is in the best interests of the public and enhances the quality of life for Marion County residents.

Pursuant to the Notice provisions of the ordinance in Section 24, the new impact fees will not take effect before October 1, 2025.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in unincorporated Marion County, if any:

Upon adoption of the ordinance and after the effective date of the new impact fee rates any businesses that plan to engage in new development in the County (i.e. build a new structure, expand an existing structure etc.) within the County will be subject to the following impact fee rates:

ITE	Land Use	Unit	Transportation Impact Fee
SERVICES:			
934	Fast Food Restaurant w/Drive-Thru	1,000 sf	\$49,319

(a) An estimate of direct compliance costs that businesses may reasonably incur; and (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; **There are no direct compliance costs, but all Impact Generating Land Development Activity (land development that results in a greater impact on the County's major roadway network system) occurring in Marion County will pay the Transportation Impact Fees at the rates listed above as a condition of obtaining a certificate of occupancy, electrical permit, or other similar authorization.**

(c) An estimate of Marion County regulatory costs, including estimated revenues from any new charges or fees to cover such costs. **There are no regulatory costs, but Marion County will incur expenses for the property administration of this ordinance at an annual estimated cost of less than \$75,000.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **Indeterminate. It is anticipated that the primary businesses directly impacted by the transportation impact fees, in terms of paying the fees, are general contractors. However, there are both local and large corporate contractors operating in Marion County. On the other side of the equation, the ordinance will provide additional funding for transportation projects in Marion County and engineers, planners, and road builders will financially benefit from those new projects.**

4. Additional information the governing body deems useful (if any): **The ordinance provides for impact fee credits and other provisions to ameliorate the effects of the fees in specific circumstances.**