



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 OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, REGARDING IMPACT FEES FOR TRANSPORTATION FACILITIES; FINDING EXTRAORDINARY CIRCUMSTANCES EXIST NECESSITATING AN INCREASE IN TRANSPORTATION IMPACT FEE RATES IN EXCESS OF THOSE PHASE-IN LIMITATIONS SET FORTH IN SECTION 163.31801, FLORIDA STATUTES; REDESIGNATING ARTICLE XI OF CHAPTER 10 OF THE MARION COUNTY CODE OF ORDINANCES AS "IMPACT FEES;" PROVIDING CERTAIN RECITALS; AMENDING ARTICLE XI OF CHAPTER 10 OF THE MARION COUNTY CODE REGARDING IMPACT FEES FOR TRANSPORTATION FACILITIES, INCLUDING SECTION 10-271 SHORT TITLE, AUTHORITY, AND APPLICABILITY, SECTION 10-272 INTENT AND PURPOSE, SECTION 10-273 DEFINITIONS, SECTION 10-275 WHO MUST PAY IMPACT FEES, SECTION 10-277 REBATE OF IMPACT FEES PAID, SECTION 10-278 INDEPENDENT IMPACT ANALYSIS, SECTION 10-279 LOCAL STUDIES; FIVE-YEAR UPDATE, SECTION 10-280 REVIEW HEARINGS BEFORE A HEARING OFFICER, SECTION 10-321 FINDINGS, SECTION 10-322 COMPUTATION OF AMOUNT OF FEES, SECTION 10-323 DEVELOPER CONTRIBUTION CREDITS, SECTION 10-325 USE OF FUNDS, SECTION 10-327 TRANSPORTATION IMPACT FEE SCHEDULE; REPEALING SECTION 10-282 OF THE MARION COUNTY CODE ON INDEXING; REPEALING SECTION 10-283 OF THE MARION COUNTY CODE ON ANNUAL INDEXING PROCEDURE; ADOPTING A NEW SECTION 10-282 OF THE MARION COUNTY CODE ON ADOPTION OF IMPACT FEE TECHNICAL STUDIES; ADOPTING A NEW SECTION

10-283 OF THE MARION COUNTY CODE ON ADMINISTRATIVE CHARGES; ADOPTING A NEW SECTION 10-286 OF THE MARION COUNTY CODE ON EXEMPTIONS; ADOPTING A NEW SECTION 10-287 OF THE MARION COUNTY CODE ON PENALTIES AND LIENS; ADOPTING A NEW SECTION 10-324 OF THE MARION COUNTY CODE ON DEFINITIONS APPLICABLE TO TRANSPORTATION IMPACT FEES; REPEALING SECTION 10-326 OF THE MARION COUNTY CODE ON MOBILE HOME IMPACT FEES; DIRECTING THE PROVISION OF NOTICE OF IMPACT FEE RATES; PROVIDING FOR SEVERABILITY, CODIFICATION, LIBERAL CONSTRUCTION, AND PROVIDING AN EFFECTIVE DATE.

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 **13th day of May, 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, the Act allows for those caps to be increased upon a determination by the Board of County Commissioners that extraordinary circumstances exist to exceed those caps. If adopted by the Board, this ordinance contains a finding that as a result of the artificially low transportation impact fees that have been in effect in Marion County for the last ten years, it will not be possible for the County to make up for the current funding deficit without exceeding the caps, with the rates provided by the ordinance. At the May 23, 2025 public hearing, the Board will be presented with a schedule of transportation impact fee rates at the full amount concluded by the *Marion County Transportation Impact Fee Update Study* by Benesch, dated February 28, 2025, the Board will then make a determination of the final fee rates to be adopted based on public input, budget demands, and other policy considerations. The ordinance provides for impact fee credits, and other provisions that may ameliorate the effect of some of the fees.

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
RESIDENTIAL:			
210	Single Family (Detached) - 1,500 sf or less	du	\$4,388
	Single Family (Detached) - 1,501 to 2,499 sf	du	\$5,318
	Single Family (Detached) - 2,500 sf and greater	du	\$5,855
215	Single Family (Attached)	du	\$4,606
220	Multi-Family Housing (Low-Rise, 1-3 floors)	du	\$3,590
221/222	Multi-Family Housing (Mid/High-Rise, 4+ floors)	du	\$2,412
240	Mobile Home Park	du	\$1,945
251	Senior Adult Housing - Detached	du	\$1,962
252	Senior Adult Housing - Attached	du	\$1,319
TRANSIENT, ASSISTED, GROUP:			
253	Congregate/Assisted Care Facility	du	\$520
310	Hotel	room	\$2,364
320	Motel	room	\$1,136
620	Nursing Home	bed	\$611
RECREATION:			
411	Public Park	acre	\$343
416	RV Park/Campground	site	\$680
420	Marina	berth	\$1,339
430	Golf Course	hole	\$16,971
445	Movie Theater	screen	\$19,609
492	Racquet Club/Health Spa	1,000 sf	\$15,512
495	Recreational Community Center	1,000 sf	\$12,405
INSTITUTIONS:			
520	Elementary School (Private)	student	\$678
522	Middle School (Private)	student	\$637
525	High School (Private)	student	\$657
540	University/Junior College (7,500 or fewer students) (Private)	student	\$1,125
550	University/Junior College (more than 7,500 students) (Private)	student	\$835
560	Church	1,000 sf	\$2,462
565	Day Care Center	1,000 sf	\$6,365
590	Library	1,000 sf	\$21,904
MEDICAL:			
610	Hospital	1,000 sf	\$5,213
640	Animal Hospital/Veterinary Clinic	1,000 sf	\$2,773
OFFICE:			
710	Office	1,000 sf	\$4,766
720	Medical Office/Clinic	1,000 sf	\$10,961
770	Business Park	1,000 sf	\$5,638

RETAIL:			
822	Retail 6,000 sfgla or less	1,000 sfgla	\$1,866
822	Retail 6,001 to 40,000 sfgla	1,000 sfgla	\$3,182
821	Retail 40,001 to 150,000 sfgla	1,000 sfgla	\$6,435
820	Retail greater than 150,000 sfgla	1,000 sfgla	\$6,944
840/841	New/Used Auto Sales	1,000 sf	\$8,247
850	Supermarket	1,000 sf	\$9,530
862	Home Improvement Superstore	1,000 sf	\$4,030
880/881	Pharmacy/Drug Store with or w/o Drive-Thru	1,000 sf	\$5,992
890	Furniture Store	1,000 sf	\$1,939
SERVICES:			
911	Bank/Savings Walk-In	1,000 sf	\$5,792
912	Bank/Savings Drive-In	1,000 sf	\$10,370
931	Restaurant	1,000 sf	\$18,790
n/a	Small Local Restaurant	1,000 sf	\$8,855
941	Quick Lube	service bay	\$9,497
942	Automobile Care Center	1,000 sf	\$6,694
944	Gas Station w/Convenience Store <2,000 sq ft	fuel pos.	\$6,480
945	Gas Station w/Convenience Store 2,000 to 5,499 sq ft	fuel pos.	\$9,947
	Gas Station w/Convenience Store 5,500+ sq ft	fuel pos.	\$13,012
947	Self-Service Car Wash	service bay	\$5,691
948	Automated Car Wash	car tunnel	\$100,351
INDUSTRIAL:			
110	General Light Industrial	1,000 sf	\$2,145
140	Manufacturing	1,000 sf	\$2,083
150	Warehousing	1,000 sf	\$755
151	Mini-Warehouse	1,000 sf	\$425
154	High-Cube Transload and Short-Term Warehouse	1,000 sf	\$621
n/a	Mine/Commercial Excavation	1,000 cy	\$2.86

(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 are 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 \$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.**