

RESOLUTION NO. 15-01-01

RESOLUTION PERTAINING TO TEMPORARY WAIVER OF CHANGE-  
OF-USE IMPACT FEES

WHEREAS, Lee County has a large inventory of vacant commercial, office, and industrial buildings and units; and,

WHEREAS, a temporary waiver of the change-of-use impact fees charged when the use of a building or unit is changed could act as an incentive to reduce the inventory of vacant office space; and,

WHEREAS, on December 7, 2010, the Board of County Commissioners adopted a resolution for a temporary waiver of change-of-use fees; and,

WHEREAS, on October 23, 2012 another resolution was adopted; and,

WHEREAS, the economy has continued begun to rebound but the temporary waiver of change-of-use fees should be extended for another 2 years to assist with inventory absorption, and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Lee County, Florida, that in consideration of the foregoing, the Board directs the following:

1. Until December 31, 2016, the Director of the Department of Community Development, or her designee, is directed to waive Change-of-Use Impact fees for those buildings or units that have received a valid Certificate of Occupancy or Certificate of Completion either prior to the date of this resolution or no later than 120 days from the adoption of this Resolution. Buildings or units that do not have a valid certificate of occupancy or certificate of completion either prior to this resolution or within 120 days from the adoption of this Resolution will not be entitled to a waiver of the change-of-use impact fees.
2. The waiver of change-of-use fees will not apply to shell buildings or units if impact fees have not been paid for the building or unit.
3. Unless already permitted under the Land Development Code, no refunds will be provided because of the adoption of this Resolution.
4. The Director of the Department of Community Development, or her designee, is authorized, to deny a request under this Resolution, if the subject property is not in compliance with Lee County Codes or Ordinances.
5. The terms of this Resolution will sunset on December 31, 2016 without further Board action.

THE FOREGOING RESOLUTION was offered by Commissioner Kiker, who moved its adoption. The motion was seconded by Commissioner Manning and, upon being put to a vote, the vote was as follows:

John Manning	<u>Aye</u>
Cecil Pendergrass	<u>Aye</u>
Larry Kiker	<u>Aye</u>
Brian Hamman	<u>Aye</u>
Frank Mann	<u>Aye</u>

DULY PASSED AND ADOPTED this 6th day of January 2015.

ATTEST:  
LINDA DOGGETT, CLERK

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson  
Deputy Clerk

BY: Brian Hamman  
Brian Hamman, Chairman



APPROVED AS TO FORM FOR THE  
RELIANCE OF LEE COUNTY ONLY:

BY: [Signature]  
Office of the County Attorney