

## Jill Luke

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**From:** Larry Tenbusch <larry@tenbuschhomes.com>  
**Sent:** Thursday, January 02, 2020 11:16 AM  
**To:** Jill Luke  
**Subject:** RE: Impact Fee ord No 2020-05

Jill,

I agree that a 12 to 18 month period to construct a project is a reasonable expectation. That clock should start at the time a permit is issued. The impact fee amount should be determined at the time of permit application submittal. Us smaller local builders and residents building on scattered lots use construction/perminate financing. That type of financing is secured and closed prior to a permit being issued.

As you are aware the City of North Port collects the Sarasota County share of the impact fees as well. That fee is calculated at the time a permit is applied for, Not at CO, our building department clerks will have two different dates for the purpose of calculating impact fees as being proposed by the commission. Sarasota County's portion would be calculated at permit submittal date and North Port's portion at C O date.

You have another expert you can ask advice from, our new Chief Building Official was hired from Bradenton, he will attest to what all the other departments do.

Regards,

Larry

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**From:** Jill Luke [mailto:jluke@cityofnorthport.com]  
**Sent:** Wednesday, January 01, 2020 7:14 PM  
**To:** Larry Tenbusch  
**Subject:** RE: Impact Fee ord No 2020-05

Larry,  
The second reading of the impact ordinance will be tomorrow afternoon. The meeting starts at 1pm. There is a presentation before this item is heard, and presentations last approx. 15-20 min. I have met with the City Manager and let him know what I was thinking about this ordinance, and that I agreed with you. When I was finished, he was in agreement with what I was saying. His biggest issue was, setting a timeframe for the project to be completed in... in case of a change in the impact fee after the permit is issued. I will be recommending 1 year in that case. Without a change to the impact fee... it is business as usual... and, a change shouldn't be that often! Though, I expect a change this coming year, and then after a study is done. I wanted to touch base with you before the meeting, so you knew what I was going to advocate for. Thank you – Jill Luke

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**From:** Larry Tenbusch <larry@tenbuschhomes.com>  
**Sent:** Tuesday, December 17, 2019 8:44 AM  
**To:** Vanessa Carusone <vcarusone@cityofnorthport.com>  
**Cc:** Jill Luke <jluke@cityofnorthport.com>  
**Subject:** Impact Fee ord No 2020-05

Good morning Commissioners,

31 Sec. 58-103. - Applicability; fee determination; impact fee accounts; and use of fees.

32 (a) Any person who shall commence an impact-generating development or change in use  
33 or intensity to an existing development in the City of North Port, as herein defined, shall  
34 be obligated to pay impact fees as required by this article.

35 (1) The fee shall be preliminarily calculated by the City of North Port at the time of  
36 issuing a building permit. A final calculation of the fee shall occur and, unless  
37 deferred by the city commission, shall be collected upon the issuance of a certificate  
38 of occupancy, certificate of completion, or temporary certificate of occupancy for  
39 the development. If the certificate of occupancy, certificate of completion, or  
40 temporary certificate of occupancy is for less than the entire development, the fee  
41 shall be computed separately for the amount of development covered by the  
42 certificate of occupancy, certificate of completion, or temporary certificate of  
43 occupancy.

44 (2) Except as provided below, the impact fee schedules in effect at the time an  
45 applicant receives a certificate of occupancy, certificate of completion, or  
46 temporary certificate of occupancy shall be utilized for the final calculation and  
47 collection of the impact fee.

48 (3) The impact fee schedules in effect on June 10, 2019 shall be utilized for the final  
49 calculation and collection of impact fees if the following conditions are met:

50 a. The applicant had a complete building permit application submitted to and  
51 accepted by the city as of June 11, 2019; and

52 b. The applicant receives a certificate of occupancy, certificate of completion, or  
53 temporary certificate of occupancy on or before January 5, 2021.

54 (4) Any applicant that paid impact fees after June 11, 2019 shall be entitled to a  
55 recalculation of impact fees based on subsection (a)(2) above, as well as a refund  
56 for the amount of any overpayment.

57 ..."

58 SECTION 3 – SEVERABILITY

59 3.01 If any section, subsection, sentence, clause, phase, or provision of this ordinance is for any reason  
60 held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be  
61 deemed a separate, distinct, and independent provision and such holding shall not affect the  
62 validity of the remaining portions hereof.  
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66 SECTION 4 – CONFLICTS

67 4.01 In the event of any conflicts between the provisions of this ordinance and any other ordinance,  
68 the provisions of this ordinance shall prevail to the extent of such conflict.  
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- Charlotte County
- Sarasota County
- Manatee County
- City of Bradenton
- City of Cape Coral
- City of Punta Gorda
- City of Venice

All these municipalities calculate their impact fees base on a permits SUBMITTAL DATE

Consistency

Impact Fee schedule in effect at the time a permit is SUBMITTED should be used for fee calc.



PAYMENT AT TIME OF C/O UTILIZING IMPACT FEE

SCHEDULE AT TIME OF PERMIT

IF THE PROJECT NEEDS AN EXTENDED PERMIT, THE CURRENT FEE IMPACT FEE SCHEDULE WILL BE UTILIZED FOR THE RENEWAL

"locked in"