



HB 1467

2003
CS

CHAMBER ACTION

The Committee on Local Government & Veterans' Affairs recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to the Southern Manatee Fire and Rescue District, in Manatee County; amending chapter 2000-402, Laws of Florida; revising the district's non-ad valorem assessments schedule; conforming the district's charter to section 191.009, Florida Statutes, relating to impact fees; revising the district's impact fee schedule; incorporating the district's authority granted by referendum to levy ad valorem taxes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Sections 6, 7, and 8 of section 3 of chapter 2000-402, Laws of Florida, are amended to read:

Section 6. Schedule of non-ad valorem assessments.--

(1) The non-ad valorem assessment rates that the district currently charges is hereby confirmed and ratified. Non-ad



HB 1467

2003
CS

29 valorem assessment rates set by the board may exceed the maximum
30 rates established by special act, the previous year's
31 resolution, or referendum in an amount not to exceed the average
32 annual growth rate in Florida personal income over the previous
33 5 years. Non-ad valorem assessment rate increases within the
34 personal income threshold are deemed to be within the maximum
35 rate authorized by law at the time of initial imposition.
36 Proposed non-ad valorem assessment increases which exceed the
37 rate set the previous fiscal year or the rate previously set by
38 special act by more than the average annual growth rate in
39 Florida personal income over the last 5 years must be approved
40 by referendum of the electors of the district. Non-ad valorem
41 assessments shall be imposed, collected, and enforced pursuant
42 to section 191.011, Florida Statutes.

43 (2) Whenever one industrial complex, within the District
44 boundaries, under single ownership has in excess of 1.5 million
45 square feet of structures on a site of contiguous parcels or a
46 site of parcels that would be contiguous except that they are
47 dissected by one or more transportation rights of way, the
48 maximum fire tax assessment shall not exceed 32.5 percent of the
49 adopted fire tax rate for that tax year for factory industrial
50 use. The 32.5 percent rate shall be applied to ownerships that
51 maintain full fire protection and suppression systems,
52 monitoring, on-site emergency responses, and 24-hour security of
53 the premises, designed to limit the response of the fire
54 department to minor accidents and false alarms. Such rate shall
55 be applied to all structural square footage in the complex
56 regardless of actual use or use classification. ~~The assessment~~



HB 1467

2003
CS

57 ~~procedures and amount, as set forth herein, represent the manner~~
58 ~~to be followed and the maximum allowable rates that may be~~
59 ~~charged by the district, if needed. For assessment purposes, all~~
60 ~~property within the district shall be divided into three general~~
61 ~~classifications: vacant parcels, residential parcels, and~~
62 ~~commercial/industrial parcels.~~

63 ~~(1) Vacant parcels shall include all parcels that are~~
64 ~~essentially undeveloped and are usually classified by the~~
65 ~~property appraiser as use code types "0000," "0004," "1000,"~~
66 ~~"4000," "9800," "9900," and "5000" through "7000." The maximum~~
67 ~~annual assessment for these parcels shall be:~~

68 ~~(a) Vacant platted lots (use code 0000) or unbuilt~~
69 ~~condominia (use code 0004) \$4 per lot or condominium.~~

70 ~~(b) Unsubdivided acreage (use codes 5000 through 7000 and~~
71 ~~9800, 9900, and 9901) \$2 per acre or fraction thereof, except~~
72 ~~that not more than \$250 may be assessed against any one parcel.~~

73 ~~(c) Vacant commercial and industrial parcels, per lot or~~
74 ~~parcel (use codes 1000 and 4000) \$4 per lot or parcel.~~

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76 ~~Whenever a residential unit is located on a parcel defined~~
77 ~~herein as vacant, the residential plot shall be considered as~~
78 ~~one lot or one acre, with the balance of the parcel being~~
79 ~~assessed as vacant land in accordance with the schedule herein.~~

80 ~~Whenever an agricultural or commercial building or structure is~~
81 ~~located on a parcel defined herein as vacant, the building or~~
82 ~~structure shall be assessed in accordance with the schedule of~~
83 ~~commercial/industrial assessments.~~



HB 1467

2003
CS

84 ~~(2) Residential parcels include all parcels that are~~
85 ~~developed for residential purposes and are usually classified by~~
86 ~~the property appraiser as use code types "0100" through "0800,"~~
87 ~~"0801," "0803," and "2802." All residential parcels shall be~~
88 ~~assessed by the number and size of dwelling units per parcel.~~
89 ~~Surcharges may be assigned by the district for dwelling units~~
90 ~~located on the third or higher floors. The maximum annual~~
91 ~~assessment for these parcels shall be:~~

92 ~~(a) Single family residential (use code 0100) shall be~~
93 ~~assessed per dwelling unit. The base assessment for all~~
94 ~~dwelling units may not exceed \$60 for the first 1,000 square feet.~~
95 ~~Each square foot above 1,000 square feet shall be assessed at a~~
96 ~~rate not to exceed \$0.04 per square foot.~~

97 ~~(b) Condominium residential (use code 0400) shall be~~
98 ~~assessed \$90 per dwelling unit.~~

99 ~~(c) Mobile homes (use codes 0200 or 0204) shall be~~
100 ~~assessed \$80 per dwelling unit.~~

101 ~~(d) Multifamily residential (use codes 0300 and 0800),~~
102 ~~cooperatives (use code 0500), retirement homes (use code 0600),~~
103 ~~and miscellaneous residential uses (use code 0700) shall be~~
104 ~~assessed \$90 per dwelling unit or, in the case of group~~
105 ~~quarters, per bedroom.~~

106 ~~(e) Mobile home or travel trailer parks (use code 2802)~~
107 ~~shall be assessed \$80 per dwelling unit or available rental~~
108 ~~space as applicable.~~

109 ~~(f) Any other residential unit, including, but not limited~~
110 ~~to, the residential portions of mixed uses (use code 1200),~~
111 ~~shall be assessed \$90 per dwelling unit.~~



112 ~~(3)(a) Commercial/industrial parcels shall include all~~
 113 ~~other developed parcels that are not included in the residential~~
 114 ~~category as defined above. All commercial/industrial parcels~~
 115 ~~shall be assessed on a square footage basis for all buildings~~
 116 ~~and structures in accordance with the following schedule and~~
 117 ~~hazard classification. The district may or may not vary the~~
 118 ~~assessment by hazard classifications as set forth herein.~~

119 ~~(b) The base assessment for all buildings and structures~~
 120 ~~shall be \$200 for the first 1,000 square feet on a parcel. The~~
 121 ~~schedule for all square footage above 1,000 square feet is as~~
 122 ~~follows. However, the district may grant an improved hazard~~
 123 ~~rating to all or part of the buildings and structures if they~~
 124 ~~are equipped with complete internal fire suppression facilities.~~

Category	Use Codes	Square Foot Assessment
Mercantile (M)	1100,1200,1300,1400, 1500,1600,1604,2900	\$0.0525 per sq. ft.
Business (B)	1700,1704,1800,1900, 1904,2200,2300,2400, 2500,2600,3000,3600	\$0.0525 per sq. ft.
Assembly (A)	2100,3100,3200,3300, 3400,3500,3700,3800, 3900,7600,7700,7900	\$0.0675 per sq. ft.
Factory/ — Industrial (F)	4100,4104,4400,4500, 4600,4700,9100	\$0.0900 per sq. ft.
Storage (S)	2000,2700,2800,4900	\$0.0900 per sq. ft.
Hazardous (H)	4200,4300,4800,4804	\$0.1050 per sq. ft.



Institutional (I)	7000,7100,7200,7300, 7400,7800,8400,8500, 9200	\$0.0600 per sq. ft.
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~~(c) Whenever a parcel is used for multiple hazard classifications, the district may vary the assessment in accordance with actual categories.~~

~~(d) The board of commissioners shall have the authority to further define these use code numbers subject to information received from the property appraiser's office.~~

~~(e) Whenever one industrial complex under single ownership has more than 2.5 million square feet of structures on a site of contiguous parcels or a site of parcels that would be contiguous except that they are dissected by one or more transportation rights-of-way, the maximum fire tax assessment may not exceed one-half of the adopted fire tax rate for that tax year for factory industrial use. Such rate shall be applied to all structural square footage in the complex regardless of actual use or use classification.~~

Section 7. Impact fees.--

(1)(a) It is hereby found and determined that the district is located in one of the fastest growing areas of Manatee County, which is itself experiencing one of the highest growth rates in the nation. New construction and resulting population growth have placed a strain upon the capabilities of the district to continue providing the high level of professional fire protection and emergency service for which the residents of the district pay and which they deserve.



HB 1467

2003
CS

150 (b) It is hereby declared that the cost of new facilities
151 for fire protection and emergency service should be borne by new
152 users of the district services to the extent new construction
153 requires new facilities, but only to that extent. It is the
154 legislative intent of this section to transfer to the new users
155 of the district's fire protection and emergency services a fair
156 share of the costs that new users impose on the district for new
157 facilities.

158 (c) It is hereby declared that the amount of the impact
159 fees provided for in this section are just, reasonable, and
160 equitable.

161 (d) On September 10, 2002, the district's electors
162 approved a referendum authorizing the district to increase
163 impact fees on new construction.

164 (2) No person may issue or obtain a building permit for
165 new residential dwelling units or new commercial or industrial
166 structures within the district, or issue or obtain construction
167 plan approval for new mobile home or recreational or travel
168 trailer park developments located within the district, until the
169 developer thereof has paid the applicable impact fee to the
170 district, according to a schedule determined annually by the
171 board in accordance with chapter 191, Florida Statutes, as
172 amended from time to time. The maximum impact fee shall not
173 exceed the following as follows: each new residential dwelling
174 unit, \$1,000 ~~\$150~~; new commercial or industrial structures,
175 \$1,500 ~~\$310~~ up to 5,000 square feet, and \$1,500 ~~\$310~~ plus \$0.50
176 ~~\$0.08~~ per square foot above 5,000 square feet for structures



177 5,000 square feet or over; new recreational or travel trailer
178 park developments, \$300 ~~\$40~~ per lot or permitted space.

179 (3) The impact fees collected by the district pursuant to
180 this section shall be kept as a separate fund from other
181 revenues of the district and shall be used exclusively for the
182 acquisition, purchase, or construction of new facilities or
183 portions thereof required to provide fire protection and
184 emergency service to new construction. "New facilities" means
185 land, buildings, and capital equipment, including, but not
186 limited to, fire and emergency vehicles and radio-telemetry
187 equipment. The fees may not be used for the acquisition,
188 purchase, or construction of facilities which must be obtained
189 in any event, regardless of growth within the district. The
190 board of fire commissioners shall maintain adequate records to
191 ensure that impact fees are expended only for permissible new
192 facilities.

193 Section 8. Other district powers, functions, and
194 duties.--In addition to any powers set forth in this act, the
195 district shall hold all powers, functions, and duties set forth
196 in chapters 189, 191, and 197, Florida Statutes, as they may be
197 amended from time to time, including, but not limited to, ad
198 valorem taxation, bond issuance, other revenue-raising
199 capabilities, budget preparation and approval, liens and
200 foreclosure of liens, use of tax deeds and tax certificates as
201 appropriate for non-ad valorem assessments, and contractual
202 agreements. The district may be financed by any method
203 established in this act, chapter 189, Florida Statutes, or
204 chapter 191, Florida Statutes, or any other applicable general



HB 1467

2003
CS

205 | or special law, as they may be amended from time to time. The
206 | district shall also have the authority to levy an ad valorem
207 | millage not to exceed 3.75 mills annually pursuant to referendum
208 | approval of the district's electors on September 10, 2002, as
209 | authorized by section 191.009(1), Florida Statutes.

210 | Section 2. This act shall take effect upon becoming a law.

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