

ORDINANCE 2020-22

(Adoption of updated impact fee study and impact fee schedule)

AN ORDINANCE AMENDING ARTICLE VII, DIVISION 4, PUBLIC FACILITIES IMPACT FEES OF CHAPTER 23, ZONING, LAND USE AND DEVELOPMENT REGULATIONS, LAKE WALES CODE OF ORDINANCES, BY ADOPTING THE 2020 STUDY ENTITLED “DEVELOPMENT IMPACT FEES, CITY OF LAKE WALES, FLORIDA”; AMENDING THE SCHEDULE OF IMPACT FEES TO BE ASSESSED FOR THE CAPITAL COSTS OF PROVIDING POTABLE WATER, SANITARY SEWER, POLICE, FIRE/RESCUE, PARKS, AND LIBRARY SERVICES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the City Commission of the City of Lake Wales, Polk County, Florida:

SECTION 1. **Sec. 23-763. Adoption of impact fee study and impact fee schedule** is hereby amended as follows:

The commission hereby adopts and incorporates by reference the study entitled “Development Impact Fees - City of Lake Wales, Florida” prepared by Raftelis and dated September 2, 2020 ~~Clarion Associates and dated December 26, 2011~~ particularly the assumptions, conclusions and findings in such study as to the allocation of anticipated costs of capital improvements and additions to the capital facilities between those costs required to accommodate existing development and those costs required by growth.

SECTION 2: **Sec. 23-780. Annual adjustment of impact fees**

Impact fees shall be automatically adjusted on October 1 ~~June 1~~ of each year for annual change in the Consumer Price Index (CPI) for Construction Products (the “Construction Costs Index”) through March as published by the U. S. Department of Labor, Bureau of Labor Statistics. The adjustment shall be calculated by the finance director who shall revise the impact fee schedule and provide a copy of same to department heads as applicable. The revised impact fee schedule shall also be provided to the city clerk who shall attach it to this ordinance in the official records of the city. Date of revision shall be clearly indicated on the revised schedule.

SECTION 3: **Sec. 23-767. Exemptions.**

c. The replacement of a dwelling unit or building with a new dwelling unit or building of the same size and use and which will not increase the square footage associated therewith; provided that the replacement of a dwelling unit or building which has been destroyed or rendered uninhabitable must be replaced within five (5) ~~within three (3)~~ years of the date it was destroyed or

rendered uninhabitable in order to be exempted from the payment of impact fees.

SECTION 4. Severability: If any clause, section or provision of this ordinance or any impact fee imposed pursuant to this Ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance or remaining impact fees shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 5. Effective date: This ordinance shall become effective 90 days from its passage by the City Commission.

Ordinance 2020-22 Proposed Impact Fee Schedule
[effective date 12/22/2020 Lake Wales Code of Ordinances]

ITE Code	Parks	Libraries	Fire & EMS	Police	Water	Sewer	TOTAL
Residential	Per Housing Unit						
210 Single Family	\$1,787.00	\$323.00	\$488.00	\$564.00	\$2,438.00	\$3,091.00	\$8,691.00
221 Multifamily	\$1,542.00	\$278.00	\$407.00	\$494.00	\$1,828.00	\$2,318.00	\$8,250.00
Nonresidential	Per Square Foot of Floor Area						
820 Retail/Restaurant			\$0.41	\$0.45			\$0.86
770 Business Park			\$0.25	\$0.28			\$0.53
710 General Office			\$0.23	\$0.25			\$0.48
610 Hospital			\$0.37	\$0.41			\$0.78
151 Mini-warehouse			\$0.02	\$0.03			\$0.05
150 Warehousing			\$0.03	\$0.03			\$0.06
140 Manufacturing			\$0.11	\$0.12			\$0.23
110 Light Industrial			\$0.11	\$0.12			\$0.23
Other Nonresidential							
565 Day Care (per student)			\$106.00	\$118.00			\$224.00
530 High School (per student)			\$108.00	\$121.00			\$229.00
520 Elementary School (per student)			\$101.00	\$113.00			\$214.00
320 Lodging (per room)			\$150.00	\$167.00			\$317.00
254 Assisted Living (per bed)			\$85.00	\$95.00			\$180.00

Nonresidential	Water Sewer Total		
	Based on Water Meter Size		
0.75"	\$2,438.00	\$3,091.00	\$5,529.00
1.00"	\$4,144.00	\$5,254.00	\$9,368.00
1.50"	\$8,045.00	\$10,200.00	\$18,245.00
2.00"	\$12,921.00	\$16,382.00	\$29,303.00

** Fees for meters larger than two inches will be based on annualized average day demand and the net capital cost per gallon of capacity.

CERTIFIED AS TO PASSAGE this 22nd day of September 2020.

