

WHEREAS, a typographical error has been identified in Appendix B of the report titled, "City of Oviedo Impact Fee Update," (Technical Report) dated July 12, 2006, and has since been corrected; and,

WHEREAS, Section 2, Part I, Subsection 12.2 of Ordinance No. 1371 requires the impact fee schedule to be adjusted annually to account for inflationary increases in the costs to the City of providing public facilities to new development. These annual adjustments shall be consistent with the methodology set forth in the technical report and shall be based on the Construction Cost Index calculated by the Engineering News-Record (ENR), the Seminole County Property Appraiser, the U.S. Department of Labor Consumer Price Index, and Florida Department of Transportation databases, as applicable and appropriate to a particular public facility; and,

WHEREAS, the City's impact fee consultant, Tindale-Oliver & Associates, Inc., has recommended that anytime any individual index is greater than 15% (i.e., whenever the five-year average of land values, ENR, or CPI is greater than 15%), the City should cap that index at 15%; and,

WHEREAS, pursuant to § 163.31801, *Florida Statutes* (Chapter 2006-218, Laws of Florida), the impact fees recommended therein, are based on the most recent and localized data, and the Technical Report; and,

WHEREAS, the impact fees assessed pursuant to this Ordinance are necessary to ensure the public health, safety, and welfare of the residents of the City of Oviedo.

WHEREAS, the Development Review Committee considered the Revised Impact Fee schedule on Thursday, October 4, 2007; and,

WHEREAS, the City Council of the City of Oviedo hereby finds and determines that the provisions of this Ordinance are consistent with the *Comprehensive Plan of the City of Oviedo* and the controlling provisions of State law; and,

WHEREAS, the City Council of the City of Oviedo hereby finds and determines that it has taken all actions relating to the enactment of this Ordinance in accordance with the requirements and procedures mandated by State law.

NOW, THEREFORE, BE IT ORDAINED BY the City Council of the City of Oviedo as follows:

SECTION 1. Section 2, Part II, of Ordinance No. 1371 is hereby repealed and replaced with the following update of the City's impact fee schedule for Fire and Rescue (Emergency Medical Service), Law Enforcement, Recreation and Parks, Transportation Facilities, and Administrative Facilities Impact Fee:

PART II – IMPACT FEES BY PUBLIC FACILITY

Section 1.0 Transportation Impact Fee

(1.1) Transportation Impact Fee Schedule: A transportation impact fee shall be assessed and collected from new development, pursuant to all applicable provisions of this Ordinance, in accordance with the following fee schedule:

City of Oviedo Transportation Impact Fee Schedule		
Land Use	Impact Unit	Impact Fee/ Unit
Residential		
Single Family	du	\$1,050.00
Multi Family	du	\$880.00
Mobile Home	du	\$422.00
Transient, Assisted, Group		
Hotel	room	\$603.00
Motel	room	\$380.00
Nursing Home / ACLF	bed	\$99.00
Recreational		
Golf Course	hole	\$4,219.00
Golf Driving Range	tee	\$1,619.00
Movie Theater with Matinee	screen	\$3,946.00
Racquet Club/Health Club/Spa/Dance Studio	1,000 sf	\$2,588.00
Regional Park	acre	\$358.00
City/Local Park	acre	\$108.00
Ice Rink	1,000 sf	\$195.00
Institutions		
Hospital	1,000 sf	\$1,415.00
Day Care Center	1,000 sf	\$2,080.00
Elementary School	student	\$89.00
Middle School	student	\$133.00
High School	student	\$141.00
Junior/Community College	student	\$162.00
University/College	student	\$307.00
Church	1,000 sf	\$657.00
Office		
Office 50,000 SF or less	1,000 sf	\$1,815.00
Office 50,001 - 100,000 SF	1,000 sf	\$1,409.00
Office 100,001 - 200,000 SF	1,000 sf	\$1,201.00
Office 200,001 - 400,000 SF	1,000 sf	\$1,027.00
Office greater than 400,000 SF	1,000 sf	\$868.00
Medical Office/Clinic	1,000 sf	\$3,633.00

City of Oviedo Transportation Impact Fee Schedule		
Land Use	Impact Unit	Impact Fee/ Unit
Retail		
Specialty Retail, including Bars/Taverns	1,000 sf	\$2,594.00
Retail 50,000 GSF or less	1,000 sf	\$1,666.00
Retail 50,001 GSF to 99,999 GSF	1,000 sf	\$1,361.00
Retail 100,000 GSF to 299,999 GSF	1,000 sf	\$1,111.00
Retail 300,000 GSF to 499,999 GSF	1,000 sf	\$1,239.00
Retail 500,000 GSF to 999,999 GSF	1,000 sf	\$1,382.00
Retail 1,000,000 GSF to 1,250,000 GSF	1,000 sf	\$1,561.00
Retail over 1,250,000 GSF	1,000 sf	\$1,717.00
Pharmacy/Drug Store w/Drive-Thru	1,000 sf	\$1,127.00
Home Improvement Superstore	1,000 sf	\$1,819.00
Quality Restaurant	1,000 sf	\$4,213.00
High-Turnover Restaurant	1,000 sf	\$5,743.00
Fast Food Rest w/ Drive-Thru	1,000 sf	\$13,463.00
Gas/Service Station	fuel pos.	\$1,396.00
Quick Lube	bay	\$1,544.00
Supermarket	1,000 sf	\$1,516.00
Convenience Store	1,000 sf	\$7,790.00
Convenience Store w/Gas Pumps	1,000 sf	\$6,475.00
Convenience/Gas/Fast Food	1,000 sf	\$15,725.00
Auto Repair or Body Shop	1,000 sf	\$1,520.00
Tire Store	1,000 sf	\$970.00
New and Used Car Sales	1,000 sf	\$2,523.00
Self Service Car Wash	bay	\$3,063.00
Bank/Savings Walk-in	1,000 sf	\$4,523.00
Bank/Savings Drive-in	1,000 sf	\$7,132.00
Paint/Hardware Store	1,000 sf	\$2,133.00
Video Store	1,000 sf	\$478.00
Industrial		
General Industrial	1,000 sf	\$675.00
Business Park	1,000 sf	\$1,280.00
Manufacturing	1,000 sf	\$368.00
Mini-Warehouse	unit	\$19.00
Warehouse	1,000 sf	\$481.00
Utility Substation	acre/ station	\$136.00

City of Oviedo Transportation Impact Fee Schedule		
Land Use	Impact Unit	Impact Fee/ Unit
Abbreviations: du – dwelling unit	GSF – gross square feet	
fuel pos. – fueling position	SF or sf – square feet	

(1.2) **Transportation Impact Fee Account:** There is hereby established a transportation impact fee account into which all transportation impact fees collected shall be deposited. Transportation impact fee revenues shall be spent only on transportation facilities and transportation capital costs as provided in this Ordinance.

Section 2.0 Law Enforcement Impact Fee

(2.1) **Law Enforcement Impact Fee Schedule:** A law enforcement impact fee shall be assessed and collected from new development, pursuant to all applicable provisions of this Ordinance, in accordance with the following fee schedule:

City of Oviedo Law Enforcement Impact Fee Schedule		
Land Use	Impact Unit	Impact Fee/ Unit
Residential		
Single Family	du	\$193.00
Multi Family	du	\$107.00
Mobile Home	du	\$225.00
Transient, Assisted, Group		
Hotel	room	\$71.00
Motel	room	\$71.00
Nursing Home / ACLF	bed	\$102.00
Recreational		
Golf Course	hole	\$114.00
Golf Driving Range	tee	\$81.00
Movie Theater with Matinee	screen	\$640.00
Racquet Club/Health Club/Spa/Dance Studio	1,000 sf	\$330.00
Regional Park	acre	\$44.00
City/Local Park	acre	\$15.00
Ice Rink	1,000 sf	\$76.00
Institutions		
Hospital	1,000 sf	\$176.00
Day Care Center	1,000 sf	\$95.00
Elementary School	student	\$6.00
Middle School	student	\$7.00

City of Oviedo Law Enforcement Impact Fee Schedule		
Land Use	Impact Unit	Impact Fee/ Unit
High School	student	\$8.00
Junior/Community College	student	\$6.00
University/College	student	\$13.00
Church	1,000 sf	\$61.00
Office		
Office 50,000 SF or less	1,000 sf	\$178.00
Office 50,001 - 100,000 SF	1,000 sf	\$138.00
Office 100,001 - 200,000 SF	1,000 sf	\$116.00
Office 200,001 - 400,000 SF	1,000 sf	\$100.00
Office greater than 400,000 SF	1,000 sf	\$85.00
Medical Office/Clinic	1,000 sf	\$182.00
Retail		
Specialty Retail, including Bars/Taverns	1,000 sf	\$160.00
Retail 50,000 GSF or less	1,000 sf	\$307.00
Retail 50,001 GSF to 99,999 GSF	1,000 sf	\$281.00
Retail 100,000 GSF to 299,999 GSF	1,000 sf	\$226.00
Retail 300,000 GSF to 499,999 GSF	1,000 sf	\$250.00
Retail 500,000 GSF to 999,999 GSF	1,000 sf	\$218.00
Retail 1,000,000 GSF to 1,250,000 GSF	1,000 sf	\$201.00
Retail over 1,250,000 GSF	1,000 sf	\$190.00
Pharmacy/Drug Store w/Drive-Thru	1,000 sf	\$201.00
Home Improvement Superstore	1,000 sf	\$190.00
Quality Restaurant	1,000 sf	\$725.00
High-Turnover Restaurant	1,000 sf	\$757.00
Fast Food Rest w/ Drive-Thru	1,000 sf	\$938.00
Gas/Service Station	fuel pos.	\$211.00
Quick Lube	bay	\$124.00
Supermarket	1,000 sf	\$217.00
Convenience Store	1,000 sf	\$444.00
Convenience Store w/Gas Pumps	1,000 sf	\$671.00
Convenience/Gas/Fast Food	1,000 sf	\$766.00
Auto Repair or Body Shop	1,000 sf	\$314.00
Tire Store	1,000 sf	\$371.00
New and Used Car Sales	1,000 sf	\$182.00
Self Service Car Wash	bay	\$202.00
Bank/Savings Walk-in	1,000 sf	\$275.00

City of Oviedo Law Enforcement Impact Fee Schedule		
Land Use	Impact Unit	Impact Fee/ Unit
Bank/Savings Drive-in	1,000 sf	\$222.00
Paint/Hardware Store	1,000 sf	\$134.00
Video Store	1,000 sf	\$223.00
Industrial		
General Industrial	1,000 sf	\$73.00
Business Park	1,000 sf	\$107.00
Manufacturing	1,000 sf	\$52.00
Mini-Warehouse	unit	\$1.00
Warehouse	1,000 sf	\$41.00
Utility Substation	acre/ station	\$93.00
Abbreviations: du – dwelling unit GSF – gross square feet		
fuel pos. – fueling position SF or sf – square feet		

(2.2) **Law Enforcement Impact Fee Account:** There is hereby established a law enforcement impact fee account into which all law enforcement impact fees collected shall be deposited. Law Enforcement impact fee revenues shall be spent only on law enforcement facilities and law enforcement capital costs as provided in this Ordinance.

Section 3.0 Fire and Rescue (Emergency Medical Service) Impact Fee

(3.1) **Fire and Rescue (Emergency Medical Service) Impact Fee Schedule:** A fire and emergency medical services impact fee shall be assessed and collected from new development, pursuant to all applicable provisions of this Ordinance, in accordance with the following fee schedule:

City of Oviedo Fire Rescue Impact Fee Schedule		
Land Use	Impact Unit	Impact Fee/ Unit
Residential		
Single Family	du	\$438.00
Multi Family	du	\$243.00
Mobile Home	du	\$511.00
Transient, Assisted, Group		
Hotel	room	\$161.00
Motel	room	\$161.00
Nursing Home / ACLF	bed	\$232.00
Recreational		

City of Oviedo Fire Rescue Impact Fee Schedule		
Land Use	Impact Unit	Impact Fee/ Unit
Golf Course	hole	\$261.00
Golf Driving Range	tee	\$184.00
Movie Theater with Matinee	screen	\$1,449.00
Racquet Club/Health Club/Spa/Dance Studio	1,000 sf	\$749.00
Regional Park	acre	\$101.00
City/Local Park	acre	\$36.00
Ice Rink	1,000 sf	\$174.00
Institutions		
Hospital	1,000 sf	\$400.00
Day Care Center	1,000 sf	\$218.00
Elementary School	student	\$13.00
Middle School	student	\$16.00
High School	student	\$19.00
Junior/Community College	student	\$13.00
University/College	student	\$31.00
Church	1,000 sf	\$138.00
Office		
Office 50,000 SF or less	1,000 sf	\$404.00
Office 50,001 - 100,000 SF	1,000 sf	\$312.00
Office 100,001 - 200,000 SF	1,000 sf	\$266.00
Office 200,001 - 400,000 SF	1,000 sf	\$227.00
Office greater than 400,000 SF	1,000 sf	\$193.00
Medical Office/Clinic	1,000 sf	\$414.00
Retail		
Specialty Retail, including Bars/Taverns	1,000 sf	\$363.00
Retail 50,000 GSF or less	1,000 sf	\$695.00
Retail 50,001 GSF to 99,999 GSF	1,000 sf	\$637.00
Retail 100,000 GSF to 299,999 GSF	1,000 sf	\$513.00
Retail 300,000 GSF to 499,999 GSF	1,000 sf	\$567.00
Retail 500,000 GSF to 999,999 GSF	1,000 sf	\$494.00
Retail 1,000,000 GSF to 1,250,000 GSF	1,000 sf	\$455.00
Retail over 1,250,000 GSF	1,000 sf	\$431.00
Pharmacy/Drug Store w/Drive-Thru	1,000 sf	\$455.00
Home Improvement Superstore	1,000 sf	\$431.00
Quality Restaurant	1,000 sf	\$1,641.00
High-Turnover Restaurant	1,000 sf	\$1,714.00

City of Oviedo Fire Rescue Impact Fee Schedule		
Land Use	Impact Unit	Impact Fee/ Unit
Fast Food Rest w/ Drive-Thru	1,000 sf	\$2,121.00
Gas/Service Station	fuel pos.	\$479.00
Quick Lube	bay	\$280.00
Supermarket	1,000 sf	\$492.00
Convenience Store	1,000 sf	\$1,005.00
Convenience Store w/Gas Pumps	1,000 sf	\$1,520.00
Convenience/Gas/Fast Food	1,000 sf	\$1,733.00
Auto Repair or Body Shop	1,000 sf	\$710.00
Tire Store	1,000 sf	\$838.00
New and Used Car Sales	1,000 sf	\$414.00
Self Service Car Wash	bay	\$457.00
Bank/Savings Walk-in	1,000 sf	\$622.00
Bank/Savings Drive-in	1,000 sf	\$503.00
Paint/Hardware Store	1,000 sf	\$304.00
Video Store	1,000 sf	\$506.00
Industrial		
General Industrial	1,000 sf	\$166.00
Business Park	1,000 sf	\$243.00
Manufacturing	1,000 sf	\$120.00
Mini-Warehouse	unit	\$2.00
Warehouse	1,000 sf	\$94.00
Utility Substation	acre/ station	\$212.00
Abbreviations: du – dwelling unit GSF – gross square feet fuel pos. – fueling position SF or sf – square feet		

(3.2) Fire and Rescue (Emergency Medical Service) Impact Fee Account: There is hereby established a fire and emergency medical service impact fee account into which all fire and rescue (emergency medical service) impact fees collected shall be deposited. Fire and rescue (emergency medical service) service impact fee revenues shall be spent only on fire and rescue (emergency medical service) facilities and fire and rescue (emergency medical service) service capital costs as provided in this Ordinance.

Section 4.0 Recreation and Parks Impact Fee

(4.1) Recreation and Parks Impact Fee Schedule: A recreation and parks impact fee shall be assessed and collected from new development, pursuant to all applicable provisions of this Ordinance, in accordance with the following fee schedule:

City of Oviedo Recreation & Parks Impact Fee Schedule		
Land Use	Impact Unit	Impact Fee/Unit
Residential		
Single Family	du	\$1,058.00
Multi Family	du	\$595.00
Mobile Home	du	\$1,235.00
Abbreviation: du – dwelling unit		

- (4.2) **Recreation and Parks Impact Fee Account:** There is hereby established a recreation and parks impact fee account into which all recreation and parks impact fees collected shall be deposited. Recreation and parks impact fee revenues shall be spent only on recreation and parks facilities and recreation and parks facilities capital costs as provided in this Ordinance.
- (4.3) **Reduction of Part of Recreation and Parks System Impact Fee:** The City Council may reduce the recreation and parks impact fee for a given development up to fifty percent (50%) if the City Council determines that the private recreational space and facilities provided in the project are of such nature as to reduce substantially the project's impact upon the City's public need for expansion of the recreation and parks system. This reduction shall not exceed the actual cost of such private recreational space, or fifty percent of the recreation and parks system impact fee, whichever is less.

Section 5.0 Administrative Facilities Impact Fee

- (5.1) **Administrative Facilities Impact Fee Schedule:** An administrative facilities impact fee shall be assessed and collected from new development, pursuant to all applicable provisions of this Ordinance, in accordance with the following fee schedule:

City of Oviedo Administrative Facilities Impact Fee Schedule		
Land Use	Impact Unit	Impact Fee/Unit
Residential		
Single Family	du	\$233.00
Multi Family	du	\$131.00
Mobile Home	du	\$272.00
Transient, Assisted, Group		
Hotel	room	\$185.00
Motel	room	\$185.00
Nursing Home / ACLF	bed	\$313.00
Recreational		
Golf Course	hole	\$550.00

City of Oviedo Administrative Facilities Impact Fee Schedule		
Land Use	Impact Unit	Impact Fee/ Unit
Golf Driving Range	tee	\$348.00
Movie Theater with Matinee	screen	\$1,406.00
Racquet Club/Health Club/Spa/Dance Studio	1,000 sf	\$894.00
Regional Park	acre	\$109.00
City/Local Park	acre	\$40.00
Ice Rink	1,000 sf	\$361.00
Institutions		
Hospital	1,000 sf	\$854.00
Day Care Center	1,000 sf	\$695.00
Elementary School	student	\$45.00
Middle School	student	\$52.00
High School	student	\$55.00
Junior/Community College	student	\$42.00
University/College	student	\$98.00
Church	1,000 sf	\$183.00
Office		
Office 50,000 SF or less	1,000 sf	\$1,248.00
Office 50,001 - 100,000 SF	1,000 sf	\$971.00
Office 100,001 - 200,000 SF	1,000 sf	\$825.00
Office 200,001 - 400,000 SF	1,000 sf	\$706.00
Office greater than 400,000 SF	1,000 sf	\$600.00
Medical Office/Clinic	1,000 sf	\$1,228.00
Retail		
Specialty Retail, including Bars/Taverns	1,000 sf	\$723.00
Retail 50,000 GSF or less	1,000 sf	\$1,323.00
Retail 50,001 GSF to 99,999 GSF	1,000 sf	\$1,217.00
Retail 100,000 GSF to 299,999 GSF	1,000 sf	\$1,263.00
Retail 300,000 GSF to 499,999 GSF	1,000 sf	\$1,091.00
Retail 500,000 GSF to 999,999 GSF	1,000 sf	\$968.00
Retail 1,000,000 GSF to 1,250,000 GSF	1,000 sf	\$902.00
Retail over 1,250,000 GSF	1,000 sf	\$858.00
Pharmacy/Drug Store w/Drive-Thru	1,000 sf	\$907.00
Home Improvement Superstore	1,000 sf	\$856.00
Quality Restaurant	1,000 sf	\$2,804.00
High-Turnover Restaurant	1,000 sf	\$3,118.00
Fast Food Rest w/ Drive-Thru	1,000 sf	\$4,472.00

City of Oviedo Administrative Facilities Impact Fee Schedule		
Land Use	Impact Unit	Impact Fee/ Unit
Gas/Service Station	fuel pos.	\$804.00
Quick Lube	bay	\$593.00
Supermarket	1,000 sf	\$904.00
Convenience Store	1,000 sf	\$1,361.00
Convenience Store w/Gas Pumps	1,000 sf	\$1,998.00
Convenience/Gas/Fast Food	1,000 sf	\$2,243.00
Auto Repair or Body Shop	1,000 sf	\$1,603.00
Tire Store	1,000 sf	\$1,897.00
New and Used Car Sales	1,000 sf	\$619.00
Self Service Car Wash	bay	\$670.00
Bank/Savings Walk-in	1,000 sf	\$1,621.00
Bank/Savings Drive-in	1,000 sf	\$1,282.00
Paint/Hardware Store	1,000 sf	\$576.00
Video Store	1,000 sf	\$1,141.00
Industrial		
General Industrial	1,000 sf	\$509.00
Business Park	1,000 sf	\$752.00
Manufacturing	1,000 sf	\$376.00
Mini-Warehouse	unit	\$2.00
Warehouse	1,000 sf	\$285.00
Utility Substation	acre/ station	\$691.00
Abbreviations: du – dwelling unit GSF – gross square feet		
fuel pos. – fueling position SF or sf – square feet		

(5.2) Administrative Facilities Impact Fee Account: There is hereby established an administrative facilities impact fee account into which all administrative impact fees collected shall be deposited. Administrative facilities impact fee revenues shall be spent only on administrative facilities and administrative facilities capital costs as provided in this Ordinance.

SECTION 2. Notice. The City Manager or his designee is hereby authorized to provide the 90-day notice of the effective date of the updated impact fees in accordance with Section 163.31801, *Florida Statutes*.

SECTION 3. Savings. The provisions of this Ordinance shall apply for all impact fees hereinafter levied and imposed by the City for the purposes set forth in this Ordinance.

SECTION 4. Codification. The provisions of this Ordinance shall be codified as and become and be made a part of the *City of Oviedo Code of Ordinances*. The Sections of this

Ordinance may be renumbered or relettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections 2, 3, 4, 5, 6, and 7 shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION 5. Conflict. To the extent of any conflict between any other City regulations and ordinances and this Ordinance, this Ordinance shall be deemed to control.

SECTION 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not effect the validity of the remaining portion hereof.

SECTION 7. Effective Date. This Ordinance shall become effective immediately upon completion of the ninety-day (90) notice period required by Section 163.31801, *Florida Statutes*.

FIRST READING: November 19, 2007

SECOND READING: December 3, 2007

PASSED AND ADOPTED this 3rd day of December, 2007.

Mary Lou Andrews
MARY LOU ANDREWS
MAYOR of the City of Oviedo, Florida

ATTEST:

Barbara J. Barbour
Barbara J. Barbour
CITY CLERK

