

ORDINANCE 15-17

AN ORDINANCE AMENDING SECTION 9 "IMPACT FEE RATES" OF ORDINANCE NO. 98-21 OF THE CODE OF ORDINANCES OF THE CITY OF MARCO ISLAND, FLORIDA ESTABLISHING COMMUNITY PARK IMPACT FEES FOR THE CITY; PROVIDING FOR INCORPORATION, CONFLICT AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance 98-21 of the City of Marco Island, Florida established a Community Park Impact Fee for the City and based said fee on consultant studies performed by Henderson Young & Co. for Collier County, Florida, 1991 Update; and

WHEREAS, Section 1. (4) of Ordinance 98-21 of the City of Marco Island, Florida states that "in recognition of changing growth patterns and the dynamic nature of population growth, it is the intent of the City Council that the standard of service for the City park system and the impact fee imposed be reviewed and adjusted periodically to insure that parks and recreational facilities impact fees are imposed equitably and lawfully, based upon actual and anticipated growth at the time of their imposition," and

WHEREAS, Ordinance 02-28 of the City of Marco Island, Florida amended Section 9 "Impact Fee Rates" of Ordinance No. 98-21 of the Code of Ordinances of the City of Marco Island, Florida, in order to reflect the changes on the study based on the study by Duncan Associates as adopted by Collier County Resolution 2002.304; and

WHEREAS, Ordinance 02-28 established tiered impact fee rates relative in order to more equitably distribute the costs of acquiring public facilities based upon a rational nexus relating costs incurred to fee payers to infrastructure impacts created by various land uses; and

WHEREAS, The City finds that residential land use has the most significant impact on its parks and results in a more readily ascertainable cost recovery structure.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MARCO ISLAND, FLORIDA:

Section 1. Impact Fee Rates.

Section 9 of Ordinance 98-21 shall be amended to read as follows:

Land Use	Community Parks per Dwelling Unit Total Park and Recreational Facilities Cost Per Unit of Development
Single Family Detached	
Less than 1,800 sq. ft.	\$508
1,800 - 3,000 sq. ft.	\$777
More than 3,000 sq. ft.	\$999
Multi-Family	
Less than 1,800 sq. ft.	\$474
1,800 - 3,000 sq. ft.	\$534
More than 3,000 sq. ft.	\$688
Mobile Home/RV Park (Pad)	\$650
Hotel/Motel	\$384
Single Family	\$822
All Other Housing Types	\$607

Section 2. Incorporation, Conflict and Severability.

- (1) It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Marco Island, Florida, and that the sections of this Ordinance may be renumbered or relettered and that the word "ordinance" may be changed to "section," "article," or other appropriate word.
- (2) If any term, section, clause, sentence, or phrase of this Ordinance is for any reason held invalid, illegal, or unconstitutional by a court of competent jurisdiction, the holding shall not affect validity of any other remaining terms, sections, clauses, sentences, or phrases portions of the Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

Section 3. Effective Date. This Ordinance shall be effective January 1, 2016 upon adoption by City Council on second reading.

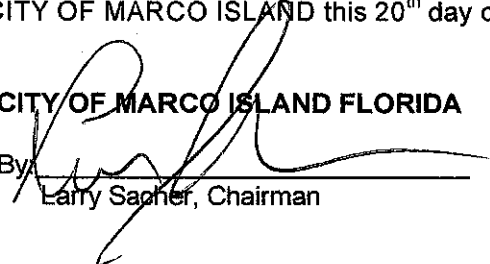
ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARCO ISLAND this 20th day of July 2015.

ATTEST:



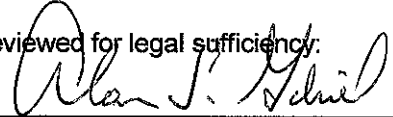
Laura M. Litzan, City Clerk

CITY OF MARCO ISLAND FLORIDA

By 

Larry Saper, Chairman

Reviewed for legal sufficiency:



Alan L. Gabriel, City Attorney