

ORDINANCE NO. ____

PROPOSED ORDINANCE NO. 25-023

AN ORDINANCE RELATING TO IMPACT FEES; AMENDING ORDINANCE NO. 5535, AS AMENDED, THE “CITY OF LAKELAND IMPACT FEE ORDINANCE FOR TRANSPORTATION FACILITIES”; MAKING FINDINGS; ADOPTING UPDATED TRANSPORTATION IMPACT FEE STUDY; PROVIDING FOR ADOPTION AND IMPOSITION OF AMENDED TRANSPORTATION IMPACT FEES; FINDING CONSISTENCY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Lakeland has retained the firm of Benesch to provide a Multi-Modal Transportation Impact Fee Update Study; and

WHEREAS, Benesch has prepared and presented to the City Commission a report titled “City of Lakeland Multi-Modal Transportation Impact Fee Update Study,” dated April 25, 2025 (the “Fee Study”), which establishes the proportionate share of new development’s impacts on the Transportation Facilities for which impact fees will be collected pursuant to this Ordinance; and

WHEREAS, the Fee Study has been presented to and reviewed by the City Commission, which has determined: (1) that impact fees are necessary to offset the costs to the City associated with meeting the demand for additional Transportation Facilities created by projected new residential and non-residential development; (2) that the amount of the impact fees to be imposed by the City is proportional and reasonably connected to, or has a rational nexus with, the need for additional capital facilities and the increased impact generated by new

residential and commercial construction, and bears a reasonable relationship to the burden imposed upon the City to provide to new development the additional Transportation Facilities addressed in the Fee Study, (3) that the amount of the impact fees to be imposed by the City is proportional and reasonably connected to, or has a rational nexus with, the expenditures of the funds collected and the benefits accruing to new residential and nonresidential construction, and the expenditure of transportation impact fees, pursuant to the terms of this Ordinance, will result in a beneficial use to such new development reasonably related to the impact fees, per dwelling unit, by type, and per increment of non-residential development; (4) that an essential and rational nexus exists between the projected new development and the need for additional Transportation Facilities to be funded via the transportation impact fees; and (5) that the amount of the transportation impact fees is proportional and reasonably connected to the fair share of the additional Transportation Facilities needed to provide adequate service to new development; and,

WHEREAS, the City Commission finds that two expenditure districts are appropriate to reflect and further the geographic nexus between new development paying multimodal transportation impact fees and the capital improvements planned by the City to serve new development; and

WHEREAS, pursuant to §163.31801, Fla. Statutes:

- (a) the Fee Study, and the transportation impact fees recommended therein, are based on the most recent and localized data available within 4 years of the current impact fee update;

- (b) this Ordinance includes procedures for accounting and reporting of transportation impact fee collections and expenditures in order to assure compliance with applicable legal standards;
- (c) this Ordinance provides for a separate accounting fund for the revenues and expenditures for which an impact fee will be collected;
- (d) administrative fees charged pursuant to this Ordinance for the collection of transportation impact fees are limited to actual costs to the City to administer collection of transportation impact fees;
- (e) the City has provided notice at least ninety (90) days prior to the effective date of this Ordinance;
- (f) this Ordinance requires audits of the City's financial statements to include an affidavit of the City's chief financial officer stating that the requirements of § 163.31801, Fla. Stat. have been complied with; and
- (g) this Ordinance otherwise complies with all requirements of § 163.31801, Fla. Statutes; and

WHEREAS, Part II of Chapter 163, Florida Statutes (the "Community Planning Act") requires local governments to adopt, and the City has adopted, a transportation element addressing mobility issues and planning for a multimodal transportation system that emphasizes public transportation systems, where feasible; and

WHEREAS, the Community Planning Act encourages local governments to develop tools and techniques to complement the application of transportation concurrency, including those that assign secondary priority to vehicle mobility and

primary priority “to ensuring a safe, comfortable, and attractive pedestrian environment, with convenient interconnection to transit;” and

WHEREAS, the Community Planning Act further encourages local governments to establish “multimodal level of service standards that rely primarily on non-vehicular modes of transportation where existing or planned community design will provide adequate level of mobility;” and

WHEREAS, the Community Planning Act further encourages local governments to reduce impact fees “to promote development within urban areas, multimodal transportation districts, and a balance of mixed-use development in certain areas or districts”; and

WHEREAS, the City Commission finds, based on the Fee Study, that multimodal improvements, including those associated with bike, pedestrian, and transit travel, expand the capacity of the City’s transportation facilities; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:

SECTION 1. The foregoing findings are true and correct and are hereby adopted and incorporated herein by reference.

SECTION 2. Section 3.O. of Ordinance 5535, as amended, is hereby amended to provide as follows:

SECTION 3. DEFINITIONS.

O. "Fee Study" means the "City of Lakeland Multi-Modal Transportation Impact Fee Update Study," dated April 25, 2025, prepared by Benesch.

SECTION 3. Section 5.B. of Ordinance 5535, as amended, is hereby amended to provide as follows:

SECTION 5. IMPACT FEE STUDY ADOPTION; UPDATES

B. Adoption of Impact Fee Study. The City of Lakeland Multi-Modal Transportation Impact Fee Update Study, dated April 25, 2025, prepared by Benesch, is adopted and incorporated by reference. All references in this Ordinance to impact fee studies shall be construed as a reference to the most recently-adopted impact fee study as provided in this Section 5.B.

SECTION 4. Exhibit "C" of Ordinance 5535, as amended, is hereby replaced in its entirety by Exhibit "C" – Transportation Impact Fee Schedule, attached hereto and incorporated herein by reference. The amended fees set forth on Exhibit "C" hereto are hereby adopted and incorporated herein by reference.

SECTION 5. Except as amended herein, Ordinance No. 5535, as amended, shall continue in full force and effect.

SECTION 6. The City Commission does hereby expressly find that the provisions of this Ordinance are in conformity with the Comprehensive Plan of the City of Lakeland.

SECTION 7. If any section, phrase, sentence 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 affect the validity of the remaining portions.

SECTION 8. This Ordinance shall take effect on January 1, 2026.

PASSED AND CERTIFIED AS TO PASSAGE this 18th day of August, A.D. 2025.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
PALMER C. DAVIS
CITY ATTORNEY

EXHIBIT "C"

Transportation Impact Fee Schedule

| Transportation | | | | | | | | |
|--|-------------|----------|----------|----------|----------|----------|----------|----------|
| Land Use | Unit | Current | Max IF | % Change | 1/1/2026 | 1/1/2027 | 1/1/2028 | 1/1/2029 |
| Single Family (Detached) | du | \$4,316 | \$6,474 | 50.0% | \$4,856 | \$5,395 | \$5,935 | \$6,474 |
| Single Family (Attached) | du | \$1,837 | \$2,755 | 50.0% | \$2,067 | \$2,296 | \$2,526 | \$2,755 |
| Multi-Family (Apartment/Comdominium) | du | \$1,837 | \$2,755 | 50.0% | \$2,067 | \$2,296 | \$2,526 | \$2,755 |
| Mobile Home Park/RV Park | du/site | \$1,579 | \$2,368 | 50.0% | \$1,776 | \$1,974 | \$2,171 | \$2,368 |
| Hotel/Motel | room | \$1,671 | \$2,506 | 50.0% | \$1,880 | \$2,089 | \$2,297 | \$2,506 |
| Golf Course | hole | \$14,574 | \$21,861 | 50.0% | \$16,396 | \$18,218 | \$20,039 | \$21,861 |
| Movie Theater | screen | \$18,318 | \$27,477 | 50.0% | \$20,608 | \$22,898 | \$25,187 | \$27,477 |
| Elementary School (Private) | student | \$262 | \$393 | 50.0% | \$295 | \$328 | \$360 | \$393 |
| Middle School (Private) | student | \$300 | \$450 | 50.0% | \$338 | \$375 | \$413 | \$450 |
| High School (Private) | student | \$322 | \$483 | 50.0% | \$362 | \$403 | \$443 | \$483 |
| University/Jr College (7,500 or fewer students) (Private) | student | \$658 | \$987 | 50.0% | \$740 | \$823 | \$905 | \$987 |
| University/Jr College (more than 7,500 students) (Private) | student | \$489 | \$733 | 49.9% | \$550 | \$611 | \$672 | \$733 |
| Public/Institutional | 1,000 sf | \$1,980 | \$2,970 | 50.0% | \$2,228 | \$2,475 | \$2,723 | \$2,970 |
| Adult Day Care Center | bed | \$246 | \$369 | 50.0% | \$277 | \$308 | \$338 | \$369 |
| Funeral Home | 1,000 sf | \$4,116 | \$6,174 | 50.0% | \$4,631 | \$5,145 | \$5,660 | \$6,174 |
| Hospital | 1,000 sf | \$3,669 | \$5,503 | 50.0% | \$4,128 | \$4,586 | \$5,045 | \$5,503 |
| Nursing Home | bed | \$383 | \$574 | 49.9% | \$431 | \$479 | \$526 | \$574 |
| General Office | 1,000 sf | \$2,516 | \$3,774 | 50.0% | \$2,831 | \$3,145 | \$3,460 | \$3,774 |
| Medical Office/Clinic | 1,000 sf | \$6,916 | \$10,374 | 50.0% | \$7,781 | \$8,645 | \$9,510 | \$10,374 |
| Retail/Commercial | 1,000 sfgla | \$6,096 | \$9,144 | 50.0% | \$6,858 | \$7,620 | \$8,382 | \$9,144 |
| Fast Food Restaurant w/Drive Thru (Standalone) | 1,000 sf | \$46,935 | \$70,402 | 50.0% | \$52,802 | \$58,669 | \$64,535 | \$70,402 |
| Gas Station w/Convenience Market <2,000 sq ft | fuel pos. | \$8,191 | \$11,270 | 37.6% | \$8,961 | \$9,731 | \$10,500 | \$11,270 |
| Gas Station w/Convenience Market 2,000-5,499 sq ft | fuel pos. | \$7,702 | \$11,553 | 50.0% | \$8,665 | \$9,628 | \$10,590 | \$11,553 |
| Gas Station w/Convenience Market 5,500+ sq ft | fuel pos. | \$8,245 | \$12,367 | 50.0% | \$9,276 | \$10,306 | \$11,337 | \$12,367 |
| Self-Servcie Car Wash | service bay | \$5,333 | \$7,999 | 50.0% | \$6,000 | \$6,666 | \$7,333 | \$7,999 |
| Manufacturing/Industrial | 1,000 sf | \$604 | \$906 | 50.0% | \$680 | \$755 | \$831 | \$906 |
| Wholesale/Warehouse | 1,000 sf | \$841 | \$1,062 | 26.3% | \$896 | \$952 | \$1,007 | \$1,062 |
| Mini-Warehouse | 1,000 sf | \$455 | \$374 | -17.8% | \$374 | \$374 | \$374 | \$374 |
| High-Tech Assembly and Distribution | 1,000 sf | \$776 | \$846 | 9.0% | \$811 | \$846 | \$846 | \$846 |