



# Cedar Hammock Fire Rescue

## Memorandum

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Date: August 27, 2020  
To: Manatee County Building and Development Services  
From: Fire Marshal E. Center  
RE: Annual Increase of Impact Fees

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To ensure that the impact fee schedule does not become deficient over time as costs escalate and in accordance with the recommendation provided in the Impact Fee Study and Resolution 2016-.01, at the beginning of each fiscal year the Cedar Hammock Fire Control District shall annually increase the impact fees by the Consumer Price Index, All Urban Consumers – (CPI-U), U.S. City Average, All items, published by the United States Department of Labor, Bureau of Labor Statistics.

The unadjusted 12-month percent change to be utilized shall be the July 2020 of 1.0 percent. This July unadjusted 12-month percent change shall be the month utilized for each annual adjustment. Attached is the U.S. Bureau of Labor Statistics table identifying the adopted percent change.

### October 1, 2020 through September 30, 2021 Impact Fee Schedule

A. New Residential Dwelling Unit	\$440.04
B. Non-Residential Property up to 5,000 square feet or less	\$873.08
C. Non-Residential Property more than 5,000 square feet: 5,000 square feet (base fee) plus \$0.215 per square foot (over 5,000 square feet)	\$873.08 Plus \$0.217/sq. ft.

## **RESOLUTION NO. 2021-01**

**A PROPOSED RESOLUTION OF THE BOARD OF FIRE COMMISSIONERS OF THE CEDAR HAMMOCK FIRE CONTROL DISTRICT CONFIRMING AND CONTINUING THE FIRE/RESCUE SERVICE IMPACT FEES ADOPTED BY RESOLUTION 2016-01; CONFIRMING IMPACT FEE RATES INCLUDED IN RESOLUTION 2016-01, CONTINUING ADOPTED FINDINGS, CONCLUSIONS AND RECOMMENDATIONS SET FORTH IN THE IMPACT FEE STUDY PREPARED BY BURTON & ASSOCIATES, INC. AND THE APPLICATION OF THE ANNUAL CONSUMER PRICE INDEX; PROVIDING FOR COMPLIANCE WITH APPLICABLE FLORIDA LAW; PROVIDING FOR SEVERABILITY; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Cedar Hammock Fire Control District (“District”) is an independent special purpose taxing district authorized under the provision of Chapters 189 and 191, Florida Statutes, and Chapter 2015-197, Laws of Florida (“Special Act”); and

**WHEREAS**, the District is authorized to raise funds to pay for the cost of new facilities and equipment through charges of impact fees upon new construction within its corporate boundaries in compliance with the provisions set forth in sections 163.31801, 191.006, and 191.009, Florida Statutes, and Chapter 2015-197, Laws of Florida; and,

**WHEREAS**, due to the anticipated growth and new construction within the District, the Fire Commissioners of the District (“Fire Commission”) commissioned a study by Michael E. Burton of Burton & Associates, Inc., to examine the District’s existing fire service impact fee schedule as set forth in District Resolution No. 2005-02 and determine whether updates to such impact fee schedule were needed; and,

**WHEREAS**, the consultants from Burton & Associates conducted a thorough evaluation and analysis of localized data in a report entitled “FY 2015 Fire/Rescue Impact Fee Study” dated February 24, 2016 (hereinafter “Impact Fee Study”) that was adopted by the Fire Commission in Resolution 2016-01 following a public hearing held on March 10, 2016, in compliance with Section 163.31801, Florida Statutes, and other applicable Florida law; and

**WHEREAS**, the Fire Commission has considered the methodology and data analyzed in the Impact Fee Study, the growth information data set forth therein, and the current growth data within the District’s jurisdictional boundaries, and the Fire Commission finds that the Impact Fee Study’s methodology and property classification remains appropriate given the current growth in the District and provides a rational basis for the impact fee allocation to the particular classes of properties within the District; and

**WHEREAS**, after considering all evidence and testimony, the Fire Commission has determined that it is in the best interest of the public to: continue the application of the impact fee methodology, fee schedule and recommendations relating to impact fees as set forth within the Impact Fee Study and continue to apply the consumer price index to such impact fees within the District for new construction in accordance with said study.

**NOW THEREFORE BE IT RESOLVED** by the Board of Fire Commissioners of Cedar Hammock Fire Control District, Manatee County, Florida, that:

1. The above recitals are true and correct, and are incorporated fully herein by reference.
2. The Cedar Hammock Fire Control District hereby confirms and continues its adoption and incorporation of the findings, recommendations, calculations, results, and conclusions set forth in the Burton & Associates Fire Impact Fee Study dated February 24, 2016. A copy of said study is attached hereto and incorporated fully herein as Exhibit 1.
3. In accordance with the "Conclusions and Recommendation" set forth in the above referenced Impact Fee Study, the Cedar Hammock Fire Control District hereby confirms and continues to follow the schedule of impact fee charges upon new construction adopted on March 10, 2016, and adjusted annually by the Consumer Price Index as recommended within said study:

<u>PROPERTY CLASS/USE</u>	<u>IMPACT FEE</u>
a. New Residential Dwelling Unit	\$405.72
b. Non-Residential Property up to 5,000 square feet or less	\$805.00
c. Non-Residential Property more than 5,000 square feet: 5,000 square feet (base fee) plus \$0.20 per square foot (over 5,000 square feet)	\$805.00 <i>Plus \$0.20/sq. ft.</i>

4. To ensure that the above listed impact fee schedule does not become deficient over time as costs escalate and in accordance with the recommendation provided in the Impact Fee Study, at the beginning of each fiscal year the Cedar Hammock Fire Control District shall continue to annually increase the impact fees by the Consumer Price Index, All Urban Consumers - (CPI-U), U.S. City Average, All items, published by the United States Department of Labor, Bureau of Labor Statistics.

5. In accordance with the recommendation provided in the Impact Fee Study, the Board of the Cedar Hammock Fire Control District will review the impact fee rate schedule every five (5) years to determine whether the methodology and rates should be updated based upon growth within the District.

6. In accordance with the recommendation provided in the Impact Fee Study, the Cedar Hammock Fire Control District finds that if any non-residential property is expanded or redeveloped, the impact fee be assessed for the incremental increase in the square footage. When there is such an expansion or redevelopment, the impact fees charged by the Cedar Hammock Fire Control District shall reflect an impact fee credit to the property owner for the original structure that is being expanded or redeveloped. Impact fee credits shall be determined by the Cedar Hammock Fire Control District prior to the time of issuance of a building permit. Any impact fee credits for non-residential structures shall run with the land perpetually.

7. In accordance with the recommendation set forth in the Impact Fee Study, the Cedar Hammock Fire Control District hereby finds that structures that have both residential and commercial uses shall be assessed by applying a proportional assessment methodology to the structure. The residential portion of the structure's use shall be assessed in accordance with the residential rate (based on dwelling unit(s)), and the remaining commercial portion of the structure should be assessed using the non-residential assessment methodology (based on square footage).

8. The Cedar Hammock Fire Control District hereby adopts by reference the Manatee County Land Development Code for the property classes and uses referenced above.

9. The Fire Chief of the Cedar Hammock Fire Control District is authorized to coordinate with Manatee County Building Department for collection of these fees prior to the issuance of a building permit.

10. Impact fees shall be collected and kept separate from other District revenue and used exclusively in the manner provided for under applicable Florida law including the requirements provided for in sections 163.31801 and 191.009, Florida Statutes.

11. If any section, subsection, sentence, clause, or provision of this Resolution is held invalid, the remainder of the Resolution shall not be affected.

12. With the exception of Resolution 2016-01, all prior Ordinances or Resolutions relating to the District's imposition of fire/rescue impact fees, are hereby repealed as of the effective date set forth below. To the extent there is a conflict with Resolution 2016-01 and this Resolution 2021-01, this Resolution shall prevail.

13. This Resolution shall have an effective date of April 15, 2021.

**DULY ADOPTED** the 15th day of April, 2021.

**CEDAR HAMMOCK FIRE CONTROL DISTRICT**

Ronald D. Getman, Chairman	<u><b>ADOPTED 4/15/2021</b></u>
John H. Stevens, Vice Chairman	<u><b>ADOPTED 4/15/2021</b></u>
Richard G. Findlay, Commissioner	<u><b>ADOPTED 4/15/2021</b></u>
Marnie E. Matarese, Commissioner	<u><b>ADOPTED 4/15/2021</b></u>
<b>ATTEST:</b>	
Samuel A. Reasoner, Secretary/Treasurer	<u><b>ADOPTED 4/15/2021</b></u>