

**CITY OF MARCO ISLAND  
ORDINANCE NO. 02- 28**

**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 for Collier County, Florida; and

WHEREAS, Section 74-502 of the Collier County Code of Ordinances requires that impact fees be updated through a consultant study at least every three (3) years; and

WHEREAS, Collier County Resolution 2002-304 has established Community Park Impact Fees based on the new study from Duncan Associates (the consultant); and

WHEREAS, Collier County Resolution 2002-304 has established tiered impact fee rates relative to housing type and unit size, as well as adding hotels and motels as a new land use category with respect to these impact fees, 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;

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:

- ~~(a) All parks and recreational facilities impact construction occurring within the City of Marco Island shall require the payment of a Community Park Impact Fee of \$399.00 per dwelling unit.~~

<u>Land Use</u>	<u>Community Parks per Dwelling Unit</u>
<u>Single-Family Detached</u>	
<u>Less than 1,800 sq. ft.</u>	<u>\$598</u>
<u>1,800 – 3,000 sq. ft.</u>	<u>\$777</u>
<u>More than 3,000 sq. ft.</u>	<u>\$919</u>
<u>Multi-family</u>	
<u>Less than 1,000 sq. ft.</u>	<u>\$471</u>
<u>1,000 – 1,700 sq. ft.</u>	<u>\$531</u>
<u>More than 1,700 sq. ft.</u>	<u>\$688</u>
<u>Mobile Home/RV Park (Pad)</u>	<u>\$650</u>
<u>Hotel/Motel (Room)</u>	<u>\$381</u>

**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) All sections or parts of sections of the Code of Laws and Ordinances of Collier County, Florida, all Collier County Ordinances or parts of ordinances and all Collier County Resolutions or parts of resolutions made applicable by the City Charter in conflict herewith are hereby repealed to the extent of such conflict.
- (3) If any word, phrase, clause, subsection, or section of this Ordinance is for any reason held unconstitutional or invalid by a court of competent jurisdiction, the invalidity thereof shall not affect the validity of any remaining portions of the Ordinance.

**Section 3. Effective Date.**

This Ordinance shall take effect January 3, 2003.

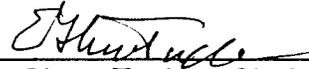
Passed in open and regular session of the City Council of the City of Marco Island, Florida, this 7th day of October, 2002.

Attest:

CITY OF MARCO ISLAND, FLORIDA



A. William Moss  
City Manager/City Clerk

BY: 

E. Glenn Tucker, Chairman

Approved as to form and  
legal sufficiency:



Kenneth B. Cuyler  
City Attorney