APOPKA CITY COUNCIL AGENDA

November 19, 2025 6:30 PM
Apopka City Hall Council Chambers

APOPKA CITY COUNCIL MEETING WILL BE LIVE-STREAMED ON YOUTUBE. TO WATCH, PLEASE VISIT:
https://www.youtube.com/CityofApopkaFL

CALL TO ORDER

PRESENTATION

1. **Municipal Impact Fee Study Results — Extraordinary Circumstances Workshop #2**
   Presented by: Blanche Sherman, Shawn Ocasio, and Henry Thomas

ADJOURNMENT

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (407) 703-1704. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the opening ceremony. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

City of Apopka
CITY COUNCIL STAFF REPORT

Section: PRESENTATION
Item #: 1.
Meeting Date: November 19, 2025
Department: Finance Department

SUBJECT:
Municipal Impact Fee Study Results — Extraordinary Circumstances Workshop #2

ACTION ITEM INFORMATION:

REQUEST:
Presentation of the Municipal Impact Fee Study Results, including recommended rate increases and the extraordinary circumstances.

SUMMARY:
At the July 17, 2025, Budget Workshop, Mr. Henry Thomas with Raftelis, presented the Municipal Impact Fee Study Results. Mr. Thomas provided an overview of the recommended impact fee rates compared to the existing rates. In addition, Mr. Thomas explained the implementation process for increases exceeding the statutory limit of 50%. At the August 6, 2025, Council Meeting, Mr. Thomas and Mr. Shawn Ocasio presented the Municipal Impact Fee Study Results and Recommendation to Council for approval to proceed with the implementation process. Council approved staff to proceed with the implementation process. On November 5th, the first Public Extraordinary Workshop meeting was held. The implementation process includes the following meetings, workshops and approval of the ordinance:

- Public Extraordinary Circumstance Workshop #1 – November 5th at 1:00 p.m. (prior to the 1:30pm Regular City Council Meeting)
- Public Extraordinary Circumstance Workshop #2 – November 19th at 6:30 p.m. (prior to the 7:00pm Regular City Council Meeting)
- Municipal Impact Fee Ordinance First Reading – November 19th at the 7:00 p.m. Regular City Council Meeting
- Municipal Impact Fee Ordinance Second Reading/Adoption – December 17th at the 7:00 p.m. Regular City Council Meeting
- NOTE: There is a 90-day wait period after the effective date (proposed December17th) before the new impact fees will begin to be collected.

At the November 19, 2025, Workshop Meeting, Mr. Henry Thomas and Mr. Shawn Ocasio with Raftelis will present the results of the Municipal Impact Fee Study, including the recommended rate increases and the extraordinary circumstances.

FUNDING SOURCE:
N/A

RECOMMENDED MOTION:

N/A

ATTACHMENTS:

1. Municipal Impact Fee Study Workshop November 19, 2025

City of Apopka

Municipal Impact Fee Study – Extraordinary Circumstance Workshop #2

Presented 11/19/2025

RAFTELIS

What are Impact Fees?

Fees that are specifically designed to recover the cost of major capital investment in municipal facilities, infrastructure, and vehicles that provide capacity to serve new development

Fees are paid by new development and redevelopment that results in an increased demand for service / infrastructure capacity

Fees are used to pay directly for growth-related facilities and major equipment or pay expansion related portion of debt payments

Benefits of Impact Fees

Adequate fee levels mitigate the capital cost burden of growth on existing residents

"Growth pays its own way"

Additional funding for growth related / expansion projects and growth-related portion of debt payments

Potential to help keep user rates down over time

Legal Considerations

- The basis for impact fees and related criteria have been developed under Florida Statutes and case law
- Florida Impact Fee Act History
  - Florida Legislature created section 163.31801 of the Florida Statutes governing impact fees
  - Created June 14, 2006
  - Amended most recently in 2021 and 2024
  - New changes coming in Jan 2026

Legal Considerations (cont.)

Limitations on Increasing Impact Fees

- Any increase not more than 25 percent of the current rate must be implemented in two equal annual increments beginning with the date on which the increased fee is adopted
- An increase that exceeds 25 percent, but not more than 50 percent of the current rate must be implemented in four equal installments beginning with the date the increased fee is adopted
- An impact fee may not be increased more than once every 4 years
- An impact fee increase may not exceed 50 percent of the current impact fee rate
  - Unless considered having extraordinary circumstances
- Note: Extraordinary circumstance provisions will be changing per SB1080
  - › Bill effective Oct 2025 but this provision appears to be effective Jan 2026

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Legal Considerations (cont.)

Extraordinary Circumstances (existing form)

- Demonstrated need study justifying increases above standard phasing approach (2- and 4-year phasing) and 50% maximum fee increase
- Must have at least 2 publicly noticed workshops dedicated to discussing extraordinary circumstances
- Requires 2/3 vote of governing body

Extraordinary Circumstances (revised form)

- Can still pursue full increase (over 50%) but must be implemented in at least 2 but not more than 4 equal annual increments
- Requires unanimous vote of governing body
- If the local government has not increased impact fees in 5 years then this provision cannot be pursued
  - Any year in which the local government is prohibit from increasing an impact fee because of being in a hurricane disaster area is not included in the 5-year period

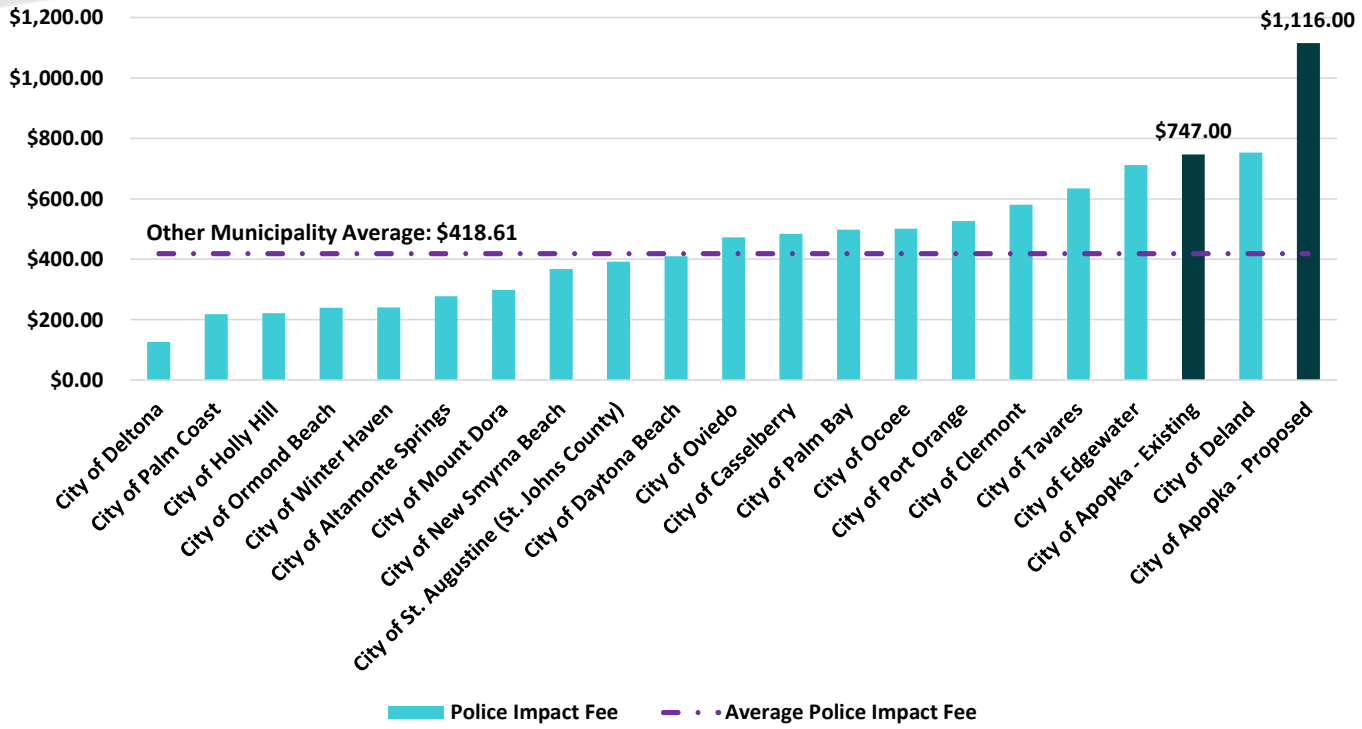
Existing and Calculated Police Impact Fees

Description	Impact Fee Unit	Existing Fee	Calculated Full Fee	$ Change in Fee	Statutory 50% Cap
Residential Single Family	Dwelling Unit	$747.00	$1,116.00	$369.00	$1,116.00 [2]
Residential Multifamily (New)	Dwelling Unit	747.00	892.00	145.00	892.00 [2]
Non-residential:					
Industrial / Warehousing	1,000 Sq. Ft.	$70.00	$124.00	$54.00	$105.00
Institutional / Government	1,000 Sq. Ft.	540.00	270.00	(270.00)	270.00 [2]
Hotel / Motel [1]	Per Room	189.00	313.00	124.00	283.50
Office Building	1,000 Sq. Ft.	290.00	1,189.00	899.00	435.00
Retail (Retail and Food Service)	1,000 Sq. Ft.	1,000.00	3,602.00	2,602.00	1,500.00
Catch All Rate	1,000 Sq. Ft.	410.00	718.00	308.00	615.00

[1] The Hotel / Motel fee is currently applied on a per square foot basis, but the proposed fee will be applied on a per room basis. For comparison purposes the fees shown assume a room of 350 square feet.

[2] Calculated full fee is less than a 50% increase or a decrease compared to the current fee level so the max increase per statute and calculated fee are essentially equivalent.

Police Impact Fee Comparison – Single Family



Existing and Calculated Fire Impact Fees

Description	Impact Fee Unit	Existing Fee	Calculated Full Fee	$ Change in Fee	Statutory 50% Cap
Residential Single Family	Dwelling Unit	$708.00	$1,104.00	$396.00	$1,062.00
Residential Multifamily (New)	Dwelling Unit	708.00	883.00	175.00	883.00 [2]
Non-residential:					
Industrial / Warehousing	1,000 Sq. Ft.	$70.00	$91.00	$21.00	$91.00 [2]
Institutional / Government	1,000 Sq. Ft.	870.00	197.00	(673.00)	197.00 [2]
Hotel / Motel [1]	Per Room	304.50	229.00	(75.50)	229.00 [2]
Office Building	1,000 Sq. Ft.	490.00	870.00	380.00	735.00
Retail (Retail and Food Service)	1,000 Sq. Ft.	640.00	2,636.00	1,996.00	960.00
Catch All Rate	1,000 Sq. Ft.	440.00	525.00	85.00	525.00 [2]

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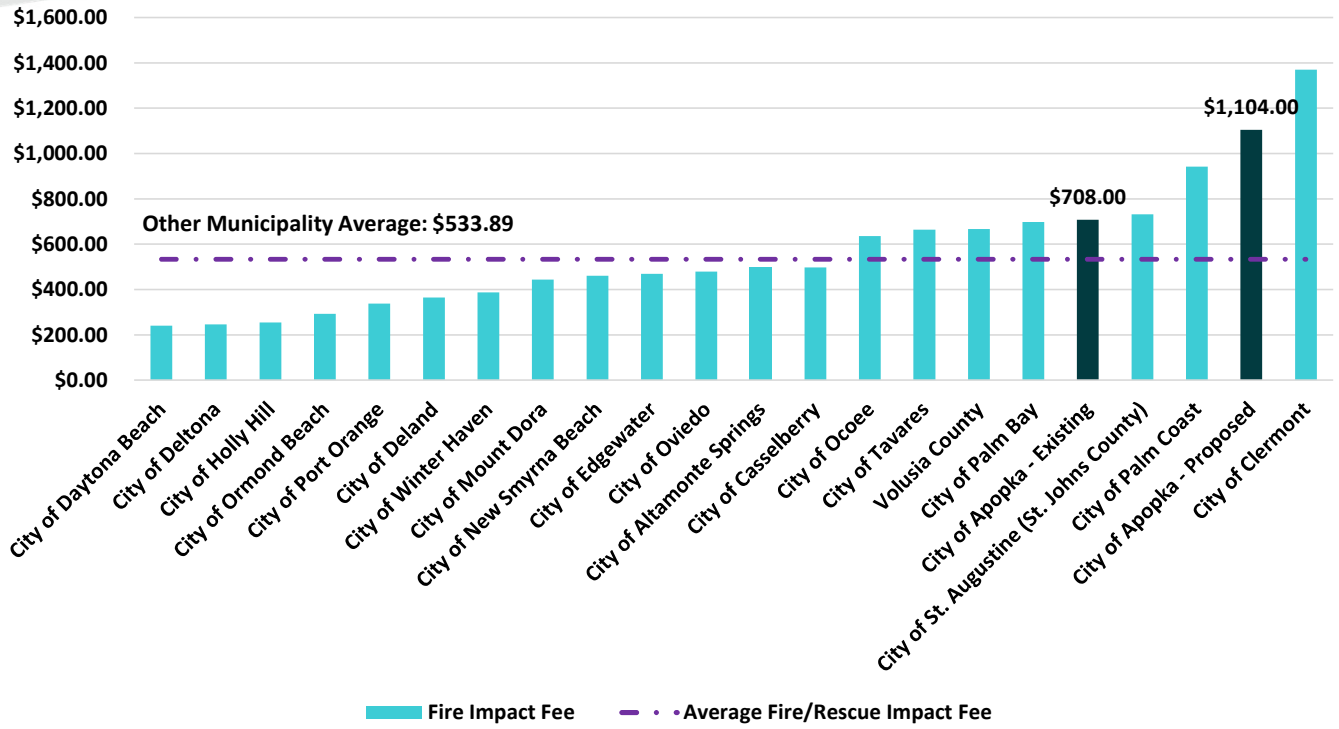
Fire Impact Fee Comparison – Single Family

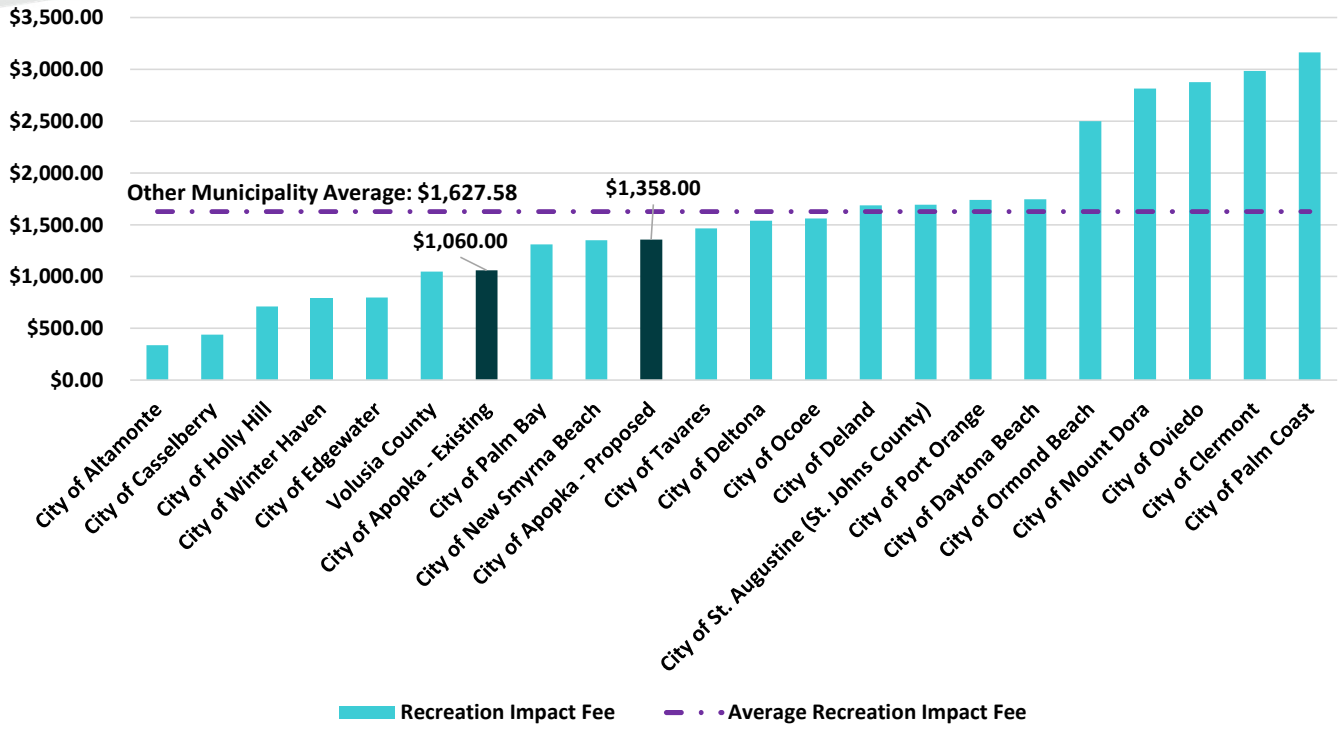


Existing and Calculated Parks and Recreation Impact Fees

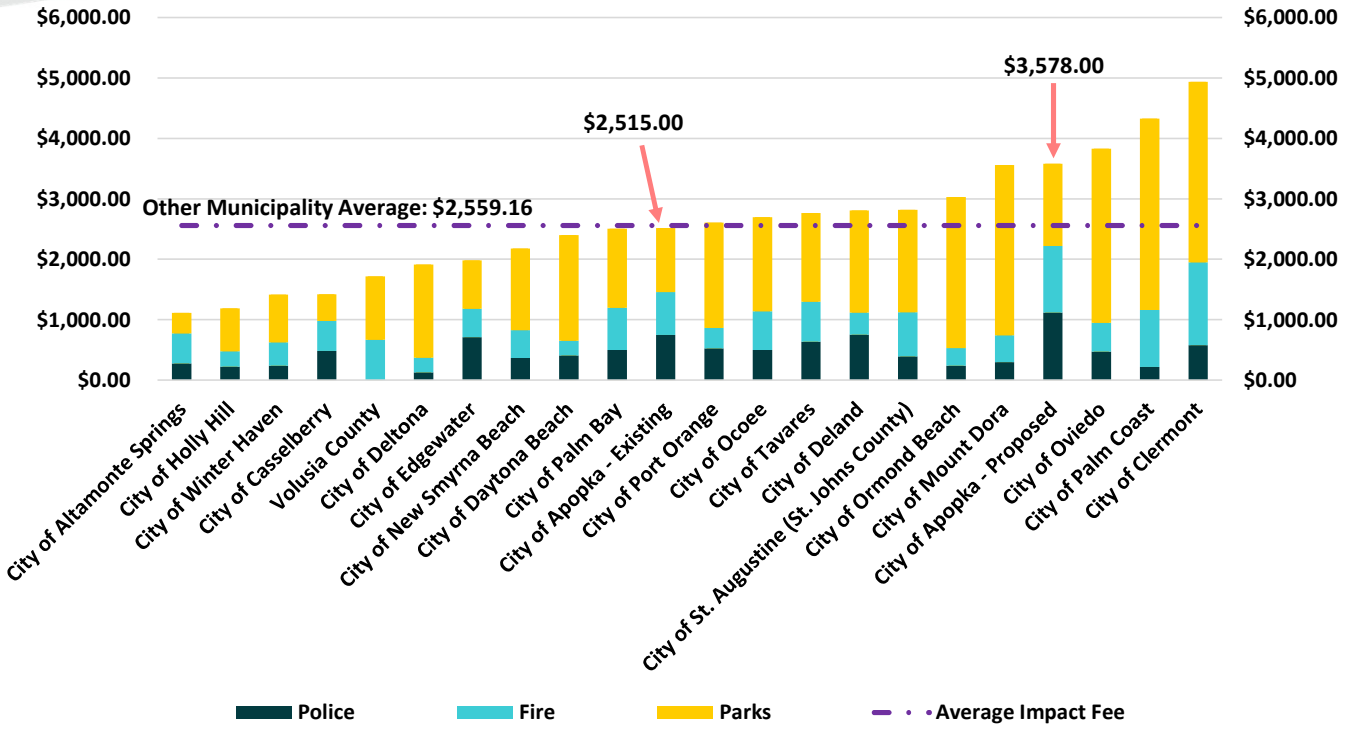
Description	Existing Fees	Calculated Full Fee	Change In Fee	Statutory Cap
Single Family per Unit	$1,060.00	$1,358.00	$298.00	$1,358.00 [*]
Multifamily per Unit	1,060.00	1,086.00	26.00	1,086.00 [*]

[*] Calculated full fee is less than a 50% increase compared to the current fee level so the max increase per statute and calculated fee are essentially equivalent.

Parks Impact Fee Comparison – Single Family



Combined Current Impact Fee Comparison – Single Family



Implementation Considerations

- Residential Fees – Increasing Between 19% and 56%
- Non-Residential Fees – Increasing between 19% and 312%
  - With some decreasing
- Maximum estimate of impact fee levels generally surpass the standard statutory increase limit of 50% noted previously
- Implementation Options:
  - Use standard maximum statutory increase of 50% and phase in evenly over 4 years
    - Fees will be under recovering costs from new growth thereby increasing burden to current residents / taxpayers
  - Pursue full one time increase through extraordinary circumstance provisions

Extraordinary Circumstances

- High population growth
  - Permanent population has increased by almost 21,800 residents since 2010; an increase of 2.8% per year on average
    - State average of approximately 1.5% per year
  - Continued population growth is projected necessitating the expansion of capital facilities to maintain levels of service
    - Police training facility, public safety complex, new fire station and related vehicles, park facility expansions and improvements, etc.
    - Near term growth projected at 2.3% per year through 2030
    - Projected growth through 2035 estimates at 2.0% per year

Extraordinary Circumstances

- Significant increases in asset acquisition and construction costs
  - Police vehicles at approx. $65,000 (with service-related equipment) when previously (5+years ago) cost $35,000 - $40,000
  - Cost of essential fire apparatus has almost doubled since 2019
    - E.g., fire engine approx. $900,000 when previously cost approx. $500,000
  - Costs to construct new facilities have increased significantly
    - Consumer Price Index – Approx. 27% increase since 2019
    - Construction Materials Index – Approx. 40%+ increase since 2019
- Impact to existing residents if fees are not fully implemented (Standard vs. Extraordinary) from 2026 through 2030
  - Existing residents pick up burden of growth-related capital costs not recovered in impact fees
    - Police – Approx. $224,000
    - Fire – Approx. $300,000
    - Recreation – Approx. $178,000

    } Est. Total Residential Capital Cost Burden of $702,000
    - Not including nonresidential properties share of costs as well

Q&A

RAFTELIS

Thank you!

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