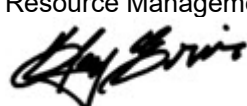




Date: 02/07/2023		AGENDA ITEM		Item: 14	
<input checked="" type="checkbox"/> Ordinance		<input type="checkbox"/> Resolution		<input type="checkbox"/> Budget Resolution	
County Goals					
<input type="checkbox"/>	Thriving Communities	<input type="checkbox"/>	Economic & Financial Vitality	<input checked="" type="checkbox"/>	Excellence in Government
		<input type="checkbox"/>		<input type="checkbox"/>	NA
Department: Growth And Resource Management					
Division: Administration Services					
Subject: Ordinance 2023-10 EMS Impact Fee Zone. Amendment to Volusia County Code of Ordinances, Chapter 70, Impact Fees and Proportionate Share, by amending the impact fee zones for the Emergency Medical Services impact fee.					
Clay Ervin Director Growth and Resource Management  Department Approval		Legal Paolo Soria Senior Assistant County Attorney  Approved as to Form and Legality		County Manager's Office Ryan Ossowski Chief Financial Officer 	
Division Approval					
Council Action:					
Modification:					
Account Number(s): NA					
Total Item Budget: NA					
Staff Contact(s):		Phone:		Ext.	
Clay Ervin		386 822 5013		12000	
Summary/Highlights:					
<p>This ordinance implements the study and ordinance approved by Council. On December 6, 2022, the County Council adopted ordinances 2022-34 (Fire/Rescue), 2022-35 (Thoroughfare Roads), 2022-36 (Parks) and 2022-37 (Emergency Medical Services). The ordinances included updated procedures and fees based on a detailed study completed by Benesch. The study also included a recommendation to amend the benefit districts or impact fee zones established for the various impact fees. The County Council unanimously adopted the ordinances with the understanding that the updated boundaries for the impact fee zones would be amended prior to March 6, 2023, the effective date of the new impact fee schedules.</p> <p>The Emergency Medical Service (EMS) is a new impact fee for the county-wide provision of these services. The proposed impact fee zone is the entire unincorporated area of Volusia County. This is recommended since the level of service and capital needs for providing the service are consistent throughout the county. Also, there are a variety of service strategies that allow responses to all locations in the county. Additionally, the ordinance corrects minor scrivener's naming errors.</p>					

This ordinance does not amend the impact fee schedule. The ordinance was advertised on January 25, 2023. If approved, the ordinance takes effect on March 6, 2023, consistent with the effective date of the impact fee schedule.

Recommended Motion: Approval



Volusia County Impact Fee Study

Final Report
September 30, 2022



Prepared for:

Volusia County
123 W. Indiana Ave
DeLand, FL 32720
(386) 822-5013

Prepared by:

Benesch
1000 N. Ashley Dr., #400
Tampa, Florida 33602
ph (813) 224-8862
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Service Area, Benefit Zones and Demand Component

The service area for emergency medical services is countywide which also represents the appropriate benefit zone. In this technical study, the current 2022 weighted and functional population estimates are used. Because simply using weighted (permanent, plus weighted seasonal) population estimates does not fully address daily workers and visitors who also benefit from emergency medical services, the “functional” weekly 24-hour population approach is used to establish a common unit of demand across different land uses. Functional population accounts for residents, visitors, and workers traveling in and out of the service area throughout the day and calculates the presence of population at the different land uses during the day, which represents the demand component of the impact fee equation. Appendix A provides further detail on the population analysis conducted.

1
2 **ORDINANCE 2023-10**
3

4 AN ORDINANCE OF THE COUNTY COUNCIL OF
5 VOLUSIA COUNTY, FLORIDA, RELATED TO
6 EMERGENCY MEDICAL SERVICES (EMS) IMPACT FEES
7 AND IMPACT FEE ZONES; AMENDING SECTIONS 70-214
8 AND 70-215 TO CORRECT A SCRIVENERS ERROR;
9 AMENDING THE CODE OF ORDINANCES OF THE
10 COUNTY OF VOLUSIA BY CREATING EXHIBIT A OF
11 ARTICLE VI OF CHAPTER 70, EMERGENCY MEDICAL
12 SERVICES IMPACT FEE ZONES; PROVIDING FOR
13 LEGISLATIVE FINDINGS OF FACT AND INTENT;
14 PROVIDING FOR SEVERABILITY; PROVIDING FOR
15 CONFLICTING ORDINANCES; AUTHORIZING INCLUSION
16 IN CODE; AND PROVIDING AN EFFECTIVE DATE.
17

18
19 WHEREAS, the imposition of impact fees is one of the preferred and recommended forms of
20 ensuring that new development bears a proportionate share of the cost of thoroughfare road
21 capital facilities necessitated by new development; and
22

23 WHEREAS, The Report title "Volusia County Impact Fee Study" dated September 30, 2022
24 and prepared by Benesch, as discussed, amended, and supplemented at public workshops
25 and meetings of the County Council of Volusia County, is accepted as the most recent and
26 localized data that sets forth a reasonable methodology and analysis for the determination of
27 the impact of new development and the need for, and costs of, additional fire rescue, parks,
28 EMS, and thoroughfare road capital facilities in Volusia County; and
29

30 WHEREAS, Volusia County intends to impose a county-wide Emergency Medical Services
31 (EMS) impact fee consistent with the impact fee benefit zones provided in the Report; and
32

33 WHEREAS, on December 6, 2022, Volusia County approved Ordinance 2022-37, imposing a
34 new EMS Impact Fee, effective March 6, 2023; and
35

36 WHEREAS, scrivener errors have been identified for correction; and
37

38 WHEREAS, this Ordinance supplements Ordinance 2022-37 by amending the impact fee
39 zones, and is to be effective at the same time.
40

41 BE IT ORDAINED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AS
42 FOLLOWS:

43
44 **(Words in ~~strike through~~ type are deletions; words in underline type are**
45 **additions.)**
46

47 **SECTION I:** The above whereas clauses are hereby adopted as legislative findings of
48 fact and intent.

49 **SECTION II:** Section 70-214(c)(1) of Article VI of Chapter 70 is amended as follows:

50 (c) Purpose and intent.

51 (1) The purpose of this article is to regulate the use and development of land so as to
52 ensure that new development bears a proportionate share of the reasonably
53 anticipated costs of new ~~fire/rescue~~ EMS service created by the new land
54 development activity.

55
56 **SECTION III:** Section 70-215(a)(1) of Article VI of Chapter 70 is amended as follows:

57 **Sec. 70-215. Imposition.**

58 (a) *Applicability of fee.*

59 (1) *Activities subject to fee.* Any person who makes or causes the making of an
60 improvement to land which requires the issuance of a building permit or any person
61 who changes the use of any building to one which will generate additional ~~fire/rescue~~
62 EMS demands shall be required to pay a ~~fire/rescue~~ EMS impact fee in the manner
63 and amount set forth in this article.

64
65 **SECTION IV:** Article VI of Chapter 70 is amended to add the following as Exhibit A:

66 EXHIBIT A. EMERGENCY MEDICAL SERVICES IMPACT FEE ZONE.

67 The County boundaries of Volusia County as described in Section 7.64, Florida
68 Statutes.

69
70 **SECTION V: SEVERABILITY** - Should any word, phrase, sentence, subsection or
71 section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or
72 unconstitutional, then that word, phrase, sentence, subsection or section so held shall be
73 severed from this ordinance and all other words, phrases, sentences, subsections, or sections
74 shall remain in full force and effect.

75 **SECTION VI:** CONFLICTING ORDINANCES - All ordinances, or part thereof, in
76 conflict herewith are, to the extent of such conflict, repealed.

77 **SECTION VII:** AUTHORIZING INCLUSION IN CODE. The provisions of this ordinance
78 shall be included and incorporated into the Code of Ordinances of the County of Volusia, as
79 additions or amendments thereto, and shall be appropriately renumbered to conform to the
80 uniform numbering system of the Code.

81 **SECTION VIII:** EFFECTIVE DATE. This ordinance shall take effect on March 6,
82 2023 upon electronic filing of a certified copy with the Department of State.

83 ADOPTED BY THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, IN OPEN
84 MEETING DULY ASSEMBLED IN THE COUNTY COUNCIL CHAMBERS AT THE THOMAS
85 C. KELLY ADMINISTRATION CENTER, 123 WEST INDIANA AVENUE, DELAND, FLORIDA,
86 THIS 7TH DAY OF FEBRUARY, 2023.

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97

ATTEST:

COUNTY COUNCIL
VOLUSIA COUNTY, FLORIDA

George Recktenwald
County Manager

Jeffrey S. Brower
County Chair

