

GROUP 6, ITEM A

FIRE AND EMS IMPACT FEE UPDATE

AMENDMENT SUMMARY

- Issue: Lee County's impact fee ordinance requires impact fees be updated every five years to ensure consistency with state statute. Lee County's impact fees for Fire and EMS facilities were last updated in 2018 and are due for an update.
- Solution: Lee County hired a consultant to provide recent and localized data needed to support adjustments to impact fees. The proposed amendments identified below reflect changes to impact fees based on this data as well as maximum increases to fees as allowed by state statute (163.31801).
- Outcome: Adopt updated impact fee tables for Fire and EMS, consistent with state statute, based on timely local data and provide additional clarity concerning the use of impact fees.

Chapter 2 - Administration

ARTICLE VI. - Impact Fees

Sec. 2-231. - Compliance with Florida Impact Fee Act.

Staff note: HB 337 limits impact fee increases to a maximum of 50% of the current rate. Increases of 25% or less must be phased in over two equal annual installments, while increases greater than 25% must be phased in over four equal annual installments, beginning on the date the new fee is adopted. This section is proposed to be revised to cross-reference state statute for impact fee increases.

- (a) In accordance with the Florida Impact Fee Act (F.S. § 163.31801) adopted as part of F.S. Ch. 163, the County will provide for accounting and reporting of impact fee collections and expenditures. The County will account for the revenues and expenditures of impact fees that address infrastructure needs in a separate accounting fund.
- (b) Audits of County financial statements that are performed by a certified public accountant in accordance with F.S. § 218.39, and submitted to the auditor general, must include an affidavit signed by the Chief Financial Officer of the County confirming that the County has complied with the annual financial audit reporting requirements of the Uniform Local Government Financial Management and Reporting Act (F.S. § 218.30 et seq.) and the Florida Impact Fee Act (F.S. § 163.31801).
- (c) The calculation of impact fees must be based on the most recent and localized data available.
- (d) The administrative charges for the collection of impact fees must be limited to actual costs.
- (e) Pursuant to Section 163.31801, Florida Statutes, any increase to an adopted impact fee shall be implemented in compliance with the statutory limitations on maximum allowable fee increases.

Section ends

DIVISION 5. - Fire Protection and Emergency Medical Services Impact Fee

Sec. 2-386. - Computation of amount.

Staff note: This section is proposed to be revised to update impact fee rates for fire and EMS services consistent with the recommendations contained in the Lee County Fire & EMS Impact Fee Update Study Final Report, September 29, 2025.

- (a) At the option of the feepayer, the amount of the fire and EMS impact fees may be determined by the schedules shown in this subsection. The reference in the schedules to square feet refers to the gross square footage of each floor of a building measured to the exterior walls, and not to usable, interior, rentable, noncommon or other forms of net square footage. The reference in the schedules to recreational vehicles refers to the number of recreational vehicle sites permitted by the applicable final development order. If a building permit is requested for a building with mixed uses, as defined in [Section 2-384](#), then the fee will be determined according to the schedule by apportioning the total space within the building according to the space devoted to each principal use. If a permit application involves a type of development not specified on the schedule, then the County Manager will use the fee applicable to the most nearly comparable type of land use on the schedule.

Table 1. Fire Impact Fee Schedule

Fire District	Use and Development Unit											
	Single-Family Residence or Mobile Home on Individual Lot Per Dwelling	Multi-Family Per Dwelling	Mobile Home or Recreational Vehicle in Mobile Home/RV Park Per Space	Hotel/Motel Per Room	Retail Per 1,000 sq. ft.	Retail less than 40,000 sf Per 1,000 sq. ft.	Retail 40,000 to 150,000 sf Per 1,000 sq. ft.	Retail greater than 150,000 sf Per 1,000 sq. ft.	Office Per 1,000 sq. ft.	Public or Institutional Use Per 1,000 sq. ft.	General Industrial Per 1,000 sq. ft.	Public or Private Warehouse Per 1,000 sq. ft.
Alva ²	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$398.00	\$237.00	\$146.00	\$84.00
	\$1,149.00	\$873.00	\$838.00	\$552.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$597.00	\$355.00	\$219.00	\$126.00
Bayshore ²	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$398.00	\$237.00	\$146.00	\$84.00
	\$1,149.00	\$873.00	\$838.00	\$552.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$597.00	\$355.00	\$219.00	\$125.00
Boca Grande	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$820.00	\$820.00	\$820.00	\$398.00	\$237.00	\$146.00	\$84.00
Bonita Springs ⁶	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$398.00	\$237.00	\$146.00	\$84.00
	\$1,149.00	\$832.00	\$838.00	\$552.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$597.00	\$355.00	\$219.00	\$96.00
Captiva Island ³	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$398.00	\$237.00	\$146.00	\$84.00
	\$1,149.00	\$873.00	\$838.00	\$552.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$597.00	\$355.00	\$219.00	\$126.00
Estero ³	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$398.00	\$237.00	\$146.00	\$84.00
	\$1,149.00	\$825.00	\$838.00	\$552.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$597.00	\$355.00	\$211.00	\$91.00
Fort Myers ⁴	\$338.00	\$257.00	\$247.00	\$162.00	\$362.00	\$543.00	\$543.00	\$543.00	\$176.00	\$105.00	\$64.00	\$37.00
	\$507.00	\$385.00	\$370.00	\$243.00	\$362.00	\$543.00	\$543.00	\$543.00	\$264.00	\$157.00	\$96.00	\$55.00
Fort Myers Beach ³	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$398.00	\$237.00	\$146.00	\$84.00
	\$1,149.00	\$873.00	\$838.00	\$552.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$597.00	\$355.00	\$219.00	\$126.00
Fort Myers Shores ³	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$398.00	\$237.00	\$146.00	\$84.00
	\$1,149.00	\$849.00	\$838.00	\$552.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$597.00	\$355.00	\$219.00	\$102.00
Iona-McGregor ²	\$626.00	\$476.00	\$457.00	\$450.00	\$670.00	\$1,005.00	\$1,005.00	\$1,005.00	\$489.00	\$194.00	\$119.00	\$69.00
	\$939.00	\$489.00	\$501.00	\$450.00	\$670.00	\$1,005.00	\$1,005.00	\$1,005.00	\$400.00	\$291.00	\$125.00	\$54.00
Lee County Airports ⁵	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$398.00	\$237.00	\$146.00	\$84.00
	\$1,149.00	\$873.00	\$838.00	\$552.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$597.00	\$355.00	\$219.00	\$126.00
Lehigh Acres ¹	\$663.00	\$504.00	\$484.00	\$318.00	\$709.00	\$1,063.00	\$1,063.00	\$1,063.00	\$345.00	\$206.00	\$126.00	\$73.00
	\$966.00	\$480.00	\$492.00	\$477.00	\$709.00	\$1,063.00	\$1,063.00	\$1,063.00	\$392.00	\$309.00	\$123.00	\$53.00
Matlacha-Pine Island ³	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$398.00	\$237.00	\$146.00	\$84.00
	\$1,149.00	\$873.00	\$838.00	\$552.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$597.00	\$355.00	\$219.00	\$126.00
North Fort Myers ³	\$276.00	\$210.00	\$201.00	\$132.00	\$295.00	\$442.00	\$442.00	\$442.00	\$144.00	\$86.00	\$52.00	\$30.00
	\$414.00	\$208.00	\$213.00	\$198.00	\$295.00	\$442.00	\$442.00	\$442.00	\$212.00	\$129.00	\$66.00	\$28.00
San Carlos Park ²	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$398.00	\$237.00	\$146.00	\$84.00
	\$1,149.00	\$873.00	\$838.00	\$552.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$597.00	\$355.00	\$219.00	\$117.00
Sanibel ³	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$820.00	\$820.00	\$820.00	\$398.00	\$237.00	\$146.00	\$84.00
South Trail ²	\$534.00	\$406.00	\$390.00	\$256.00	\$571.00	\$856.00	\$856.00	\$856.00	\$278.00	\$166.00	\$101.00	\$59.00
	\$801.00	\$464.00	\$476.00	\$384.00	\$571.00	\$856.00	\$856.00	\$856.00	\$379.00	\$249.00	\$119.00	\$51.00
Tice ²	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$398.00	\$237.00	\$146.00	\$84.00
	\$1,149.00	\$675.00	\$692.00	\$552.00	\$820.00	\$1,230.00	\$1,230.00	\$1,230.00	\$590.00	\$355.00	\$185.00	\$79.00
Upper Captiva ²	\$766.00	\$582.00	\$559.00	\$368.00	\$820.00	\$820.00	\$820.00	\$820.00	\$398.00	\$237.00	\$146.00	\$84.00

Notes:

¹ Fire Control and Rescue Service District

² Fire Protection and Rescue Service District

³ Fire Control District

⁴ Municipality of Fort Myers

⁵ Fire Department

⁶ Fire Control and Rescue District

Table 2. EMS Impact Fee Schedule for County EMS Service Area

<i>Land Use</i>	<i>Development Unit</i>	<i>EMS Impact Fee per Unit</i>
Single-family residence or mobile home on individual lot	Dwelling	\$55.00 <u>\$65.00</u>
Multifamily (includes timeshare)	Dwelling	\$42.00 <u>\$38.00</u>
Mobile home or recreational vehicle in mobile home/RV park	Space	\$40.00 <u>\$35.00</u>
Hotel/motel	Room	\$26.00 <u>\$39.00</u>
Retail	1,000 sq. ft.	\$59.00 <u>\$88.00</u>
Office	1,000 sq. ft.	\$29.00 <u>\$33.00</u>
Public or institutional use	1,000 sq. ft.	\$17.00 <u>\$25.00</u>
General industrial	1,000 sq. ft.	\$10.00
Public or private warehouse	1,000 sq. ft.	\$6.00 <u>\$4.00</u>

Sec. 2-390. Use of funds.

Staff note: Update section to include cross-reference to Florida Statutes regarding use of collected impact fees.

(a) Funds collected from fire and EMS impact fees must be used for the purpose of capital improvements to and expansion of fire protection and emergency medical services. Fire and EMS impact fee collections, including any interest earned thereon, less administrative costs retained pursuant to Subsection (e) of this section, will be used exclusively for capital improvements or expansion within or for the benefit of the fire and EMS impact fee benefit district from which the funds were collected. These impact fee funds must be segregated from other kinds and expended in the order in which they are collected. Funds may be used or pledged in the course of bonding or other lawful financing techniques, so long as the proceeds raised thereby are used for the purpose of land acquisition and capital improvements to and expansion within or for the benefit of the fire and EMS impact fee benefit district from which the funds were used or pledged. Funds may be used as allowed by FS 163.31801(4)(i). If these funds or pledges of funds are combined with other revenue sources in a dual or multipurpose bond issue or other revenue-raising device, then the proceeds raised thereby must be divided and segregated in a manner that will cause the amount of the proceeds reserved for the benefit of the participating fire and EMS impact fee benefit district to bear the same ratio to the total funds collected as the amount of the participating fire and EMS impact fee benefit district funds used or pledged bears to the total funds used or pledged.

(b) – (e) remain unchanged.