



THE SUNRISE CITY

FORT PIERCE
CITY ATTORNEY'S OFFICE *Florida*

TO: KEVIN FREEMAN, PLANNING DIRECTOR

FROM: CAROLINE VALENTIN, ESQ. [CAV](#)

THROUGH: SARA HEDGES, CITY ATTORNEY [SH](#)

RE: AMENDMENT TO CHAPTER – 113 IMPACT FEES

RLS: 26-284

DATE: JULY 29, 2026

Thank you for sending the above referenced revisions to the ordinance for review. Please see attached suggested revisions to the highlighted portion of Section 113-10(b) to make the language more concise. If approved, the attached clean version indicating CAO approval as to form and correctness may be used.

As previously noted by the City Attorney in RLS 26-195, it should be noted again that review is limited, per the request of the City Manager's office, to whether the language proposed in the ordinance achieves the desired result of the City and not the legality, advisability, or impact of said changes.

For example, Sections 163.31801(5)(a) and 163.3180(6)(h)2.b., Florida Statutes, govern when a credit must be granted and its calculation, with no mention of the timeline for application and the ability of a City to "cap" a credit. Furthermore, there are only limited circumstances where a City can "waive" impact fees, so any unintended consequences of the revised ordinance should be considered.

Finally, please also note, if the ordinance is meant to address pending or past applications for already constructed/dedicated offset-eligible improvements, the additional language regarding timing of the application, would seem to preclude approval of said applications.

Please do not hesitate to contact this office if you have any questions.