



Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the County's website by the time notice of the proposed ordinance is published.

Proposed ordinance's Ordinance Number and Short Title:

ORDINANCE 2024-05

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA RELATING TO A CHANGE OF BUSINESS CERTIFICATE; CREATING A NEW SECTION 72-342 CHANGE OF BUSINESS CERTIFICATE; PROVIDING APPLICABILITY IN THE UNINCORPORATED AREAS OF THE COUNTY; PROVIDING REQUIREMENT TO OBTAIN A CERTIFICATE DUE TO A CHANGE OF OCCUPANCY IN CERTAIN SITUATIONS; PROVIDING AN APPLICATION FORM; PROVIDING FOR A USE OF A CHANGE OF BUSINESS CERTIFICATE IN CERTAIN CIRCUMSTANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AUTHORIZING INCLUSION IN CODE; AND PROVIDING AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 125.66(3), Florida Statutes. If one or more boxes are checked below, this means the County is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the County is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the county government;

¹ See Section 125.66(3)(c), Florida Statutes.

- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the County hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare): The purpose of this ordinance is to replace the Business Tax Receipt (BTR) process and establish a new mechanism that ensures properties with a non-residential use and/or non-residential structure adhere to the requirements of the Florida Building Code and Florida Fire Prevention Code, properly calculate Impact Fees, verify the proposed use is a permitted use in the zoning district, and confirm the business is operating in Volusia County.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the County, if any:

- (a) An estimate of direct compliance costs that businesses may reasonably incur: not applicable/zero dollars.
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible: not applicable/zero dollars.
- (c) An estimate of the County's regulatory costs, including estimated revenues from any new charges or fees to cover such costs: not applicable/zero dollars.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Over the past three years, there were an average of 1,140 BTR applications filed with the County for commercial businesses and flea market vendors. It is reasonable to assume this trend to continue with the process outlined in the proposed ordinance.

4. Additional information the governing body deems useful (if any):

Information on the number of potential businesses impacted by this ordinance was gathered from the County's AMANDA application and only reflects the applications of commercial businesses and flea market vendors. Home-based businesses were not analyzed because they are excluded by the provisions of the ordinance. Aside from 2020, which saw 2,032 BTR applications (for commercial and flea market), the trend dating back to 2017 is consistent with the average.