



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 2024-07

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA, BY AMENDING CHAPTER 72, ARTICLE II, ZONING, DIVISION 8, SECTION 72-2 - DEFINITIONS, AND SECTION 72-287 - PARKING AND STORAGE OF VEHICLES, SHELTERS, OR WATERCRAFT, TO ALLOW FOR A MAXIMUM OF TWO COMMERCIAL TRUCKS TO BE PARKED IN CERTAIN ZONING CLASSIFICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING FOR 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;
- ☐ 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;

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

- 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 proposed ordinance allows for the flexibility of parking commercial vehicles while preventing commercialization in residential areas. This ordinance allows owners/occupants of commercial vehicles to park those commercial vehicles on their property in any rural or agricultural zoning classification.

The County Council determined that the limited availability of parking areas near residences of commercial truck owners/operators necessitates parking allowances that do not adversely affect the residential nature of the adjacent properties. The ordinance balances the beneficial use of property with safeguarding the health, safety, and welfare of adjacent property owners by implementing screening, setback requirements, and minimum parcel size to ensure that neighboring residences are not overwhelmed by a commercial vehicle in close proximity.

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;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the County's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

This ordinance allows those owners of commercial vehicles to park those commercial vehicles that they own on rural and agricultural properties that they own. This loosens and removes prohibitions and regulations on those activities. There is no direct compliance cost with the allowance of parking such vehicles, subject to meeting the established criteria. There is no additional fee or charge imposed on those owners of commercial vehicles who seek to take advantage of the change. There are no additional revenues to the County as a result of this proposed change.

The ordinance has no direct affect on existing truck stop businesses. However owners of commercial vehicles who also own property meeting the criteria may choose to park commercial vehicles on property other than truck stops.

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

Volusia County currently has no legally permitted commercial areas specifically for the long-term parking of commercial vehicles such as semi-trailers within the unincorporated area. The activity of parking commercial has been occurring, but the County suspects that it has been occurring without permit or permission from the County. Existing truck stops that allow for over-night or multi-night parking have been annexed into adjacent municipalities.

Those owners of commercial vehicles who would normally have received Code Enforcement violations and citations would no longer be subject to those violations, provided that the parking of commercial vehicles complies with the provisions in the ordinance.

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

[You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. For example: County staff solicited comments from businesses in the County as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on County website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect only businesses].

This ordinance primarily addresses Code Enforcement violations for uses in the agricultural or rural area that appear to have been accepted. While the parking of commercial vehicles in urban areas should be prohibited, the parking of commercial vehicles on large lots in the agricultural and rural areas is an accepted practice. This is combined with the fact that in the unincorporated area, there are no readily available commercial establishments for commercial truck parking or truck stops.