



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 2024-22

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, APPROVING AN EXTENSION OF AN INTERLOCAL SERVICE BOUNDARY AGREEMENT, INCLUDING A PLANNING AND SERVICES DELIVERY SUB-AGREEMENT, BETWEEN THE COUNTY OF VOLUSIA AND THE CITY OF ORMOND BEACH, FLORIDA REGARDING RENEWAL OF A NORTH U.S. 1 JOINT PLANNING AREA AND MUNICIPAL SERVICE AREA; 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;
- ☐ 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;

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

- 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 ordinance approves a renewal to an Interlocal Service Boundary Agreement (ISBA) pursuant to chapter 171 part II, Florida Statutes, and Joint Planning Agreement (JPA) between the County of Volusia and the City of Ormond Beach for a US1 corridor. An ISBA is an alternative to the normal annexation process in chapter 171, Part I. Florida Statutes requires the approval of the agreement by ordinance. The ISBA was executed on August 28, 2014 and was for a term of 10 years. The ISBA provides for the planned expansion of the City of Ormond Beach as well as the allocation, transition, and transfer of maintenance and services within the ISBA. Additionally the JPA aspect of the agreement provides for extra-jurisdictional planning authority for the City in advance of annexation, allowing the City to provide City comprehensive plan and land use provisions when a parcel is undergoing the annexation process. Both the City and the County have determined that the ISBA benefits its citizens and the renewal of the ISBA for an additional 10 years would continue to benefit its citizens.

The public health safety and welfare is served by the efficient and planned expansion of a city, the planned transfer and transition of services for a developing area, and provides for consistent and compatible application of land use and planning with the City of Ormond Beach comprehensive plan and zoning in advance of annexation.

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.

The ISBA is an agreement between the County and City that is provided as an alternate to the normal annexation process. The ordinance does not directly impact businesses. It does allow property owners to annex into the City of Ormond Beach under the ISBA without being contiguous. Additionally the City would be able to impose city land use and zoning in advance of an annexation petition.

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

The ISBA is being renewed for another 10 years, with no proposed changes to the terms or area. No additionally businesses will be impacted by the proposed 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].

Chapter 171, Part II, Florida Statutes requires the approval an ISBA through an ordinance. This does not produce additional regulatory compliance, but it is a planning document for the planned and controlled expansion and transition of services between the County and the City. Businesses within the ISBA who would like to annex into the City would not have an easier time to do so, as the properties do not have to comply with the compact and contiguous standard in Chapter 171, Part I, Florida Statutes.