



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 2025-01

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 72 THE VOLUSIA COUNTY CODE OF ORDINANCES; PROVIDING POLICIES TO INCLUDE PROVISIONS FOR AFFORDABLE HOUSING PROJECT APPROVAL; WAIVING PROCEDURAL COSTS AND FEES ASSOCIATED WITH AFFORDABLE HOUSING PROJECTS; CREATING AN AFFORDABLE HOUSING REVIEW TEAM; AMENDING CHAPTER 72 DEFINITIONS FOR THE TERM "AFFORDABLE HOUSING" AND "CERTIFIED AFFORDABLE HOUSING PROJECT"; CREATING A NEW SECTION 72-299, AFFORDABLE HOUSING INCENTIVES; AUTHORIZING INCLUSION IN THE ZONING ORDINANCE; PROVIDING FOR SEVERABILITY; 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:

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

- a. Development orders and development permits, as those terms are defined in s. 163.3164, and, development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;
- b. Comprehensive Plan amendments and land development regulation amendments initiated by an application by a private party other than the county;
- c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- e. 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 implements options for incentivizing affordable housing in the County of Volusia. The ordinance amends the Land Development Code to be consistent with policy changes to the County's Comprehensive Plan Housing Element.

Pursuant to Section 125.01055(1), F.S., county governments are authorized to adopt and maintain any law, ordinance, rule, or other measure to increase the supply of affordable housing using various land use mechanisms. The ordinance defines a Certified Affordable Housing Project as those projects that are reviewed and approved by the County's Community Services Department for deferral of impact fees, waiver of building inspection, and permitting fees, or applications of density bonuses.

An increase in affordable housing is recognized in the federal, state, and local government as serving the public health, safety, and welfare.

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.

Projects that choose to be a certified affordable housing development would gain certain benefits such as the deferral of impact fees and other permit fee waivers. These fees depend on the size of the development and the impact generated. Additionally projects would be eligible for Density bonuses.

However, a project would have to apply with the County, must meet the requirement of being a Certified Affordable Housing Project, and must recorded a Declaration of Restrictive Covenants. These are costs to a certified affordable housing development that the development must adhere to in order to gain the benefit of the other incentives.

The County would incur an overall unknown regulatory cost, other than dedicated professional staff time that would go towards reviewing the application as well as the task force to prioritize and shepard affordable housing developments.

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

Any multi-family residential developer may seek to participate in this voluntary incentive based program. Multi-family developers or affordable housing developers are not required to participate in this program.

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 is a stand-alone County program that incentivizes affordable housing that is separate from the Live Local Act pre-emptions. This program only applies to Certified Affordable Housing Projects that do not take advantage of the live local act provisions.