



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 Number and Short Title:

ORDINANCE 2025-13

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA TO REMOVE PERMITTING REQUIREMENTS FOR RESIDENTIAL FENCING AND ACCESSORY SHEDS OF CERTAIN SIZE; AMENDING SECTION 72-2 DEFINITIONS; AMENDING SECTION 72-277, ACCESSORY STRUCTURES AND EXCEPTIONS TO MINIMUM DIMENSIONAL REQUIREMENTS; ACCESSORY DWELLING UNITS; AMENDING SECTION 72-282 FENCES, WALLS AND HEDGES; AMENDING SECTION 72-341 ADMINISTRATION; PROVIDING FOR LIMITATIONS ON USE; 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:

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 purpose of the ordinance is to reduce permitting and regulation for the benefit of the citizens of Volusia County. A reduction in regulation by not requiring permits for common accessory uses but still having regulation to prevent nuisances and incompatibilities serves the public health, safety, and welfare by minimalizing regulatory hurdles while ensuring that uses do not conflict with each other.

The ordinance removes the requirement to obtain a stand-alone permit from Volusia County for the erection of a non-masonry fence or for storage sheds below a certain size. However location of these structures must still meet height requirements, size requirements, and are subject to setbacks.

Masonry walls or sheds over 480 square feet must still obtain a building permit.

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 reduces compliances costs to for businesses that want to erect a wooden or vinyl fence or want to erect a shed that is less than 480 square feet. Otherwise, the regulations remain the same. There is no new charge or fee pursuant to this ordinance.

The County would no longer collect a permit fee for fences or sheds. Additionally height or setback restrictions would no longer be caught and corrected at the permit issuance level, but instead would be corrected through the Code Enforcement process.

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

The ordinance only applies to residential fences and sheds. However home based businesses may take advantage of the new ordinance. Note that home-based businesses regulations require that the home maintain its residential character.

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 reduces regulations and removes a requirement to obtain a permit for a wooden or vinyl fence of a certain height. It also removes the requirement to obtain a permit for sheds less than 480 square feet. Masonry walls or sheds over the size threshold must still pull permits.