



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 2024-16

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE COUNTY OF VOLUSIA REGARDING SHIPPING CONTAINERS; AMENDING SECTION 72-2 DEFINITIONS; CREATING A NEW SECTION 72-310 SHIPPING CONTAINERS; PROVIDING LOCATION AND OPERATIONAL REGULATIONS IN CERTAIN ZONING CLASSIFICATIONS; PROVIDING FOR DEFINITIONS; PROVIDING FOR ALLOWANCE AS AN ACCESSORY USE AND STRUCTURE IN CERTAIN ZONING CLASSIFICATIONS; PROVIDING FOR PROHIBITIONS IN VACANT LOTS; PROVIDING FOR COMPLIANCE WITH LIFE SAFETY CODES AND FLOODPLAIN CODES; PROVIDING FOR DIMENSIONAL REQUIREMENTS AND LOCATIONAL CRITERIA AND NUMBER; 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

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

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. 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 this ordinance is to allow shipping containers as a permissible accessory use or structure in certain agricultural, commercial, and industrial zoning districts. The County Council recognized that shipping containers could be a practical storage solution in these areas, provided they meet conditions related to location, screening requirements, and occupancy restrictions.

The ordinance allows for further use of property while providing adequate regulation to preserve the public health, safety, morals 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.

The use of storage containers are already prevalent in agricultural areas as well as industrial and commercial areas. The allowance of such common storage containers was not specifically addressed in the code and were technically a violation of the code. The County enforces the code when a complaint is received. As the use of such storage containers are only allowed in agricultural zoning districts, industrial zoning districts, and commercial zoning districts, this would benefit those districts by a marginal and nominal amount. This saves those districts the cost of a manufactured or constructed storage building. The use of shipping containers are prohibited in residential zoning districts.

No new charge is contemplated, however an applicant for a shed would have to comply with the standard site plan and building permit fees and requirements, as this would now be recognized as an allowed accessory use in those zoning designations.

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

Every business in industrial or commercial zoning districts may benefit from this ordinance as a shipping container would now be an allowed accessory use in those zoning districts. Self-storage facilities are not expected to be impacted, as residential zoning districts are excluded from placing shipping containers on the property.

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].