



## **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 2025-03

AN ORDINANCE OF THE COUNTY COUNCIL OF VOLUSIA COUNTY, FLORIDA, RELATING TO THE LAND DEVELOPMENT CODE OF VOLUSIA COUNTY; AMENDING CHAPTER 72, ARTICLE I, SECTION 72-2 DEFINITIONS TO ADD LOW IMPACT DEVELOPMENT DEFINITIONS; AMENDING ARTICLE II, ZONING, DIVISION 5, SECTION 72-175 REDUCTION OF LOT AREA AND WIDTH PROHIBITED TO INCLUDE LOW IMPACT SUBDIVISIONS; CREATING CHAPTER 72, ARTICLE II, DIVISION 5, SECTION 72-178 LOW IMPACT DEVELOPMENT TO INCLUDE THE LOW IMPACT DEVELOPMENT GUIDANCE MANUAL; AMENDING CHAPTER 72, ARTICLE II DIVISION 8, SECTION 72-284 MINIMUM LANDSCAPING REQUIREMENTS TO INCLUDE LOW IMPACT DEVELOPMENT STORMWATER MANAGEMENT; AMENDING CHAPTER 72, ARTICLE III DIVISION 1, SECTION 72-505 DETERMINATION AND OFFSETTING OF IMPACT ON PUBLIC SERVICES AND FACILITIES OF VOLUSIA COUNTY TO INCLUDE FIRE SERVICES RESPONSE; AMENDING CHAPTER 72, ARTICLE III, DIVISION 2, SECTION 72-547 CONSERVATION SUBDIVISION TO INCLUDE URBAN RESIDENTIAL; ADDING CHAPTER 72, ARTICLE III, DIVISION 19 LOW IMPACT DEVELOPMENT, SECTIONS 72-1166 THROUGH 72-1171 TO INCLUDE LOW IMPACT DEVELOPMENT STANDARDS; 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 law<sup>1</sup> 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;

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<sup>1</sup> See Section 125.66(3)(c), Florida Statutes.

- ☐ 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 proposed amendments to the County's Land Development Code allow for the adoption of Low Impact Development (LID) standards for subdivision projects, site plan submittal requirements and application modifications. This Ordinance also allows for the adoption of amendments to the Low Impact Development (LID) Guidance Manual, dated August 2024 in order to create more efficiency in working with applicants and the public pursuing low impact development options.**

**The standards set forth for LID project standards and those outlined in the LID Guidance Manual provide criteria for design, construction, inspection, and maintenance of LID projects. The use of LID practices offers both economic and environmental benefits resulting from reduced disturbance of the development area and conservation of natural features, as well as alternate stormwater management options, and serves the public health, safety and welfare through stormwater management.**

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;

**The proposed amendments to the Land Development Code allows applicants for development and redevelopment projects incorporating LID techniques and designs into their projects to take advantage of density and intensity incentives. As noted in the Florida Bar Journal Article "Status of Low Impact Development in Florida and Legal Considerations for Operation and Maintenance of LID Systems" and the U.S. Environmental Protection Agency's Office of Water article "Low Impact Development: A Literature Review", some proposed developments which choose to participate in LID program may see increased costs or reduced profitability should the LID practices chosen require more costly improvements. However, the incentives offered with the LID projects and the pairing of less costly LID techniques may offset any additional cost increases. Cost savings for stormwater management mechanisms are not only available for initial development or redevelopment, but also for long-term maintenance of those systems.**

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

**As participation is voluntary, there are no additional fees or charges which will be imposed.**

(c) An estimate of the County's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

**There are no new regulatory costs that will be incurred with the passage of this ordinance.**

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

**All entities which own property and desire to engages LID technics and design specifications as part of a land development or redevelopment project within the County. This effects the public at large who own property and desire to incorporate LID in their projects. However, this is a voluntary incentive program and not mandatory for any given development or redevelopment site within the County. Not every site is conducive to the use of LID and the specific elements associated with its use. The manual will not replace the rules and ordinances related to land development and storm water management of the County of Volusia or the St. Johns River Water Management District.**

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].*