




Interoffice Memorandum

DATE: March 12, 2021

TO: Katie Smith, Deputy Clerk
Comptroller Clerk's Office

FROM: Jon V. Weiss, P.E., Director 
Planning, Environmental, and Development Services Department

THROUGH: Cheryl J. Gillespie, Supervisor
Agenda Development Office

**CONTACT PERSON: Whitney E. Evers, Assistant County Attorney
County Attorney's Office
407-836-7320**

SUBJECT: Request for Public Hearing: March 23, 2021
Proposed Amendments to Orange County Code
Chapter 23, Impact Fees – Relating to School Impact Fees

AN ORDINANCE AMENDING THE ORANGE COUNTY SCHOOL IMPACT FEE ORDINANCE, CODIFIED AT ARTICLE V, CHAPTER 23, OF THE ORANGE COUNTY CODE; AMENDING SECTION 23-121 ("DEFINITIONS"), SECTION 23-141 ("IMPOSITION"), AND SECTION 23-142 ("PAYMENT"); PROVIDING FOR UPDATED SCHOOL IMPACT FEES, INCLUDING NEW AND INCREASED FEES IN CERTAIN LAND USE CATEGORIES; MAKING AN ECONOMIC IMPACT DETERMINATION; PROVIDING EFFECTIVE DATES; AND DIRECTING THE POSTING OF NOTICES OF NEW AND INCREASED SCHOOL IMPACT FEES

Applicant: Planning, Environmental, and Development Services Department

Location: All Districts

Estimated time required for:
Public hearing 2 minutes

Hearing controversial? No

Advertising requirements: Publish once in a local newspaper of general circulation.

Advertising timeframes: At least 10 days prior to public hearing

Applicant/Abutters to be notified: No

Hearing required by Fla. Statute # or code: s. 125.66(2)(a), F.S.

Spanish Contact Person: Para solicitar mas información en Español acerca de estas reuniones públicas y/o de los cambios y las actualizaciones en los Codigos del Condado, favor comunicarse con la Oficina de la Administracion del Departamento PEDS al numero 407-836-5312.

Materials to be submitted under a separate cover:

1) Ordinance and Cover Memo

SPECIAL INSTRUCTIONS TO CLERK:

The Fiscal & Operational Support Division of the Planning, Environmental, and Development Services Department will be handling the public hearing notice advertising request to The Orlando Sentinel.

abm/

cc: Byron Brooks, AICP, County Administrator
Jeff Newton, County Attorney
Chris Testerman, AICP, Deputy County Administrator
Jon V. Weiss, P.E., Director, PEDS Department
Joel Prinsell, Deputy County Attorney
Whitney Evers, Assistant County Attorney
Amy Envall, Esq., General Counsel, OCPS
Dale Kelly, Chief Financial Officer, OCPS
Jad M. Brewer, Esq. Staff Attorney III, OCPS
Steven Thorp, AICP, Senior Administrator, OCPS
File

66 and "time-share licenses" as defined in chapter 721, Florida
68 Statutes; "student housing" as defined in ~~this Article V section 38-~~
~~1, Orange County Code; or~~ and "housing for older persons" as
further defined in section 23-161(6), Orange County Code.

70 * * *

72 *Student housing* shall mean any multi-family development
or portion thereof where the dwelling units are designed and
74 constructed as three (3) or more bedrooms with three (3) or more
bathrooms which is marketed and/or rented to students attending a
76 local college, university, community college, or private school, or
any multi-family development or portion thereof comprised of
dwelling units consisting of three (3) or more bedrooms and less
78 than three (3) ~~bathrooms~~ bedrooms where the bedrooms are leased
separately and which is marketed and/or rented to students
80 attending a local college, university, community college, or private
school.

82 * * *

Section 3. Amendments to Section 23-141(b). Orange County Code Chapter 23,

84 Impact Fees, Article V, School Impact Fees, Section 23-141(b), "Imposition," is hereby amended
to read as follows:

86 **DIVISION 2**
88 **SCHOOL IMPACT FEES**

Sec. 23-141. Imposition.

90 * * *

92 (b) Effective from ~~January~~ March 26, 2021, until
~~April~~ June 26, 2021, all residential construction occurring within
94 the county, for which building permits are issued, within the
unincorporated area and the boundaries of the various
municipalities, shall pay the following school impact fee:

- 96 (1) Single-family detached house (per dwelling unit) \$8,784.00
- (2) Multifamily dwelling unit (per dwelling unit)
98\$5,919.00

(3) Townhouse dwelling unit (per dwelling unit).....\$6,930.00

100 (4) Mobile home (per dwelling unit) \$6,088.00

102 **Section 4. Amendments to Section 23-141(c).** Orange County Code Chapter 23,
Impact Fees, Article V, School Impact Fees, Section 23-141(c), "Imposition," is hereby amended
104 to read as follows:

Sec. 23-141. Imposition.

106 * * *

108 (c) Effective ~~from April 2, 2021, until July 2, 2021~~ June
110 27, 2021, all residential construction occurring within the county,
for which building permits are issued, within the unincorporated
area and the boundaries of the various municipalities, shall pay the
following school impact fee:

112 **School Impact Fee Schedule**

| <u>Land Use Type</u> | <u>Impact Fee</u> |
|---|-----------------------|
| Single Family Detached <2,000 sq. ft. ² | <u>\$ 8,807.00</u> |
| Single Family Detached 2,000 — 2,499 sq. ft. ² | <u>9,149.00</u> |
| Single Family Detached 2,500 — 2,999 sq. ft. ² | <u>10,093.00</u> |
| Single Family Detached 3,000 — 3,999 sq. ft. ² | <u>10,400.00</u> |
| Single Family Detached >= 4,000 sq. ft. ² | <u>9,184.00</u> |
| Multi-family (High Rise) | <u>307.00</u> |
| Multi-family (Non High Rise) | <u>4,920 6,335.00</u> |
| Townhouse | <u>5,426 7,868.00</u> |
| Mobile Home | <u>5,217 8,238.00</u> |

* square footage shall include the heated / cooled living area

114 ~~Effective July 3, 2021, all residential construction occurring within~~
the county, for which building permits are issued within the
116 ~~unincorporated area and the boundaries of the various~~
~~municipalities, shall pay the following school impact fee:~~

118

School Impact Fee Schedule

| <u>Land Use Type</u> | <u>Impact Fee</u> |
|--|-------------------|
| Single Family Detached <2,000 sq. ft.* | \$8,829.00 |
| Single Family Detached 2,000 – 2,499 sq. ft. * | 9,513.00 |
| Single Family Detached 2,500 – 2,999 sq. ft. * | 11,402.00 |
| Single Family Detached 3,000 – 3,999 sq. ft. * | 12,015.00 |
| Single Family Detached >= 4,000 sq. ft. * | 9,584.00 |
| Multi-family (High Rise) | 307.00 |
| Multi-family (Non High Rise) | 6,751.00 |
| Townhouse | 8,805.00 |
| Mobile Home | 10,387.00 |

* square footage shall include the heated / cooled living area

120 (The school impact fee schedule set forth in this subsection (c) was originally temporarily adopted pursuant to
122 Section 5 of Ordinance Number 2011-04, effective May 13, 2011, and became permanent pursuant to Section 2 of
Ordinance Number 2011-05, effective June 10, 2011.)

Section 5. Amendments to Section 23-142. Orange County Code Chapter 23, Impact

124 Fees, Article V, School Impact Fees, Section 23-142, “Payment,” is hereby amended to read as
follows:

126 **Sec. 23-142. Payment.**

* * *

128 (e) The impact of a development for which the
county received a legally sufficient application prior to
130 ~~January 1~~ June 27, 2021, shall be calculated at the impact
fee rates set forth in Section 23-141(b) hereof; the impact
132 of all other development shall be calculated at the time of
issuance of the building permit. If the applicant for a
134 single-family or duplex home elects to pay the applicable
impact fee after the issuance of the building permit, but no
136 later than prior to the issuance of the certificate of
occupancy, the impact fee due shall be calculated to be the
138 fee due on the day of issuance of the building permit.

* * *

162

ADOPTED THIS 23rd DAY OF MARCH, 2021.

164

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

166

168

By: _____

Jerry L. Demings, County Mayor

170

ATTEST: Phil Diamond, CPA, County Comptroller

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As Clerk of the Board of County Commissioners

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By: _____

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Deputy Clerk