

Board of County Commissioners

**Chapter 23, Article IV.
Transportation Impact Fee Ordinance**

Public Hearing

August 8, 2023



Presentation Overview

- **Purpose and Background**
- **Ordinance Overview**
- **Summary**
- **Requested Action**



Purpose and Background

- The purpose of this action is to provide consistency of application of impact fee exemptions in all impact fee categories



Purpose and Background

- **Local Government Impact Fees**
 - Source of revenue for funding infrastructure required by growth
 - Law Enforcement
 - Fire/Rescue Services
 - Transportation
 - Schools
 - Parks and Recreation
 - Authorized by Section 163.31801, Florida Statutes
- **Provisions for exemption for certified affordable housing projects**
 - All fee categories



Purpose and Background

- **Current inconsistency of affordable housing exemption language**
 - **Law/Fire Rescue Services/Schools/Parks and Recreation Impact Fees**
 - “...may be exempted from all or a portion of the payment of impact fees.”
 - **Transportation Impact Fees**
 - “...shall be exempted from payment of transportation impact fees.”



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Ordinance Overview

- **Section 1. Amendments to Section 23-98. Orange County Code, Chapter 23 (“Impact Fees”), Article IV (“Transportation Impact Fees”), Section 23-98 (“Transportation impact fee schedule”) is hereby amended as follows, with new text being underlined and deleted text being ~~struck through~~:**

Sec. 23-98. - Exemptions.

(a) To the extent no additional travel is anticipated to be generated, the following shall be exempted from payment of transportation impact fees:

(11) Notwithstanding that there may be an increase in travel and/or traffic generation associated with the use, any project that meets or exceeds the definition of "affordable" pursuant to Section 163.31801(~~119~~), Florida Statutes, as may be amended or superseded, may be exempted from all or a portion of the payment of impact fees, provided the level and duration of such affordability is documented to the county's satisfaction prior to the granting of any such impact fee exemption.



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Summary

- **Making the exemption language in the Transportation Impact Fee Ordinance consistent with the other ordinances will allow county staff to effectively and efficiently process, review, and evaluate proposed housing developments in order to maximize the provision of affordable housing options in our community**



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Requested Action

- **Make a Finding of Consistency with the Comprehensive Plan and Adopt An Ordinance Amending the Orange County Transportation Impact Fee Ordinance Codified at Article IV, Chapter 23, of the Orange County Code; Amending Section 23-98 (“Exemptions”); Making An Economic Impact Determination; And Providing An Effective Date.**