

Received on July 12, 2023

Deadline: July 18, 2023


Publish: July 23, 2023



Interoffice Memorandum

DATE: July 12, 2023

TO: Jennifer Lara-Klimetz, Deputy Clerk
Comptroller Clerk's Office

FROM: Alan Marshall, Assistant to the Director 
Planning, Environmental, and Development Services Department

THROUGH: Cheryl J. Gillespie, Supervisor
Agenda Development Office

**CONTACT PERSON: Roberta Alfonso, Assistant County Attorney
County Attorney's Office
407-836-7320**

SUBJECT: Request for Public Hearing: August 8, 2023
Proposed Amendments to Orange County Code
Chapter 23, Impact Fees – Relating to Transportation Impact
Fee exemptions

**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.**

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:

N/A

abm

cc: Byron Brooks, AICP, County Administrator
Jeffrey J. Newton, County Attorney
Jon V. Weiss, Deputy County Administrator
Andres J. Salcedo, P.E., Acting PEDS Director
Renzo Nastasi, AICP, Manager, Transportation Planning Division
File

ORDINANCE NO. 2023 36

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.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

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.

[Rest of page intentionally left blank]

Section 2. Economic impact determination. The Board does hereby determine and find, pursuant to Section 30-2(b)(2), Orange County Code, that sufficient information has been provided for the Board to assess the economic impact of this ordinance on the development of real property in the county. The Board does hereby determine and find that no further economic impact statement or economic impact information is required in this matter. If the ongoing planning studies and periodic review reveal a detrimental economic impact, this ordinance shall be reviewed and revised accordingly.

Section 3. Effective date. This Ordinance shall become effective pursuant to general law.

ADOPTED THIS __ DAY OF _____, 2023.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk of the Board of County Commissioners

By: _____
Deputy Clerk