



**Interoffice Memorandum**

December 27, 2022

**TO:** Mayor Jerry Demings  
— AND —  
County Commissioners

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

**CONTACT PERSON:** **Alan Marshall, Assistant to the Director  
Planning, Environmental, and Development Services  
407 836-5884**

**SUBJECT:** January 10, 2023 – Public Hearing  
Impact Fee Update for Parks and Recreation; Amending  
Chapter 23 – Impact Fees, Article VI, Orange County Code

On January 10, 2023, the Board is scheduled to consider for adoption an ordinance amending the Parks and Recreation impact fee ordinance codified at Article VI of Chapter 23 of the Orange County Code. A copy of the proposed ordinance is attached.

Orange County maintains a high level of parks and recreation services through the Orange County Parks and Recreation division. Planning for additional capital facilities and equipment needed to serve new growth that generates additional demands on these services and the implementation of these needs is a responsibility of the County under Chapter 163, Florida Statutes.

Impact fees authorized under Chapter 23 of the Orange County Code are used to fund a proportionate share of capital improvements necessary to support the demands of new growth. In accordance with the Code, a technical study is provided every five years to the Board to ensure that impact fees are based on the most current and localized data. The 5-year study covers the following aspects:

Facility Inventory	Service Area and Population
Level of Service	Cost Components
Credit Components	Net Impact Costs
Demand Component	Fee Comparisons

In addition to addressing the above-listed components in a study, the County's consultant, Benesch, has provided a recommendation for annual indexing of impact

fees. A copy of Benesch’s study dated October 26, 2022, which is referenced in the proposed ordinance, is attached.

On November 15, 2022, staff provided a work session to the Board outlining the findings of the study and several policy considerations for indexing and incentives for affordable housing.

The attached ordinance proposes increases to the current impact fee amounts, as recommended by the study, with statutorily required phasing and annual indexing of 4.1%; clarifies the definition for “affordable housing”; adds exemptions for accessory dwelling units that are 1,500 sq. ft. or less, and certified affordable housing units; includes an economic impact statement; and contains other miscellaneous amendments.

The attached ordinance also includes a few minor revisions and clarifications added subsequent to the Local Planning Agency (LPA) hearing on December 15, 2022, where the LPA made a finding of consistency with the Comprehensive Plan and recommended approval of the ordinance amending Chapter 23, Article VI.

**ACTION REQUESTED:     Make a Finding of Consistency with the Comprehensive Plan and Adoption of an Ordinance Amending the Orange County Parks and Recreation Impact Fee Ordinance Codified at Article VI, Chapter 23, of the Orange County Code; Providing for Updated and Increased Parks and Recreation Impact Fees in all land use categories; Providing an Effective Date, and Directing the Clerk of the Board to Publish a Timely Notice Stating that the Board has Adopted this Ordinance Imposing Increased Parks and Recreation Impact Fees. All Districts.**

JVW/ABM

Attachments (3)

c: Byron Brooks, AICP, County Administrator  
Joel Prinsell, Deputy County Administrator, OCAO  
Whitney Evers, Assistant County Attorney, OCAO  
Scott Skraban, Manager, Fiscal and Operational Support  
Matt Suedmeyer, Manager, Parks and Recreation Division