



Interoffice Memorandum

July 18, 2023

TO: Mayor Jerry L. Demings
— AND —
County Commissioners

FROM: Andres Salcedo, P.E., Acting Director
Planning, Environmental, and Development
Services Department

A handwritten signature in blue ink, appearing to read "Andres Salcedo".

Contact: **Alan Marshall, Assistant To Director
Planning, Environmental, and Development
Services Department**

SUBJECT: August 8, 2023 – Public Hearing Item
Amendment to Transportation Impact Fee Ordinance Relating to
Exemptions

The Transportation Impact Fee Ordinance, codified at Article IV of Chapter 23, Orange County Code, provides for certain exemptions from assessment of impact fees at Section 23-98 ("Exemptions"). This change will allow County staff to effectively and efficiently process, review, and evaluate proposed housing developments in order to maximize the provisions of affordable housing options in our community.

ACTION REQUESTED: Make a Finding of Consistency with the Comprehensive Plan and Approval of Ordinance amending Article IV of Chapter 23 (the "Transportation Impact Fee Ordinance") by amending Section 23-98 ("Exemptions"). All Districts

ABM

Attachment

ORDINANCE NO. 2023-__

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or exceeds the definition of "affordable" pursuant to Section 163.31801(119), Florida Statutes, as may be amended or superseded, may be exempted from all or a portion of the payment of impact fees, provided the level and duration of such affordability is documented to the county's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.

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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