

ATTACHMENT 3

CITY OF OVIEDO, FLORIDA BUSINESS IMPACT ESTIMATE

ORDINANCE NO. 1750

AN ORDINANCE OF THE CITY OF OVIEDO, FLORIDA, AMENDING CERTAIN PROVISIONS OF ARTICLE IX CONCURRENCY MANAGEMENT OF THE LAND DEVELOPMENT CODE RELATING TO THE ADOPTION OF A MOBILITY PLAN AND MOBILITY FEE SCHEDULE; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR CONFLICTS, SEVERABILITY; CODIFICATION AS WELL AS THE CORRECTION OF SCRIVENER'S ERRORS; AND AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with Section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Oviedo is of the view that a business impact estimate is not required by state law for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits, as those terms are defined in Section 163.3164, Florida Statutes, and development agreements, as authorize by the Florida Local Government Development Agreement Act under Sections 163.3220-163.3243, Florida Statutes;
 - b. Comprehensive Plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality;
 - c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or

- e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Oviedo hereby publishes the following information:

1. Summary of the proposed ordinance including a statement of the public purpose to be served by the proposed ordinance, such as serving the public health, safety, and welfare of the municipality:

Section 163.3180(5)(i), Florida Statutes allows a local government to repeal transportation concurrency when adopting an alternative transportation system that is mobility-plan and fee-based or an alternative transportation system that is not mobility-plan or fee-based. Ordinance No. 1750 amends Oviedo Land Development Code Article IX, Concurrency Management to repeal the transportation concurrency requirements as part of the City's adoption of the 2045 Mobility Plan and Mobility Fee Technical Report and Mobility Fee Schedule.

The movement away from transportation concurrency was contemplated during the rewrite of the 2045 Comprehensive Plan. Several comprehensive plan policies were adopted to reflect the City's desire to eliminate transportation concurrency, which emphasizes the movement of vehicles, to a mobility plan and fee, which recognizes the movement of people via multimodal transportation systems that provides safe and convenient improvements, services, and programs for people walking, bicycling, riding micromobility devices, microtransit and transit vehicles, using shared mobility services, programs, and new mobility technology, and driving motor vehicles.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Oviedo:

(a) An estimate of direct compliance costs that businesses may reasonably incur;

Ordinance No. 1750 amends Land Development Code Article IX, Concurrency Management to repeal the transportation concurrency requirements as part of the City's adoption of the 2045 Mobility Plan and Mobility Fee Technical Report and Mobility Fee Schedule. If adopted, applicants for new development and redevelopment will no longer have to prepare and submit a transportation impact analysis to demonstrate transportation concurrency. This can result in a savings of approximately \$18,000 to \$45,000 depending on the size and type of the development and the number of intersections and roadway segments analyzed.

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

Upon adoption of Ordinance No. 1750, applicants for new development and redevelopment will no longer have to demonstrate transportation concurrency. However, they will be required to pay the City's new mobility fee which will replace the City's current Multimodal Impact Fee and the Seminole County Mobility Fee collected within the City. The City's 2045 Mobility Plan and Technical Report and new mobility fee are the subjects of Ordinance Nos. 1748 and 1749, respectively, both of which will be considered by the City of Oviedo City Council at two (2) public hearings scheduled for August 19, 2024, and September 16, 2024. If adopted, the City's mobility fee will become effective on December 16, 2024.

(c) An estimate of the City of Oviedo regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

The City may incur minimal regulatory costs, and possibly savings, associated with the adoption of Ordinance No. 1750 and the amendments to Oviedo Land Development Code Article IX, Concurrency Management repealing the transportation concurrency requirements as part of the City's adoption of the 2045 Mobility Plan and Mobility Fee Technical Report and Mobility Fee Schedule.

3. A Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Ordinance No. 1750 will impact all applicants for new development and redevelopment. Applicants will no longer have to demonstrate transportation concurrency. However, Applicants will be required to pay the City's new mobility fee which will replace the City's current Multimodal Impact Fee and the Seminole County Mobility Fee. The amount of financial impact will be based on the size and land use of the proposed development. In 2023, the City issued seventeen (17) site development orders for new development or redevelopment. To date in 2024, the City has issued seven (7) site development orders for new development or redevelopment.

4. Additional information the governing body deems useful (if any):

The City contracted with Jonathan Paul, NUE Urban Concepts, to develop a mobility plan and mobility fee. The proposed mobility plan and mobility fee will affect development and redevelopment throughout the City. The purpose of developing the proposed mobility plan and mobility fee is to replace the City's multimodal impact fee and the Seminole County mobility fee collected within the City with a combined City administered mobility fee based upon the project types listed in the mobility plan.

The Mobility Plan and Fee will be codified into the City's Code of Ordinances with the adoption of Ordinance No. 1749 to be considered by the City Council on Monday, August 19, 2024, and on Monday, September 16, 2024. As a result of the proposed mobility plan and mobility fee, Article IX of the City's Land Development Code needs to be amended to remove

the transportation concurrency requirements. Instead, the City will require transportation impacts to be mitigated with the payment of mobility fees based on the proposed Mobility Plan. Additionally, the proposed amendment replaces traffic impact analysis requirements with site access/impact assessments.

For a complete breakdown of proposed amendments to Article IX – Concurrency Management, Oviedo Land Development Code, please refer to Exhibit “A” of the Ordinance.