



Business Impact Estimate

In accordance with Section 125.66(3)(a), F.S., a Business Impact Estimate (BIE) is required to be: 1) prepared before enacting certain ordinances and 2) posted on Osceola County's website no later than the date the notice of proposed enactment/notice of intent to consider the proposed ordinance, is advertised in the newspaper (which, per Section 125.66(2)(a), F.S., is ten (10) days before the Public Hearing).

Proposed ordinance's title/reference:

An Ordinance of Osceola County, Florida, relating to the imposition of mobility fees; providing for adoption of a mobility fee study and table of mobility fees; providing for the imposition and collection of mobility fees; establishing the method for computing mobility fees; providing for independent mobility fee studies and adoption of an administrative procedures for their review, including associated fees; providing for mobility fee credits; providing for county enforcement of the mobility fee ordinance, establishing mobility fee districts and mobility fee funds; providing for the use of amounts on deposit in the mobility fee funds; providing for refunds; providing for conflicts; providing for severability; providing for codification; and providing an effective date.

The County is of the view that the following exception(s) to the Business Impact Estimate requirement apply that are checked off in a box below apply to the above-referenced proposed ordinance:

- 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 local government.
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or

d. 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 County hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

The proposed ordinance is intended to adopt the Osceola County and City of St. Cloud Joint Mobility Fee Renewal Study and Demonstrated-Need Study, including adoption of an updated mobility fee table, and update Chapter 17, Article II of the Osceola County Code of Ordinances for consistency with the aforementioned documents and current Florida Statutes relating to mobility fees.

The intent of the Ordinance is to ensure that impact on the transportation network associated with development activity is adequately mitigated by ensuring that mobility fee payments are sufficient to construct network capacity improvements necessitated by said development. Construction of improvements that form the basis of this proposed update to the Mobility Fee promote public health, safety, and welfare by allowing for continued efficient and effective movement of people, goods, and emergency services.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the County:

The direct economic impact of the proposed ordinance on private, for-profit businesses in the County is indeterminate.

A business will be assessed mobility fees based on the land use and size of a proposed development.

3. Estimate of direct compliance costs that businesses may reasonably incur:

No direct compliance costs.

A business will be assessed mobility fees before building permit issuance. Fees will be calculated by the County based on the land use and size of the development activity associated with a given application.

4. Any new charge or fee imposed on businesses by the proposed ordinance:

No new fees are proposed under this Ordinance. The Ordinance amends the existing Chapter 17, Article II, updating the current mobility fees to reflect changes to assumptions and methodology, as described in the Osceola County and City of St. Cloud Mobility Fee Renewal Study and Demonstrated-Need Study.

5. Estimate of the County’s regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

There is no anticipated regulatory cost to be incurred by the County associated with this Ordinance. Increases in revenues resulting from the changes in mobility fees may only be used as provided in the Ordinance.

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

Indeterminate.

A business will be impacted by this Ordinance only if the business proposes new development activity within Osceola County. The amount of financial impact will be based on the size and land use of the proposed development.

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

As referenced in this BIE, this ordinance is required to ensure consistency between Chapter 17, Article II of the Osceola County Code of Ordinances and applicable Florida Statutes, particularly F.S. 163.31801. As such, this Ordinance may be considered exempt from the BIE requirements. Nonetheless, this BIE has been prepared for the benefit of the BOCC and the public, in a good faith effort to comply with state law.

Osceola County Code of Ordinances, Section 17-46, requires that the County conduct a full reevaluation and update of the assumptions and analysis in the mobility fee study and of all components of the mobility fee study. This reevaluation was performed in 2020 with planned implementation in 2021, consistent with the requirements of the Ordinance, adopted on March 16, 2015. Due to extraordinary economic conditions, the fees were not enacted at that time.

HB479, which takes effect on October 1, 2024, requires that a mobility fee study be initiated not more than 12-months prior to the adoption of the study. The new mobility fee study, titled “Osceola County and City of St. Cloud Joint Mobility Fee Study and Demonstrated-Need Study” was commissioned in July of 2023. The scheduled approval date of July 1, 2024, would comply with HB479 if it was in effect.

For a complete breakdown of proposed mobility fees, please refer to Table 26 on Pages 43-44 of the Osceola County and City of St. Cloud Joint Mobility Fee Study and Demonstrated-Need Study.

While direct costs to businesses will be based on the size of a development and the proposed land use of that project, the cost to deliver a single-family detached residential unit to the market will, as a result of this Ordinance, increase by \$15,013.42.