



## Business Impact Estimate

*This form should be included in agenda packet for the item under which the proposed ordinance is to be considered, and must be posted on the City's website by the time notice of the proposed ordinance is published.*

Proposed ordinance's title/reference: **Ordinance 25-23** - Amending Code Chapter 98 – Planning and Development to create a new Section 98-1.

This Business Impact Estimate is provided in accordance with Section 166.041(4), *Florida Statutes*. If one or more of the boxes are checked below, the checked exception(s) to the Business Impact Estimate requirement apply to the above-referenced proposed ordinance, although, the City is implementing the procedure otherwise required by law to ensure that no inadvertent procedural issue could impact the enactment of the 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
- 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 City 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):

*Ordinance 25-23 would amend City of Winter Garden Code Section 98 - Planning and Development, to create a new section 98-1, City of Winter Garden Code of Ordinances to address relief concerning declared emergency restrictions of Section 28 of Chapter 2025-190, Laws of Florida.*

*The purpose of this ordinance is to amend the City's land development regulations to address the declared emergency restrictions in the newly-adopted Senate Bill 180, providing a new process whereby an applicant can apply to revert to an earlier version of the City's land development code and/or Comprehensive Plan if they provide a good faith argument as to why a new city-initiated amendment is "more restrictive or burdensome" to their proposed development application.*

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

*The impact this ordinance would have on private, for-profit businesses would be limited to those that submit a development application that is subject to a recent change in the City's land development code and/or Comprehensive Plan. Because an applicant can choose to revert to an earlier version of the City's land development code and/or Comprehensive Plan, there should not be any real economic impacts on private, for-profit businesses beyond the administrative costs associated with completing a simple application.*

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

*No direct compliance costs should be incurred by businesses as a result of adopting this ordinance. The proposed application to declare a new City-initiated amendment is "more restrictive or burdensome" will not include an associated application fee.*

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

*No new charges or fees will be imposed by this ordinance. The proposed application to declare a new City-initiated amendment is "more restrictive or burdensome" will not include an associated application fee.*

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

*The estimated regulatory costs to the City will be minimal. Most of the regulatory onus will be on the Planning Director to review and process the application, and provide the written basis for his/her decision on whether an argument was provided in good faith.*

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

*The proposed ordinance would only potentially have an impact on businesses that regularly submit land development applications. Even then, the applicant would only be impacted if they had a good faith argument that a new regulation is “more restrictive or burdensome” on their proposal. Worst case scenario, they would need to complete the new application, after which they would be able to revert to the older regulations.*

7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above. For example: City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):

N/A