



Business Impact Estimate

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

Proposed ordinance's title/reference:

ORDINANCE NO. 14-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE 5, "PUBLIC WORKS," CHAPTER 56, "STORMWATER," "SECTION 56.02, "SCOPE AND PURPOSE," TO EXPAND DEFINITIONS AND CLARIFY ASSESSMENT METHOD, TO ESTABLISH A STANDARDIZED RATE FOR UNIMPROVED LAND, TO ALIGN WITH THE FLORIDA STATUTES FOR NON-AD VALOREM ASSESSMENTS FOR COMMON ELEMENTS; AMENDING SECTION 56.04, "DEFINITIONS," AMENDING THE DEFINITIONS FOR COMMON ELEMENT, NONASSESSED PROPERTY, STORMWATER MANAGEMENT ASSESSMENT, AND UNIMPROVED LAND, AND ADOPTING DEFINITIONS FOR CONDOMINIUM PROPERTY, CONDOMINIUM UNIT, AND COOPERATIVE, AMENDING SECTION 56.15, "IMPOSITION OF STORMWATER MANAGEMENT ASSESSMENT, CLASSIFICATION AND CRITERIA," TO ADD CONDOMINIUM PROPERTY AS AN ADDITIONAL CLASSIFICATION; AND AMENDING SECTION 56.16, "ESTABLISHMENT OF RATE FOR STORMWATER MANAGEMENT ASSESSMENTS" TO CLARIFY HOW COMMON ELEMENTS ARE ASSESSED; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING 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, a business impact estimate is not required by state law¹ 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 s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243;

¹ See Section 166.041(4)(c), 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, the City of Delray Beach hereby publishes the following information:

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

This amendment to the existing Stormwater Ordinance is enacted to clarify details of the assessment process, aligning it with the Florida Statutes. The stormwater assessment assists the City in funding its Stormwater Program, which includes maintenance of current and new infrastructure as well as capital stormwater projects amid significant cost increases. The Capital projects are intended to address flooding and water quality concerns throughout the City. These projects encompass capital program initiatives to mitigate the impacts of anticipated rising sea levels and the influence of climate change, as well as the costs associated with the maintenance, replacement, and enhancement of aging infrastructure.

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

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City of Delray Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

a) The Cost of 1 SWU, currently \$13.44 per unimproved parcel, instead of being assigned to Tier 1 Residential with 2.70 SWU (337 estimated unimproved parcels, any parcel with 500sqft of impervious area or less)
b) 412 non-residential parcels that were billed a fraction from \$0 to \$13.44 will now be billed the minimum cost of a SWU (\$13.44)
c) Reduced cost for unimproved parcels for they would not be assigned to Tier 1 Residential but just one SWU. At current rate of (\$13.44) estimated stormwater revenues are to decrease from \$4,185,998.50 to \$4,175,315.44

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:
749 parcels considered unimproved.

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

This amendment provides a refinement in the language to align with related Florida Statutes and simplifies calculations for parcels with 500sqft or less of impervious area.

Date Reviewed by Legal
Date Reviewed by Finance

3/14/2025

Ord #14-25