

# **Business Impact Estimate**

Proposed ordinance's title/reference: **ORDINANCE 42-25:**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF CAPE CORAL, FLORIDA, BY REPEALING IN ITS ENTIRETY THE CITY OF CAPE CORAL, FLORIDA, CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE II, FEES, DIVISION 5 ROADS IMPACT FEE; AND BY CREATING CHAPTER 2, ADMINISTRATION, ARTICLE II, FEES, DIVISION 5, MOBILITY FEES; PROVIDING FOR SHORT TITLE, AUTHORITY AND APPLICABILITY; PROVIDING FOR INTENTS AND PURPOSES; PROVIDING FOR PLAN, REPORT AND STUDY; PROVIDING FOR DEFINITIONS; PROVIDING FOR IMPOSITION OF MOBILITY FEES; PROVIDING FOR EXEMPTION FROM MOBILITY FEES; PROVIDING FOR MOBILITY FEE SCHEDULE; PROVIDING FOR MOBILITY DETERMINATION; PROVIDING FOR AGREEMENTS; PROVIDING FOR CREDITS; PROVIDING FOR MOBILITY FEE BENEFIT DISTRICTS; PROVIDING FOR EXPENDITURES; PROVIDING FOR REFUNDS; PROVIDING FOR EFFECT ON LAND USE ALLOWANCES; PROVIDING FOR ADMINISTRATIVE MANUAL AND ADMINISTRATIVE CHARGES; PROVIDING FOR ANNUAL REPORT; PROVIDING FOR REVIEW AND UPDATE; PROVIDING FOR APPEALS; PROVIDING FOR VESTED RIGHTS; PROVIDING FOR PENALTY; PROVIDING FOR CODIFICATION AND RESOLUTION OF CONFLICTING LAWS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Cape Coral 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):

**The proposed ordinance is intended to adopt the City of Cape Coral Mobility Plan, Mobility Fee Technical Report, Mobility Fee Extraordinary Circumstances Study, including adoption of mobility fee schedules, and creation of Chapter 2, Administration, Article II, Fees, Division 5 Mobility Fees of the Cape Coral Code of Ordinances for consistency with the aforementioned documents and current Florida Statutes relating to mobility fees.**

**The intent of the Ordinance is to provide an Alternative Transportation System consistent with Florida Statutes, that repeals Chapter 2, Administration, Article II,**

**Fees, Division 5 Road Impact Fees of the Cape Coral Code of Ordinances, and replaces it with a Mobility Fee, based on a Mobility Plan, that is consistent with the Comprehensive Plan. The Mobility Plan identifies mobility projects that will offer residents, businesses, and visitors the freedom to choose the type of mobility that want to use to safely move around the city.**

**Mobility Fees are an equitable way for new development to mitigate its transportation impact and provide the City with a funding source to plan, design, and construct a safe, efficient, and multimodal supportive transportation system. The Mobility Plan identifies needed multimodal projects, such as sidewalks, bicycle lanes, shared-use paths, community scale transit facilities, improved intersections, new roads and the widening of existing roads to meet the travel demand needs from new development.**

**Payment of the Mobility Fee to mitigate traffic impacts allows for new development to pay for its attributable share of mobility projects in a manner that is roughly proportional to the impact of the new development. The funding, planning, design, and construction of mobility projects through a Mobility Plan, Mobility Fee, and Extraordinary Circumstances Study promotes the public health, safety, and welfare by allowing for continued efficient and effective movement of people, goods, and emergency services.**

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

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

**Non-Applicable. The direct economic impact of the proposed ordinance on private, for-profit businesses in the City is indeterminate. A business will be assessed mobility fees based on the land use and size of a proposed development.**

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

**Not Applicable. The mobility fee is a replacement of the City's existing road impact fee and established within the Land Development Code.**

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

**Not Applicable. No new charges, fees, or associated costs other than those already established within, and associated with implementation of, the Land Development Code. The cost to administer the mobility fee program will be addressed through the associated fees and charges required for road impact fees consistent with Florida Statute and may only be used as provided in the Ordinance.**

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

**No existing businesses will be impacted by the proposed ordinance. New development or expansion of an existing development that results in an increase in travel demand will be required to pay the mobility fee at the issuance of a building permit to offset the increase in travel demand.**

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

**This ordinance is required to provide an alternative transportation system consistent with Florida Statute to allow new development to equitably mitigate its transportation impacts. The Mobility Plan identifies mobility projects needed to accommodate future travel demand from new development. The Mobility Fee Technical Report documents the data and methodology used to develop the Mobility Fee in a manner consistent with case law and Florida Statute. The Mobility Fee Extraordinary Circumstances outlines the findings that form the basis for the adoption of the Mobility Fee consistent with the provisions of Florida Statute.**