**Business Impact Estimate**

*This form must be included in the agenda packet for the item under which a 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. Please contact the City Clerk’s office for procedural assistance.*

ORDINANCE NO. 2024-06

LDR 24-06

AN ORDINANCE OF THE CITY OF NEWBERRY, FLORIDA, AMENDING THE TEXT OF THE CITY OF NEWBERRY LAND DEVELOPMENT REGULATIONS, AS AMENDED; TO AMEND SECTION 4.2.40 SOLAR ENERGY FACILITIES, RELATING TO ESTABLISHING STANDARDS FOR THE DEVELOPMENT OF SOLAR FARMS; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If no boxes are checked below, this means the City is of the view that a business impact estimate is required by state law[[1]](#footnote-1) 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. 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.

**If any box is checked above, a Business Impact Estimate is not required.**

In accordance with the provisions of controlling law, the City 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 ordinance will increase the minimum perimeter setback from ten (10) feet to 25 (25) feet, and require that a 20 foot vegetative buffer be planted (if no existing foliage exists) along the perimeter when adjacent to existing rural residences. The ordinance will serve the public welfare by providing visual screening for existing rural residences whose view is impacted by the development of a large solar array adjacent to their properties.**

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any: **Estimated direct economic impact to existing city businesses is $0.00. The potential impact would be to solar development companies developing a utility scale solar array within the incorporated city limits. Due to the number of variables related to solar array development, it is not possible to estimate impacts to the solar array developer.**

(a) An estimate of direct compliance costs that businesses may reasonably incur; **The direct impact will have to be measured on a case-by-case basis, as each development will be unique, and incur increased costs based on factors such as how many rural residences abut the project and the presence or absence of existing foliage along the perimeter of the project.**

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; **No new charge or fee is being proposed**

(c) An estimate of the City regulatory costs, including estimated revenues from any new charges or fees to cover such costs. **$0.00.**

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: **Two to three at most, as the number of suitable locations for development of a solar array are limited by proximity to electric transmission lines.**

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

[*You may wish to include in this section the methodology or data used to prepare the Business Impact Estimate. 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. 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 affect only businesses*).

1. See Section 166.041(4)(c), Florida Statutes. [↑](#footnote-ref-1)