

Business Impact Estimate Guidance and Form

Last Updated September 13, 2023

Background

- CS/SB 170 <https://www.flsenate.gov/Committees/BillSummaries/2023/html/2933> requires local governments to produce a “Business Impact Estimate” prior to passing an ordinance that does not qualify for an exemption.
- The business impact estimate must include certain information, such as the proposed ordinance’s purpose, estimated economic impact on businesses, and regulatory costs.
- The business impact estimate must be posted on the local government’s website at least ten days before the public hearing for the proposed ordinance. However, if the legal notice for the proposed ordinance is published earlier than ten days before the public hearing, the business impact estimate must be posted on the day that the legal notice is published or earlier.

Process

1. Before Legistar review for an Ordinance is initiated, complete the Exemption Checklist directly below.
2. If an Exemption does apply, cite the Exemption(s) in the Legistar Staff Report (under “Recommended Action”); no further action is needed and do not advance to Step 3. If an Exemption does not apply, advance to Step 3.
3. Alert Board Records and Communications that a Business Impact Estimate is being prepared. Then complete the Business Impact Estimate Form on Page 2.
4. Attach the completed Business Impact Estimate to the Legistar File. Ensure that OMB is on the Legistar review sequence. Then Legistar review may be initiated.
5. After Legistar review is completed, promptly forward the approved Business Impact Estimate to Board Records and Communications. Board Records and Communications must receive the Business Impact Estimate at least fifteen days before the public hearing for the Ordinance.

Exemption Checklist (see F.S. § 125.66(3)(c)):

** If one or more boxes is checked below, a business impact estimate is not legally required. If no boxes are checked below, a business impact estimate is legally required. Please consult with the CAO if you are uncertain whether a box should be checked.*

- The Ordinance is required for compliance with Federal or State law or regulation;
- The Ordinance relates to the issuance or refinancing of debt;
- The Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The 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 County;
- The Ordinance is an emergency ordinance;
- The Ordinance relates to procurement; or
- The Ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes (F.S.), relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. F.S. §§ 190.005 and 190.046 (regarding community development districts)
 - c. F.S. § 553.73, relating to the Florida Building Code; or
 - d. F.S. § 633.202, relating to the Florida Fire Prevention Code.

Business Impact Estimate Form (see F.S. § 125.66(3)(a))

For:

Pinellas County Code amendments pertaining to additional homestead exemption for qualifying living quarters of parents or grandparents.

This Ordinance amendment is scheduled for consideration for adoption by the Pinellas County Commission on July 30, 2024, at 6:00 P.M. at 333 Chestnut Street, Palm Room, Clearwater, Florida 33756.

** Unless an attachment is expressly referenced, the content in this Form encompasses the entire Business Impact Estimate for the Ordinance.*

1. Summary of the Ordinance, including a statement of the public purpose to be served by the Ordinance, such as serving the public health, safety, morals, and welfare of the County: *[This Section does not need to be lengthy. The Recitals (“WHEREAS” Clauses), or the “Purpose” or “Legislative Intent” Sections of the Ordinance, may be helpful to reference.]*

This is an Ordinance amending Chapter 118 of the Pinellas County Code, providing for a new Article VIII pertaining to additional homestead exemption for qualifying living quarters of parents or grandparents. The intent of this proposal is to encourage the provision of housing for senior citizens and investment in construction and reconstruction of residential properties to provide additional housing for family members.

Background:

Florida Statutes authorize the County to provide for a reduction in assessed value of homestead property to provide tax relief to eligible property owners within unincorporated Pinellas County. Specifically, the Ordinance would allow for the reduction of the assessment of increased property value resulting from construction or reconstruction of living quarters for parents or grandparents of the property owner or owner’s spouse. At least one parent or grandparent must reside on site, and he or she must be at least 62 years old. The value excluded may be either the increase of the assessed value of the construction or reconstruction, or up to 20 percent of the total assessed value of the property as improved, whichever is less. The property owner must file an application and required documentation with the Pinellas County Property Appraiser.

WHEREAS Clauses:

WHEREAS, the Pinellas County Board of County Commissioners wishes to encourage the provision of housing for senior citizens; and

WHEREAS, Section 193.70, Florida Statutes authorizes the County to provide for a reduction in the assessed value of homestead property for qualifying homestead properties; and

WHEREAS, such reduction in the assessed value reduces the ad valorem tax burden for such properties and will encourage investment in construction and reconstruction of residential properties to provide additional housing for family members.

2. An estimate of the direct economic impact of the Ordinance on private, for-profit businesses in the County, including the following, if any:

The proposed Ordinance will have no new direct costs to local businesses, no new fees on local businesses, and will incur no new regulatory costs or revenues to Pinellas County.

3. A good faith estimate of the number of businesses likely to be impacted by the Proposed Ordinance:

The proposed Ordinance is not expected to have new impacts on local businesses.

4. Any additional information the BCC deems useful: *[This Section is not legally required.]*

The assessed reduction would only apply to improvements made after the adoption date of this Ordinance. The living quarter improvements must be completed before January 1st of the year when the reduction is sought. It only applies for taxable years during which the parent(s) or grandparent(s) maintains their primary place of residence in the living quarters – the parent(s) or grandparent(s) cannot have a homestead exemption elsewhere. If property ownership changes, a new application from the new owner would be required. The property owner must notify the Property Appraiser if they no longer qualify for the reduction.

Any financial impact to the County would not occur until January 1st, 2025. The impact would be small because it would only apply to qualifying improvements made after the Ordinance effective date and before January 1st, 2025 (about five months). Financial impacts during following years would depend on how many qualifying applications are received and approved. It is not anticipated to be substantial.

This Ordinance is complementary to other recent code amendment proposals involving increased flexibility for accessory dwelling units (ADUs) and can ultimately help provide increased opportunity for overall housing options that can be more affordable.