



THE CITY OF COCOA

BUSINESS IMPACT ESTIMATE PURSUANT TO F.S. 166.041(4)

This form should be included in the agenda packet with the proposed ordinance to be considered. It must be posted on the City's website by the time notice of the proposed ordinance is published pursuant to Section 166.041(3)(a), Florida Statutes.

City Council Meeting Dates: February 27, 2024 and April 23, 2024
Ordinance Number: 04-2024
Posted To Webpage: _____

This Business Impact Estimate is given as it relates to the proposed ordinance titled:

ORDINANCE NO. 04-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, FLORIDA; CREATING A NEW ARTICLE IV, DIVISION 1, OF CHAPTER 19, TAXATION, OF THE CITY OF COCOA CODE OF ORDINANCES; AUTHORIZING THE INCLUSION OF CERTAIN PROPERTY LOCATED WITHIN THE CITY IN THE DISTRICT 1 ROAD AND BRIDGE MUNICIPAL SERVICE TAXING UNIT, CREATED AND ESTABLISHED BY BREVARD COUNTY, FLORIDA; PROVIDING IDENTIFICATION OF PROPERTY WITHIN THE CITY OF COCOA AUTHORIZED FOR INCLUSION IN SAID UNIT; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Parts I-IV below are not required to be completed if the ordinance involves any one of the following types of exemptions. Please check if applicable:

- 1. Ordinances required for compliance with federal or state law or regulation;
- 2. Ordinances relating to the issuance or refinancing of debt;
- 3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- 4. Ordinances 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 a municipal government;

5. Emergency ordinances;

6. Ordinances relating to procurement; or

7. Ordinances enacted to implement the following:

a. Part II of chapter 163, 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;

c. Section 553.73, relating to the Florida Building Code; or

d. Section 633.202, relating to the Florida Fire Prevention Code.

Part I.

Summary of the proposed ordinance and statement of public purpose:

(Address the public purpose to be served by the proposed ordinance, such as serving the public health, safety, morals, and welfare of the City of Cocoa.)

On January 26, 2024, the City Council of the City of Cocoa entered into an Interlocal Agreement with Brevard County, Florida, recorded in the Official Records of Brevard County, Book 9978, Page 1677, whereby the City has agreed to consent to and authorize the inclusion of certain lands lying within the City of Cocoa in a Municipal Service Taxing Unit ("MSTU") established by Brevard County, known as the Brevard County District 1 Road and Bridge MSTU, for the purpose of funding improvements to County-owned and maintained facilities in the immediate area of those certain lands as described herein. The ordinance applies only to residential property and not to commercial property.

Part II.

Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Cocoa: *(fill out subsections a-c as applicable, if not applicable write "not applicable")*

(a) Estimate of direct compliance costs that businesses may reasonably incur if the proposed ordinance is enacted:

The MSTU may impose ad valorem taxes upon affected residential property within its boundaries for the purpose of funding improvements to County-owned and maintained facilities, namely roadway and drainage infrastructure, that will be impacted by the new development and growth on the affected property. Private businesses, namely the respective developers of the private property included within the boundaries of the MSTU, will be affected by the ad valorem taxes imposed by the County prior to the sale of the land

to individual homeowners. As provided in the Interlocal Agreement between Brevard County, Florida and the City of Cocoa, Florida, recorded in the Official Records of Brevard County, Book 9978, Page 1677, the County shall be responsible for establishing and governing the assessment of the MSTU at a rate adopted annually as part of the County's annual budget. However, by opting into the MSTU, the City may not levy an annual ad valorem millage rate that would exceed the ten (10) mill cap for municipal purposes when combined with the District 1 Road and Bridge MSTU's annual ad valorem millage rate unless otherwise provided by law. Accordingly, the City cannot estimate direct compliance costs for the affected developers as they will be determined by the County during their budget process as well as the length of time during which the developer continues to remain the owner of such residential property prior to sale to individual homeowners.

(b) Identification of any new charges or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible; and

No new charges or fees will be imposed. The MSTU creates a taxing unit that may impose annual ad valorem taxes on the real property within its boundaries.

(c) An estimate of the City of Cocoa's regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

The City of Cocoa will not incur regulatory costs. The City of Cocoa is merely required by law to consent to the inclusion of property located within the City in the County MSTU.

Part III.

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

Only the private developers of the Windward Preserve and Lakes at Cocoa Grove residential subdivision projects will be affected.

Part IV. Additional Information the City Council may find useful (if any):

This Business Impact Estimate may be revised following its initial posting.