

Osceola County Passes Increased School Impact Fees for Most Residential Construction

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Earlier today, the Osceola County Board of County Commissioners (“the County”), by a 5-0 vote, passed an ordinance increasing school impact fees for most types of residential development in the County. Although the initial version of the ordinance had an effective date of March 12, 2018, after significant discussion among the Board, the County passed a version that pushed back the effective date of the ordinance to August 1, 2018. The final version of the ordinance also removes all references to a “grace period” to avoid a conflict with the new August 1 effective date. The new impact fees imposed by the ordinance will be assessed for residential development that is constructed pursuant to a building permit issued after August 1, 2018.

The new ordinance will provide an exemption from school impact fees for vacation rental units known as “Vacation Villas.” Additionally, residential construction that qualifies as “Short-Term Rental” property — that is, residential units that are used for less than 30 days per year by the same individual — will be subjected to a reduced impact fee rate. A developer seeking to benefit from either the Vacation Villa exemption or the reduced Short-Term Rental rate must file an application with the Superintendent that addresses the criteria outlined in the ordinance prior to receiving a building permit for the proposed construction.

The new impact fees are shown in the table below along with the former rates:

	Residential Land Use Old Impact Fee (per dwelling unit)	New Impact Fee (per dwelling unit)	New Short-Rental Rate (per dwelling unit)
Single Family Detached	\$10,187	\$11,823	\$6,264
Townhouse	\$10,187	\$7,591	\$3,951
Multi-Family (Apartments)	\$6,088	\$11,362	\$7,033
Condominium	\$6,088	\$4,243	\$2,325
Mobile Home	\$6,013	\$7,672	\$7,672

Notably, the ordinance does not discuss vested rights agreements between developers and the County.

A copy of the previous version of the ordinance that does not reflect the final changes to the effective date and grace period is found [here](#). If you have any questions about how the new ordinance may affect your

business in the County, please contact any member of the firm's Land Use, Zoning & Environmental Group.