

ORDINANCE NO: 1396

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DAVENPORT, FLORIDA; AMENDING ALL CHAPTERS OF THE CITY OF DAVENPORT UNIFIED LAND DEVELOPMENT REGULATIONS (“LDRS”) TO CORRECT SCRIVENER’S ERRORS FROM THE ADOPTION OF ORDINANCE 874 AND 940 ADOPTING THE UPDATE TO THE LAND DEVELOPMENT REGULATIONS; REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Unified Land Development Regulations (“LDRs”) of the City of Davenport, Florida, (the “City”) authorize the City Commission to amend, change, supplement, or repeal the LDRs from time to time; and,

WHEREAS, the City Commission adopted updated LDRs via Ordinance 874 on April 15, 2019 and Ordinance 940 on June 1, 2020; and,

WHEREAS, the City staff has identified certain scrivener’s errors, and,

WHEREAS, in accordance with the procedures required by Section 166.041 (3)(c)2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the City’s Planning Commission, sitting as the Local Planning Agency (LPA) as designated by the City Commission, at a duly advertised public meeting on February 16, 2026, at which time interested parties and citizens had the opportunity to be heard and such regulations were recommended to the City Commission for adoption; and,

WHEREAS, the City Commission, after taking into consideration the recommendations of the Planning Commission and the City Staff, and the comments received during the public hearing process, finds that the proposed revisions and amendments are appropriate, desirable, and in the best interests of the City.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF DAVENPORT, FLORIDA, THAT:

SECTION 1. FINDINGS. The foregoing recitals are hereby adopted, ratified, and confirmed as being true and correct and are made a specific part of this Ordinance as the Commission’s legislative findings and intent pertaining to this Ordinance.

SECTION 2. UNIFIED LAND DEVELOPMENT REGULATIONS. The Unified Land Development Regulations (ULDR) of the City of Davenport are hereby amended as shown in Exhibit “A” which is attached and made a part hereof.

SECTION 3. CONFLICTS. All Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. BUSINESS IMPACT ESTIMATE. Pursuant to Section 166.041(4), Florida Statutes, the City of Davenport is required to prepare a business impact estimate for certain proposed ordinances. This proposed ordinance amends and addresses certain scrivener's errors in the Unified Land Development Regulations ("LDRs"). Such an amendment to the LDR's (1) serves a public purpose by serving the public health, safety, morals, and welfare of the City, (2) has no direct negative economic impact on private, for-profit businesses in the city, (3) will not result in direct compliance costs by businesses, (4) does not impose any new charge or fee on businesses for which businesses will be financially responsible, and (5) does not create any additional municipal regulatory cost which is not recovered appropriately and lawfully by the City. Thus, it is estimated that neither residents nor any business will incur additional costs. The City does not seek to impose any additional user or regulatory fees or charges, nor are any direct compliance costs expected. The Business Impact Estimate form for this ordinance is on file with the City Clerk.

SECTION 5. SEVERABILITY. If any section, sentence, phrase, word or portion of this Ordinance, including any such section, sentence, phrase, word or portion of **Exhibit "A"** attached and adopted hereof, is determined to be invalid, unenforceable, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance, including any section, phrase, word or portion of **Exhibit 'A'**.

SECTION 6. EFFECTIVE DATE. This ordinance shall be effective immediately after passage upon Second Reading.

SECTION 7. CODE OF ORDINANCES. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Unified Land Development Regulations of the City; and that sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "chapter", "section", "article", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code is accomplished, sections of this Ordinance may be renumbered or relettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or his designee, without need of public hearing, by filing a correct or recodified copy of same with the City Clerk.

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INTRODUCED, PASSED AND DULY ADOPTED ON FIRST READING by the City Commission of the City of Davenport, Florida, meeting in Regular Session on this 16th day of February, 2026.

CITY OF DAVENPORT, FLORIDA

By: _____
Brynn Summerlin, Mayor

ATTEST:

By: _____
Rachel Castillo, City Clerk

INTRODUCED, PASSED AND DULY ADOPTED ON SECOND READING by the City Commission of the City of Davenport, Florida, meeting in Regular Session on this 2nd day of March, 2026.

CITY OF DAVENPORT, FLORIDA

By: _____
Brynn Summerlin, Mayor

ATTEST:

By: _____
Rachel Castillo, City Clerk

APPROVED AS TO FORM:

By: _____
Thomas A. Cloud, City Attorney

EXHIBIT A

NOTE: Underlined words constitute additions to the City of Davenport Code of Ordinances, asterisks(*) indicate an omission from the existing text which is intended to remain unchanged, and strikethrough constitutes deletions from the original Code of Ordinances.**

**CITY OF DAVENPORT
UNIFIED LAND DEVELOPMENT REGULATIONS
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**ARTICLE 2
GENERAL REGULATIONS FOR ALL ZONING DISTRICTS**

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Section 2.09.00. Home Occupations (Home-based Businesses)

A home occupation (home-based business) may be conducted within a residential dwelling that is zoned for residential use under the following conditions:

- A. Accessory to a Residential Use. The home occupation shall be conducted within the principal residential dwelling that is the residence of the home occupation practitioner and shall be clearly incidental and secondary to the use of the dwelling for residential purposes. A home occupation may also be permitted in an accessory residential dwelling unit that is

clearly subordinate to the principal residential dwelling on the lot.

- B. *Employees.* Employees of the business who work at the residential dwelling must also reside in the residential dwelling, except up to a total of two (2) people or independent contractors who do not reside at the residential dwelling may work at the business. The business may also have remote employees who do not work at the residential dwelling.
- C. *Residential Character.* Under no circumstances shall the residential character of the property be changed by the home occupation. As viewed from the street the use of the residential property shall be consistent with the uses of the residential areas that surround the property. External modifications to the residential dwelling to accommodate a home occupation shall conform to the residential character and architectural aesthetics of the neighborhood.
- D. *Signage.* A non-illuminated sign, not to exceed four (4) square feet in area, may be displayed provided the sign is affixed flat against the exterior wall of the residential dwelling.
- E. *Retail Transactions.* The business shall not conduct retail transactions at a structure other than the residential dwelling; however incidental business uses, and activities may be conducted at the residential property.
- F. *Parking.* The home occupation shall not generate parking needs in greater volume than would normally be expected to serve a similar residence where no business is conducted. No additional parking spaces shall be provided in excess of those required to serve the residential unit. Vehicles and trailers associated with a home occupation business shall be parked in legal parking spaces and not within the right-of-way, on or over a sidewalk or on any unimproved surfaces at the residence.
- G. *Parking or Storage of Heavy Equipment.* Parking or storage of heavy equipment shall comply with the standards under Section 4.03.19 "Trucks, Trailers, and Vehicles (Parking/Storage)". For purposes of this paragraph, the term "heavy equipment" means commercial, industrial, or agricultural vehicles, equipment, or machinery.
- H. *Performance Standards.* No home occupation shall involve equipment or processes that may create or cause to be created, noise, odors, vibration, glare, fumes, electrical interference, or hazards dangerous to the public health, safety, and welfare as provided in the standards of performance under Section 5.06.00. In case of electrical interference, no equipment or process shall be used that creates visual or audible interference in radio, camera, computerized equipment, or television receivers, or causes fluctuations in line voltages off the premises.
- I. *Licensing.* All home occupation practitioners shall obtain a business tax receipt.

SECTION 2.09.001 MOVING OF BUILDINGS

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SECTION 2.11.00 MODEL HOMES AND TEMPORARY SALES OFFICES

Prior to final plat approval by the City Commission and subsequent to the developer's receipt of the City's written approval of a concept plan, model homes and temporary sales offices may be permitted within residential subdivisions, for the sale of lots/homes. The following requirements shall apply to all model homes and temporary sales offices constructed prior to final plat approval:

- (A) Each subdivision shall be allowed at least one (1) model home.

- (B) The total number of model homes within a subdivision shall not exceed five (5) units or 10% of the subdivision, whichever is ~~greater~~ more. One or more of the model homes, or a separate modular unit, may also be permitted as a temporary sales office for the project developer, builders, or their agents. Developers shall receive approval from the City prior to starting construction on any model homes.

- (C) All model home units shall meet all lot area, setbacks, parking, and unit separation requirements of the zoning district in which they are located. Failure of a model home to comply with the required setbacks shall result in a refusal to issue a certificate of occupancy for that home.

- (D) Fire hydrants and a stabilized road base and fire protection facilities shall be constructed and approved for use prior to the issuance of any building permits for model homes and the temporary sales office. The developer shall be responsible for maintaining the stabilized road base in a manner that allows for the safe passage of fire/rescue equipment. Should the road surface be found in an unsafe condition, the Building Official shall issue a "Stop Work" order on all model homes under construction until such time the roadway is brought back to a safe condition.

- (E) Should the fire hydrants and a stabilized road base not be in place, model homes may be constructed according to standards established in the latest edition of NFPA (National Fire Protection Association) Publication 1141, Standard for Fire Protection Infrastructure for Land Development in Suburban and Rural Areas, and as may be amended.

- (F) To receive/seek final subdivision approval, a scaled drawing of the subdivision showing the locations of all model homes, shall be submitted to the Office of the Building Department.
- (G) Model homes and temporary sales offices may continue operation until all lots or houses within that subdivision are sold. Certificates of Occupancy may not be issued for model homes until the subdivision plat has been approved by the City and recorded with the Clerk of the Courts.
- (H) Signs used for model home and temporary sales offices shall conform to the requirements of Article 7. All signs shall be reviewed for placement, design, and duration by the Building Official.

SECTION 2.20.00 MINIMUM MAINTENANCE OF COMMERCIAL BUILDINGS

This Section is not intended to apply to any existing single-family detached or duplex residential uses that may legally exist in any zoning district. However, mixed-use occupancies must meet these requirements. All commercial buildings, located within the City, shall meet the following minimum requirements which are in addition to any other requirements imposed by law. See Code of Ordinances, Chapter 5 Building and Building Regulations, Article ~~IX~~ XI

TABLE 3.05.00(A)

FUTURE LAND USE MAP DESIGNATIONS AND COMPATIBLE ZONING DISTRICTS

FUTURE LAND USE CATEGORIES	COMPATIBLE ZONING DISTRICTS
Residential, Low Density (RL) 0 - 4.99 dwelling units per acre	Agriculture (AG) Traditional Neighborhood-1 (TN-1) Traditional Neighborhood-2 (TN-2) Residential Estates -1 (RE-1) Residential Estates-2 (RE-2) Residential Single Family (R-1) Residential Single Family (R-2) Residential Single Family (R-3)

FUTURE LAND USE CATEGORIES	COMPATIBLE ZONING DISTRICTS
	<p>Low Density Residential/Duplex <u>Duplex</u>, Triples <u>Triplex</u> (R-4)</p> <p>Low Density Residential/Duplex <u>Duplex</u>, Triples <u>Triplex</u> (R-5)</p> <p>Downtown Business District (DBD)</p> <p>Planned Unit Development (PUD)</p>
<p>Residential Park (RP)</p> <p>0 -7.99 dwelling units per acre</p>	<p>Manufactured Home – 1 (MH-1)</p> <p>Manufactured Home – 2 (MH-2)</p> <p>Planned Unit Development (PUD)</p>
<p>Residential, Medium (RM)</p> <p>5.0 – 9.99 dwelling units per acre</p>	<p>Residential Single Family (R-3)</p> <p>Low Density Residential/Duplex <u>Duplex</u>, Triples <u>Triplex</u> (R-4)</p> <p>Low Density Residential/Duplex <u>Duplex</u>, Triples <u>Triplex</u> (R-5)</p> <p>Multi-Family (MF)</p> <p>Downtown Business District (DBD)</p> <p>Planned Unit Development (PUD)</p>
<p>Residential, High (RH)</p> <p>10.0 – 20 dwelling units per acre</p>	<p>Multi-Family (MF)</p> <p>Planned Unit Development (PUD)</p>

FUTURE LAND USE CATEGORIES	COMPATIBLE ZONING DISTRICTS
Mixed Use (MU)	Downtown Business District (DBD) Planned Unit Development (PUD)
Community Commerce Activity Center (CAC)	Downtown Business District (DBD) CBD (Central Business District) Neighborhood Commercial (C-1) General Commercial (C-2) Highway Commercial (C-3) Planned Unit Development (PUD)

TABLE 3.06.00(A):

DAVENPORT OFFICIAL ZONING DISTRICTS

Abbreviation	Zoning District Name
AG	Agriculture
TN-1	Traditional Neighborhood
TN-2	Traditional Neighborhood
RE-1	Residential Estates
RE-2	Residential Estates
R-1	Residential Single Family
R-2	Residential Single Family
R-3	Residential Single Family
R-4	Low Density Residential / Diplex <u>Duplex</u> , Triplex <u>Triplex</u>
R-5	Low Density Residential / Diplex <u>Duplex</u> , Triplex <u>Triplex</u>
MF	Multifamily <u>Multi family</u>
MH-1	Mobile Homes
MH-2	Mobile Homes

OF	Office
DBD	Downtown Business District
C-1	Neighborhood Commercial
C-2	General Commercial
C-3	Highway Commercial
I-1	Manufacturing/Warehousing
I-2	Industrial
PR	Parks and Recreation
PI-1	Public Institutional
PI-2	Public Institutional
CN	Conservation District

3.08.02.05 ~~Multiple~~ Multi-Family (MF)

(B) Existing Single-family Residential Dwelling Units

- (1) All existing Single-family residential dwelling units located within the new DBD boundaries, as of the date of the adoption of this amended Land Development Regulations, shall be permitted to remain and are to be considered grandfathered uses. These single-family residential dwelling units shall be permitted to have additions and accessory structures in accordance with the previous zoning district standards (R-1, ~~R-1A~~ or R-2) that applied to the ~~effected~~ effective date of these amended Land Development Regulations. The grandfathered use expires, once a change in use or occupancy occurs to a commercial, retail or office use and shall comply with DBD zoning district standards as outlined in these Regulations. The City shall then initiate a Future Land Use Map amendment on the property to Commerce Activity Center (CAC).

3.10.02 Relationship of PUD Regulations to the Comprehensive Plan, Land Development Regulations, or Other Applicable Regulations – Consistency

- (B) Where there are conflicts between these special PUD provisions and other regulations in these Regulations, these special regulations shall apply. Where no standard is designated in this Section for a particular element of a PUD, appropriate regulations set forth in other ~~Regulation~~ Regulations shall apply. In a unique situation where no standard is specified, the City Commission shall determine the appropriate standards.

4.03.19 Short-term Rental Units

~~See requirements in the Code of Ordinances. Short term rental units are allowed per State of Florida statutes.~~

5.01.01 Building and Construction - Safety Standards

- (7) Florida Building Code: Test Protocols, current edition & and Supplements;

5.02.04 Dedications Required

The City may, as a condition to the approval of a preliminary site plan approval, construction/engineering plan approval and/or impact review or subdivision plat, require the dedication by deed of the additional right-of-way necessary to implement the right-of-way needs identified, if the following ~~applied~~ applies;

5.03.04 Required Parking Lot Improvements

Any off-street parking lot serving any use other than dwellings of two units per building or less shall meet the following requirements for off-street parking lot improvements:

- (A) The parking area will be buffered and canopy provided pursuant to the landscaping section of ~~the~~ these Regulations.

5.03.08 Design Standards for Solid Waste Collection Bins (Dumpsters)

- (2) The construction specifications for bin pads and bin enclosures shall be as set forth by the ~~in Figure 6~~ Figures 5.03.08(A) – (E) and including the following notes:
- (4) Where site conditions on redevelopment projects make the application of a particular standard impractical on a specific site, the Administrative Official may authorize an administrative variance to standards set forth in this Section.

(B) ~~Location Standards~~ Location Standards

(C) ~~Visibility and Screening Standards~~ Visibility and Screening Standards

5.06.02.11 Fire Safety

- (2) The Fire Chief/Marshal/Inspector shall have the authority to require fire department access be provided to all new development, expansion of ~~exist~~ existing development, gated subdivisions, new structures, or expansion of existing structures through the use of an approved device or system.

5.07.04.03 Protection of Native Vegetation and Trees During Construction

(E) ~~Protective Barriers~~ Protective Barriers

Table 5.07.~~0607~~(A)

Buffer Yard Requirements Between Proposed and Existing Abutting Land Uses

Table 5.07.~~0607~~(B)

Buffer Yard Requirements Between Proposed Land Uses and Vacant Land

SECTION 6.03.00 DOWNTOWN BUSINESS DISTRICT (DBD) DESIGN STANDARDS

6.03.01 Design Standards

- (2) Loading areas or docks (See Figure ~~6-01-03(N)~~ 6.03.01(N)), outdoor storage, waste disposal, mechanical equipment (See Figure 6.03.01(M)), satellite dishes, truck parking, and other service support equipment shall be located behind the building line and shall be fully screened from the view of adjacent properties both at ground and roof top levels.

7.14.07 Portable Message Center Signs

- (G) Portable message center signs for residential support uses are allowed in residential zoned ~~district~~ districts and shall be governed by the limitations of signs for residential districts under Section 7.14.02.

SECTION 7.16.00 SIGN REMOVAL

7.16.01 Removal of Nonconforming Signs

7.16.02 Removal of Prohibited Signs

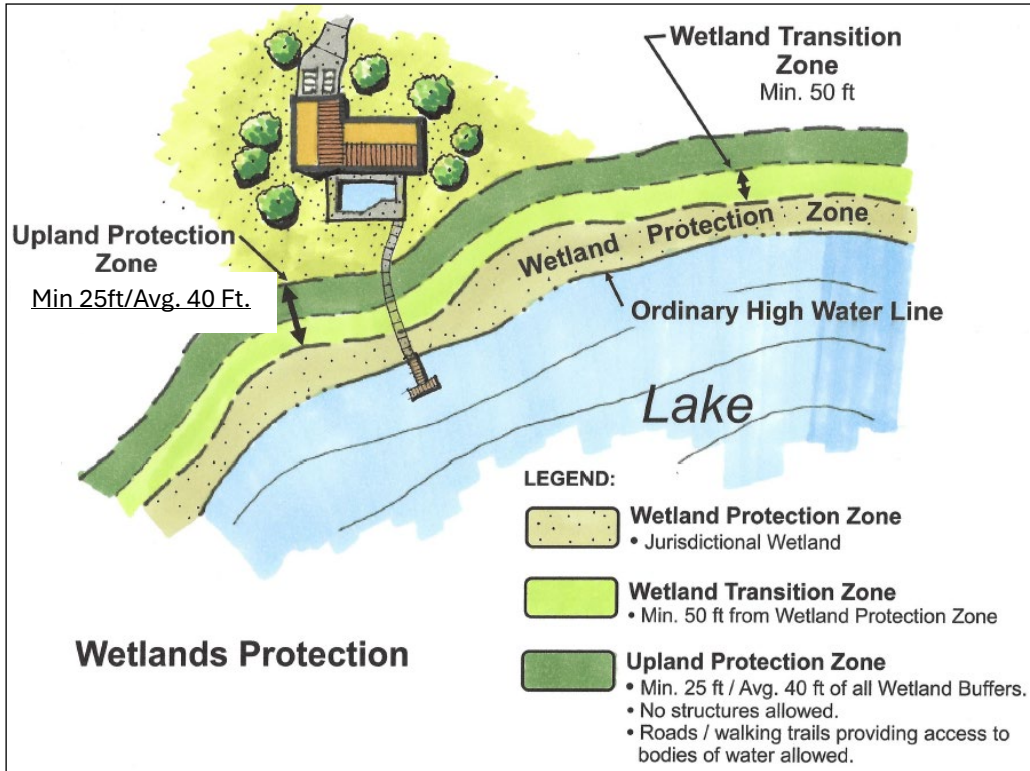
- (B) Signs prohibited in Section 7.09.00 shall be removed by the owner, agent, or person in charge of the premises, within seven (7) days after receipt of written notification by the Building Official or Code ~~Inspector~~ Enforcement Officer. If the sign is not removed within this time frame, the Code Inspector may refer the violation to the City of Davenport Special Magistrate.
- (C) *Broken or Missing Sign Panel.* In no case shall a sign box be left with a broken or missing sign panel. Such signs are subject to either ~~A. or B.,~~ (A) or (B) above, whichever is applicable.

SECTION 7.19.00 SEVERABILITY

- (B) *Severability Where Less Speech Results.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection ~~A. (A)~~ above, or elsewhere in this Article, these Regulations, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.
- © *Severability of Provisions Pertaining to Prohibited Signs.* Without diminishing or limiting in any way the declaration of severability set forth above in subsections ~~A. (A)~~ or ~~B. (B)~~ above, or elsewhere in this Article, this Unified Land Development Regulations, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article or any other law

is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article that pertains to prohibited signs, including specifically those signs and sign-types prohibited and not allowed under Section 7.09.00 of this Article.

Figure 8.03.04(A)



ARTICLE 9

DEVELOPMENT REVIEW PROCESS

ARTICLE 9 - DEVELOPMENT REVIEW PROCESS

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Section 9.07.00 Procedure For Permitted With Conditions Uses.....9-**Error! Bookmark not defined.**

9.07.01 Application 9-**Error! Bookmark not defined.**

9.07.02 Process9-**Error! Bookmark not defined.1**

9.08.04 Review of Proposed Special Approval Uses

- (F) *Findings for Approval of a Special Approval Use.* The Planning Commission may recommend approval of a Special Approval Use application when the set criteria listed below has been met. The criteria include, but are not limited to, the following:

- (3) The proposed Special Approval Use at the proposed location will not result in adverse impacts to adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare; ~~Either~~ either as they now exist or as they may exist in the future, as a result of the implementation of the goals, objectives and policies of the Comprehensive Plan.

ARTICLE 11

ADMINISTRATION AND ENFORCEMENT

11.02.08.01 Minimum Requirements for Consideration of Waivers

- (A) Whether the application of the provisions of the ~~Code~~ regulations would cause unnecessary and undue hardship on the use of the property;

11.03.03 Board of Adjustments Duties and Responsibilities

At its own option, the City Commission may appoint itself as the Board of Adjustment and serve all associated functions of said board. The functions, powers, and duties of the Board of Adjustment shall be as follows:

To authorize specific variances from appropriate provisions of ~~this code~~ these regulations as will not be contrary to the public interest, in cases where literal enforcement of the code will result in unnecessary hardship for the applicant.

SECTION 11.07.00 PUBLIC HEARINGS/PUBLIC NOTICES

- (D) *Adjacent or Nearby Property Owner Notification.* For each zoning, special approval, or variance application to be considered at a public hearing, a notice shall be mailed to all property owners of record within a radius of ~~500~~ 300 feet of the affected property, provided, however, that failure to receive such notice shall not invalidate any action or proceedings taken at the public hearing. A sign stating the date and location of the hearing, the type of request for zoning or variance being considered, and the name of the owner requesting the hearing shall be posted on the affected property seven (7) calendar days prior to the hearing in a conspicuous location.

11.07.02 Advertisement of Public Hearings for Zoning Changes Involving Less than ~~10~~ 50 Acres that are City Initiated – (FS 166.041)

- (A) *Notice by Mail:* In cases in which the City initiated proposed ordinance changes the actual zoning map designation for a parcel(s) of land involving less than ~~ten (10)~~ fifty (50) contiguous acres of the total land area of the municipality, the governing body shall direct the clerk of the governing body to notify by mail each real property owner whose land will be redesignated by enactment of the ordinance and whose address is known by reference to the latest ad valorem tax records. Notice shall be mailed to all property owners whose land will be affected at least thirty (30) calendar days prior to the date of the public hearing.

11.07.03 Advertisement of Public Hearings for Zoning Changes Involving ~~10~~ 50 Acres or More that are City Initiated – (FS 166.041)

- (A) In cases in which the City initiated proposed ordinance changes the actual zoning map designation for a parcel(s) of land involving ~~ten (10)~~ fifty (50) contiguous acres or more of the total land area of the municipality, the governing body shall hold two (2) advertised public hearings on the proposed ordinance.

11.08.03 Small-Scale Plan Amendments Exempt from DEO Review (consistent with F.S. 163.3184 and 163.3187)

Plan amendments that are defined as Small Scale Amendments do not have to be submitted to DEO for review. The amendment is adopted by ordinance and sent to DEO, state review partners, and the Central Florida Regional Planning Council. DEO will not issue a Notice of Intent for the small-scale amendment.

- (A) *Definition.* Small Scale Plan Amendments are defined by Florida Statute as:

- (1) Encompassing the use of ~~1050~~ **or fewer acres** of any land use category; and



Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Davenport's website by the time notice of the proposed ordinance is published.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DAVENPORT, FLORIDA; AMENDING ALL CHAPTERS OF THE CITY OF DAVENPORT UNIFIED LAND DEVELOPMENT REGULATIONS ("LDRS") CONCERNING SCRIVENER ERRORS PROVIDING FOR FINDINGS, CONFLICTS, CODIFICATION, SEVERABILITY, RATIFICATION, AND AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Davenport is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Davenport is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of 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

¹ See Section 166.041(4)(c), Florida Statutes.

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

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

This proposed ordinance will provide City services for the applicant and will expand the City boundaries, thus serving the public health safety, morals and welfare.

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

- (a) An estimate of direct compliance costs that businesses may reasonably incur;
- (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
- (c) An estimate of the City of Davenport's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

Annexation does not lessen or remove any private resident or commercial business. Thus, it is estimated that neither residents nor any business will incur additional costs. The city does not seek to impose any additional user or regulatory fees or charges, nor are any direct compliance costs expected.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: *Zero (0)*

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

City of Davenport staff solicited comments from businesses and residents in the City of Davenport 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 of Davenport's website, public workshop, etc. 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 residents or businesses.