

RESOLUTION 2026-51

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AUTHORIZING AND APPROVING THE WAIVER OF TOWN-ASSESSED DEVELOPMENT, BUILDING, PERMITTING, PLAN REVIEW, UTILITY CONNECTION, IMPACT, AND OTHER APPLICABLE MUNICIPAL FEES FOR THE TOWN OF EATONVILLE COMMUNITY REDEVELOPMENT AGENCY'S FOUR-UNIT SINGLE-FAMILY HOUSING DEVELOPMENT PROJECT TO BE CONSTRUCTED ON VARIOUS CRA-OWNED RESIDENTIAL LOTS ZONED R-2; EXPRESSLY EXCLUDING SCHOOL IMPACT FEES AND ANY OTHER FEES OR CHARGES NOT WITHIN THE LEGAL AUTHORITY OF THE TOWN TO WAIVE; PROVIDING FOR FINDINGS OF PUBLIC PURPOSE; PROVIDING FOR ADMINISTRATIVE IMPLEMENTATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Eatonville, Florida ("Town"), is a municipal corporation organized and existing under the laws of the State of Florida and possesses those home-rule powers granted by the Florida Constitution and applicable Florida law; and

WHEREAS, the Town of Eatonville Community Redevelopment Agency ("CRA") was established pursuant to Part III, Chapter 163, Florida Statutes, to undertake community redevelopment activities within the Eatonville Community Redevelopment Area; and

WHEREAS, Section 163.360, Florida Statutes, recognizes affordable housing as an appropriate component of a community redevelopment plan and requires a redevelopment plan to provide for the development of affordable housing within the redevelopment area or state the reasons for not addressing affordable housing; and

WHEREAS, the Town and CRA have identified the development and expansion of quality single-family housing opportunities as an important component of neighborhood stabilization, redevelopment, economic development, elimination of blighting influences, and enhancement of the Town's residential neighborhoods; and

WHEREAS, the CRA owns various residential parcels located within the Town of Eatonville that are zoned R-2 Residential and are suitable for development consistent with the Town's Comprehensive Plan, Land Development Regulations, CRA Redevelopment Plan, and other applicable requirements; and

WHEREAS, the CRA proposes to develop four (4) single-family residential dwelling units on various CRA-owned R-2 residential lots (collectively, the "CRA Four-Unit Single-Family Housing Project" or "Project"); and

WHEREAS, the Project is intended to return CRA-owned residential property to productive use, expand the Town's housing inventory, promote homeownership opportunities, improve neighborhood conditions, increase residential investment, and advance the redevelopment objectives of the Town and CRA; and

WHEREAS, the Town Council finds that reducing governmental development costs associated with construction of the four residential units will allow a greater portion of available project resources to be devoted directly to housing construction and related site improvements and will assist the CRA in delivering the Project in a financially responsible manner; and

WHEREAS, Section 163.31801, Florida Statutes, authorizes a county, municipality, or special district to provide an exception or waiver of an impact fee for development or construction of housing meeting the statutory definition of affordable housing, subject to applicable requirements; and

WHEREAS, Section 166.04151, Florida Statutes, recognizes fee reductions and waivers, including impact fees and water and sewer charges, among the incentives that municipalities may employ in connection with affordable housing; and

WHEREAS, the Town Council desires to support the CRA Four-Unit Single-Family Housing Project by waiving those development-related fees, permit fees, impact fees, utility connection fees, administrative fees, and other charges that are assessed by or payable directly to the Town and that the Town Council possesses lawful authority to waive; and

WHEREAS, the Town Council specifically intends that this Resolution shall not waive, reduce, reimburse, or otherwise affect any school impact fee assessed in connection with the Project; and

WHEREAS, the Town Council further intends that this Resolution shall not waive any fee, assessment, charge, or obligation imposed by Orange County, Orange County Public Schools, the State of Florida, a special district, utility provider, or any other governmental or private entity when such fee or charge is not within the Town's lawful authority to waive; and

WHEREAS, the Town Council finds that the waiver authorized by this Resolution serves a valid municipal and public purpose by facilitating residential redevelopment, encouraging new housing construction, promoting neighborhood stabilization, returning publicly owned redevelopment property to productive residential use, and furthering the objectives of the Town's adopted plans and policies.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AS FOLLOWS:

SECTION 1. RECITALS AND FINDINGS. The foregoing recitals are hereby adopted and incorporated into this Resolution as the legislative findings of the Town Council.

The Town Council further finds that development of the CRA Four-Unit Single-Family Housing Project constitutes a public and municipal purpose and advances the Town's community redevelopment, housing, neighborhood stabilization, economic development, and community development objectives.

SECTION 2. PROJECT IDENTIFICATION. The fee waiver authorized by this Resolution shall apply exclusively to the Town of Eatonville Community Redevelopment Agency Four-Unit Single-Family Housing Project, consisting of four (4) single-family residential dwelling units proposed for construction on various CRA-owned residential parcels zoned R-2 within the Town of Eatonville. The Chief Administrative Officer, or designee, may maintain an administrative list identifying the parcel addresses, parcel identification numbers, building permit numbers, and other information necessary to identify each of the four Project properties.

SECTION 3. WAIVER OF TOWN-ASSESSED FEES. Subject to applicable law and the limitations contained herein, the Town Council hereby waives one hundred percent (100%) of all eligible fees and charges assessed directly by the Town of Eatonville in connection with the planning, permitting, construction, development, and initial occupancy of the four residential units comprising the Project.

The waiver is intended to include, to the extent assessed by the Town and legally waivable:

1. Building permit fees;
2. Building plan review fees;
3. Planning and zoning review fees;
4. Development review fees;
5. Site-plan or administrative review fees;
6. Electrical permit fees;
7. Plumbing permit fees;
8. Mechanical/HVAC permit fees;
9. Roofing permit fees;
10. Residential construction permit fees;
11. Inspection fees associated with Town-issued permits;
12. Certificate of occupancy or completion fees;
13. Fire review or inspection fees assessed by the Town, where legally waivable;
14. Right-of-way or driveway permit fees assessed by the Town;
15. Water connection or tap fees assessed by the Town;
16. Sewer connection or tap fees assessed by the Town;
17. Meter installation or similar Town utility development charges, where legally waivable;
18. Town transportation, parks, recreation, public safety, or other municipal impact fees, where legally waivable;
19. Administrative processing fees directly related to development of the Project; and
20. Any other development-related fee or charge imposed directly by the Town that the Town Manager/Chief Administrative Officer, Town Attorney, Building Official, or appropriate Town department determines may lawfully be waived pursuant to this Resolution.

SECTION 4. SCHOOL IMPACT FEES EXPRESSLY EXCLUDED. School impact fees are expressly excluded from the waiver authorized by this Resolution. Nothing contained herein shall be interpreted or construed as waiving, reducing, reimbursing, crediting, assuming, or otherwise modifying any school impact fee assessed against any of the four residential units. Any applicable school impact fee shall remain due and payable in accordance with the requirements of the governmental entity or school district having jurisdiction over such fee.

SECTION 5. OTHER NON-TOWN FEES EXCLUDED. This Resolution does not waive any fee or charge imposed or collected by an entity other than the Town when the Town does not possess legal authority to waive such fee.

Excluded charges include, as applicable, fees imposed by:

- Orange County;
- Orange County Public Schools;
- the State of Florida;
- independent or dependent special districts where the Town lacks waiver authority;
- private or independent utility providers; and
- any other governmental or private entity possessing independent authority to impose such charge.

SECTION 6. NO TRANSFER OF WAIVER. The fee waiver authorized herein is project-specific and is granted to facilitate development of the CRA Four-Unit Single-Family Housing Project. The waiver shall not constitute a general waiver applicable to unrelated properties, developers, contractors, property owners, or development projects. The subsequent sale or conveyance of a completed dwelling unit to an eligible purchaser shall not, by itself, require repayment of properly waived fees unless repayment is otherwise required by applicable law or a separate agreement governing the Project.

SECTION 7. AFFORDABILITY COMPLIANCE, IF APPLICABLE. To the extent any waiver provided by this Resolution relies upon the affordable-housing provisions of Section 163.31801, Florida Statutes, or any other statutory affordable-housing incentive, the CRA shall maintain documentation sufficient to demonstrate that the applicable dwelling unit satisfies the statutory requirements for such waiver. Nothing herein shall prevent the Town from waiving independently authorized municipal fees that do not require an affordable-housing qualification.

SECTION 8. ADMINISTRATIVE IMPLEMENTATION. The Chief Administrative Officer, Finance Director, Building Official, Planning and Zoning Department, Public Works Department, Utility Department, and all other applicable Town departments are hereby authorized and directed to take all administrative actions reasonably necessary to implement this Resolution. Town staff shall identify qualifying Project applications and permits within the Town's permitting and financial systems as:

"TOE CRA FOUR-UNIT SINGLE-FAMILY HOUSING PROJECT – TOWN FEES WAIVED PURSUANT TO RESOLUTION NO. 2026-51."

Where appropriate for accounting, auditing, or financial reporting purposes, the Town may record the amount of each fee that otherwise would have been assessed together with the corresponding waiver authorized by this Resolution.

SECTION 9. NO WAIVER OF DEVELOPMENT STANDARDS. The waiver of fees provided herein shall not constitute a waiver of any applicable building code, zoning requirement, land-development regulation, comprehensive-plan requirement, floodplain requirement, fire-safety requirement, engineering standard, utility standard, inspection requirement, or other substantive development standard. The four residential units shall remain subject to all applicable development, permitting, inspection, construction, life-safety, and certificate-of-occupancy requirements.

SECTION 10. PUBLIC PURPOSE. The Town Council hereby determines that the expenditure, foregone revenue, and municipal assistance represented by the fee waivers authorized herein serve a valid public purpose by supporting community redevelopment and facilitating construction of

new single-family housing within the Town. The Council further finds that the anticipated public benefits include neighborhood stabilization, productive reuse of CRA-owned residential property, expansion of housing opportunities, enhancement of the Town's residential tax base following disposition to private ownership, and implementation of the Town's and CRA's redevelopment objectives.

SECTION 11. CONFLICTS. All resolutions or portions of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

SECTION 12. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or provision of this Resolution is held invalid or unconstitutional by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Resolution.

SECTION 13. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption by the Town Council of the Town of Eatonville, Florida.

PASSED AND ADOPTED by the Town Council of the Town of Eatonville, Florida, this 6th day of October 2026.

**TOWN OF EATONVILLE,
FLORIDA**

By:

Ruthi Critton, Mayor

ATTEST:

Veronica King, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Town Attorney

EXHIBIT "A"

CRA FOUR-UNIT SINGLE-FAMILY HOUSING PROJECT

The fee waiver authorized by Resolution No. 2026-51 applies to the following CRA-owned residential properties:

Unit	Property Address	Parcel ID	Zoning	Proposed Use
1	<u>121 S. West St.</u>	<u>35-21-29-1352-12-070</u>	R-2	Single-Family Residence
2	<u>119 S. West St.</u>	<u>35-21-29-1352-12-080</u>	R-2	Single-Family Residence
3	<u>280 People St.</u>	<u>35-21-29-1352-12-010</u>	R-2	Single-Family Residence
4	<u>300 People St.</u>	<u>35-21-29-1352-12-020</u>	R-2	Single-Family Residence