



BUSINESS IMPACT ESTIMATE¹

Meeting Date: January 21, 2025

Agenda Item No. 13.C

Summary of Proposed Ordinance and Statement of Public Purpose to be Served

AN ORDINANCE OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING SECTION 5.22, "BURDEN OF SHOWING COMPLIANCE," OF THE UNIFIED LAND DEVELOPMENT CODE ("ULDC"), TO CLARIFY THE VILLAGE'S CONCURRENCY COMPLIANCE REQUIREMENT FOR PARKS AND OPEN SPACE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE

One of the changes introduced into the ULDC as part of the update conducted in 2022 was a concurrency compliance standard for parks and recreation facilities, which was added to Sec. 5.22, "Burden of Compliance," of Division 2, "Consistency and Concurrency Determinations," of Chapter 5, "Permits and Development Approvals" of the ULDC. In the time since the adoption of Ordinance No. 2024-004, the need has arisen to further clarify and improve the consistency between the language that was added to the ULDC via Ordinance No. 2024-004, and the original policy language found in the Comprehensive Plan.

To this effect, the proposed text amendment is intended to more accurately reflect the wording of the policies and to describe the kinds of uses and facilities that the Village generally will accept for the purposes of determining compliance. The amendment also clarifies the timing to demonstrate compliance, recognizing that the Village will achieve compliance incrementally. These clarifications will facilitate implementation of the compliance requirement and improve guidance to Staff and developers to determine the need for parks and recreational facilities in future or retrofitted projects.

Estimate of Direct Economic Impact on Private/For Profit Businesses

- a. Estimate of Direct Business Compliance Costs: There is no new or fixed cost associated with compliance. New development that impacts services provided by the Village is already required to demonstrate that the established levels of service standard (including parks) are met, and if not, to mitigate those impacts.
- b. New Charges/Fees on Businesses Impacted: Per above.
- c. Estimate of Regulatory Costs: Per above.

Good Faith Estimate of Number of Businesses Likely Impacted

Potentially impacted properties include those in the RM-70, RM-40, CG and T6 zoning districts, where future multifamily residential and mixed-use projects that accommodate additional net population are pursued, and which could, in turn and as a result, strain the Village's level of service for parks and recreation.

The properties where such projects could take place number approximately 80, not including those which received development approvals prior to the adoption of Ordinance No. 2024-004.

Any Additional Information:

None.



¹ Business Impact Estimate, to be amended on October 1, 2024, does not apply to the following:

1. Ordinances required for compliance with federal or state law or regulation;
2. Ordinances related 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/agreement;
5. Emergency ordinances;
6. Ordinances relating to procurement;
7. Ordinances enacted to implement the following:
 - a. Part II of Chapter 163, F.S.;
 - b. Sec. 190.005, F.S. and Sec. 190.046, F.S.;
 - c. Sec. 553.73, F.S. (Fla. Building Code);
 - d. Sec. 633.202, F.S. (Fla. Fire Prevention Code).