



BUSINESS IMPACT ESTIMATE¹

Meeting Date: March 18, 2025

Agenda Item No. 13.A

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

AN ORDINANCE OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, COMPREHENSIVELY AMENDING THE UNIFIED LAND DEVELOPMENT CODE TO MODIFY REGULATIONS RELATING TO SPECIAL AREA PLANS (SAPS); PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

The proposed amendment comprehensively modifies the procedures applicable to SAPs for the purpose of allowing greater flexibility in the allocation of development capacity and height within a SAP to incentivize and promote public waterfront access, to expand open space and to improve existing public parks in order to better address the recreational and open space needs of its residents.

SAPs allow the Village Commission to apply flexibility in the allocation of height and development capacity, after considering the massing, scale, orientation, architectural design, materials, roof lines, and landscaping elements, as balanced against the public benefit provided by the project, which may include, but is not limited to, contribution of civic spaces in excess of requirements, and/or monetary contribution for public facilities, infrastructure improvements, property acquisition, operational enhancements, and other benefits afforded by the project. The SAP process is beneficial to owners of properties of larger properties by allowing them to plan for their development in a comprehensive, coherent, cohesive manner, with greater design flexibility.

Only projects where the property meets a certain land area, in certain zoning districts, qualify to be reviewed as a Special Area Plan.

Estimate of Direct Economic Impact on Private/For Profit Businesses

- a. **Estimate of Direct Business Compliance Costs:** None. The SAP is an existing elective process and therefore does not compel compliance on any business, except those who qualify for and choose to avail themselves of this process.
- b. **New Charges/Fees on Businesses Impacted:** No new fees will be established.
- c. **Estimate of Regulatory Costs:** There are no additional regulatory costs anticipated by the adoption of the ordinance.

Good Faith Estimate of Number of Businesses Likely Impacted

The SAP is a discretionary process and does not impact businesses directly. On the other hand, the ordinance seeks to expand the applicability of the benefits of the current SAP provisions to include potentially qualifying properties in the RM-70 zoning district, where before the SAP process only applied to qualifying properties in the T6 zoning district. It is not possible to estimate the number of sites that could end up qualifying as a result of future land assembly efforts.

Any Additional Information:

SAPs encourage the master planning of assembled parcels that exceed specific thresholds, in order to provide greater integration of improvements and Infrastructure, to enable thoroughfare connectivity, to encourage a variety of building heights, massing and streetscape design, and to provide high quality design elements, to further the intent of the Village Code.



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).