



BUSINESS IMPACT ESTIMATE¹

Meeting Date: May 19, 2026	Date Posted: May 5, 2026	Agenda Item Number: 13.C.
<u>Title of Proposed Ordinance:</u>		
AN ORDINANCE OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING SECTION 8.11, "USE EXCEPTIONS" OF THE UNIFIED LAND DEVELOPMENT CODE (ULDC) TO PROVIDE FOR TEMPORARY USE SETBACK MODIFICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.		
<u>Applicable Exemptions²:</u>		
<p>This Business Impact Estimate is not required for ordinances that fall under the following exemptions:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The proposed ordinance is required for compliance with Federal or State law or regulation. <input type="checkbox"/> The proposed ordinance relates to the issuance or refinancing of debt. <input type="checkbox"/> The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget. <input type="checkbox"/> 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. <input type="checkbox"/> The proposed ordinance is an emergency ordinance. <input type="checkbox"/> The proposed ordinance relates to procurement. <input type="checkbox"/> The proposed ordinance is enacted to implement the following: <ul style="list-style-type: none"> <input type="checkbox"/> Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220-163.3243; <input type="checkbox"/> Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality; <input type="checkbox"/> Sections 190.005 and 190.046, Florida Statutes, regarding community development districts; <input type="checkbox"/> Section 553.73, Florida Statutes, relating to the Florida Building Code; or <input type="checkbox"/> Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code 		
<u>Summary of Proposed Ordinance and Statement of Public Purpose to be Served:</u>		
<p>The Ordinance creates a new subsection Section 8.11.E – Temporary Use Setback Modifications, which establishes a framework for limited, temporary relief from the required setback standards for certain temporary uses associated with active construction. Specifically, the amendment provides:</p> <ul style="list-style-type: none"> • The Village Commission with authority to approve modifications to required setbacks for temporary uses associated with active construction as part of a use exception approval. • That such modifications must be supported by a showing of practical difficulty, including but not limited to conflicts with the footprint of a project under development or other site constraints. • That applicants must provide mitigation measures to minimize potential impacts on adjacent properties, such as enhanced landscaping, buffering, or other comparable methods. • That setback modifications granted under this provision do not require a variance, as they are reviewed through the use exception process. • That any setback modification granted under this provision shall be: • Expressly limited to the duration of the approved temporary use, and 		

¹ This Business Impact Estimate is provided to comply with the requirements of Section 166.041(4), Florida Statutes. Please note that this Business Impact Estimate may be revised following its initial posting as new information or feedback becomes available.

² If one or more boxes are checked under this section, it indicates that the Village has determined that a business impact estimate is not required by state law for the proposed ordinance, but the Village is providing the business impact estimate as a courtesy.



- Automatically expire upon the removal or cessation of the temporary use, at which time the property must return to full compliance with all applicable setback requirements

Estimate of Direct Economic Impact on Private/For Profit Businesses:

a. Estimate of Direct Business Compliance Costs:

None.

b. New Charges/Fees on Businesses Impacted:

None.

c. Estimate of Regulatory Costs:

No new fees are proposed, however applicants will continue to pay the cost of application fees (including cost recovery) and permitting.

Good Faith Estimate of Number of Businesses Likely Impacted:

Businesses seeking temporary relief from the required setback standards for certain temporary uses associated with active construction. The Village estimates that at least 2 businesses (in this case, property owners) are likely to be impacted by the proposed ordinance.

Any Additional Information:

By allowing the setback modifications through the use exception process, the amendment avoids the need for applicants to pursue variances for short-term conditions. This streamlines the development review process, reducing administrative burden for both applicants and the Village, while ensuring that active development projects can proceed efficiently and without unnecessary delay, all while maintaining appropriate oversight and compliance with applicable development standards.