



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 Delray Beach's website by the time notice of the proposed enactment of the ordinance is published.

Proposed ordinance's title/reference:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.19, "MIXED INDUSTRIAL AND COMMERCIAL (MIC) DISTRICT," SUBSECTION (H), "SPECIAL REGULATIONS," MODIFYING THE PROHIBITION OF OVERHEAD DOORS FROM FACING A PUBLIC RIGHT-OF-WAY TO PROHIBIT OVERHEAD DOORS FROM FACING A MINOR ARTERIAL RIGHT-OF-WAY, RESIDENTIAL ZONING DISTRICT, OR RESIDENTIAL USE; AMENDING SECTION 4.4.20, "INDUSTRIAL (I) DISTRICT," SUBSECTION (H), "SPECIAL REGULATIONS," MODIFYING THE PROHIBITION OF OVERHEAD DOORS FROM FACING THE PUBLIC RIGHT-OF-WAY OF AN ARTERIAL OR COLLECTOR STREET TO PROHIBIT OVERHEAD DOORS FROM FACING A MINOR ARTERIAL RIGHT-OF-WAY, RESIDENTIAL ZONING DISTRICT, OR RESIDENTIAL USE; AND SECTION 4.4.26, "LIGHT INDUSTRIAL (LI) DISTRICT," SUBSECTION (H), "SPECIAL REGULATIONS," MODIFYING THE PROHIBITION OF OVERHEAD DOORS FROM FACING A PUBLIC RIGHT-OF-WAY TO PROHIBIT OVERHEAD DOORS FROM FACING A MINOR ARTERIAL RIGHT-OF-WAY, RESIDENTIAL ZONING DISTRICT, OR RESIDENTIAL USE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING 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, a business impact estimate is not required by state law¹ for 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. 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;

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

- b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality;
- c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, the City of Delray Beach 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):

The proposed ordinance modifies regulations for the use of overhead doors in certain industrial type zoning districts. The amendment is intended to support business operations of industrial type businesses by expanding the locations where overhead doors are permissible while protecting the public welfare by enacting certain prohibitions.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Delray Beach, 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 Delray Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

The proposed ordinance is anticipated to eliminate the need for waiver requests.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Any business seeking to expand or start business in the Mixed Industrial Commercial (MIC), Light Industrial (LI), or Industrial (I) zoning district will have an easier path to construct facilities through a by-right approval, rather than seeking relief.

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

No other information.

Date Reviewed by Legal
Date Reviewed by Finance

03 / 14 / 2025

Ord # 090 - 25