



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:

ORDINANCE NO. 21-24: 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 2, "ADMINISTRATIVE PROVISIONS," ARTICLE 2.6, "NOTICE REQUIREMENTS," SECTION 2.6.3, "REQUIRED PUBLIC NOTICE," BY ENACTING A NEW SUBSECTION (H), "WAIVERS" TO ADD PUBLIC NOTICE REQUIREMENTS FOR WAIVER REQUESTS THAT REQUIRE CITY COMMISSION APPROVAL, PROVIDING A CONFLICTS CLAUSE; PROVIDING 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. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;

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

- b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
- c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- d. 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 would require public notice requirements prior to Commission hearing of a request for approval of a waiver from the Land Development Regulations. This provides the public an opportunity to comment on development requests that may have an adverse impact.

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.

Any business that requests a waiver from development regulations would be required to pay postage to send notice to the properties within 500 feet of the subject property. A \$100 fee for each public notice placard would be required.

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

Unknown. Waivers from development regulations are not required; those who decide to pursue a waiver will have to pay for the public notice mailer and placards.

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

No additional information.