

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

TO: Mayor Steven Meiner and Members of the City Commission

FROM: Alina T. Hudak, City Manager *Rickelle Williams for*

MEETING DATE: January 31, 2024

SUBJECT: BUSINESS IMPACT ESTIMATE FOR:

**NORTH BEACH COMPREHENSIVE USE REGULATIONS
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF
MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY
OF MIAMI BEACH, BY AMENDING CHAPTER 7, ENTITLED "ZONING
DISTRICTS AND REGULATIONS," ARTICLE 3, ENTITLED "OVERLAY
DISTRICTS," AT SECTION 7.3.7, "ART DECO MIMO COMMERCIAL
CHARACTER OVERLAY DISTRICT," TO REMOVE THE "OCEAN
TERRACE/HARDING TOWNSITE AREA" FROM THE BOUNDARIES OF THE
OVERLAY; AND BY ESTABLISHING SECTION 7.3.10, ENTITLED "NORTH
BEACH COMMERCIAL CHARACTER OVERLAY" (1) TO INCORPORATE THE
PRE-EXISTING REGULATIONS FROM THE ART DECO/MIMO COMMERCIAL
CHARACTER OVERLAY THAT ARE APPLICABLE TO THE "OCEAN
TERRACE/HARDING TOWNSITE AREA," (2) TO PROVIDE LIMITS ON THE
NUMBER OF PACKAGE LIQUOR STORES, CHECK CASHING STORES,
CONVENIENCE STORES, AND TATTOO STUDIOS LOCATED NORTH OF
53RD STREET, AND (3) TO PROHIBIT TOBACCO AND VAPE DEALERS,
OCCULT SCIENCE ESTABLISHMENTS, VITAMIN STORES, PAWN SHOPS,
SOUVENIR AND T-SHIRT SHOPS, AND RELATED NUISANCE USES NORTH
OF 53RD STREET; PROVIDING FOR REPEALER; SEVERABILITY;
CODIFICATION; AND AN EFFECTIVE DATE.**

Is a Business Impact Estimate Required?

Yes **No** *(If no, please check one of the boxes below)*

If one or more boxes are checked below, this means the City of Miami Beach has determined that a Business Impact Estimate for the above-referenced Ordinance is not required by State law.

- 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 City;

- 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;
 - 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.

If none of the above exceptions apply, this Business Impact Estimate is hereby provided in accordance with Section 166.041(4), Florida Statutes.

1. A summary of the proposed Ordinance and its purpose is more fully set forth in the Commission Memorandum accompanying the Ordinance, as well as in the recitals to the Ordinance itself, which are attached hereto.

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

Not Applicable

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

Not Applicable

4. Additional comments: