



Business Impact Estimate

This form should be included in agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Key Colony Beach, Florida's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference:

Ordinance No. 2023-488 – Amending Chapter 101 to reduce setbacks for residential pools in the R-2B zoning district.

The City of Key Colony Beach, Florida (hereinafter "City") is of the view that the following exception(s) to the Business Impact Estimate requirement apply that are checked off in a box below apply to the above-referenced proposed ordinance, although the City is implementing the procedure required by statutory law to ensure that no inadvertent procedural issue could impact the enactment of the proposed ordinance.

- 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
- 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*. In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

Ordinance No. 2023-488 amends Article III, Chapter 101 of the Land Development Regulations related to reduction of setbacks for residential pools. Specifically amending sections 101-13 and 101-26 for the Land Development Regulations to provide for reduced setbacks for pools within the R-2B zoning district. Pool setbacks are intended to ensure the safety of residents and maintain the overall aesthetic of the area. The City Commissioner believes this proposed ordinance will further promote public health, safety, morals, and welfare by establishing appropriate setback regulations for the R-2B zoning district.

2. Estimate of direct economic impact of the proposed ordinance on private, for-profit businesses in the City:

The proposed ordinance will affect residential pools in the R-2B zoning district moving forward and will not be retroactive. There is no cost associated with moving current pools.

3. Estimate of direct compliance costs that businesses may reasonably incur:

These setbacks are for residential areas, they would not impact businesses in the R-2B zoning district.

4. Any new charge or fee imposed by the proposed ordinance:

There are no fees or charges associated by this proposed ordinance at this time. Any proposed future charge or fee will be subject to appropriate notice and due process.

5. Estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

The cost of a Variance Application fee is \$700.00.

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

Ordinance No. 2023-488 amends Article III Chapter 101 of the Land Development Regulations for residential pools. Therefore, businesses will not be impacted by the proposed ordinance.

7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above. For example: the City staff solicited comments from businesses in the City as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on the City's website, public workshop, etc. You may also wish to include efforts made to reduce the potential fiscal impact on businesses based on feedback from businesses. You may also wish to state here that the proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not impose costs only upon businesses.):

City Clerk will advise of any public comment received by the City on this matter.