

BAL HARBOUR

- V I L L A G E -

BUSINESS IMPACT STATEMENT

Proposed Ordinance Title:

AN ORDINANCE OF THE VILLAGE COUNCIL OF BAL HARBOUR VILLAGE, FLORIDA, AMENDING CHAPTER 8.5 "FLOOD DAMAGE PREVENTION", SECTION 8.5-2 "DEFINITIONS" OF THE CODE OF ORDINANCES; AMENDING CHAPTER 21 "ZONING", ARTICLES I - III TO AMEND DEFINITIONS, PROCEDURES, AND REGULATIONS RELATED TO HEIGHT; PROVIDING FOR CONFLICTS, SEVERABILITY, INCLUSION IN THE CODE, AND FOR AN EFFECTIVE DATE.

Summary of Proposed Ordinance and Statement of Purpose to be Served:

This Ordinance seeks to amend the Village Code to refine the regulations regarding height measurement and approval procedures for height increases. The key objectives of the ordinance are as follows:

1. Ensure Consistency in Height Measurement:

- Align the measurement of building height with the highest minimum elevation required by applicable county, state, or federal law.
- Define freeboard and establish a voluntary freeboard allowance at the level required by law.

2. Implement Public Scrutiny and Council Oversight for Height Changes:

- Require a discussion item at a regular Village Council meeting before any proposal to increase height moves forward.
- Require the Local Planning Agency (LPA) public hearing to be conducted before the first reading by the Village Council.
- Require a supermajority (4/5) vote of the Village Council to approve both first and second readings of height-related amendments.

3. Establish Height Limits for Municipal Buildings:

- Introduce a maximum height limit of 56 feet for municipal buildings, applicable regardless of zoning district or location.

These measures are designed to enhance transparency, maintain community engagement, and provide clear, consistent guidelines for future zoning and development decisions while ensuring alignment with state and federal regulations.

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

- Estimate of Direct Business Compliance Costs:** There are no anticipated direct compliance costs.
- New Charges/Fees on Business Impacted:** The ordinance does not introduce new charges or fees for businesses.
- Estimate of Regulatory Cost:** The ordinance does not impose additional costs on the Village beyond administrative review and implementation.

Good Faith Estimate of Number of Businesses Likely Impacted:

There are approximately 110 businesses within the Business District. There is no expectation that these businesses would be impacted by the changes proposed by this ordinance. While this ordinance is primarily focused on zoning procedures and municipal building regulations, it does provide cost-saving benefits for businesses and developers who may seek height-related modifications in the future. Businesses considering redevelopment or expansion stand to save both time and money under the new ordinance, as it replaces the costly and time-consuming referendum process with a more structured and efficient approval system, while still ensuring public and Council oversight for transparency.