



## **Business Impact Estimate**

Proposed ordinance's title/reference:

Ordinance No. 621 – Regulation of Smoke Shops, Smoking Lounges, Tobacco Shops, CBD shops, and Hemp Food Establishments.

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA PROHIBITING SMOKE SHOPS, SMOKING LOUNGES, TOBACCO SHOPS, CBD SHOPS, AND HEMP FOOD ESTABLISHMENTS FROM EVERY ZONING DISTRICT IN THE CITY EXCEPT THE INDUSTRIAL DISTRICT; PROHIBITING THOSE SAME ESTABLISHMENTS FROM BEING WITHIN A CERTAIN DISTANCE FROM A CHURCH OR SCHOOL. AMENDING THE USES PERMITTED UNDER LAND DEVELOPMENT REGULATION SECTION 3.11 INDUSTRIAL DISTRICT; AND AMENDING LAND DEVELOPMENT REGULATIONS SECTION 3.20 NONCONFORMING USES; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with Section 166.041(4), *Florida Statutes*. If one or more of the boxes are checked below, the checked exception(s) to the Business Impact Estimate requirement apply to the above-referenced proposed ordinance, although, the City is implementing the procedure otherwise required by 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):

The proposed ordinance is intended to require any future businesses which are defined in the ordinance to only be allowed in the industrial zoning district. The purpose of the ordinance is to protect the public health, safety, morals and welfare of the residents of and visitors to the City.

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

This ordinance is expected to have very little impact to the current private for profit businesses in the City.

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

Ther ordinance will not effect the direct compliance costs for businesses.

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

N.A.

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

N.A.

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

The ordinance has the potential to effect the two current businesses that fit the business definitions contained in the ordinance if they close for a period of more than 30 days.

7. Additional information (if any, but may wish to include the methodology used to derive information for #1 and #2, above. For example: 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 City 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.):