BUSINESS IMPACT ESTIMATE[i]

In Accordance with Section 166.041(4), Florida Statutes

Ordinance Title

AN ORDINANCE OF THE CITY OF HOMESTEAD, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES BY AMENDING CHAPTER 30, "ZONING," ARTICLE IV, "SUPPLEMENTAL REGULATIONS," DIVISION I, "IN GENERAL," SECTION 30-419, "SIDEWALK CAFÉ AND OPEN-AIR CAFÉ," TO PERMIT OPEN-AIR CAFÉS AS A PERMITTED ACCESSORY USE TO RESTAURANTS LOCATED WITHIN THE LIBERAL BUSINESS (B-3), LIGHT INDUSTRIAL (I-1), MEDIUM INDUSTRIAL (I-2), AND HEAVY INDUSTRIAL (I-3) ZONING DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 30-419 of the City Code currently permits sidewalk cafés and open-air cafés as ancillary uses operated in conjunction with restaurants located within the Restricted Retail Commercial (B-1) and Retail Commercial (B-2) zoning districts, subject to the restrictions and conditions established in the section. Restaurants and other food-service establishments are also permitted principal uses within the Liberal Business (B-3), Light Industrial (I-1), Medium Industrial (I-2), and Heavy Industrial (I-3) zoning districts; however, the Code does not expressly permit open-air cafés as an ancillary use within those districts.

The proposed Ordinance amends Section 30-419 to permit open-air cafés as an ancillary use operated in conjunction with restaurants located within the B-3, I-1, I-2, and I-3 zoning districts, subject to the existing restrictions and conditions applicable to open-air cafés. The amendment applies only to open-air cafés and does not extend sidewalk cafés to these additional zoning districts.

Estimate of Direct Economic Impact on Private/For Profit Businesses

a. Estimate of Direct Business Compliance Costs: None

b. New Charges/Fees on Businesses Impacted: None

c. Estimate of Regulatory Costs: None

Good Faith Estimate of Number of Businesses Likely Impacted:

Unquantifiable; business owners who would like to open an open-air café in B-3, I-1, I-2, and I-3 zoned district will be permitted to open such an establishment as an ancillary use to a restaurant.

Any Additional Information:

[i] **Business Impact Estimate does not apply to the following**:

1. Ordinances required for compliance with federal or state law or regulation;
2. Ordinances related to the issuance or refinancing of debt;
3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
4. Ordinances required to implement a contract/agreement;
5. Emergency ordinances;
6. Ordinances relating to procurement, including but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by a municipal government;
7. Ordinances enacted to implement the following:
    a. Part II of Chapter 163, F.S. (Development orders, development permits, or development agreements, as defined in s. 163.3164, and pursuant to Florida Local Government Development Agreement Act);
    b. Sec. 190.005, F.S. and Sec. 190.046, F.S. (community development districts);
    c. Sec. 553.73, F.S. (Fla. Building Code);
    d. Sec. 633.202, F.S. (Fla. Fire Prevention Code).