

Business Impact Estimate

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

Proposed ordinance's title/reference:

ORDINANCE NO. 2023-10

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 16, ARTICLE I, IN GENERAL, SECTION 16-1, DEFINITIONS; ARTICLE III, DISTRICT REGULATIONS, DIVISION 8, OFFICE, PROFESSIONAL AND INSTITUTIONAL (OPI), SECTION 16-425; DIVISION 9, COMMERCIAL NEIGHBORHOOD (CN), SECTION 16-450; DIVISION 10, COMMERCIAL GENERAL (CG), SECTION 16-475; DIVISION 11, COMMERCIAL INTENSIVE (CI), SECTION 16-500; DIVISION 14, MIXED DEVELOPMENT (MXD), SECTION 16-546; DIVISION 15, MIXED USE DEVELOPMENT – OFFICE (MXD-O), SECTION 16-562; AND DIVISION 16, MIXED USE DEVELOPMENT – ORIGINAL SECTION (MXD-OS), SECTION 16-577; CREATING CHAPTER 9, MISCELLANEOUS OFFENSES, DIVISION 1, SECTION 9-10; PROHIBITING THE DISPENSING OF MEDICAL MARIJUANA WITHIN THE CITY; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 16, ZONING REGULATIONS, SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING FOR NONCONFORMING USES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; 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 boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ 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;

¹ See Section 166.041(4)(c), Florida Statutes.

- ☐ 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 municipal government;
- ☐ 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 a statement of the public purpose, such as serving the public health, safety, morals and welfare):

The Florida legislature may legalize recreational use of marijuana with the state. If legalized, existing Medical Marijuana Treatment Center Dispensing Facilities may be authorized to dispense recreational marijuana. The proposed ordinance is intended to protect the health, safety, and general welfare within the City by avoiding the proliferation of additional Medical Marijuana Treatment Center Dispensing Facilities, consistent with section 381.986, Florida Statutes, and potentially future dispensing of recreational marijuana within the City.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur:

None. Existing, lawfully operating Medical Marijuana Dispensing Facilities may continue to operate as non-conforming uses.

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible:

None.

(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:

None. Existing, lawfully operating Medical Marijuana Dispensing Facilities may continue to operate as non-conforming uses.

4. Additional information the governing body deems useful (if any):

Not applicable.