



City of North Miami Beach, Florida

Community Development Department

Business Impact Estimate

This form shall 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 of North Miami Beach website by the time notice of the proposed ordinance is published.

Ordinance Title:

AN ORDINANCE OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING CHAPTER XXIV, "ZONING AND LAND DEVELOPMENT", TO CREATE ARTICLE XX ENTITLED "PUBLIC ARTS".

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, the City of North Miami Beach is of the view that a business impact estimate is not required by state law for the proposed ordinance, but the City of North Miami Beach is 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
- ☐ Related to the issuance or refinancing of debt
- ☐ Related to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget
- ☐ 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
- ☐ An emergency ordinance
- ☐ Related to procurement
- ☒ Enacted to implement the following:
 - a. Development orders and development permits as defined in s. 163.3164 and development agreements, as authorized 163.3220 – 163.3243
 - b. Comprehensive plan amendments or land development regulation amendments initiated by private party application
 - c. Sections 190.005 and 190.046, Florida Statutes, regarding Community Development Districts
 - d. Section 553.73, Florida Statutes, relating to the Florida Building Code
 - e. 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 of North Miami Beach 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 ordinance establishes a regulatory framework to integrate public art into private and public development projects, promote cultural identity, and enhance the quality of the built environment throughout the City. It includes provisions for on-site installation or an in-lieu fee, creation of a Public Arts Selection Committee, a call-to-artists process for City-sponsored installations, and mechanisms for long-term funding and maintenance.

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

- a. An estimate of direct compliance costs that businesses may reasonably incur

Requires developers of new or redevelopment projects valued at \$5,000,000 or more in specified land use categories to either:

- Install public art valued at 0.5% of total project cost.
- Pay an in-lieu public art fee (minimum of \$25,000).
- Applies to private and public capital projects within Business, Community Facility, Industrial, Recreation/Open Spaces and Mixed-Use zoning districts.

These cost are predictable, capped, and scalable relative to project valuation, and comparable to public art requirements in neighboring jurisdictions.

- b. Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible

N/A

- c. An estimate of the City of North Miami Beach regulatory costs, including estimated revenues from any new charges or fees to cover such costs

N/A

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

N/A

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

Positive Impacts:

- Creates new economic opportunities for *local artists, art consultants, curators, and fabricators*.
- Enhances property values by improving aesthetics and placemaking.
- Contributes to the City's cultural tourism, benefiting local retailers, restaurants, and service-based businesses.
- Aligns with broader economic development goals related to walkability, branding and urban design.

Statement of Conclusion:

The ordinance has been crafted to minimize adverse impact on businesses while generating long-term economic and cultural benefits for the community. By offering compliance flexibility and aligning art contributions with project value, the ordinance ensures that costs are proportionate, predictable, and not overly burdensome. Staff finds the ordinance to be in the best interest of the City's business climate and quality of life.