



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:

ORDINANCE NO. 2025-08

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER XXIV ENTITLED "ZONING AND LAND DEVELOPMENT" SECTION 24-22, "DEFINITION" TO MODIFY THE EXISTING DEFINITION TERM "RETAIL USES (GENERAL RETAIL)" AND TO CREATE A NEW DEFINITION TERM "RETAIL SMOKE SHOP" AND CREATE A NEW DEFINITION TERM "DISTANCE SEPARATION MEASUREMENT"; AMENDING ARTICLE V "ZONING USE DISTRICTS" TO ADD "RETAIL SMOKE SHOP" AS A CONDITIONAL USE TO THE PERMITTED AND CONDITIONAL USES LISTED IN THE B-3 INTENSIVE BUSINESS DISTRICT, B- 4 DISTRIBUTION BUSINESS DISTRICT, B-5 DISTRIBUTION BUSINESS AND MEDIUM INDUSTRIAL DISTRICT, FULFORD MIXED-USE TOWN CENTER DISTRICT (MU/TC), MIXED-USE EMPLOYMENT CENTER DISTRICT (MU/EC), AND INTERNATIONAL BOULEVARD DISTRICT (MU/IB); PROVIDING FOR CODIFICATION, CONFLICTS, SCRIVENER'S ERRORS, 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 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



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Related to procurement

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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):

This ordinance proposes amendments to the City's Land Development Code to establish guidelines for the operation of "Retail Smoke Shops" as a Conditional Use. The amendment seeks to define "Retail Smoke Shop" clearly and implement land development regulations, including specific definitions, distance separation requirements, and designated areas for such establishments. The primary goal is to ensure that retail smoke shops operate in compliance with zoning and land use standards, while also addressing public health, safety, and community welfare concerns.

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

None

- 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 of North Miami Beach regulatory costs, including estimated revenues from any new charges or fees to cover such costs

None

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

None

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

Existing grandfathered retail smoke shop businesses with an active Business Tax Receipt (BTR) on file with the City will not need to adhere to the requirements of this text amendment ordinance and provisions unless the business tax on file has expired therefore this ordinance shall be executed effective immediately. Medical marijuana dispensary/medical marijuana treatment centers shall be treated separately from Retail Smoke Shops (Tobacco sales) and shall comply with any required state and/or federal state legislature.