

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Alex Fernandez
DATE: January 31, 2024

SUBJECT: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE AND THE PLANNING BOARD - AMEND HEIGHT AND OTHER DEVELOPMENT REGULATIONS IN THE RESILIENCY CODE FOR ZONING DISTRICTS IN NORTH BEACH IN ORDER TO PROTECT THE CHARACTER OF THE NEIGHBORHOOD, INCLUDING NORTH BEACH HISTORIC DISTRICTS.

RECOMMENDATION

Please place the above item on the January 31, 2024 meeting agenda as a joint referral to the Land Use and Sustainability Committee ("LUSC") and Planning Board.

On September 13, 2023, the City Commission referred an item (which I sponsored along with several of my colleagues) to the Planning Board to amend height and other regulations in South Beach in order to protect the character of Ocean Drive and the City's historic districts in South Beach, in light of the Legislature's adoption of the Live Local Act. Under the Live Local Act, local governments may not restrict the height of a proposed development "below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher."

On October 24, 2023, and pursuant to the City Commission referral, the Planning Board held a public hearing and transmitted a proposed Ordinance to the City Commission with a favorable recommendation, thereby initiating zoning in progress. The Ordinance, which modifies height limits and setback requirements in areas of the City located south of 23rd Street, is pending before the City Commission for First Reading.

Similar to the Commission's approach for South Beach, I would like the LUSC and to discuss whether amendments to the land development regulations for North Beach are necessary in order to protect the character of North Beach neighborhoods and its historic districts. Any such amendments should take into account any modifications to the Live Local Act that the Legislature may adopt this session. Additionally, any amendments must be drafted in a manner that is sensitive to the City Commission's vision for the North Beach Town Center, and that does not limit a property owner's ability to construct the property's zoned floor area ratio ("FAR").

Once the LUSC transmits its recommendation, I request that an Ordinance be transmitted to the Planning Board.

SUPPORTING SURVEY DATA

na

FINANCIAL INFORMATION

na

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Commissioner Alex Fernandez