

**OPTION 1:
COMMISSIONER ROSEN GONZALEZ'S PROPOSAL**

SUBJECT: RESOLUTION CALLING CITY'S NOVEMBER 8, 2016 SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH A QUESTION ASKING WHETHER CITY CHARTER SECTION 1.03 SHOULD BE AMENDED BY ADDING A NEW SECTION 1.03(f) REQUIRING ANY INCREASE IN ZONED BUILDING HEIGHT FROM ITS MAXIMUM HEIGHT AS OF ADOPTION OF THIS CHARTER AMENDMENT, EXCEPT FOR VARIANCES GREATER THAN THREE FEET AND HEIGHT REGULATION EXCEPTIONS IN CITY CODE SECTION 142-1161 IN EXISTENCE ON JANUARY 1, 2016, UNLESS ANY SUCH INCREASE IN ZONED HEIGHT IS ENACTED BY AN AFFIRMATIVE VOTE OF SIX-SEVENTHS OF ALL MEMBERS OF THE CITY COMMISSION.

The attached Resolution has been prepared calling for a City of Miami Beach Special Election to be held on November 8, 2016 for the purpose of submitting to the City's voters the following ballot question:

CITY CHARTER AMENDMENT

Sec. 1.03 of the Miami Beach City Charter shall be amended as follows (underscore denotes additions; strike through denotes deletions):

Sec. 1.03. – Powers of city.

* * *

(f) The maximum building height in any zoning district within the City of Miami Beach shall not be increased by zoning or land development regulation, text or map amendment, transfer, or any other means from its current maximum building height as it exists on the date of adoption of this Charter Amendment, except for variances no greater than three feet, and height regulation exceptions in City Code section 142-1161 in existence on January 1, 2016, unless any such increase in maximum building height shall first be approved by a vote of the electors of the City of Miami Beach is enacted by an affirmative vote of six-sevenths of all members of the city commission. This provision is effective on the date of its approval by the electors of Miami Beach.

Examples:

Subpart A – CHARTER

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Sec. 1.03. - Powers of city.

...

(b) Alienability of property.

...

4. The sale, exchange, conveyance or lease of ten years or longer of all remaining City-owned property (other than public beach rights-of-way — see (d) herein below, and other than those properties addressed more specifically in this Charter section 1.03) shall, as provided by Ordinance, require approval by a majority 4/7 vote of all members of the Planning Board **and 6/7 vote of the City Commission**. The sale, exchange, conveyance or lease of ten years or longer of property owned by the Miami Beach Redevelopment Agency (Agency) shall require approval by a majority 4/7 vote of all members of the Planning Board and 7/8 vote of the Agency.

LDRs

ARTICLE III. - AMENDMENT PROCEDURE

Sec. 118-164. - Action by city commission.

(4) **An affirmative vote of five-sevenths of all members of the city commission** shall be necessary in order to enact any amendment to these land development regulations.