


MIAMI BEACH

OFFICE OF THE CITY CLERK

382-2023

LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission
FROM: Rafael E. Granado, City Clerk 
DATE: August 31, 2023

SUBJECT: Ad Hoc Advisory Charter Review and Revision Board - ("Charter Review Board") - Motion Regarding Charter Sec. 1.03(c)

On May 17, 2023, and at the request of Commissioner Alex Fernandez, the City Commission referred the following item to the Ad Hoc Advisory Charter Review and Revision Board ("Charter Review Board"):

REFERRAL TO THE AD HOC ADVISORY CHARTER REVIEW AND REVISION BOARD – CONSIDER WHETHER TO AMEND THE LAND DEVELOPMENT REGULATIONS TO REQUIRE A 6/7TH VOTE OF THE CITY COMMISSION PRIOR TO ADOPTING ANY FUTURE INCREASE TO THE ZONED FLOOR AREA RATIO ("FAR") OF ANY PROPERTY IN THE CITY, IN THE EVENT THAT FLORIDA GOVERNOR RON DESANTIS SIGNS SENATE BILL 718 INTO LAW, WHICH WOULD PROHIBIT ANY INITIATIVE OR REFERENDUM PROCESS IN REGARD TO A LAND DEVELOPMENT REGULATION, THEREBY LIMITING THE CITY'S ABILITY TO CALL A REFERENDUM FOR FUTURE FAR INCREASES PURSUANT TO CITY CHARTER SECTION 1.03(C).

The Charter Review Board discussed the above referral on June 13th, August 1st, and August 29th as part of its ongoing review of City Charter Section 1.03(c), pertaining to increases in floor area ratio ("FAR").

On August 29th, the Charter Review Board voted unanimously to recommend that the City Commission adopt the Ordinance creating a process for the review of future increases in FAR, which is currently scheduled for First Reading on September 13, 2023. The Board also recommended that the Commission include a reasonable timeframe in the Ordinance for the review of each FAR increase; and that the City Commission's voting requirement for FAR increases remain at the current supermajority 5/7ths vote.