

COMMISSION MEMORANDUM

TO: Mayor Steven Meiner and Members of the City Commission

FROM: Rafael A. Paz, City Attorney



DATE: April 3, 2024

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RELATING TO COMMISSION COMMITTEES, AND AMENDING AND RESTATING RESOLUTION NO. 94-21382 (AS AMENDED BY RESOLUTION NOS. 97-22607, 98-22693, 2003-25446, 2013-28437, 2015-28905, 2015-28962, 2019-31107, AND 2024-32896), TO REQUIRE THAT ANY AMENDMENTS TO THE COMPREHENSIVE PLAN OR LAND DEVELOPMENT REGULATIONS THAT ARE INITIATED BY THE CITY COMMISSION FIRST BE REFERRED TO THE LAND USE AND SUSTAINABILITY COMMITTEE ("LUSC"), PRIOR TO REFERRAL TO THE PLANNING BOARD OR AS A JOINT REFERRAL TO THE LUSC AND PLANNING BOARD, SUBJECT TO WAIVER BY THE CITY COMMISSION ON A SIX-SEVENTHS (6/7THS) VOTE.**

The attached Resolution has been placed on the April 3, 2024 City Commission meeting agenda at the request of Commissioner Alex Fernandez. The Resolution amends Resolution No. 94-21382 (as amended by Resolution Nos. 97-22607, 98-22693, 2003-25446, 2013-28437, 2015-28905, 2015-28962, 2019-31107, and 2024-32896), which is known as the Commission Committee Resolution.

The Planning Board, as the City's Land Planning Agency (pursuant to Ch. 163, Florida Statutes) is required to review all amendments to the Comprehensive Plan and Land Development Regulations ("LDRs"). In addition to Planning Board review, the City Commission's longstanding practice is to also refer Comprehensive Plan and LDR amendments to the Land Use and Sustainability Committee ("LUSC") of the City Commission, for policy input/direction before draft legislation is referred to the Planning Board. In limited circumstances, the City Commission has referred amendments directly to the Planning Board.

The purpose of this Resolution is to codify the City's longstanding practice and require that any future amendment to the Comprehensive Plan or LDRs that is initiated by the City Commission shall be referred to the LUSC, prior to referral to the Planning Board, or shall jointly be referred to the LUSC and Planning Board. The City Commission may waive the requirement by a six-sevenths (6/7ths) vote.

RAP/NK/sp