

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: April 23, 2025 9:30 a.m. Second Reading Public Hearing

TITLE: HOUSING IMPACT STATEMENT REQUIREMENT FOR DEVELOPMENT APPLICATIONS - LDR AMENDMENT
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "MIAMI BEACH RESILIENCY CODE," BY AMENDING CHAPTER 1, ENTITLED "GENERAL PROVISIONS," ARTICLE II, ENTITLED "DEFINITIONS," SECTION 1.2.2, ENTITLED "USE DEFINITIONS," AT SUBSECTION 1.2.2.1, ENTITLED "RESIDENTIAL," BY CREATING A DEFINITION FOR "HOUSING IMPACT STATEMENT"; AND BY AMENDING CHAPTER 2, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE V, ENTITLED "REZONINGS AND DEVELOPMENT APPROVALS," AT SECTIONS 2.5.2, "CONDITIONAL USE," AND 2.5.3, "DESIGN REVIEW," TO AMEND THE PLANNING BOARD AND DESIGN REVIEW BOARD APPLICATION REQUIREMENTS AND REVIEW CRITERIA TO INCLUDE A HOUSING IMPACT STATEMENT; AND BY AMENDING ARTICLE VIII, ENTITLED "VARIANCES," TO AMEND THE BOARD OF ADJUSTMENT APPLICATION REQUIREMENTS AND REVIEW CRITERIA TO INCLUDE A HOUSING IMPACT STATEMENT; AND BY AMENDING ARTICLE XIII, ENTITLED "HISTORIC PRESERVATION," AT SECTION 2.13.7, "ISSUANCE OF A CERTIFICATE OF APPROPRIATENESS/CERTIFICATE TO DIG/CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION," TO AMEND THE HISTORIC PRESERVATION BOARD APPLICATION REQUIREMENTS AND REVIEW CRITERIA TO INCLUDE A HOUSING IMPACT STATEMENT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission (City Commission) adopt the ordinance.

BACKGROUND/HISTORY

On September 11, 2024, at the request of Commissioner Alex Fernandez, the City Commission referred an item (C4 U) to the Land Use and Sustainability Committee (LUSC) pertaining to the establishment of a mandatory housing impact statement as part of land use board applications. On October 10, 2024, the LUSC discussed the proposal and recommended that the City Commission refer an ordinance amendment to the Planning Board in accordance with the recommendations in the LUSC memorandum.

On November 20, 2024, at the request of Commissioner Alex Fernandez, the City Commission referred the ordinance (C4 N) to the Planning Board. The item is co-sponsored by Commissioner Joseph Magazine.

ANALYSIS

The attached ordinance amends the Land Development Regulations of the City Code (LDRs). Specifically, Chapter 1 of the LDRs is proposed to be amended to create a definition for a housing impact statement, and Chapter 2 of the LDRs will be amended to create a requirement for a housing impact statement in the application requirements and review criteria for all land use boards. A corresponding amendment to the Comprehensive Plan is also proposed, as a separate ordinance.

The housing impact statement would be provided for tracking purposes and to inform future policy discussions of the board and/or the City Commission but may not serve as a basis for the approval or denial of a conditional use application.

PLANNING BOARD REVIEW

On January 7, 2025, the Planning Board held a public hearing and transmitted the proposed ordinance to the City Commission with a favorable recommendation (7-0).

UPDATE

The subject ordinance was approved at First Reading on February 3, 2025 with no changes.

FISCAL IMPACT STATEMENT

No Fiscal Impact Expected

Does this Ordinance require a Business Impact Estimate? Yes
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on: 3/19/2025
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

Not Applicable

CONCLUSION

The Administration recommends that the City Commission adopt the ordinance.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Planning

Sponsor(s)

Commissioner Alex Fernandez
Commissioner Joseph Magazine

Co-sponsor(s)

Condensed Title

9:30 a.m. 2nd Rdg, Housing Impact Statement Req-Dev Applic-LDR Amendment. (AF/JM) 5/7

Previous Action (For City Clerk Use Only)

First Reading Public Hearing on 2/3/2025 - R5 W