

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: February 3, 2025 11:20 a.m. First Reading Public Hearing

TITLE: COURTESY NOTICE REQUIREMENTS FOR RESIDENTIAL TENANTS
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," CHAPTER 2, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE II, ENTITLED "GENERAL DEVELOPMENT APPLICATION AND HEARING PROCEDURES," SECTION 2.2.4, ENTITLED "PUBLIC HEARING," SECTION 2.2.4.1, ENTITLED "PUBLIC NOTIFICATION," BY CREATING A COURTESY NOTICE REQUIREMENT SPECIFIC TO RESIDENTIAL TENANTS OF PROPERTIES THAT ARE THE SUBJECT OF A CITY LAND USE BOARD APPLICATION; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission (City Commission) approve the subject ordinance at First Reading and schedule a Second Reading public hearing for April 23, 2025.

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 notice requirements for tenants of residential buildings. On October 14, 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 L) to the Planning Board. The item is co-sponsored by Commissioners Tanya K. Bhatt and Joseph Magazine.

ANALYSIS

Currently, the Land Development Regulations of the City Code (LDRs) require a notice for land use board applications be mailed to all property owners within 375 feet of the property that is the subject of the application. However, there is no requirement for a notice to be provided to residential tenants of a building if they are not the unit owner.

The attached draft ordinance amends Chapter 2 of the LDRs to create a courtesy notice requirement, which would apply to all land use boards, for tenants of residential units, including a link to a housing impact statement. The proposed ordinance is largely ministerial, and the additional mailing labels required would be the responsibility of future land use board applicants.

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).

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:

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 approve the subject ordinance at First Reading and schedule a Second Reading public hearing for April 23, 2025.

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

Co-sponsor(s)

Commissioner Tanya K. Bhatt
Commissioner Joseph Magazine

Condensed Title

11:20 a.m. 1st Rdg PH, Courtesy Notice Requirements for Residential Tenants. (AF/TB/JM) 5/7

Previous Action (For City Clerk Use Only)