

HOTEL APPROVAL PROCESS

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH RESILIENCY CODE, BY AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION AND REVIEW PROCEDURES,” ARTICLE VII, ENTITLED “COMMISSION WARRANT,” TO CREATE SECTION 2.7.2, ENTITLED “HOTEL APPROVAL PROCEDURES” AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, hotel development has the potential to adversely impact the availability of existing affordable and work force housing, city infrastructure, and resident quality of life; and

WHEREAS, the City of Miami Beach (“City”) recognizes that additional review of new hotel projects is necessary to mitigate these potential adverse impacts; and

WHEREAS, on September 5, 2024, the Land Use and Sustainability Committee discussed the item and issued a favorable recommendation; and

WHEREAS, the City has the authority to enact laws which promote the public health, safety, general welfare, and morals of its citizens; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

SECTION 1. Chapter 2, entitled “Administration and Review Procedures,” Article VII, entitled “Commission Warrant”, is hereby amended as follows:

2.7.2 HOTEL APPROVAL PROCEDURES

Where authorized in the underlying zoning district or overlay district, and in accordance with all applicable regulations set forth in such zoning district or overlay district, the City Commission may grant a warrant for hotel use.

- a. Applicability. Approval from the City Commission shall be required prior to the review of any Land Use Board application or the approval of any building permit for a hotel, suite hotel, apartment hotel or hostel that includes new construction and/or the conversion of existing floor area to a transient hotel use.
- b. Exemptions. Notwithstanding Section 7.7.2(a), where authorized in the underlying zoning district or overlay district, hotel use shall not require a review under this section if the hotel is proposed to be located on an oceanfront property.
- c. The warrant shall be granted by resolution of the city commission, and an affirmative vote of five-sevenths of all members of the city commission shall be necessary in order to

approve such resolution. The procedure for granting a warrant shall require a public hearing by the commission prior to the acceptance of an application to the planning board, design review board or historic preservation board, as applicable, and noticed in accordance with the notice requirements of the planning board, design review board or historic preservation board.

- d. In reviewing an application for a commission warrant, the commission shall consider the following criteria:
1. Whether the proposed hotel use is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.
 2. Whether the hotel will negatively affect the availability of existing affordable and work force housing.
 3. Whether the proximity of the proposed hotel to residential uses will create adverse impacts and how such impacts are mitigated.
 4. Whether adequate off-street parking and loading spaces will be provided.
 5. The impact of the employees of the hotel development on the demand in the city for housing, public transit, childcare and other social service taking into consideration the impact of the part-time or seasonal nature of work at the hotel and the hotel employees' classifications.
 6. The impact of the hotel on existing infrastructure based on its operational plan including the number of employees, number of guests and proposed accessory uses.
 7. Whether the applicant will take measures to employ residents of neighborhoods adjoining the hotel development project in order to minimize increased demand for regional transportation and to reduce demand for vehicle trips and vehicle miles traveled.
 8. Whether the applicant will take measures to encourage hotel workers and guests to use public transportation, micromobility and other non-automotive means of transportation.
 9. Whether the hotel development will support small businesses in the immediate vicinity and whether the applicant will adopt any measures to increase demand for local goods and services.

SECTION 2. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 3. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such

