

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: November 20, 2024 10:40 a.m. Second Reading Public Hearing

TITLE: ACCESSIBILITY RAMPS IN SINGLE FAMILY DISTRICTS  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH RESILIENCY CODE, AT CHAPTER 7, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE 2, "DISTRICT REGULATIONS," SECTION 7.2.2, ENTITLED "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," TO AMEND THE DEVELOPMENT REGULATIONS FOR ACCESSIBILITY WALKWAYS AND RAMPS IN SINGLE-FAMILY DISTRICTS; 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 February 21, 2024, at the request of Commissioner Alex Fernandez, the Mayor and City Commission referred a discussion item pertaining to accessible walkways and ramps in single family zoning districts (Item C4 K) to the Land Use and Sustainability Committee (LUSC). On March 19, 2024, the LUSC discussed the item and recommended that the City Commission refer an ordinance amendment to the Planning Board in accordance with the text changes proposed in the LUSC memorandum. On May 15, 2024, at the request of Commissioner Alex Fernandez, the City Commission referred the ordinance ( Item C4 Z) to the Planning Board.

### **ANALYSIS**

Under the single-family development regulations in the Land Development Regulations of the City Code (LDRs), ramps and walkways are a limited allowable encroachment within a required yard, up to the first habitable level of a home. However, within single-family districts walkways or ramps providing access to the first habitable level of a home may not exceed a maximum projection of 25% into the required yard, and at least 50% of the front yard and side yard facing a street must be sodded or landscaped pervious open space.

While ramps and walkways can easily comply with these setback and open space requirements when part of a new home, it can be challenging for older homes to meet these requirements. To address this issue comprehensively, the attached LDR amendment, as recommended by the LUSC, provides an exception from these requirements for accessible ramps on existing single-family properties.

### **PLANNING BOARD REVIEW**

On June 25, 2024, the Planning Board held a public hearing and transmitted the proposed ordinance to the City Commission with a favorable recommendation (6-0). The Planning Board

also recommended that the applicability date in the ordinance be changed from January 1, 2024 to the effective date of the ordinance. This change has been included in the attached ordinance.

**UPDATE**

The subject ordinance was approved at First Reading on September 11, 2024, with no changes.

**FISCAL IMPACT STATEMENT**

No Fiscal Impact Expected

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

The Business Impact Estimate (BIE) was published on: 8/14/2024. See BIE at <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

**FINANCIAL INFORMATION**

N/A

**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

**Co-sponsor(s)**

Commissioner Laura Dominguez

**Condensed Title**

10:40 a.m. 2nd Rdg, Accessibility Ramps in Single Family Districts. (Fernandez/Dominguez) PL  
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