

# MIAMI BEACH

## COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: February 20, 2025

TITLE: DISCUSS AMENDING THE LAND DEVELOPMENT REGULATIONS TO PROVIDE RELIEF FROM THE CITY'S LANDSCAPING REQUIREMENTS FOR RENOVATIONS TO SINGLE-FAMILY HOMES THAT EXCEED 50% OF THE VALUE OF THE EXISTING BUILDING.

### **RECOMMENDATION**

The Administration recommends that the Land Use and Sustainability Committee (LUSC) endorse the proposed amendment to the Land Development Regulations of the City Code (LDRs) and recommend that the Mayor and City Commission (City Commission) refer a draft ordinance to the Planning Board.

### **BACKGROUND/HISTORY**

On December 11, 2024, at the request of Commissioner Kristen Rosen Gonzalez, the City Commission referred the item (C4 G) to the LUSC.

### **ANALYSIS**

As noted in the attached referral memorandum, the item sponsor has requested that the LUSC discuss and consider whether the LDRs should be amended to provide relief from the City's landscaping requirements for renovations to single family homes that exceed 50% of the value of the existing building. Any such relief, at a minimum, would need to comply with the applicable minimum landscaping requirements in the Miami-Dade County (County) Code, which apply to both unincorporated and incorporated areas of the County.

In general, the landscape requirements set forth in Chapter 4 of the LDRs exceed the requirements in the County landscape code. As such, some relief could be provided by reverting to the minimum requirements of the County code, for single family home projects exceeding the 50% rule. The following are some examples of differences between the City and County landscape regulations:

#### **Lot Trees**

The Miami Beach code requires that lot and street trees, at a minimum, be 12 feet in height, with a minimum 6-foot canopy spread and 2-inch caliper. The County code allows for a minimum height of 10 feet and that up to 30 percent of the tree requirement may be met by native species with a minimum height of 8- feet and a minimum caliper of one and one-half (1½) inches at time of planting.

#### **Shrubs**

The Miami Beach code requires a minimum of 12 shrubs per the number of required lot and street trees, and that no less than 50 percent of the required shrubs shall be native species. Additionally, 100 percent of shrubs shall be low maintenance, drought tolerant, salt tolerant, and suitable for Miami Beach, and no one species of shrub shall constitute more than 20 percent of the required

shrubs.

The County code specifies that shrubs shall be provided at a ratio of 10 shrubs per required tree, and that at least 30 percent of required shrubs consist of native species. Additionally, 50 percent of all shrubs shall be low maintenance and drought tolerant.

#### Large Shrub/Small Trees

Currently, the County has no minimum requirements for large shrubs/small trees. The City code requires all large shrubs or small trees to be a minimum of 6-feet in height, with a minimum crown spread of 4-feet at time of planting and 10 feet high at mature growth. The minimum number of large shrubs or small trees must also be ten percent of the required number of shrubs for the specific project.

The following is a draft text amendment to Section 4.1.2 of the LDRs, to provide some relief for single family projects that may exceed the 50% rule:

#### **4.1.2 Short title and applicability**

\* \* \*

*c. Exemptions. The following exemptions from the regulations in Chapter 4 shall apply:*

*1. As applicable to additions to existing buildings that do not expand or enlarge the footprint of the existing building, and where such additions do not require the review and approval of a land use board, and are not a substantial rehabilitation, the landscape review requirements in this chapter may be waived by the planning director or designee.*

*2. As applicable to the renovation and/or expansion of single-family homes in RS districts that exceed the 50% rule, as determined by the Building Official, existing as of January 1, 2025, including attached or detached additions, the landscape requirements in this chapter shall not be applicable, provided the minimum requirements set forth in the Miami-Dade County landscape regulations are met.*

If there is consensus on this amendment, a draft ordinance can be prepared for referral to the Planning Board by the City Commission.

#### **FISCAL IMPACT STATEMENT**

No Fiscal Impact

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

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 LUSC endorse the proposed amendment to the LDRs and recommend that the City Commission refer a draft ordinance to the Planning Board.

#### **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 Kristen Rosen Gonzalez

**Co-sponsor(s)**

**Condensed Title**

Discuss Amending The Land Development Regulations To Provide Relief From The City's  
Landscaping Requirements For Renovations To Single-Family Homes That Exceed 50% Of The  
Value Of The Existing Building.