

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Commissioner Kristen Rosen Gonzalez

DATE: October 30, 2024

TITLE: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE TO CONSIDER AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS TO REQUIRE A 6/7TH VOTE OF THE CITY COMMISSION PRIOR TO THE ADOPTION OF ANY INCREASE IN A PROPERTY'S ZONED HEIGHT.

### RECOMMENDATION

### BACKGROUND/HISTORY

Miami Beach is experiencing a period of rapid growth and development, with significant interest in increasing building floor area ratio (FAR), and concomitantly, heights to accommodate new projects. While development can provide economic benefits and provide much needed housing, changes to zoning, particularly those involving height increases, can dramatically impact the character of neighborhoods, viewsheds, traffic patterns, and the overall quality of life for residents.

To ensure that such decisions reflect the best interests of the community and receive careful consideration, it is important to provide a higher threshold for approving any increase in a property's zoned height.

Currently, changes to the zoning height restrictions in Miami Beach require a simple majority vote of the City Commission. However, given the lasting and potentially transformative impacts of height increases, it would be prudent to require a supermajority vote to ensure that these decisions are made with broad consensus and thorough deliberation.

The Committee should consider amending the City's Land Development Regulations (LDRs) to require a 6/7th vote of the City Commission prior to the adoption of any ordinance or measure that would result in an increase to the zoned height of a property. The primary objectives of the proposed legislation are to:

- Encourage greater scrutiny and discussion of height-related zoning changes.
- Protect the integrity of existing neighborhoods from drastic and uncoordinated height increases.
- Ensure that any height increase is in alignment with the long-term vision for the City and supported by more than a simple majority of the Commission.

Requiring a supermajority vote would ensure that height increases are reserved for cases where there is substantial justification and alignment with broader community and planning goals. By raising the threshold for approval, this amendment aims to strike a balance between encouraging responsible development and protecting the unique character of Miami Beach's neighborhoods.

### ANALYSIS

Please place on the October 30, 2024 agenda a referral to the Land Use and Sustainability Committee (the "Committee") to consider amending the City's Land Development Regulations to require a 6/7th vote of the City Commission prior to the adoption of any increase in a property's zoned height.

**FISCAL IMPACT STATEMENT**

NA

**Does this Ordinance require a Business Impact Estimate?**  
(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-notice/>

**FINANCIAL INFORMATION**

**CONCLUSION**

**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**

Office of Commissioner Kristen Rosen Gonzalez

**Sponsor(s)**

Commissioner Kristen Rosen Gonzalez

**Co-sponsor(s)**

**Condensed Title**

Ref: LUSC - Amend LDR, 6/7th Vote Prior Increasing Property's Zoned Height. (Rosen Gonzalez)

