

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: May 21, 2025 10:10 a.m. First Reading Public Hearing

TITLE: SETBACK REGULATIONS FOR AC UNITS
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE V, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," SECTION 7.5.3, ENTITLED "SUPPLEMENTARY YARD REGULATIONS," BY AMENDING THE ALLOWABLE SETBACK ENCROACHMENTS FOR AIR CONDITIONING UNITS; 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 July 23, 2025.

BACKGROUND/HISTORY

On December 11, 2024, at the request of Commissioner Kristen Rosen Gonzalez, the City Commission referred a proposal pertaining to setback regulations for air conditioning units (C4 I) to the Land Use and Sustainability Committee (LUSC). On January 16, 2025, the LUSC recommended that the City Commission refer an ordinance to the Planning Board.

On February 26, 2025, at the request of Commissioner Kristen Rosen Gonzalez, the City Commission referred the attached ordinance to the Planning Board (C4 B).

ANALYSIS

Packaged terminal air conditioners (PTAC) are ductless, self-contained units designed to efficiently heat and cool individual spaces. These systems are commonly used in hotels, hospitals, senior living facilities, and residential buildings, offering an affordable and energy-efficient climate control solution for smaller areas. Mini-split systems, which offer similar advantages, provide flexible and efficient temperature management for both residential and commercial spaces.

In line with the recommendations of the LUSC, the attached ordinance proposes amendments to the Land Development Regulations of the City Code (LDRs) to modify and expand allowable setback encroachments for existing apartment buildings in multi-family residential districts. The proposed changes are intended to simplify the requirements to install air-conditioning systems, including PTAC and mini-split units, in older buildings. Adjusting setback requirements for existing buildings to meet minimum life safety standards and accommodate these systems should reduce costs for property owners, as well as promote the broader adoption of energy-efficient air conditioning solutions.

PLANNING BOARD REVIEW

On April 8, 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-notice/>

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 July 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 Kristen Rosen Gonzalez

Co-sponsor(s)

Condensed Title

10:10 a.m. 1st Rdg PH, Setback Regulations for AC Units. (Rosen Gonzalez) PL 5/7

Previous Action (For City Clerk Use Only)

