

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: April 23, 2025 10:45 a.m. First Reading Public Hearing

TITLE: WEBSITE ADVERTISING FOR LDR AMENDMENTS
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "MIAMI BEACH RESILIENCY CODE," CHAPTER 2, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE IV, ENTITLED "AMENDMENTS TO COMPREHENSIVE PLAN AND TO THE TEXT OF THE LAND DEVELOPMENT REGULATIONS," SECTION 2.4.2, ENTITLED "AMENDMENT TO THE TEXT OF LAND DEVELOPMENT REGULATIONS," BY MODIFYING THE PUBLISHED NOTICE REQUIREMENTS FOR AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE; 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 May 21, 2025.

BACKGROUND/HISTORY

On November 20, 2024, at the request of Commissioner David Suarez, the City Commission referred a proposal pertaining to website advertising for land use amendments (C4 V) to the Land Use and Sustainability Committee (LUSC). On January 16, 2025, the LUSC recommended that the City Commission refer the attached ordinance to the Planning Board.

On February 26, 2025, at the request of Commissioner David Suarez, the City Commission referred the proposed ordinance to the Planning Board (C4 E).

ANALYSIS

Section 50.0311, Florida Statutes, permits the use of publicly accessible websites, hosted by counties, as an alternative to publishing legal notices in newspapers. On May 15, 2024, the City Commission adopted Ordinance No. 2024-4618, allowing the City to publish legal advertisements and notices on a Miami-Dade County-hosted website instead of in newspapers, with exceptions as specified by the City and County Charters or Codes.

On November 5, 2024, the City's electorate approved Referendum 5, amending City Charter Section 2.05 to authorize online publication of notices for proposed ordinances in accordance with Section 50.0311, Florida Statutes. The amendment was recommended by the Ad Hoc Advisory Charter Review and Revision Board (CRB).

Consistent with the voter-approved Charter amendment, the attached draft ordinance amends Chapter 2 of the Land Development Regulations (LDRs) in the City Code. This change replaces

the current requirement for newspaper publication of amendments to the LDRs with an online notice on a Miami-Dade County-hosted website, in accordance with the provisions of Section 50.0311, Florida Statutes.

The City Commission adopted a similar ordinance on February 3, 2025, authorizing the same website notice requirements for land use boards applications for development approval.

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). Separately, the Planning Board also recommended that the City website include a link to notices on the Miami-Dade County website.

SUMMARY

The Administration is supportive of the proposal as changing the publication of notices for amendments to the LDRs to a website managed by the county will be much more cost effective, as well as provide needed flexibility in the timing for such publications. To allow the website advertising for amendments to the LDRs to commence as soon as possible, it is recommended that the City Commission waive the annual zoning cycle restriction for the subject amendment, pursuant to Section 2.3.2 of the LDRs, and schedule a Second Reading public hearing for May 21, 2025.

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-notices/>

FINANCIAL INFORMATION

Not Applicable

CONCLUSION

The Administration recommends the following:

1. The City Commission approve the subject ordinance at First Reading.
2. Pursuant to Section 2.3.2 of the LDRs, the City Commission waive the annual zoning cycle restriction for the subject amendment and schedule a Second Reading public hearing for May 21, 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 David Suarez

Co-sponsor(s)

Condensed Title

10:45 a.m. 1st Rdg PH, Website Advertising for LDR Amendments. (Suarez) PL

Previous Action (For City Clerk Use Only)