

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO:	Honorable Mayor and Members of the City Commission
FROM:	Commissioner David Suarez
DATE:	June 26, 2024
TITLE:	REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE AND THE PLANNING BOARD TO DISCUSS AMENDING NOTICE REQUIREMENTS IN THE LAND DEVELOPMENT REGULATIONS (LDRS) TO PERMIT THE CITY TO USE A PUBLICLY ACCESSIBLE WEBSITE HOSTED BY MIAMI-DADE COUNTY AS AN ALTERNATIVE MEANS OF PUBLISHING NOTICES AND ADVERTISEMENTS FOR LAND USE BOARD APPLICATIONS, WHICH ARE CURRENTLY REQUIRED TO BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION.

### **RECOMMENDATION**

N/A

### **BACKGROUND/HISTORY**

Section 50.0311, Florida Statutes, authorizes the use of publicly accessible websites hosted by counties as an alternative means of publishing notices and advertisements otherwise required to be published in newspapers of general circulation.

On May 15, 2024, the City Commission adopted Ordinance No. 2024-4618 to provide that, wherever the City Code requires a legal advertisement or publication in a newspaper of general circulation, the City may instead use a publicly accessible website hosted by Miami-Dade County as an alternative means of publishing notices and advertisements, except where the newspaper notice is otherwise required under the City Charter, County Charter or County Code.

Consistent with Ordinance No. 2024-4618, I would like the LUSC to discuss amending the Land Development Regulations ("LDRs") to permit the City to publish online notices on a website hosted by Miami-Dade County instead of publishing notices and advertisements which, under the LDRs, are required to be published in a newspaper. This includes public hearing notices required pursuant to Section 2.2.4.1 of the LDRs for applications before the City's four land use boards (Board of Adjustment, Design Review Board, Historic Preservation Board and Planning Board).

As a separate matter, the Ad Hoc Advisory Charter Review and Revision Board ("CRB") has recommended an amendment to City Charter Section 2.05 which would permit notices of proposed Ordinances to be published online, pursuant to Section 50.0311, Florida Statutes. If the City Commission adopts the proposed ballot measure, and the measure is approved by the voters on November 5, 2024, then notices of Ordinances amending the LDRs and Comprehensive Plan can likewise be published on a publicly accessible website hosted by Miami-Dade County.

### **ANALYSIS**

N/A

### **FISCAL IMPACT STATEMENT**

N/A

**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-notice/>

**FINANCIAL INFORMATION**

N/A

**CONCLUSION**

N/A

**Applicable Area**

Citywide

**Is this a “Residents Right to Know” item,  
pursuant to City Code Section 2-17?**

No

**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 David Suarez

**Sponsor(s)**

Commissioner David Suarez

**Co-sponsor(s)**