

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Commissioner Alex Fernandez

DATE: November 20, 2024

TITLE: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE TO DISCUSS POTENTIALLY REGULATING OR PROHIBITING FRACTIONAL OWNERSHIP IN MIAMI BEACH RESIDENTIAL AREAS.

RECOMMENDATION

Please place on the November 20, 2024 City Commission agenda a referral to the Land Use and Sustainability Committee (LUSC) to discuss potential restrictions and/or the prohibition of fractional ownership in Miami Beach's residential areas, similar to the recent action taken by the Town of Palm Beach.

Palm Beach has recently taken steps to clarify and strengthen its zoning rules regarding short-term and vacation rentals, as well as timeshares and fractional ownership properties. The Town Attorney, Joanne O'Connor, recently opined that fractional ownership and timeshare properties are inconsistent with Palm Beach's longstanding residential zoning and use definitions, and such properties will not be permitted in residential areas.

I believe it would be beneficial for the City of Miami Beach to explore whether similar restrictions on fractional ownership are warranted here. Fractional ownership schemes can significantly alter the character and nature of residential neighborhoods; and we should assess whether such practices align with the values and long-term goals of Miami Beach's residential communities.

Accordingly, I would request the City Attorney to provide an overview of fractional ownership as it relates to State Law, and options for potentially limiting, regulating or prohibiting fractional ownership in residential areas in Miami Beach.

BACKGROUND/HISTORY

ANALYSIS

FISCAL IMPACT STATEMENT

n/a

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 Alex Fernandez

Sponsor(s)

Commissioner Alex Fernandez

Co-sponsor(s)

Condensed Title

Ref: LUSC - Prohibiting or Regulating Fractional Ownership in Residential Areas. (Fernandez)