



COMMISSION MEMORANDUM

TO:	Honorable Mayor and Members of the City Commission
FROM:	Commissioner David Suarez
DATE:	July 24, 2024
TITLE:	REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE AND PLANNING BOARD - AMEND THE LAND DEVELOPMENT REGULATIONS TO ALLOW FOR ADMINISTRATIVE REVIEW AND APPROVAL OF UNDERSTORY AREAS, AND TO REVIEW THE CURRENT MAXIMUM BUILDING HEIGHT REQUIREMENTS FOR SINGLE-FAMILY HOMES TO PROMOTE RESILIENCY AND REDUCE FLOOD RISK.

**RECOMMENDATION**

N/A

**BACKGROUND/HISTORY**

N/A

**ANALYSIS**

Please place the above item on the July 24, 2024 City Commission meeting agenda as a referral to the Land Use and Sustainability Committee ("LUSC") and Planning Board.

Construction at higher elevations and the use of understory areas are important strategies to protect single-family homes from floods. "Understory areas" are defined in the Resiliency Code as "the non-air-conditioned space(s) located below the first elevated habitable floor."

Under Section 7.2.2.3.b.1 of the Resiliency Code, single-family homes with understories can only be approved by the Design Review Board ("DRB"), and may not be approved administratively. This creates a hurdle for applicants seeking to build homes with a more resilient design.

I would like the LUSC to consider amending the Land Development Regulations to allow for administrative review of understory areas. This is consistent with the Planning Department's recommendation when the Resiliency Code was first adopted. As part of this review, the LUSC should consider any related amendments to height and design requirements. Following review by LUSC, an Ordinance will be transmitted to the Planning Board.

**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**

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)****Condensed Title**

Ref: LUSC/PB - Admin Review of Single-Family Homes, Including Height and Understory Areas  
(Suarez)