

R5 V HOUSING IMPACT STATEMENT REQUIREMENT FOR DEVELOPMENT
APPLICATIONS – COMPREHENSIVE PLAN AMENDMENT
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF
MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2040
COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW
PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING THE
HOUSING ELEMENT AT GOAL HE 1, ENTITLED “EQUITABLE COMMUNITY,”
OBJECTIVE HE 1.1, ENTITLED “CREATION AND/OR PRESERVATION OF
WORKFORCE AND AFFORDABLE HOUSING.” BY CREATING POLICY HE 1.1.13
PERTAINING TO A HOUSING IMPACT STATEMENT; AND PROVIDING FOR
CODIFICATION, REPEALER, SEVERABILITY, TRANSMITTAL AND AN
EFFECTIVE DATE.
Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: February 3, 2025 11:10 a.m. First Reading Public Hearing

TITLE: HOUSING IMPACT STATEMENT REQUIREMENT FOR DEVELOPMENT APPLICATIONS – COMPREHENSIVE PLAN AMENDMENT
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2040 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING THE HOUSING ELEMENT AT GOAL HE 1, ENTITLED “EQUITABLE COMMUNITY,” OBJECTIVE HE 1.1, ENTITLED “CREATION AND/OR PRESERVATION OF WORKFORCE AND AFFORDABLE HOUSING.” BY CREATING POLICY HE 1.1.13 PERTAINING TO A HOUSING IMPACT STATEMENT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, TRANSMITTAL 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 April 23, 2025.

BACKGROUND/HISTORY

On September 11, 2024, at the request of Commissioner Alex Fernandez, the City Commission referred an item (C4 U) to the Land Use and Sustainability Committee (LUSC) pertaining to notice requirements for tenants of residential buildings. On October 14, 2024, the LUSC discussed the proposal and recommended that the City Commission refer an ordinance amendment to the Planning Board in accordance with the recommendations in the LUSC memorandum.

On November 20, 2024, at the request of Commissioner Alex Fernandez, the City Commission referred the ordinance (C4 N) to the Planning Board. The item is co-sponsored by Commissioner Joseph Magazine.

ANALYSIS

The attached ordinance amends the housing element of the Comprehensive Plan, to create a new policy (HE 1.1.13) specific to a housing impact statement. A companion amendment to the Land Development Regulations of the City Code (LDRs) is also proposed, as a separate ordinance.

The housing impact statement would be provided for tracking purposes and to inform future policy discussions of the board and/or the City Commission but may not serve as a basis for the approval or denial of a conditional use application.

COMPREHENSIVE PLAN AMENDMENT AND REVIEW PROCESS

Under Section 163.3184(2), Florida Statutes, this amendment shall follow the expedited state

review process for adoption of comprehensive plan amendments. This process requires a public hearing by the local planning agency (Planning Board), a public transmittal hearing before the City Commission, after which the amendment must be transmitted to several state agencies for a 30-day review period, and a final adoption public hearing before the City Commission. The amendment is effective 31-days after it is adopted if there are no appeals.

PLANNING BOARD REVIEW

On January 7, 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 April 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 Alex Fernandez

Co-sponsor(s)

Commissioner Joseph Magazine

Condensed Title

11:10 a.m. 1st Rdg PH, Housing Impact Statement Requirement for Dev Applications-Comp
Plan Amendment. (AF/JM)

Previous Action (For City Clerk Use Only)

**Housing Impact Statement Requirement for
Development Applications – Comprehensive Plan Amendment**

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2040 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING THE HOUSING ELEMENT AT GOAL HE 1, ENTITLED “EQUITABLE COMMUNITY,” OBJECTIVE HE 1.1, ENTITLED “CREATION AND/OR PRESERVATION OF WORKFORCE AND AFFORDABLE HOUSING.” BY CREATING POLICY HE 1.1.13 PERTAINING TO A HOUSING IMPACT STATEMENT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, TRANSMITTAL AND AN EFFECTIVE DATE.

WHEREAS, the 2010 US Census indicated that the City of Miami Beach had a population of 87,779; and

WHEREAS, the 2020 US Census indicated that the City of Miami Beach had a population of 82,890; and

WHEREAS, between 2010 and 2020, the City of Miami Beach lost a net total of 4,889 residents; and

WHEREAS, the July 2022 Census American Community Survey estimates that the City of Miami Beach has a population of 80,017, reflecting a further loss of 2,873 residents since the 2020 Census; and

WHEREAS, the City finds the loss of permanent residents may have had a negative impact on the quality of life of remaining residents, by encouraging more traffic congestion due to the need for employees to commute longer distances to employment centers within the City; and

WHEREAS, the loss of residents is partially due to the conversion of residential units to short-term rentals or other transient units; and

WHEREAS, the City has the authority to enact laws that promote the public health, safety, and general welfare of its citizens; and

WHEREAS, a housing impact statement is necessary to analyze the impacts of improvements and modifications to existing residential housing in the city; and

WHEREAS, the review of a housing impact statement is an important component of the development review process; and

WHEREAS, a requirement for a housing impact statement as part of the review of applicable projects by the City's land use boards promotes the general health, safety and welfare of the residents of the city; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. The following amendment to the City's 2040 Housing Element is hereby adopted:

HOUSING ELEMENT

* * *

GOAL HE 1: EQUITABLE COMMUNITY

* * *

OBJECTIVE HE 1.1: CREATION AND/OR PRESERVATION OF WORKFORCE AND AFFORDABLE HOUSING

* * *

POLICY HE 1.1.13

The City shall create a definition for a housing impact statement in the Land Development Regulations and shall include a review of such statement for applicable projects as part of the development review process for all land use boards.

SECTION 2. CODIFICATION.

It is the intention of the City Commission that this Ordinance be entered into the Comprehensive Plan of the City of Miami Beach, FL, and it is hereby ordained that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. TRANSMITTAL.

The Planning Director is hereby directed to transmit this ordinance to the appropriate state, regional, and county agencies as required by applicable law.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect until 31 days after the state land planning agency notifies the City that the plan amendment package is complete following adoption, pursuant to Section 163.3184(3), Florida Statutes.

PASSED and **ADOPTED** this _____ day of _____, 2025.

Steven Meiner, Mayor

ATTEST:

Rafael E. Granado
City Clerk

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION



City Attorney

NK

1/23/2025

Date

First Reading: February 3, 2025
Second Reading: April 23, 2025

Verified by: _____
Thomas R. Mooney, AICP
Planning Director