

C4 Y REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE TO DISCUSS CREATING A REGISTRY OF PLANNED RESIDENTIAL DEVELOPMENTS IN ZONING DISTRICTS WHERE SHORT-TERM RENTALS ARE PERMITTED, TO ENSURE PROPERTIES COMPLY WITH THE CITY'S SHORT-TERM RENTAL REGULATIONS AND FACILITATE CODE ENFORCEMENT EFFORTS, IN THE EVENT THAT ANY UNITS ON THE PROPERTY ARE RENTED ON A SHORT-TERM BASIS.

Applicable Area:

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO:	Honorable Mayor and Members of the City Commission
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FROM: Commissioner Tanya K. Bhatt

DATE: July 24, 2024

TITLE: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE TO DISCUSS CREATING A REGISTRY OF PLANNED RESIDENTIAL DEVELOPMENTS IN ZONING DISTRICTS WHERE SHORT-TERM RENTALS ARE PERMITTED, TO ENSURE PROPERTIES COMPLY WITH THE CITY'S SHORT-TERM RENTAL REGULATIONS AND FACILITATE CODE ENFORCEMENT EFFORTS, IN THE EVENT THAT ANY UNITS ON THE PROPERTY ARE RENTED ON A SHORT-TERM BASIS.

### **RECOMMENDATION**

### **BACKGROUND/HISTORY**

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").

Short-term rentals are prohibited in a number of zoning districts in the City. In districts where short-term rentals are permitted, the City is preempted under Section 509.032, Florida Statutes, from prohibiting them moving forward. However, any legally permissible short-term rentals are required to comply with the detailed requirements in Code Sections 102-386 and -387.

I would like the LUSC to discuss creating a registry of planned residential developments in zoning districts where short-term rentals are permitted. The registry should include new applications, as well as any applications that were approved by the land use boards within the last 5 years (including, without limitation, projects recently approved in the North Beach Town Center). This will alert all relevant City departments that a property may be used in the future for short-term rentals. The purpose of the registry is to allow for monitoring, ensure compliance with the City's short-term rental regulations, and facilitate code enforcement efforts.

I have been advised by the City Attorney's Office that the registry, which will be maintained by the City for informational and code-enforcement purposes, would not violate the State's preemption on new short-term rental regulations.

### **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 Tanya K. Bhatt

**Sponsor(s)**

**Co-sponsor(s)**

**Condensed Title**

Ref: LUSC - Registry of STR - Eligible Development. (Bhatt)