

9. DISCUSSION ON AMENDING NOTICE REQUIREMENTS IN THE MIAMI BEACH RESILIENCY CODE TO REQUIRE COURTESY NOTICE TO RESIDENTIAL TENANTS OF A PROPERTY SUBJECT TO A LAND USE BOARD APPLICATION, WHERE APPLICABLE.

Applicable Area:

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Commissioner Alex Fernandez

DATE: September 11, 2024

TITLE: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE A DISCUSSION ON AMENDING NOTICE REQUIREMENTS IN THE MIAMI BEACH RESILIENCY CODE TO REQUIRE COURTESY NOTICE TO RESIDENTIAL TENANTS OF A PROPERTY SUBJECT TO A LAND USE BOARD APPLICATION, WHERE APPLICABLE.

### **RECOMMENDATION**

### **BACKGROUND/HISTORY**

### **ANALYSIS**

Please place the above item on the September 11, 2024, City Commission meeting agenda as a referral to the Land Use and Sustainability Committee (LUSC).

Currently, the Resiliency Code requires notice of land development board applications via newspaper publication, property posting, and mailed notice to property owners within 375 feet. I propose that the LUSC consider amending these provisions to require an additional courtesy notice to existing residential tenants on the property that is the subject of a development application. This notice should inform tenants of the potential housing impact of the proposed development and be applicable to all properties leased to residential tenants.

Incorporating a "Housing Impact Notice to Tenants" would greatly benefit tenants by providing early and transparent information about potential development plans that might affect their housing situation. This advance notice allows tenants to prepare for possible changes such as displacement and reducing the stress of last-minute relocations. It gives tenants ample time to explore their housing options, negotiate with landlords, or seek new accommodations if necessary. Furthermore, early notification ensures that tenants are aware of any voluntary mitigation measures offered by developers, such as relocation assistance or rental subsidies, which can be crucial for those struggling to find new housing. This measure also fosters greater transparency and trust between tenants, property owners, and city officials, ensuring that tenants feel included in decisions affecting their homes and communities. Additionally, providing advance notice can help prevent a sudden influx of displaced residents into the housing market. By proactively informing tenants of potential changes, the city promotes a more equitable development process.

### **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 - Housing Impact Notice to Tenants. (Fernandez)