

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: May 6, 2025

FROM: Thomas R. Mooney, AICP
Planning Director

^{DS} For TRM


SUBJECT: **PB25-0760. Minimum Landscape Requirements for Homes Exceeding 50% Rule**

RECOMMENDATION

Transmit the proposed ordinance amendment to the Mayor and City Commission (City Commission) with a favorable recommendation.

HISTORY

On December 11, 2024, at the request of Commissioner Kristen Rosen Gonzalez, the City Commission referred a discussion pertaining to minimum landscape requirements for single family homes (C4 G) to the Land Use and Sustainability Committee (LUSC). On February 20, 2025, the LUSC discussed the proposal and recommended that the City Commission refer the attached ordinance to the Planning Board.

On March 19, 2025, at the request of Commissioner Kristen Rosen Gonzalez, the City Commission referred the ordinance to the Planning Board (C4 B).

REVIEW CRITERIA

Pursuant to Section 2.4.2 of the Resiliency Code, in reviewing a request for an amendment to these land development regulations (LDRs), the board shall consider the following when applicable:

1. **Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

Consistent – The proposed LDR amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as proposed to be amended.

2. **Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

Consistent – The proposed amendment does not create isolated districts.

3. **Whether the change suggested is out of scale with the needs of the neighborhood or the city.**

Consistent - The proposed ordinance amendment is not out of scale with the needs of the neighborhood.

4. **Whether the proposed change would tax the existing load on public facilities and**

infrastructure.

Consistent – The proposed amendment will not tax the existing load on public facilities and infrastructure.

5. **Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

Not Applicable

6. **Whether changed or changing conditions make the passage of the proposed change necessary.**

Consistent – The desire to minimize the financial burden for the renovation of an existing home, while still complying with the county landscaping standards, makes the passage of the proposed change necessary.

7. **Whether the proposed change will adversely influence living conditions in the neighborhood.**

Consistent – The proposed ordinance amendment will not adversely affect living conditions.

8. **Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.**

Consistent – The proposed change will not create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.

9. **Whether the proposed change will seriously reduce light and air to adjacent areas.**

Consistent – The proposed change will not reduce light and air to adjacent areas.

10. **Whether the proposed change will adversely affect property values in the adjacent area.**

Consistent – The proposed change should not adversely affect property values in the adjacent areas.

11. **Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.**

Consistent – The proposed change will not be a deterrent to the improvement or development of properties in the City.

12. **Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.**

Not Applicable

13. **Whether it is impossible to find other adequate sites in the city for the proposed**

use in a district already permitting such use.

Not Applicable

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4 of the LDRs establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

(1) Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.

Consistent – The proposal does affect areas that are vulnerable to the impacts of sea level rise in the long term.

(2) Whether the proposal will increase the resiliency of the City with respect to sea level rise.

Consistent – Although the landscape requirements are proposed to be reduced, the proposal will increase the resiliency of the City in accordance with County standards.

(3) Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

Consistent – The proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

ANALYSIS

The attached amendment to the Land Development Regulations of the City Code (LDR's) provides relief from the City's minimum landscaping requirements for renovations to single family homes that exceed 50% of the value of the existing building. In general, the landscape requirements set forth in Chapter 4 of the LDRs exceed the requirements in the Miami-Dade County (County) landscape code. The following are some examples of differences between the City and County landscape regulations:

Lot Trees

The Miami Beach code requires that lot and street trees, at a minimum, be 12 feet in height, with a minimum 6-foot canopy spread and 2-inch caliper. The County code allows for a minimum height of 10 feet and that up to 30 percent of the tree requirement may be met by native species with a minimum height of 8- feet and a minimum caliper of one and one-half (1½) inches at time of planting.

Shrubs

The Miami Beach code requires a minimum of 12 shrubs per the number of required lot and street trees, and that no less than 50 percent of the required shrubs shall be native species. Additionally, 100 percent of shrubs shall be low maintenance, drought tolerant, salt tolerant, and suitable for Miami Beach, and no one species of shrub shall constitute more than 20 percent of the required shrubs.

The County code specifies that shrubs shall be provided at a ratio of 10 shrubs per required tree, and that at least 30 percent of required shrubs consist of native species. Additionally, 50 percent of all shrubs shall be low maintenance and drought tolerant.

Large Shrub/Small Trees

Currently, the County has no minimum requirements for large shrubs/small trees. The City code requires all large shrubs or small trees to be a minimum of 6-feet in height, with a minimum crown spread of 4-feet at time of planting and 10 feet high at mature growth. The minimum number of large shrubs or small trees must also be ten percent of the required number of shrubs for the specific project.

The proposed ordinance amendment would allow for single family projects exceeding the 50% rule to revert to the minimum requirements of the County code. The proposal complies with the applicable minimum landscaping requirements in the County code, which apply to both unincorporated and incorporated areas of the County.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed ordinance to the City Commission with a favorable recommendation.

Minimum Landscape Requirements for Single Family Home Renovations Exceeding the 50% Rule

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 4 OF THE MIAMI BEACH RESILIENCY CODE, ENTITLED "LANDSCAPE REQUIREMENTS," BY AMENDING ARTICLE I, ENTITLED "INTENT AND APPLICABILITY," BY AMENDING SECTION 4.1.2, ENTITLED "SHORT TITLE AND APPLICABILITY," BY MODIFYING THE MINIMUM LANDSCAPE REQUIREMENTS FOR SINGLE FAMILY HOME PROJECTS EXCEEDING THE 50% RULE; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, a well-maintained and aesthetically pleasing landscape enhances property values and contributes to the overall attractiveness and livability of neighborhoods and communities; and

WHEREAS, the City desires to provide flexibility from minimum landscape requirements for single family home projects that exceed the 50% rule; 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. That Chapter 4 the Miami Beach Resiliency Code, entitled "Landscape Requirements," is hereby amended as follows:

**CHAPTER 4
LANDSCAPE REQUIREMENTS**

* * *

ARTICLE I. INTENT AND APPLICABILITY

* * *

4.1.2 Short title and applicability

* * *

- c. Exemptions. The following exemptions from the regulations in Chapter 4 shall apply:
1. As applicable to additions to existing buildings that do not expand or enlarge the footprint of the existing building, and where such additions do not require the review and approval of a land use board, and are not a substantial rehabilitation, the landscape review requirements in this chapter may be waived by the planning director or designee.
 2. As applicable to the renovation and/or expansion of single-family homes in RS districts that exceed the 50% rule, as determined by the Building Official, existing as of January 1, 2025, including attached or detached additions, the landscape requirements in this chapter shall not be applicable, provided the minimum requirements set forth in the Miami-Dade

County landscape regulations are met.

SECTION 2. REPEALER.

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

SECTION 3. SEVERABILITY.

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

SECTION 4. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Miami Beach Resiliency Code. The sections of this Ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____, 2025.

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

Date

First Reading: _____, 2025

Second Reading: _____, 2025

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