

RESOLUTION NO. 2025-3392

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, URGING OPPOSITION TO FLORIDA HOUSE BILL 943 PROVIDING FOR IMPLEMENTATION; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 24, 2025, Senator V. Lopez sponsored House Bill 943 ("HB 943"), which purports to amend Fla. Stat. §163.3167 to allow the approval of an increase in height or floor area ratio ("floor area ratio" includes floor lot area) in the land development regulations by a local government, commission, council or board to be enacted by ordinance with a simple majority vote; and

WHEREAS, HB 943 also purports to amend Fla. Stat. §166.04151 to expand density thresholds by, among other things, prohibiting municipalities from restricting the density of a proposed multi-family or mixed use residential development below the highest density on or after a specified date as well as from restricting the floor area ratio of a proposed multi-family or mixed-use residential development below a certain percentage allowed on or after a specified date; the highest maximum lot size on or after a specified date;

WHEREAS, HB 943 provides for an effective date of July 1, 2025; and

WHEREAS, the Town of Surfside ("Town") is a municipality located on a barrier island governed by a Town Commission, which may fall within the scope of and be impacted by HB 943;

WHEREAS, the Town is approximately one (1) square mile, with a population of approximately 6,000 residents;

WHEREAS, since 2000, the Town's residents have consistently voted in favor of legislation limiting density, intensity, height, and/or Floor Area Ratio ("FAR") regarding residential development, dating back to at least 2004;

WHEREAS, the Town seeks to oppose and/or limit HB 943 as applied to Fla. Stat. §163.3167 and Fla. Stat. §166.04151 to municipalities;

WHEREAS, it is in the best interest of the Town to urge opposition to the amendment to the Live Local Act, Fla. Stat. Fla. Stat. §163.3167 and §166.04151, as set forth in the current iteration of HB 943;

WHEREAS, the Town Commission seeks to direct the Town Clerk to deliver this Resolution to the Town's Lobbyist, the sponsor(s) of HB 943 and the legislature of the State of Florida, to immediately vocalize the Town's opposition to this legislation; and

WHEREAS, the Town Commission finds that this opposition and directive is in the best interest and welfare of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above-stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Urging Opposition to HB 943. The Mayor, Vice Mayor and Town Commission hereby request the sponsor(s) of HB 943 to withdraw this bill, respectively, and/or exclude municipalities of less than two (2) square miles and/or with a population of less than 10,000 residents, as set forth in the most recent census upon the enactment of this legislation, and/or whose voters have voted into a municipality's charter limitations on development pertaining to density, intensity, height and/or FAR since the year 2000.

Section 3. Transmittals. The Town Clerk is hereby directed to forward a copy of this Resolution to the Town Lobbyist, the sponsor(s) of HB 943, and the legislature of the State of Florida.

Section 4. Effective Date. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED this 8th day of April, 2025.

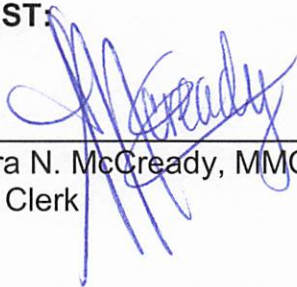
Motion By: Vice Mayor Paul

Second By: Commissioner Velasquez

FINAL VOTE ON ADOPTION:


Commissioner Ruben A. Coto	<u>Yes</u>
Commissioner Nelly Velasquez	<u>Yes</u>
Commissioner Gerardo Vildostegui	<u>Yes</u>
Vice Mayor Tina Paul	<u>Yes</u>
Mayor Charles W. Burkett	<u>Yes</u>

ATTEST:




Sandra N. McCready, MMC
Town Clerk





Charles W. Burkett, Mayor

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND BENEFIT OF THE TOWN OF SURFSIDE ONLY:**



Thais Hernandez, Esq.
Town Attorney