R9 AF DISCUSS/TAKE ACTION REGARDING CITY PREPARATION & POTENTIAL IMPACTS FOR THE INCREASE IN UNMANNED AIRCRAFT SYSTEMS OR DELIVERY DRONES.
Applicable Area: Citywide
Office of Commissioner Joseph Magazine
Commissioner Joseph Magazine

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Commissioner Joseph Magazine

DATE: September 10, 2026

TITLE: DISCUSS/TAKE ACTION REGARDING CITY PREPARATION & POTENTIAL IMPACTS FOR THE INCREASE IN UNMANNED AIRCRAFT SYSTEMS OR DELIVERY DRONES.

RECOMMENDATION

I would like to discuss and take any appropriate action concerning the potential impacts associated with the use of unmanned aircraft systems ("UAS" or "drones") for commercial delivery services within the City of Miami Beach. While drone delivery may provide convenience and other benefits, widespread drone delivery operations could also present concerns in a dense urban environment such as Miami Beach, including noise, privacy, public safety, impacts upon residential neighborhoods, and the frequency of drone flights over or near homes, businesses, parks, beaches, and other heavily populated areas. Accordingly, I would like to hear from the City Administration and City Attorney's Office regarding the City's ability to regulate delivery drones and then discuss with my colleagues whether there are any appropriate measures the City can, and should, lawfully take to address the potential impacts of commercial drone delivery operations.

However, I recognize that the City is somewhat constrained by the broad preemption language contained in Section 330.41, Florida Statutes. Specifically, Fla. Stat. 330.41 vests authority to regulate the operation of UAS in the State and generally prohibits local governments from regulating the design, manufacture, testing, maintenance, licensing, registration, certification, or operation of unmanned aircraft systems, including airspace, altitude, flight paths, equipment and technology requirements; the purpose of drone operations; and pilot, operator, or observer qualifications, training, and certification. Fla. Stat. 330.41 further restricts a local government's ability to prohibit or withhold approvals for a drone delivery service based upon the location of its "drone port," although the City may enforce minimum setback and landscaping regulations that are generally applicable to permitted uses within the zoning district in which a drone port is located.

So, in light of these statutory limitations, I'd like to discuss the extent of the City's remaining regulatory authority and whether any permissible local measures, or alternatively State legislative changes, should be pursued to address the potential impacts of drone delivery operations in the City.

BACKGROUND/HISTORY

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-notices/

Does this Agenda Item support the Strategic Plan?: Yes

If so, specify what Objective(s):

VC 1: Enhance City processes and regulations to support a business climate of innovation, entrepreneurship, and investment

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?	**Is this item related to a G.O. Bond Project?**
No	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): N/A

Department

Office of Commissioner Joseph Magazine

Sponsor(s)

Commissioner Joseph Magazine

Co-sponsor(s)

Condensed Title

Disc/Act, Potential Impacts/Preparation for UAS/Delivery Drones. (Magazine)

Previous Action (For City Clerk Use Only)