

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139,
www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Alina T. Hudak, City Manager

DATE: July 28, 2021

SUBJECT: **LAND USE AND SUSTAINABILITY COMMITTEE MEETING OF June 21, 2021**

A Land Use and Sustainability Committee meeting was held on June 21, 2021. Land Use and Sustainability Committee Members participating were Commissioners Mark Samuelian, Michael Gongora and Ricky Arriola. Commissioner Steven Meiner was also present. Members from the Administration, including Thomas Mooney, Nick Kallergis, Betsy Wheaton and Eric Carpenter as well as members of the public, also participated.

The meeting was called to order at 8:03 a.m.

ACTION ITEMS:

1. OCEAN DRIVE MXE LAND USE AND ZONING AMENDMENTS.

Planning
Mayor Dan Gelber
October 14, 2020 C4 J (Deferred from January 20, 2021)

AFTER-ACTION:

Thomas Mooney introduced the item.

MOTION: The item was continued to the September LUSC meeting by Acclamaition.

2. DISCUSSION REGARDING A PROPOSAL BY CARE RESOURCE TO ALLOW A NON-PROFIT PHARMACY WITHIN AN EXISTING OFFICE BUILDING.

Vice-Mayor Michael Gongora
Planning
April 29, 2021 C4 M (Continued from May 26, 2021)

AFTER-ACTION:

Commissioner Gongora introduced the item.

Thomas Mooney described the details of the proposed ordinance.

Michael Larkin described the proposed ordinance on behalf of Care Resource, including a minor revision pertaining to distance separation of like uses.

MOTION (MG/RA: 3-0): Recommend that the City Commisison refer the proposed Ordinance, with an amended distance separation for like uses, to the Planning Board.

3. CITY PARKING LOT AT 1000 WASHINGTON AVENUE.

Vice-Mayor Michael Gongora
Planning

April 29, 2021 C4 N (Continued from May 26, 2021)

AFTER-ACTION:

Commissioner Gongora introduced the item and the proposal to use a City parking lot to develop workforce housing.

Thomas Mooney described the concerns that staff had with the proposal.

Commissioner Arriola indicated that he was supportive of the concept.

Commissioner Samuelian noted that he was open to the idea of below ground parking and wanted to explore the idea of being able to use the underground parking for water storage as well.

Thomas Mooney described the procedures for waiving competitive bidding and that it would require six votes on the commission.

Graham Penn made a presentation on behalf of the applicant.

Jose Gomez presented the architectural plans of the proposed development.

Members of the public addressed the committee.

MOTION: By Acclamation - Recommend that the City Commission refer the item to the Finance and Economic Resiliency Committee.

DISCUSSION ITEMS

4. UPDATE ON PROJECTS: A) WEST AVENUE B) INDIAN CREEK C) PALM & HIBISCUS
D) FIRST STREET

Office of Capital Improvement Projects / Public Works
Commissioner Mark Samuelian
Verbal Report

AFTER-ACTION: The item was continued to the July LUSC meeting.

5. DISCUSS HOW THE CITIES OF MIAMI AND MIAMI BEACH MEASURE FLOODING.

Commissioner Mark Samuelian
March 18, 2020 C4 X (Continued from January 20, 2021)
Public Works

AFTER-ACTION: The item was discussed and concluded by Acclamation.

6. PALM VIEW NEIGHBORHOOD STUDY.

Planning
March 18, 2020 C4 W (Continued from January 20, 2021)

AFTER-ACTION:

Thomas Mooney introduced the item and indicated the proposal to de-designate the historic district and the proposal to upzone the area were the most significant proposals; both of which require a voter referendum.

Members of the public addressed the committee.

Commissioner Arriola said that the residents felt trapped and that the current regulations prevented them from improving their homes in light of sea level rise.

Commissioner Gongora indicated that he wanted to hear from the residents of Palm View, as well as the Planning Board and the Historic Preservation Board.

Commissioner Samuelian indicated that he wanted the Administration to come back to the LUSC with options to reduce fees and streamline the approval process for single family homes in the historic district, as a separate item.

MOTION (RA/MG 3-0):

- 1. Conclude and move the item to the full City Commission and include the recommendations of the Planning Board and Historic Preservation Board.**
- 2. The Administration will coordinate an additional meeting with the Palm View community, and include representatives of MDPL.**
- 3. The Administration will bring back a separate item to the LUSC to provide options for streamlining the review process and reducing fees for single family homes.**

7. DISCUSS THE ENVIRONMENTAL IMPACTS OF THE URBAN FORESTRY MASTER PLAN.

Environment & Sustainability
Commissioner Steven Meiner

March 17, 2021 C4 F (Deferred from May 26, 2021)

AFTER-ACTION:

Commissioner Meiner introduced the item.

Elizabeth Wheaton described the environmental impacts of the proposed item.

Omar Leon described the importance of maintaining a diverse tree canopy.

Members of the public addressed the committee.

MOTION: The item was concluded by Acclamation.

8. AN ORDINANCE AMENDING CHAPTER 126 OF THE MIAMI BEACH CITY CODE, ENTITLED "LANDSCAPE REQUIREMENTS," BY AMENDING SECTION 126-6 THEREOF, ENTITLED "MINIMUM STANDARDS" TO INCLUDE THE PALMS IDENTIFIED IN APPENDIX F OF THE URBAN FORESTRY MASTER PLAN FOR PURPOSES OF CALCULATING THE NUMBER OF REQUIRED STREET TREES, AND THE MINIMUM NUMBER OF TREES REQUIRED PER LOT OR PER ACRE OF NET LOT AREA; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Planning
Commissioner Steven Meiner

March 17, 2021 C4 AK (Deferred from May 26, 2021)

AFTER-ACTION:

Commissioner Gongora recused himself for this item.

Commissioner Meiner introduced the item.

Thomas Mooney described the details of the proposed ordinance, including that the ordinance would allow for palm trees to be designated as heritage trees and would create an appendix F in Chapter 126 that would allow specific neighborhoods to allow palm trees to count toward minimum canopy requirements and that neighborhoods could be added to the appendix by resolution.

Commissioner Samuelian requested that administration elaborate on concerns.

Thomas Mooney indicated that the administration felt that it was critical that the City's urban canopy goals be met.

Members of the public addressed the committee.

Commisisoner Meiner said that the ordinance was about preservation and the economic brand of the City and that a one-size fits all policy is not always appropriate.

Commissioner Arriola requested that the Administration come up with a happy medium where the character of neighborhoods can be preserved but still allow the City to achieve its canopy goals. Commissioner Samuelian appreciates the goals of the City but is open minded to tailoring regulations for specific neighborhoods and that La Gorce island is a case study to test the approach.

MOTION: By Acclamation - Continue to the July 12, 2021 LUSC with a revised Ordinance that includes the following:

- 1. A more tailored approach to La Gorce Island that balances the goals of the Urban Forestry Master Plan (UFMP) with the unique character and context of the neighborhood.**
- 2. Develop a method for providing a similar, tailored approach to individual neighborhoods citywide.**

9. DISCUSSION ON CITY OF MIAMI BEACH STORMWATER, SANITARY, SEWER, AND WATER INFRASTRUCTURE BEST MANAGEMENT PRACTICES.

Public Works

Commissioner Micky Steinberg

May 11, 2016 C4 U (Deferred from April 29, 2021)

AFTER-ACTION: The item was discussed and concluded by Acclamation.

DEFERRED ITEMS:

10. DISCUSSION REGARDING MIAMI BEACH JOINING THE BLUE ZONE PROJECT.

Organizational Development and Education Department

Commissioner Michael Gongora

May 12, 2021 C4O

(Deferred to July)

11. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO DEVELOP A PUBLIC SEAWALL ACTION PLAN THAT INCLUDES AN UPDATED 2011 SEAWALL INVESTIGATION REPORT, AND DETAILS CURRENT AND ON-GOING PROJECTS TO REPAIR AND/OR STRENGTHEN EXISTING PUBLIC SEAWALLS WITHIN THE CITY, VULNERABILITIES THAT DEMAND IMMEDIATE ATTENTION, PROJECTS REQUIRED TO ADDRESS SUCH VULNERABILITIES, AND A MULTI-YEAR FUNDING PLAN WITH POTENTIAL SOURCES FOR IT; AND FURTHER DIRECTING THE CITY ADMINISTRATION TO BRING EXISTING MATERIALS AND OUTLINED PROPOSALS TO THE LAND USE AND SUSTAINABILITY COMMITTEE IN 60 DAYS FROM THE ADOPTION OF THIS RESOLUTION.

Public Works

Vice-Mayor Mark Samuelian

October 14, 2020 C7 T (Continued from December 15, 2020)

(Deferred to July)

12. DISCUSS THE STATUS OF WATER QUALITY IN PARK VIEW ISLAND.

Commissioner Mark Samuelian

Co-sponsored by Commissioner Micky Steinberg
(Continued from May 26, 2021)
Environment & Sustainability
April 29, 2021 C4 L
(Deferred to July)

13. AN ORDINANCE AMENDING CHAPTER 142 OF THE MIAMI BEACH LAND DEVELOPMENT REGULATIONS TO ALLOW SOLAR PANELS AS AN ENCROACHMENT TO REAR AND SIDE YARD SETBACKS.

Commissioner Mark Samuelian
Planning / Environment and Sustainability
April 29, 2021 C4 O (Deferred from May 26, 2021)
(Deferred to July)

14. REVIEW THE CITY OF MIAMI BEACH EXPERIENCE AND PERSPECTIVES ON PERVIOUS/PERMEABLE PAVEMENT AND IDENTIFY POTENTIAL OPPORTUNITIES FOR USE.

Planning
Commissioner Mark Samuelian
March 18, 2020 C4 AA (Deferred from May 26, 2021)
(Deferred to September)

WITHDRAWN AND CONCLUDED ITEMS

15. DISCUSSION REGARDING POTENTIAL AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS RELATING TO FORMULA RESTAURANTS AND FORMULA COMMERCIAL ESTABLISHMENTS IN THE ART DECO/MIMO COMMERCIAL CHARACTER OVERLAY DISTRICT.

Planning
Commissioner Michael Gongora
May 12, 2021 C4P

16. DISCUSSION REGARDING POTENTIAL AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS RELATING TO TATTOO STUDIOS IN THE ART DECO/MIMO COMMERCIAL CHARACTER OVERLAY DISTRICT

Planning
Commissioner Michael Gongora
May 12, 2021 C4Q

The meeting adjourned at 11:24 am.

Attachment

ATH/ETC/JMG/TRM/RAM/EW