MIAMIBEACH

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

COMMISSION MEMORANDUM

TO: The Honorable Dan Gelber and Members of the City Commission

FROM: Alina T. Hudak, City Manager

DATE: September 14, 2022

SUBJECT: **Report of the July 7, 2022 Land Use and Sustainability Committee (LUSC) Meeting.**

A Land Use and Sustainability Committee (LUSC) meeting was held on July 7, 2022. Committee Members participating were Commissioners Ricky Arriola and David Richardson. Alternate Member Alex Fernandez and Mayor Dan Gelber were also in attendance. Members from the Administration, including Eric Carpenter, Thomas Mooney, Joe Gomez and Nick Kallergis, as well as members of the public, also participated.

The meeting was called to order at 9:31 a.m.

ACTION ITEMS

1. DISCUSS DEVELOPMENT INCENTIVES, INCLUDING HEIGHT AND FLOOR AREA RATIO (FAR), FOR THE CONVERSION OF EXISTING HOTELS AND APPLICABLE ACCESSORY USES IN THE MXE DISTRICT, ON THE EAST SIDE OF COLLINS AVENUE AND OCEAN DRIVE, TO RESIDENTIAL OR OFFICE DEVELOPMENT, SUBJECT TO THE APPROVAL OF HISTORIC PRESERVATION BOARD.

   Commissioner David Richardson
   Planning
   April 6, 2022 C4 AA

   The item was discussed briefly and deferred to the December 15, 2022 LUSC meeting.

2. PROPOSED R-PS4 AMENDMENT FOR ACCESSORY USES.

   Commissioner Alex Fernandez
   Planning
   May 25, 2022 C4 B

   MOTION – By Acclamation: Recommend that the Planning Board transmit the item to the City Commission with a favorable recommendation.

3. PROPOSED LDR AMENDMENT TO CREATE AN OCEANSIDE FAR OVERLAY BETWEEN 66TH AND 68TH STREETS.

   Mayor Dan Gelber

Planning
May 25, 2022 C4D

MOTION – DR/RA (2-1): Recommend that the City Commission approve the Ordinance as recommended by the Administration.

4. PROPOSED ORDINANCE TO AMEND THE MAXIMUM HEIGHT REQUIREMENTS FOR ROOFTOP ADDITIONS IN THE MUSEUM HISTORIC DISTRICT.

Commissioner Kristen Rosen Gonzalez
Planning
June 22, 2022 C4Y

MOTION - DR/RA (3-0): Recommend that the Planning Board transmit the item to the City Commission with a favorable recommendation.

5. LDR UPDATES AND RESILIENCY CODE.

Commissioner Ricky Arriola
Planning
May 4, 2022 R9D

MOTION - AF/DR (3-0): Recommend that the Planning Board transmit the item to the City Commission with a favorable recommendation.

DISCUSSION ITEMS

6. DISCUSSION REGARDING WHETHER TO PROHIBIT APARTMENT HOTELS IN ADDITIONAL DISTRICTS OR THROUGHOUT THE CITY OF MIAMI BEACH.

Commissioner Steven Meiner
Planning
October 13, 2021 C4 H

The item was deferred to the September 23, 2022 meeting.

7. DISCUSSION REGARDING THE REVIEW AND APPROVAL OF CERTIFICATES OF APPROPRIATENESS.

Commissioner Steven Meiner
Planning
October 13, 2021 C4 I

The item was deferred to the September 23, 2022 meeting.

8. DISCUSS POTENTIAL CRITERIA TO ADDRESS NOISE ASSOCIATED WITH CONDITIONAL USE PERMIT (CUP) APPLICATIONS.

Commissioner Alex Fernandez
Planning
December 8, 2021 C4 AB

MOTION – By Acclamation: The item was continued to September 23, 2022 LUSC meeting with direction to the Administration to address the recommendations outlined in the FPNA Resolution.

9. **Verbal Report** - DISCUSSION PERTAINING TO PROPOSED AMENDMENTS TO CHAPTER 46 OF THE CITY CODE PERTAINING TO HERITAGE TREE DESIGNATION.

Commissioner Steven Meiner
Environment and Sustainability
December 8, 2021 R5 N

The item was deferred to the September 23, 2022 LUSC meeting.

10. DISCUSS STORM DRAIN COVERS AND DIRECT THE ADMINISTRATION TO REPORT AT COMMITTEE ON THE FEASIBILITY AND COST OF INSTALLING STORM DRAIN COVERS CITYWIDE.

Commissioner Alex Fernandez
Public Works
January 20, 2022 C4 Y

The item was discussed and concluded with a recommendation that the Administration provide a recommendation to the full City Commission.

11. DISCUSS DEVELOPING DESIGN GUIDELINES FOR THE CONSTRUCTION OF NEW CITY FACILITIES, IN RECOGNITION OF THE CITY'S COMMITMENT TO EXCELLENCE IN URBAN DESIGN AND HISTORIC PRESERVATION.

Commissioner Alex Fernandez
Planning/Property Management
January 20, 2022 C4 AB

MOTION – By Acclamation: The item was continued to September 23, 2022 LUSC meeting with direction to the Administration to further develop the recommendations outlined in the LUSC memo, in consultation with the Procurement Director.

12. DISCUSS CREATING MINIMUM DISTANCE REQUIREMENTS FOR VITAMIN SHOPS UNDER SECTION 142-335 OF THE CITY CODE, AND IN ANY ADDITIONAL SECTION THAT MAY BE APPROPRIATE, TO PROTECT THE INTENDED MAIN USE OF THE RESPECTIVE ZONING DISTRICT.

Commissioner Alex Fernandez
Planning
March 9, 2022 C4 E

MOTION - AF/DR (3-0):
1. Recommend that the City Commission transmit the item to the Planning Board for review and recommendation.
2. Include a modification that to limit accessory uses to no more than 10% of the

allowable area.
3. Commissioner David Richardson and Commissioner Ricky Arriola were added as co-sponsors.

WITHDRAWN AND DEFERRED ITEMS

The following items are deferred to the September 23, 2022 LUSC Meeting:

13. Verbal Report - UPDATE ON PROJECTS: A) WEST AVENUE B) INDIAN CREEK C) PALM & HIBISCUS D) FIRST STREET

    Commissioner Mark Samuelian
    Office of Capital Improvement Projects / Public Works

14. EXPEDITE THE OPENING OF THE BAYWALK AND MOVE THE REOPENING OF THE BAYWALK UP ON THE G.O. BOND PRIORITIZATION LIST; AND PRESENT THE BAYWALK PLAN TO THE LUSC COMMITTEE.

    Capital Improvement Projects
    Commissioner Mark Samuelian
    March 17, 2021 C7 Q

15. DISCUSSION REGARDING PRESERVATION OPTIONS FOR EXISTING SINGLE-FAMILY HOMES IN MIAMI BEACH.

    Commissioner Mark Samuelian
    Planning
    September 17, 2021 C4H

16. DISCUSSION ON THE STATUS OF THE APPROVED WATER/SEWER INFRASTRUCTURE PLANS INCLUDING POTENTIAL ADDITIONAL NEEDS SUCH AS DADE/PURDY AVENUE.

    Commissioner Mark Samuelian
    Public Works
    October 13, 2021 C4 F

17. **Verbal Report** - DISCUSS THE APPLICABILITY OF THE CITY'S LAND DEVELOPMENT REGULATIONS (LDR'S) TO THE CO-OWNERSHIP OF SINGLE FAMILY HOMES AND WHETHER AMENDMENTS TO THE LDR'S ARE NECESARRY TO ADDRESS EMERGING BUSINESS MODELS.

    Commissioner Mark Samuelian
    City Attorney
    October 13, 2021 C4 G

18. DISCUSS THE MOTION MADE BY THE SUSTAINABILITY COMMITTEE REGARDING COMPOSTING.

    Commissioner Mark Samuelian
    Environment and Sustainability
    May 4, 2022 C4R

19. REFORM OF AUTOMATIC STAY PROVISIONS.

    Mayor Dan Gelber
    Planning
    May 4, 2022 C4Y

20. DISCUSS THE CREATION OF A 6TH STREET OVERLAY BETWEEN WASHINGTON AVENUE AND ALTON ROAD.

Commissioner Steven Meiner
Planning
July 28, 2021 C4T

21. A DISCUSSION ITEM TO CONSIDER AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS TO EXTINGUISH THE GRANDFATHERING OF MOTOR SCOOTER RENTALS AS LEGAL, NON-CONFORMING USES AS OF A DATE CERTAIN, WITH THE FINAL DATE FOR THE TERMINATION OF MOTOR SCOOTER RENTALS IN THE CITY TO BE BASED UPON AN AMORTIZATION TIMELINE TO BE ESTABLISHED AS PART OF THE PROPOSED LEGISLATION.

Commissioner David Richardson
City Attorney
September 17, 2021 C4I

The meeting adjourned at 2:05 p.m.

ATH/ETC/TRM/RAM

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