



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: March 27, 2023
SUBJECT: **Report of the February 15, 2023, Land Use and Sustainability Committee (LUSC) Meeting.**

A Land Use and Sustainability Committee (LUSC) meeting was held on February 15, 2023. Committee Members participating were Commissioners Ricky Arriola, Laura Dominguez, David Richardson, and Alex Fernandez. Members from the Administration, including Eric Carpenter, Thomas Mooney, Monica Beltran, Rogelio Madan, and Nick Kallergis from the City Attorneys Office, as well as members of the public, also participated.

The meeting was called to order at 9:43 a.m.

ACTION ITEMS

1. DISCUSS THE CREATION OF A TRANSFER OF DEVELOPMENT RIGHTS (TDR) PROGRAM, INCLUDING RECEIVING AND TRANSFER DISTRICTS.

Commissioner Ricky Arriola
Planning

September 14, 2022 (R5 E) and November 16, 2022 (C4 B)

Motion – By Acclamation: Continue the item to the March 1, 2023 meeting.

2. DISCUSS THE IDENTIFICATION AND DEVELOPMENT OF TRANSIT ORIENTED DEVELOPMENT (TOD) ZONES.

Commissioner Ricky Arriola
Planning

September 14, 2022 R5 E

Motion – By Acclamation: Continue the item to the March 1, 2023 meeting.

3. OCEAN TERRACE OVERLAY LDR AMENDMENT (Dual Referral to the Planning Board).

Commissioner Alex Fernandez
Planning

October 26, 2022 (R9 H)

Motion – DR/RA (3-0): Recommend that the Planning Board transmit an ordinance to the

City Commission to prohibit hostels and that the remainder of the item be bifurcated and continued to the April 19, 2023 meeting.

4. DISCUSS INCREASING ALLOWABLE FLOOR AREA RATIO FOR WORKFORCE HOUSING.

Commissioner Ricky Arriola
Planning
November 16, 2022 C4 V

Motion – By Acclamation: Continue the item to the March 1, 2023 meeting.

DISCUSSION ITEMS

5. 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 Alex Fernandez
City Attorney
October 13, 2021 C4 G

Motion- By Acclamation: Conclude the item and recommend that the City Commission adopt an ordinance.

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

Motion – By Acclamation: Conclude the item and recommend that the City Commission refer an ordinance to the Planning Board to clarify the definition of Apartment Hotels.

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

Commissioner Steven Meiner
Planning
October 13, 2021 C4 I

The item was discussed and concluded with no further action.

8. **DISCUSSION AT COMMITTEE:** DISCUSSION PERTAINING TO PROPOSED AMENDMENTS TO CHAPTER 46 OF THE CITY CODE PERTAINING TO HERITAGE TREE DESIGNATION.

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

The item was deferred to the April 19, 2023 meeting.

9. DISCUSS AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS TO REQUIRE ADDITIONAL INFORMATION RELATED TO PROPOSED FAR INCREASES.

Commissioner Alex Fernandez
Planning
June 22, 2022 C4 U

The item was deferred to the April 19, 2023 meeting.

10. DISCUSS THE CONVERSION OF NOISE VIOLATIONS FROM AN EXCESSIVE AND UNNECESSARY STANDARD TO A DECIBEL-BASED SYSTEM, AND THE IMPLEMENTATION OF A PILOT PROGRAM REQUIRING DECIBEL METERS FOR CERTAIN BUSINESS ESTABLISHMENTS.

Commissioner Alex Fernandez
Planning / Code Compliance / CAO
July 20, 2022 C4 B

Motion – By Acclamation: Continue the item to the April 19, 2023 meeting, with the following direction pertaining to a revised scope of services from the City acoustical consultant, as well as additional information from the Administration:

1. Expand the data collection timeframe to 30 days.
2. Include 2-4 monitoring periods.
3. Additional information on how the County enforces a decibel-based standard for noise, including the equipment used.
4. Identify areas in the City of Miami Beach where most or a large number of complaints pertaining to noise from commercial establishments come from.

11. DISCUSS PERMITTING LIVE ENTERTAINMENT TO PROMOTE ARTS AND CULTURE (Dual Referral to PSNQLC).

Commissioner Ricky Arriola
Planning
March 9, 2022 C4 D

Motion – By Acclamation: Continue to the April 19, 2023 meeting with the following direction:

1. Convert the parameters of the proposed pilot in the LUSC memo into an ordinance for review by the LUSC.
2. The draft ordinance provided to the LUSC will not be neighborhood specific.

12. DISCUSS A DIGITAL SIMULATION ZONING TOOL.

Commissioner Kristen Rosen Gonzalez
Planning
October 26, 2022 C4 E

The item was deferred to the March 1, 2023 meeting.

13. DISCUSS IMPROVED NOTICE REQUIREMENTS FOR PROPERTY OWNERS.

Commissioner Ricky Arriola
Planning
November 16, 2022 C4 U

Motion – By Acclamation: Conclude the item with direction to the Administration to draft an ordinance and recommend that the City Commission refer the ordinance to the Planning Board.

14. DISCUSS OFF-STREET PARKING REGULATIONS FOR DISTRICTS WITH REDUCED PARKING REQUIREMENTS AND DISCUSS POTENTIAL AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS TO ENSURE THAT ADEQUATE PARKING REMAINS AVAILABLE TO THE PUBLIC.

Commissioner Alex Fernandez
Planning
November 16, 2022 C4 X

The item was deferred to the March 1, 2023 meeting.

15. **DISCUSSION AT COMMITTEE:** CRIMINAL PENALTIES FOR DEMOLITION BY NEGLECT WHEN CIVIL PENALTIES REMAIN UNPAID AT THE TIME OF DEMOLITION.

Commissioner Alex Fernandez
City Attorney
November 16, 2022 C4 AC

The item was deferred to the March 1, 2023 meeting.

16. DISCUSS THE MAINTENANCE OF VACANT LOTS AND REGISTRATION REQUIREMENTS.

Commissioner Alex Fernandez
Planning
November 16, 2022 C4 AD

The item was deferred to the March 1, 2023 meeting.

17. DISCUSS POSSIBLE AMENDMENTS TO THE FENCING REQUIREMENTS FOR VACANT AND ABANDONED PROPERTIES.

Commissioner Kristen Rosen Gonzalez
Planning
November 16, 2022 C4 AE

The item was deferred to the March 1, 2023 meeting.

DEFERRED ITEMS

The following items have been deferred to March 1, 2023:

18. PROPOSED OVERLAY REGULATIONS FOR CENTURY LANE AND FARREY LANE, LOCATED IN THE RM-1 ZONING DISTRICT ON BELLE ISLE, TO PRESERVE THE LOW-SCALE RESIDENTIAL CHARACTER OF THE NEIGHBORHOOD (Dual Referral to the Planning Board).

Commissioner Alex Fernandez
Planning
October 26, 2022 C4 C and February 1, 2023 (C4 A)

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

Commissioner Alex Fernandez
Planning
September 17, 2021 C4 H

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

Commissioner Alex Fernandez
Planning
December 8, 2021 C4 AB

The meeting adjourned at 12:35 PM.