



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 March 1, 2023, Land Use and Sustainability Committee (LUSC) Meeting.**

A Land Use and Sustainability Committee (LUSC) meeting was held on March 1, 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, and Nick Kallergis from the City Attorney’s Office, as well as members of the public, also participated.

The meeting was called to order at 9:40 a.m.

ACTION ITEMS

1. POTENTIAL LDR AMENDMENTS TO COMMERCIAL DISTRICT REGULATIONS FOR NORTH BEACH IN ORDER TO LIMIT THE PROLIFERATION OF NUISANCE USES (Dual Referral to the Planning Board).

Commissioner Alex Fernandez
 Planning
 September 14, 2022 C4 X

Motion - (DR/RA) 3-0:

1. **Move the ordinance to the Planning Board, with direction to continue to study the cap on convenience stores and perform public outreach to commercial properties and affected stakeholders in North Beach.**
 2. **Continue the discussion pertaining to potential regulations for massage therapy centers t to the May 10, 2023 LUSC meeting.**
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2. 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 – (DR/RA) 3-0: Move the proposal to the full City Commission as an R9 discussion item, with the following direction:

1. **The Administration will identify additional potential areas in North Beach, in addition to those areas included in the LUSC memo.**
2. **Specific details for sending and receiving sites shall be provided, including how funds will be used for restoration and resiliency enhancements of historic properties in sending districts, as well as the use of bonus FAR for workforce and affordable housing in receiving districts.**
3. **A sunset provision for the TDR program.**
4. **An FAR cap for receiving districts.**

Additionally, Commissioner Richardson requested to be added as a co-sponsor.

3. 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 June 14, 2023 meeting for updates on regional transit proposals affecting the City.

4. PROPOSED OVERLAY REGULATIONS FOR THE NORTH SIDE OF BELLE ISLE, INCLUDING CENTURY LANE AND FARREY LANE, 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)

Motion – By Acclamation: Continue the item to the April 19, 2023 meeting.

5. 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 May 10, 2023 meeting.

6. AMENDMENT TO CD-3 ZONING REGULATIONS TO PERMIT CONVENIENCE STORES ON LINCOLN ROAD, EAST OF WASHINGTON AVENUE, SUBJECT TO SPECIFIC CONDITIONS (Dual Referral to Planning Board).

Commissioner Alex Fernandez
Planning
November 16, 2022 C4 Y

Motion – (DR/LD) 2-1: Send a modified proposal to the Planning Board with a requirement for a Conditional Use Permit and minimum operational conditions.

7. AMENDMENTS TO THE CITY'S LAND DEVELOPMENT REGULATIONS RELATING TO LIVE-WORK UNITS IN MIXED USE BUILDINGS IN THE CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT (Dual Referral to Planning Board).

Commissioner Laura Dominguez
Planning
February 1, 2023 C4 B

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

8. AMEND CERTAIN LANDSCAPING REQUIREMENTS IN CHAPTER 126 OF THE CITY CODE RELATING TO PALM TREES, TO PERMIT PALMS TO COUNT TOWARD THE MINIMUM NUMBER OF STREET TREES (Dual Referral to Planning Board).

Commissioner Steven Meiner
Planning
February 1, 2023 C4 C

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

9. AMENDMENT TO THE ALTON ROAD HISTORIC DISTRICT BUFFER OVERLAY AND PHARMACY REGULATIONS TO ACCOMMODATE THE RELOCATION OF THE MIAMI BEACH COMMUNITY HEALTH CENTER (Dual Referral to Planning Board).

Commissioner Alex Fernandez
Planning
February 1, 2023 C4 AF

Motion – By Acclamation: Continue to the April 19, 2023 meeting.

DISCUSSION ITEMS

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

Commissioner Steven Meiner
Planning
July 28, 2021 C4 T

Motion – By Acclamation: Recommend that the City Commission refer the Administration version of the proposed overlay ordinance to the Planning Board.

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

Commissioner Alex Fernandez
Planning
September 17, 2021 C4 H

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

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

Commissioner Alex Fernandez
Planning
December 8, 2021 C4 AB

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

13. 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.

14. DISCUSS A DIGITAL SIMULATION ZONING TOOL.

Commissioner Kristen Rosen Gonzalez
Planning
October 26, 2022 C4 E

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

15. DISCUSS REQUIREMENTS FOR EV PARKING IN NEW DEVELOPMENTS.

Commissioner Ricky Arriola
Planning
November 16, 2022 C4 T

Motion – By Acclamation: Continue the item to the May 10, 2023 meeting with direction to draft an ordinance based upon the recommendations in the LUSC memo, and that includes the following:

- 1. Up to 10% of spaces in new construction be dedicated to a minimum level 2 chargers.**
- 2. All parking spaces in new construction shall be hardwired for EV charging.**
- 3. Study mechanisms to require a minimum number of level 3 chargers in common areas.**

16. 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 April 19, 2023 meeting.

17. **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

Motion – By Acclamation: The item was continued to the May 10, 2023 meeting.

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

Commissioner Alex Fernandez
Planning
November 16, 2022 C4 AD

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

19. 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 April 19, 2023 meeting.

20. DISCUSS A PROPOSAL TO DESIGNATE THE STANDARD HOTEL (FORMER LIDO SPA) PROPERTY AT 40 ISLAND AVENUE AS A LOCAL HISTORIC SITE.

Commissioner Kristen Rosen Gonzalez
Planning
February 1, 2023 C7 W

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

The meeting adjourned at 12:47 PM.