



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: April 28, 2023

SUBJECT: **Report of the April 19, 2023, Land Use and Sustainability Committee (LUSC) Meeting.**

A Land Use and Sustainability Committee (LUSC) meeting was held on April 19, 2023. Committee Members participating were Commissioners Ricky Arriola, Laura Dominguez, and David Richardson. Members from the Administration, including Eric Carpenter, Thomas Mooney, Thomas Curitore, 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 9:48 a.m.

ACTION ITEMS

1. 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)

The item was deferred to the May 10, 2023 meeting.

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

Commissioner Alex Fernandez
 Planning
 October 26, 2022 (R9 H)

Motion – By Acclamation: Continue the item to the May 10, 2023 meeting.

3. 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

May 17, 2023 C4 B

The item was deferred to the May 10, 2023 meeting.

4. 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 June 20, 2023 meeting.

5. 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: Recommend that the Planning Board transmit the item to the City Commission with a favorable recommendation, with additional direction to the Administration to work with Miami-Dade County to ensure that there will be no medical cannabis dispensaries at the proposed community health center.

6. AMENDMENT TO COMMERCIAL PERFORMANCE STANDARD AREA REQUIREMENTS TO CLARIFY TREATMENT OF CERTAIN BELOW GRADE AREAS. (Dual Referral to the Planning Board).
Commissioner Laura Dominguez
Planning
February 22, 2023 C4 B

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

7. PROPOSED CHANGES TO THE CITY'S REGULATIONS REGARDING SINGLE STORY ROOFTOP ADDITIONS IN THE RM-3 ZONE BETWEEN LINCOLN ROAD AND 18 STREET. (Dual Referral to the Planning Board and Historic Preservation Board).
Commissioner Alex Fernandez
Planning
February 22, 2023 C4 C

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

DISCUSSION ITEMS

8. 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 May 10, 2023 meeting.

9. 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 May 10, 2023 meeting.

10. **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 June 20, 2023 meeting.

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

Commissioner Ricky Arriola
Planning
March 9, 2022 C4 D

Motion – (DR/RA) 2-1: Conclude the item and move the draft ordinance for a restaurant pilot program to the City Commission with the following modifications:

- **The pilot program should have a sunset provision of 18 months.**
- **Live entertainment only take place on Saturdays, Sundays, and Holidays and conclude by 6:00 p.m.**
- **The Commission consider some flexibility regarding days and hours of entertainment, through the special event permit process.**

12. 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

Motion – By Acclamation: The item was discussed and concluded with no recommendation.

13. 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: Conclude the item with an unfavorable recommendation.

14. DISCUSS A DIGITAL SIMULATION ZONING TOOL.

Commissioner Kristen Rosen Gonzalez
Planning
October 26, 2022 C4 E

The item was withdrawn by the sponsor.

15. 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 May 10, 2023 meeting.

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

Commissioner Alex Fernandez
Planning
November 16, 2022 C4 AD

Motion – By Acclamation: Continue the item to the May 10, 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 May 10, 2023 meeting.

18. 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 November 1, 2023 meeting.

19. DISCUSS PERMITTING ACCESSORY DWELLING UNITS IN THE PALM VIEW NEIGHBORHOOD.

Commissioner Ricky Arriola
Planning
February 22, 2023 C4 D

The item was deferred to the May 10, 2023 meeting.

20. DISCUSS A PROPOSED AMENDMENT TO THE ALTON ROAD OFFICE DEVELOPMENT OVERLAY, TO AMEND THE REQUIREMENTS FOR DEVELOPMENTS LOCATED BETWEEN LINCOLN ROAD AND 17TH STREET.

Commissioner Laura Dominguez
Planning
February 22, 2023 C4 E

Motion – By Acclamation: Recommend that the City Commission refer the item to the Planning Board for review and recommendation.

21. DISCUSS A PROPOSED LIMITED APPLICABILITY CLAUSE FOR REGULATIONS ON TRANSIENT USES INCLUDING BED AND BREAKFASTS IN THE WEST AVENUE BAYFRONT OVERLAY.

Commissioner Laura Dominguez
Planning
March 27, 2023 C4 D

Motion – (LD/DR) 3-0: Recommend that the City Commission refer the item to the Planning Board with the following direction:

- That the applicability be limited to bed and breakfast inns.
- That the exception be based on the date of a building permit.

22. DISCUSS ADOPTING A VERSION OF MIAMI-DADE COUNTY'S CODE THAT REQUIRES CERTAIN WATER AND SEWER CONNECTIONS.

Commissioner Ricky Arriola
Public Works
March 27, 2023 C4 C

Motion – (DR/RA) 2-1: Conclude the item and move to the full City Commission with a favorable recommendation as to the overall policy that any budget implications be discussed and by the City Commission as separate actions.

The meeting adjourned at 12:05 PM.

