

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Alex Fernandez
DATE: May 17, 2023

SUBJECT: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE AND PLANNING BOARD – AMEND LAND DEVELOPMENT REGULATIONS TO REQUIRE CONDITIONAL USE APPROVAL FROM THE PLANNING BOARD FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS ON A ROOFTOP WHERE SUCH ROOFTOP IS LOCATED IN CLOSE PROXIMITY TO A BUILDING CONTAINING RESIDENTIAL UNITS.

RECOMMENDATION

Please place the above item on the May 17, 2023 City Commission meeting agenda as a referral to the Land Use and Sustainability Committee (“LUSC”) and Planning Board (“PB”).

I would like the LUSC to consider amending the City’s Land Development regulations to require a conditional use permit (“CUP”) from the Planning Board for any proposed alcoholic beverage establishment located on a rooftop where such rooftop is located in close proximity to a building containing residential units. The CUP requirement would apply regardless of whether the establishment is licensed to conduct entertainment. As part of the discussion, I would request that the Planning Department recommend a specific distance requirement (from a residential property) within which a CUP would be required.

Based on the LUSC’s recommendations, the Planning Department can draft an Ordinance amending the Land Development Regulations, for transmittal to the Planning Board.

SUPPORTING SURVEY DATA

na

FINANCIAL INFORMATION

na

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to

Does this item utilize G.O. Bond Funds?

City Code Section 2-14?

Yes

No

Legislative Tracking

Commissioner Alex Fernandez