

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Alex Fernandez
DATE: March 13, 2024

SUBJECT: REFERRAL TO LAND USE AND SUSTAINABILITY COMMITTEE TO DISCUSS AN INITIATIVE TO PILOT A DECIBEL SYSTEM FOR NOISE ENFORCEMENT, INCLUDING THE INSTALLATION OF NOISE METERS, IN THE ENTERTAINMENT DISTRICT.

BACKGROUND/HISTORY

On December 13, 2023, at the request of Commissioner Alex Fernandez, the City Commission referred a discussion item pertaining to Conditional Use Permit (CUP) applications for Neighborhood Impact Establishments (C4 P) to the Land Use and Sustainability Committee (LUSC). Commissioner Tanya K. Bhatt was the co-sponsor of the proposal. On February 26, 2024, the LUSC discussed the item and recommended that mandatory progress reports requirements be implemented for future Neighborhood Impact Establishments (NIE) and that the City Commission refer an amendment to the Land Development Regulations of the City Code (LDR's) to the Planning Board to effectuate this requirement. It is anticipated that the referral ordinance will be considered separately as part of the April 3, 2024 City Commission consent agenda.

Additionally on February 26, 2024, the LUSC, at the request of Commissioners Alex Fernandez and Tanya K. Bhatt, recommended that the City Commission refer a separate discussion item to the LUSC to discuss an initiative to pilot a decibel system for noise enforcement, including the installation of noise meters, in the entertainment district.

ANALYSIS

In 2023, the LUSC discussed a decibel-based noise standard pilot program, which included the study of stationary sound level meters at elevated locations on utility poles. However, no recommendations were made. The purpose of this referral is to explore a decibel system of enforcement, rather than the current reasonable noise standard, including the use of noise meters to augment enforcement measures for establishments generating unwanted noise and to pilot an initiative to allow for code enforcement officers to use decibel readers.

SUPPORTING SURVEY DATA

FINANCIAL INFORMATION

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Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Commissioner Alex Fernandez