

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner David Suarez
DATE: April 3, 2024

SUBJECT: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE AND PLANNING BOARD - ADOPT MINIMUM REQUIREMENTS FOR RESTAURANTS SEEKING TO PROVIDE ENTERTAINMENT, IN ORDER TO INCENTIVIZE "SUPPER CLUBS" AND RESTAURANTS OFFERING INDOOR PERFORMANCES WITHIN DISTRICTS THAT PERMIT ENTERTAINMENT.

BACKGROUND/HISTORY

Was Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify name of lobbyist(s) and principal(s): N/A

ANALYSIS

Please place the above matter on the April 3, 2024 City Commission meeting agenda as a referral to the Land Use and Sustainability Committee ("LUSC") and Planning Board.

I would like the LUSC to discuss amending the Land Development Regulations of the City Code ("LDRs") to better define what constitutes a restaurant, for purposes of allowing indoor entertainment in zoning districts that currently permit entertainment. My intent is to incentivize supper clubs, as well as restaurants offering indoor performances.

The following are some initial standards and requirements for restaurants seeking to provide entertainment, which can be discussed by the LUSC:

1. Regardless of the occupational content of the venue, conditional use approval from the Planning Board shall be required.
2. The restaurant shall obtain all applicable restaurant licenses from the State and meet all requirements of the health department specific to restaurants.
3. The restaurant shall include a full kitchen, including the following minimum equipment requirements:

- a. Cook top and oven.
- b. A hood exhaust system along with a fire system connected to the hood.
- c. Dish washing apparatus, including a 3 compartment sink.
- d. A walk-in refrigerator.

4. The restaurant shall have minimum annual food sales of 60%.

5. At least 50% of the floor area of the restaurant venue shall contain table seating with individual chairs. The Planning Board, through the CUP process, may allow for a lower floor area percentage of restaurant seating, based upon the need for a larger kitchen, and may consider different types of tables and seating.

Following review by the LUSC, an Ordinance would be sent to the Planning Board.

SUPPORTING SURVEY DATA

N/A

FINANCIAL INFORMATION

N/A

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

Strategic Connection

Non-Applicable

Legislative Tracking

Commissioner David Suarez