

# MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139,  
www.miamibeachfl.gov

## COMMISSION MEMORANDUM

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Alina T. Hudak, City Manager

DATE: February 11, 2022

SUBJECT: **LAND USE AND SUSTAINABILITY COMMITTEE MEETING OF February 11, 2022**

A Land Use and Sustainability Committee meeting was held on February 11, 2022. Land Use and Sustainability Committee Members participating were Commissioners Ricky Arriola, David Richardson and Mark Samuelian. Alternate Member Alex Fernandez, as well as Commissioner Steven Meiner were also present. Members from the Administration, including Eric Carpenter, Thomas Mooney, Rogelio Madan, Nick Kallergis, David Martinez, Jose Gonzalez, Joe Gomez, and Christina Ortega, as well as members of the public, also participated.

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

### **ACTION ITEMS**

1. COLLINS AVENUE MXE – ZONING AMENDMENT BUILDING HEIGHT

Mayor Dan Gelber  
Planning  
October 14, 2020 C4I

#### **MOTION – By Acclamaition:**

**Recommend that the Planning Board transmit the proposed Ordinance to the City Commission with a favorable recommendation.**

2. DISCUSS AN ORDINANCE AMENDING THE COLLINS PARK ARTS OVERLAY DISTRICT (DUAL REFERRAL TO PLANNING BOARD).

Commissioner Ricky Arriola  
Planning  
December 8, 2021 C4 U

#### **MOTION – By Acclamation**

**Recommend that the Planning Board transmit the proposed Ordinance to the City Commission with a favorable recommendation.**

3. DISCUSS AMENDING THE NORTH BEACH TOWN CENTER DISTRICT TO ALLOW FOR LIMITED SELF-STORAGE USE (DUAL REFERRAL TO PLANNING BOARD).

Commissioner Ricky Arriola  
Planning  
December 8, 2021 C4 V

**MOTION – by Acclamation:**

**Recommend that the Planning Board consider allowing for the storage component as either an accessory use or a main permitted use, as requested by the applicant, and transmit an Ordinance to the City Commission with a favorable recommendation.**

4. DISCUSS PARKING REQUIREMENTS IN THE LINCOLN WEST PARKING SUBZONE.  
Commissioner Ricky Arriola  
Planning  
December 8, 2021 C4 W

**MOTION – (DR/RA) 2-1**

**Recommend that the City Commission refer the proposed Ordinance to the Planning Board.**

5. AMENDMENT TO THE AUTOMATIC STAY PROVISIONS IN SECTION 118-9 OF THE LAND DEVELOPMENT REGULATIONS, TO REPEAL THE EXCEPTION PERMITTING AN APPLICANT TO OBTAIN A BUILDING PERMIT WHILE AN APPEAL OF THE APPLICANT'S CONDITIONAL USE PERMIT IS PENDING APPLICATIONS.

Commissioner Kristen Rosen Gonzalez  
Planning  
January 20, 2022 C4 Z

**MOTION: The item was deferred to the March 4, 2022 LUSC meeting.**

**DISCUSSION ITEMS**

6. EXPEDITE THE OPENING OF THE BAYWALK AND MOVE THE REOPENING OF THE BAYWALK UP ON THE G.O. BOND PRIORITIZATION LIST; AND PRESENT THE BAYWALK PLAN TO THE LUSC COMMITTEE.

Capital Improvement Projects  
Commissioner Mark Samuelian  
March 17, 2021 C7 Q (Deferred from May 26, 2021)

**MOTION: by Acclamation - Continue the item to the May 13, 2022 LUSC meeting.**

7. DISCUSS THE BUILDING DEPARTMENT'S CURRENT BUILDING ASSESSMENTS AND POTENTIAL POLICY CHANGES.

Commissioner Mark Samuelian  
Building  
September 17, 2021 C4F

**MOTION: by Acclamation - Continue the item to April 8, 2022 to provide an update as to the State requirements that may be adopted by the legislature in the 2022 session.**

8. DISCUSS QUALITY OF LIFE STRATEGIES FOR DEALING WITH FUTURE AND EXISTING APARTMENT HOTELS IN SOUTH OF FIFTH.

Commissioner Mark Samuelian

Planning  
September 17, 2021 C4G

**MOTION: By Acclamation -**

1. Recommend that the City Commission transmit the proposed LDR amendment pertaining to FAR and Height incentives for converting existing apartment hotels to residential to the Planning Board for review and recommendation. Additionally, the LUSC included a modification that the Ordinance include a sunset period and incorporate language for a voluntary covenant for short-term rentals.
2. Continue the remainder of the item to the April 8, 2022 meeting, to discuss the following:
  - a. An update on the enforcement of apartment hotel provisions, including all violations issued to date.
  - b. Provide information on the maximum occupational load for hotel units under the Florida Building Code and Life-Safety Code.
  - c. Provide a framework for a potential 4<sup>th</sup> Street overlay.

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

Commissioner Mark Samuelian  
Planning  
September 17, 2021 C4H

**MOTION: by Acclamaiton - Continue the item to the April 8, 2022 meeting with direction to bring back options for a demolition fee.**

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

Commissioner Steven Meiner  
Planning  
July 28, 2021 C4T

**MOTION: The item was deferred to the March 4, 2022 LUSC meeting.**

11. DISCUSS AMENDING REGULATIONS ON HOURS OF OPERATION AND PROHIBITED AREAS FOR PACKAGE LIQUOR STORES.

Commissioner Mark Samuelian  
Planning  
September 17, 2021 C4J and C4L  
October 19, 2021 LUSC

**MOTION: The item was deferred to the March 4, 2022 LUSC meeting.**

12. DISCUSSION ON THE STATUS OF THE APPROVED WATER/SEWER INFRASTRUCTURE PLANS INCLUDING POTENTIAL ADDITIONAL NEEDS SUCH AS

DADE/PURDY AVENUE.

Commissioner Mark Samuelian  
Public Works  
October 13, 2021 C4 F

**MOTION – By Acclamation: Continue the item to the May 13, 2022 LUSC meeting with direction to the Administration to present a base level and long-term water and sewer plan with expected funding.**

13. DISCUSS THE APPLICABILITY OF THE CITY'S LAND DEVELOPMENT REGULATIONS (LDR'S) TO THE CO-OWNERSHIP OF SINGLE FAMILY HOMES AND WHETHER AMENDMENTS TO THE LDR'S ARE NECESSARY TO ADDRESS EMERGING BUSINESS MODELS.

Commissioner Mark Samuelian  
City Attorney  
October 13, 2021 C4 G

**MOTION: The item was deferred to the March 4, 2022 LUSC meeting.**

14. DISCUSSION REGARDING WHETHER TO PROHIBIT APARTMENT HOTELS IN ADDITIONAL DISTRICTS OR THROUGHOUT THE CITY OF MIAMI BEACH.

Commissioner Steven Meiner  
Planning  
October 13, 2021 C4 H

**MOTION: The item was deferred to the March 4, 2022 LUSC meeting.**

15. DISCUSSION REGARDING THE REVIEW AND APPROVAL OF CERTIFICATES OF APPROPRIATENESS.

Commissioner Steven Meiner  
Planning  
October 13, 2021 C4 I

**MOTION: The item was deferred to the March 4, 2022 LUSC meeting.**

16. DISCUSS THE POSITION OF THE VENETIAN ISLAND'S RESIDENTS REGARDING THE VENETIAN CAUSEWAY BRIDGE RENOVATIONS.

Commissioner Mark Samuelian  
Transportation  
Dec 8, 2021 C4 Y

**MOTION: by Acclamation - Move a resolution to the full City Commission identifying the City's desire to maintain clear access to the spoil islands and continue the item to the September 16, 2022 LUSC meeting.**

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

Commissioner Alex Fernandez  
Planning  
December 8, 2021 C4 AB

**MOTION: The item was deferred to the March 4, 2022 LUSC meeting.**

18. DISCUSS THE POTENTIAL RELOCATION OF MIAMI-DADE COUNTY COMMUNITY HEALTH CENTER AT 710 ALTON ROAD TO 663 ALTON ROAD.

Commissioner Ricky Arriola  
CAO/Planning  
December 8, 2021 C4 AI

**MOTION: by Acclamation – Recommend that the City Commission consider the proposal, as well as take action on the following:**

1. Discuss the draft agreement between the County and the developer of the 500 Alton Road site, as it pertains to the proposal to swap properties.
2. Amend the existing Development Agreement with the developer of the 500 Alton Road project, in order to accommodate the proposed land swap with the County.
3. Consider a referral to the Planning Board for applicable LDR amendments, to extend the Alton Road Gateway Overlay north to 8<sup>th</sup> Street.

19. DISCUSS STORM DRAIN COVERS AND DIRECT THE ADMINISTRATION TO REPORT AT COMMITTEE ON THE FEASIBILITY AND COST OF INSTALLING STORM DRAIN COVERS CITYWIDE.

Commissioner Alex Fernandez  
Public Works  
January 20, 2022 C4 Y

**MOTION by Acclamation - Continue to the item to the May 13, 2022 LUSC meeting.**

20. DISCUSS DEVELOPING DESIGN GUIDELINES FOR THE CONSTRUCTION OF NEW CITY FACILITIES, IN RECOGNITION OF THE CITY'S COMMITMENT TO EXCELLENCE IN URBAN DESIGN AND HISTORIC PRESERVATION.

Commissioner Alex Fernandez  
Planning/Property Management  
January 20, 2022 C4 AB

**MOTION: by Acclamation - Continue the item to the April 8, 2022 LUSC meeting, with direction to the Administration to bring back different options for all types of City projects.**

21. DISCUSS A CHARTER AMENDED RELATING TO CHARTER SECTION 1.03(C) TO CLOSE A "LOOPHOLE" IN THE LAW THAT ALLOWS THE TRANSFER OF FLOOR AREA RATIO (FAR) TO DEVELOPMENT PROJECTS WITHOUT THE APPROVAL OF THE ELECTORATE.

Commissioner Kristen Rosen Gonzalez  
Planning/CAO  
January 20, 2022 C4 F

**MOTION: The item was deferred to the March 4, 2022 LUSC meeting.**

**DEFERRED ITEMS**

The following items were deferred to the March 4, 2022 LUSC meeting:

22. UPDATE ON PROJECTS: A) WEST AVENUE B) INDIAN CREEK C) PALM & HIBISCUS  
D) FIRST STREET

Commissioner Mark Samuelian  
Office of Capital Improvement Projects / Public Works  
Verbal Report

23. CONSIDER THE PROPOSED EXPANSION OF THE ART DECO/MIMO COMMERCIAL CHARACTER OVERLAY DISTRICT TO INCLUDE WASHINGTON AVENUE, BETWEEN 5TH STREET AND DADE BOULEVARD, AS WELL AS THOSE PROPERTIES FROM 16TH STREET TO 23RD STREET TO THE EAST OF WASHINGTON AVENUE (DUAL REFERRAL TO PLANNING BOARD).

Commissioner Alex Fernandez  
Planning  
Dec 8, 2021 C4 X

24. DISCUSS SHORT-TERM FLOODING SOLUTIONS IN AREAS SUSCEPTIBLE TO FLOODING WITH NO FORTHCOMING INFRASTRUCTURE PROJECTS.

Commissioner Mark Samuelian  
Public Works  
September 17, 2021 C4E

25. A DISCUSSION ITEM TO CONSIDER AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS TO EXTINGUISH THE GRANDFATHERING OF MOTOR SCOOTER RENTALS AS LEGAL, NON-CONFORMING USES AS OF A DATE CERTAIN, WITH THE FINAL DATE FOR THE TERMINATION OF MOTOR SCOOTER RENTALS IN THE CITY TO BE BASED UPON AN AMORTIZATION TIMELINE TO BE ESTABLISHED AS PART OF THE PROPOSED LEGISLATION.

Commissioner David Richardson  
City Attorney  
September 17, 2021 C4I

26. CONCERNING THE RESIDENT SUSTAINABILITY COMMITTEE'S MOTION URGING THE CITY TO WORK WITH FDOT AND THE COUNTY TO LEAD A SHORELINE RESTORATION PROJECT ALONG THE JULIA TUTTLE CAUSEWAY

Commissioner Mark Samuelian  
Environment and Sustainability  
July 28, 2021 C4Q

27. DISCUSS THE SUSTAINABILITY COMMITTEE'S MOTION RECOMMENDING THAT THE \$25,000 ALLOCATED FOR THE ENHANCEMENT AND CONSERVATION OF FLAGLER MONUMENT ISLAND BE ALLOCATED TO PROJECTS THAT WILL STOP MOTORIZED VESSELS FROM REACHING THE ISLAND WHILE ENHANCING THE ISLAND'S ECOLOGICAL FEATURES.

Commissioner Mark Samuelian  
Environment and Sustainability

December 8, 2021 C4 Z

28. DISCUSS THE CENSUS FINDINGS PUBLISHED BY THE BEACH.

Commissioner Mark Samuelian  
Planning  
December 8, 2021 C4 M

29. DISCUSS THE RAISING OF PRIVATE HOMES.

Commissioner Mark Samuelian  
Planning  
January 20, 2022 C4 AA

30. DISCUSSION PERTAINING TO PROPOSED AMENDMENTS TO CHAPTER 46 OF THE CITY CODE PERTAINING TO HERITAGE TREE DESIGNATION.

Commissioner Steven Meiner  
Environment and Sustainability  
December 8, 2021 R5 N

The meeting adjourned at 2:12 p.m.

Attachment

ATH/ETC/JMG/TRM/RAM