

MIAMIBEACH

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

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Alina T. Hudak, City Manager

DATE: May 4, 2022

SUBJECT: **Report of the April 8, 2022 Land Use and Sustainability Committee (LUSC) Meeting.**

A Land Use and Sustainability Committee (LUSC) meeting was held on April 8, 2022. Committee Members participating were Commissioners Ricky Arriola, David Richardson and Mark Samuelian. Alternate Member Alex Fernandez was also present. Members from the Administration, including Eric Carpenter, Thomas Mooney, Nick Kallergis, Amy Knowles, Jose Gonzalez, Joe Gomez, David Martinez, Ana Salgueiro, and Christina Ortega, as well as members of the public, also participated.

The meeting was called to order at 9:35 a.m.

ACTION ITEMS

1. 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

The item was deferred to the May 13, 2022 LUSC meeting.

2. AMENDMENT TO ALTON ROAD GATEWAY DEVELOPMENT REGULATIONS TO ACCOMMODATE A NEW MIAMI-DADE COUNTY COMMUNITY HEALTH CENTER AT 710 ALTON ROAD (Dual Referral to Planning Board).

Commissioner Ricky Arriola
Planning
March 9, 2022 R9 T

MOTION - By Acclamation: Continue to the May 13, 2022 LUSC meeting.

3. AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS (LDR's) AND COMPREHENSIVE PLAN PERTAINING TO MINIMUM PARKING REQUIREMENTS, RESIDENTIAL USES AND MAXIMUM BUILDING HEIGHT, AS APPLICABLE TO THE PROPOSED LINCOLN LANE NORTH DEVELOPMENT PROJECT SUBMITTALS. (Dual Referral to Planning Board).

Commissioner Ricky Arriola

Planning

MOTION – By Acclamation: Recommend that the Planning Board transmit the following ordinances to the City Commission with a favorable recommendation:

(1) Ordinance regarding parking requirements; and

(2) Comprehensive Plan amendment with a modification that it only applies to the City Center boundaries.

MOTION – DR/RA (2-1): Recommend that the Planning Board discuss the Ordinance for the proposed height increases with no recommendation.

DISCUSSION ITEMS

- 4. 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

MOTION – By Acclamation: Continue to the May 13, 2022 LUSC meeting.

- 5. REVIEW THE CITY OF MIAMI BEACH EXPERIENCE AND PERSPECTIVES ON PERVIOUS/ PERMEABLE PAVEMENT AND IDENTIFY POTENTIAL OPPORTUNITIES FOR USE.

Commissioner Mark Samuelian
Public Works/CIP
Verbal Report
March 18, 2020 C4 AA (Continued from October 19, 2021)

MOTION – By Acclamation: The item was concluded.

- 6. 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

MOTION – By Acclamation: The item was concluded

- 7. 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

The item was deferred to the July 7, 2022 LUSC meeting.

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

Commissioner Mark Samuelian
Building

September 17, 2021 C4F (Continued from February 11, 2022)

MOTION – By Acclamation: The item was concluded.

9. 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 (Continued from February 11, 2022)

MOTION – By Acclamation: The item was concluded with the following recommendations:

1. Recommend that the City Commission refer the proposed LDR amendment pertaining to a 4th Street Overlay to the Planning Board.

2. Direct the Administration to prepare an Ordinance for First Reading that would increase and expand fines for illegal transient activity; First Reading to coincide with First Reading of the proposed 4th Street Overlay.

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

Commissioner Mark Samuelian
Planning

September 17, 2021 C4H (Continued from February 11, 2022)

The item was deferred to the May 13, 2022 LUSC meeting.

11. 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 NECESARRY TO ADDRESS EMERGING BUSINESS MODELS.

Commissioner Mark Samuelian
City Attorney
October 13, 2021 C4 G

The item was deferred to the May 13, 2022 LUSC meeting.

12. 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

The item was deferred to the May 13, 2022 LUSC meeting.

13. DISCUSS THE CENSUS FINDINGS PUBLISHED BY THE BEACH.

Commissioner Mark Samuelian
Planning
December 8, 2021 C4 M

MOTION – By Acclamation: Continue to the September 16, 2022 LUSC meeting and recommend that the Administration prepare a report card, with applicable benchmarks including, but not limited to, population, economic, and parking factors, resort tax data, and environmental indicators, so that it can be provided to the LUSC prior to the 2023 goals session, and that the scorecard be updated on an annual basis.

14. 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 13, 2022 LUSC meeting.

15. 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 item was deferred to the May 13, 2022 LUSC meeting.

16. **VERBAL REPORT:** 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 (Dual Referral to PSNQLC).

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

The item was deferred to the May 13, 2022 LUSC meeting.

17. 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

The item was deferred to the May 13, 2022 LUSC meeting.

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

Commissioner Ricky Arriola
Planning
March 9, 2022 C4 D

The item was deferred to the May 13, 2022 LUSC meeting.

19. DISCUSS THE RAISING OF PRIVATE HOMES.

Commissioner Mark Samuelian
Environment and Sustainability
January 20, 2022 C4 AA

The item was deferred to the May 13, 2022 LUSC meeting.

The meeting adjourned at 11:22 a.m.

ATH/ETC/TRM/RAM

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