

MIAMIBEACH

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

COMMISSION MEMORANDUM

TO: The Honorable Dan Gelber and Members of the City Commission

FROM: Alina T. Hudak, City Manager

DATE: June 28, 2023

SUBJECT: **Report of the May 10, 2023, Land Use and Sustainability Committee (LUSC) Meeting.**

A Land Use and Sustainability Committee (LUSC) meeting was held on May 10, 2023. Committee Members participating were Commissioners Ricky Arriola, Laura Dominguez, and David Richardson. Alternate Committee Member Commissioner Alex Fernandez also participated. Members from the Administration, including Eric Carpenter, Thomas Mooney, David Martinez, and Nick Kallergis from the City Attorney's Office, as well as members of the public, participated.

The meeting was called to order at 9:38 a.m.

ACTION ITEMS

1. POTENTIAL LDR AMENDMENTS TO COMMERCIAL DISTRICT REGULATIONS FOR NORTH BEACH – MASSAGE THERAPY CENTERS (Dual Referral to the Planning Board).

Commissioner Alex Fernandez
Planning
September 14, 2022 C4 X

Motion – (LD/DR) 3-0: Recommend approval of an ordinance consistent with the recommendations in the LUSC memo and that the Planning Board transmit the proposal to the City Commission with a favorable recommendation.

2. PROPOSED OVERLAY REGULATIONS FOR THE NORTH SIDE OF BELLE ISLE, INCLUDING CENTURY LANE AND FARREY LANE, TO PRESERVE THE LOW-SCALE RESIDENTIAL CHARACTER OF THE NEIGHBORHOOD. (Dual Referral to the Planning Board).

Commissioner Alex Fernandez
Planning
October 26, 2022 (C4 C) and February 1, 2023 (C4 A)

Motion – (LD/DR) 3-0: Recommend that the City Commission refer the proposed ordinance to the Planning Board with an amendment allowing up to a 3-lot aggregation for non-conforming hotel uses that improve on site vehicular circulation.

3. OCEAN TERRACE OVERLAY LDR AMENDMENT (Dual Referral to the Planning Board).
Commissioner Alex Fernandez
Planning
October 26, 2022 (R9 H)

The item was deferred to the June 20, 2023 meeting.

4. AMENDMENTS TO THE CITY'S LAND DEVELOPMENT REGULATIONS RELATING TO LIVE-WORK UNITS IN MIXED USE BUILDINGS IN THE CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT (Dual Referral to Planning Board).
Commissioner Laura Dominguez
Planning
February 1, 2023 C4 B

Motion – (LD/DR) 3-0: Recommend approval of the ordinance and that the Planning Board transmit the proposal to the City Commission with a favorable recommendation.

5. DISCUSS LDR INCENTIVES TO RETAIN AND REHABILITATE HISTORIC BUILDINGS (Dual Referral to Planning Board).
Commissioner Alex Fernandez
Planning
April 28, 2023 C4 D

Motion – By Acclamation: Continue the item to the September 27, 2023 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.
Commissioner Alex Fernandez
Capital Improvement Projects
March 17, 2021 C7 Q

Motion – By Acclamation: Continue the item to the June 20, 2023 meeting with direction to provide an update on the baywalk at Southgate Towers.

7. DISCUSSION REGARDING PRESERVATION OPTIONS FOR EXISTING SINGLE-FAMILY HOMES IN MIAMI BEACH.
Commissioner Alex Fernandez
Planning
September 17, 2021 C4 H

Motion – By Acclamation: Conclude the item with no recommendation.

8. DISCUSS POTENTIAL CRITERIA TO ADDRESS NOISE ASSOCIATED WITH CONDITIONAL USE PERMIT (CUP) APPLICATIONS.
Commissioner Alex Fernandez

Planning
December 8, 2021 C4 AB

Motion – By Acclamation: Conclude the item with no action.

9. DISCUSS REQUIREMENTS FOR EV PARKING IN NEW DEVELOPMENTS.

Commissioner Ricky Arriola
Planning
November 16, 2022 C4 T

Motion – By Acclamation: Recommend that the City Commission refer the proposed ordinance to the Planning Board.

10. DISCUSS INCREASING ALLOWABLE FLOOR AREA RATIO FOR WORKFORCE HOUSING.

Commissioner Ricky Arriola
Planning
November 16, 2022 C4 V

Motion – By Acclamation: Continue the item to the June 20, 2023 meeting with direction to staff to draft an ordinance to provide an increase in FAR and density for strategic areas of the City, based upon providing workforce housing.

11. DISCUSS OFF-STREET PARKING REGULATIONS FOR DISTRICTS WITH REDUCED PARKING REQUIREMENTS AND DISCUSS POTENTIAL AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS TO ENSURE THAT ADEQUATE PARKING REMAINS AVAILABLE TO THE PUBLIC.

Commissioner Alex Fernandez
Planning
November 16, 2022 C4 X

Motion – By Acclamation: Conclude the item with no action.

12. DISCUSS THE MAINTENANCE OF VACANT LOTS AND REGISTRATION REQUIREMENTS.

Commissioner Alex Fernandez
Planning
November 16, 2022 C4 AD

Motion – By Acclamation: Conclude the item with a recommendation that the City Commission refer an LDR amendment to the Planning Board based upon the options identified in the LUSC memo, subject to the approval of the sponsor.

13. DISCUSS POSSIBLE AMENDMENTS TO THE FENCING REQUIREMENTS FOR VACANT AND ABANDONED PROPERTIES.

Commissioner Kristen Rosen Gonzalez

Planning
November 16, 2022 C4 AE

Motion – By Acclamation: Conclude the item with a recommendation that the City Commission refer an LDR amendment to the Planning Board based upon the options identified in the LUSC memo, subject to the approval of the sponsor.

14. DISCUSS PERMITTING ACCESSORY DWELLING UNITS IN THE PALM VIEW NEIGHBORHOOD.

Commissioner Ricky Arriola
Planning
February 22, 2023 C4 D

Motion – (LD/DR) 3-0:

1. Recommend that the City Commission refer the proposed ordinance to the Planning Board with the following amendments:
 - a. The size of an ADU be increased from 400 feet to 600 square feet for smaller lots.
 - b. The requirements for property ownership shall not be limited to homesteaded properties.
 - c. Entrance visibility on corner lots shall be further studied.
2. Recommend that the City Commission refer an ordinance to the Planning Board to allow for administrative review of ADU's in local historic districts.

15. DISCUSSION AT COMMITTEEE - DISCUSS THE LIVE LOCAL ACT.

Commissioner Ricky Arriola
Planning
April 28, 2023 C4 E

Motion – By Acclamation: Continue the item to the June 20, 2023 meeting with direction to provide an update on grant funding opportunities.

16. DISCUSSION AT COMMITTEEE - DISCUSS PENDING STATE LEGISLATION RELATING TO MAXIMUM FREEBOARD FOR NEW CONSTRUCTION.

Commissioner Ricky Arriola
Planning
April 28, 2023 C4 U

Item Withdrawn by Sponsor – No Action Taken

WITHDRAWN ITEMS

The following item was withdrawn by the sponsor:

17. CRIMINAL PENALTIES FOR DEMOLITION BY NEGLECT WHEN CIVIL PENALTIES REMAIN UNPAID AT THE TIME OF DEMOLITION.

Commissioner Alex Fernandez
City Attorney
November 16, 2022 C4 AC

The meeting adjourned at 12:30 p.m.