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## COMMISSION MEMORANDUM

TO: The Honorable Mayor Steven Meiner and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: April 23, 2025

SUBJECT: **Report of the March 11, 2025, Land Use and Sustainability Committee (LUSC) Meeting.**

A Land Use and Sustainability Committee (LUSC) meeting was held on March 11, 2025. Committee Members participating were Commissioners Alex Fernandez (Chair), Tanya K. Bhatt (Vice-Chair), and David Suarez. Commissioners Laura Dominguez (zoom) and Kristen Rosen Gonzalez were also present. Members from the Administration, including Thomas Mooney, David Martinez, Debbie Tackett, Amy Knowles, Rodney Knowles, Lindsey Precht and Jay Fink, Nick Kallergis from the City Attorney's Office, as well as members of the public, also participated.

**The meeting was called to order at 3:14 p.m.**

### **PRIORITY ITEMS**

1. DISCUSS AND REVIEW THE FINAL REPORT AND RECOMMENDATIONS OF THE 2024 AD HOC HISTORIC PRESERVATION ORDINANCE ADVISORY REVIEW COMMITTEE.

Commissioner Alex Fernandez  
Planning

December 11, 2024 C4 F

**Motion – By Acclamation: Recommend that the City Commission refer an LDR amendment to the Planning Board, in accordance with the recommendations in the LUSC memorandum and the final report of the Ad-Hoc Historic Preservation Ordinance Committee.**

2. DISCUSS THE CREATION OF A TRANSFER OF DEVELOPMENT RIGHTS (TDR) PROGRAM FOR WASHINGTON AVENUE.

Commissioner Alex Fernandez  
Planning

June 26, 2024 C4 Y

**Motion – By Acclamation:**

1. **Recommend that the City Commission authorize the Administration to engage a qualified professional to prepare a market study that can inform the details of a future Transfer of Development Rights (TDR) program, in accordance with the recommendations in the LUSC memo.**
2. **Continue the item to future LUSC meeting for additional updates and policy**

**direction.**

3. DISCUSS LDR INCENTIVES TO RETAIN AND REHABILITATE HISTORIC BUILDINGS (Dual Referral to Planning Board).

Commissioner Alex Fernandez  
Planning  
April 28, 2023 C4 D

**Combined with Item 1 (See Item 1).**

4. DISCUSS THE DEVELOPMENT OF DESIGN GUIDELINES FOR ALTERNATE RAILING DESIGNS FOR NON-CONTRIBUTING BUILDINGS WITHIN HISTORIC DISTRICTS AND A POSSIBLE AMENDMENT TO THE CITY'S HISTORIC PRESERVATION ORDINANCE TO ALLOW FOR THE ADMINISTRATIVE REVIEW OF SUCH NEW RAILING DESIGNS THAT COMPLY WITH SUCH GUIDELINES FOR NON-CONTRIBUTING BUILDINGS.

Commissioner Alex Fernandez and Commissioner Laura Dominguez  
Planning  
October 30, 2024 C4 C

**Combined with Item 1 (See Item 1).**

5. DISCUSS INCENTIVES FOR PROPERTY OWNERS TO RESTORE/REHABILITATE HISTORIC BUILDINGS ON COLLINS AND WASHINGTON AVE BETWEEN 5TH STREET AND LINCOLN ROAD.

Commissioner Tanya K. Bhatt  
Building  
October 30, 2024 C4 I

Combined with Item 1 (See Item 1).

6. DISCUSS INCENTIVES FOR PROPERTY OWNERS TO RESTORE/ REHABILITATE HISTORIC RESIDENTIAL APARTMENT BUILDINGS IN THE FLAMINGO PARK NEIGHBORHOOD.

Commissioner Laura Dominguez  
Planning  
September 11, 2024 C4 Q

**Combined with Item 1 (See Item 1).**

7. DISCUSS INCENTIVES FOR PROPERTY OWNERS TO RESTORE/REHABILITATE HISTORIC RESIDENTIAL APARTMENT BUILDINGS IN NORTH BEACH.

Commissioner Tanya K. Bhatt and Commissioner Laura Dominguez  
Planning  
September 11, 2024 C4 S

**Combined with Item 1 (See Item 1).**

## **REGULAR ITEMS**

8. DISCUSS THE NORTH BEACH WATER QUALITY AND PARK VIEW CANAL REPORT.

Commissioner Kristen Rosen Gonzalez and Commissioner Alex Fernandez  
Environment and Sustainability  
February 3, 2025 C4 R

**Motion – By Acclamation:**

1. **Recommend that the City Commission discuss and consider the recommendations of staff outlined in the LUSC memo at the March 19, 2025 City Commission meeting.**
2. **Continue the item to the April 15, 2025 LUSC meeting for additional updates.**
9. PRESENT AND DISCUSS THE DRAFT SEAL LEVEL RISE ADAPTATION PLAN FUNDED BY THE RESILIENT FLORIDA GRANT PROGRAM.

Commissioner Laura Dominguez  
Environment and Sustainability  
February 3, 2025 C4 T

**Deferred to the April 15, 2025 LUSC meeting with no discussion.**

10. DISCUSS POSSIBLE AMENDMENTS TO CHAPTER 54, ENTITLED "FLOODS," ARTICLE III, ENTITLED "RESILIENCE STANDARDS FOR TIDAL FLOOD PROTECTION" TO ENHANCE ENFORCEMENT MECHANISMS FOR PUBLIC SAFETY AND QUALITY OF LIFE (DUAL REFERRAL TO THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE).

Commissioner Alex Fernandez and Commissioner Laura Dominguez  
Environment and Sustainability  
October 30, 2024 C4 G

**Deferred to the April 15, 2025 LUSC meeting with no discussion.**

11. 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 Laura Dominguez  
Capital Improvement Projects  
March 17, 2021

**Item withdrawn by sponsor.**

12. MONTHLY UPDATES ON HISTORIC HOTEL REDEVELOPMENT ON COLLINS AVENUE BETWEEN 14TH AND 20TH STREETS, INCLUDING AN OVERVIEW OF PENDING PERMITS AND PROGRESS UPDATES FROM DEVELOPMENT TEAMS.

Commissioner Alex Fernandez  
Planning  
October 30, 2024 C4 H

**Deferred to the April 15, 2025 LUSC meeting with no discussion.**

13. DISCUSS SETTING PARAMETERS FOR PROPERTY OWNERS TO PRESENT CREATIVE DEVELOPMENT PROPOSALS TO THE CITY ADMINISTRATION AND CITY COMMISSION, AS AN ALTERNATIVE TO INVOKING THE PREEMPTIONS IN THE LIVE LOCAL ACT, TO ENCOURAGE LONG-TERM NON-TRANSIENT RESIDENTIAL DEVELOPMENT (INCLUDING WORKFORCE HOUSING) THAT IS MORE COMPATIBLE WITH THE SURROUNDING NEIGHBORHOOD.

Commissioner Joseph Magazine  
Planning  
March 13, 2024 R9 AR

**Deferred to the April 15, 2025 LUSC meeting with no discussion.**

14. DISCUSS THE IMPLEMENTATION OF A "CONSENT AGENDA" FOR LAND USE BOARD MEETINGS.

Commissioner David Suarez  
Planning  
October 30, 2024 C4 A

**Deferred to the April 15, 2025 LUSC meeting with no discussion.**

15. DISCUSS POSSIBLE AGREEMENT FOR DEVELOPMENT AND CONVEYANCE TO CITY OF PUBLIC PARKING GARAGE AT 1247-1255 WEST AVE FOR CITY GARAGE (Dual Referral to the Finance and Economic Resiliency Committee).

Commissioner Joseph Magazine  
Planning  
September 11, 2024

**Deferred to the April 15, 2025 LUSC meeting with no discussion.**

16. DISCUSS THE CURRENT REQUIREMENTS OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE (LDR) APPLICABLE TO TOBACCO AND VAPE SALES, INCLUDING MINIMUM DISTANCE SEPARATION AND NORTH BEACH USE RESTRICTIONS, AND POTENTIAL DISTINCTIONS BETWEEN STANDALONE TOBACCO/VAPE SHOPS AND THE SALE OF THESE PRODUCTS AS AN INCIDENTAL OR ACCESSORY USE TO A GROCERY, CONVENIENCE STORE, OR OTHER SIMILAR RETAIL USE.

Commissioner Kristen Rosen Gonzalez  
Planning  
February 3, 2025 C4 Z

**Motion – By Acclamation: Continue the item to the April 15, 2025 LUSC meeting with direction to staff to prepare draft text amendments for narrow exceptions to the current distance separation requirements for tobacco and vape uses within convenience stores in North Beach, in accordance with the direction of the LUSC.**

17. DISCUSS AND IDENTIFY POTENTIAL SITES FOR THE INSTALLATION OF "THE GLORY OF OLD GLORY," A SERIES OF MURALS BY ARTIST ENZO GALLO, WHICH WERE REMOVED, PRESERVED, AND DONATED TO THE CITY PRIOR TO THE DEMOLITION OF THE WELLS FARGO BANK ON ALTON ROAD.

Commissioner Alex Fernandez  
Facilities and Fleet Management  
May 15, 2024 C4 AJ

**Deferred to the April 15, 2025 LUSC meeting with no discussion.**

#### **FUTURE ITEMS**

The following items were deferred to a future date:

18. DISCUSS UPDATES TO THE RESILIENCY CODE.

Commissioner Alex Fernandez  
Planning  
February 3, 2025 C4 S

19. DISCUSS STATUS OF THE OCEAN DRIVE CORRIDOR IMPROVEMENT AND LUMMUS PARK ENHANCEMENT PROJECT.

Commissioner Tanya K. Bhatt

CIP  
February 3, 2025 C4 U

20. DISCUSS A COMPREHENSIVE BRANDING CAMPAIGN FOR THE ART DECO HISTORIC DISTRICT OF SOUTH BEACH.

Commissioner Alex Fernandez  
Communications  
February 3, 2025 C4 V

21. DISCUSS POSSIBLE LEGISLATION REGULATING TEMPORARY AND/OR TRANSITIONAL HOUSING.

Commissioner Alex Fernandez  
Planning  
February 3, 2025 C4 W

22. DISCUSS REMOVING THE PERMIT REQUIREMENT FOR PAINTING RESIDENTIAL, MULTIFAMILY AND COMMERCIAL PROPERTIES.

Commissioner Alex Fernandez  
Planning  
February 3, 2025 C4 X

23. REQUIRE APPLICANTS FOR ZONING INCENTIVES TO BE IN GOOD STANDING WITH THE CITY PRIOR TO FILING A COMPLETED APPLICATION, INCLUDING RESOLVING ALL OPEN CODE VIOLATIONS, PAYING ALL OUTSTANDING FINES, FEES, OR OTHER BILLS TO THE CITY, AND PROHIBITING HABITUAL OFFENDERS WITH A PATTERN OF CODE VIOLATIONS DURING THE PRECEDING FEW YEARS FROM APPLYING UNDER CERTAIN CIRCUMSTANCES.

Commissioner Alex Fernandez  
Planning  
February 3, 2025 C4 Y

24. DISCUSS POTENTIAL ENHANCEMENTS TO THE DEVELOPMENT REGULATIONS IN RESIDENTIAL SINGLE FAMILY (RS) DISTRICTS, TO PROTECT AND PROMOTE THE CHARACTER OF THE CITY'S SINGLE-FAMILY NEIGHBORHOODS.

Commissioner Alex Fernandez  
Planning  
February 3, 2025 C4 AA

25. DISCUSS HOLDING COMPANIES DOING BUSINESS WITHIN CITY LIMITS RESPONSIBLE FOR EDUCATING THEIR DRIVERS ABOUT THE PROHIBITION OF BLOCKING/DOUBLE PARKING IN THE RIGHT-OF-WAYS.

Commissioner Tanya K. Bhatt  
Parking  
February 3, 2025 C4 AB

26. DISCUSS AMENDING THE LAND DEVELOPMENT REGULATIONS TO ADDRESS THE ADDITIONAL OPEN SPACE REQUIREMENTS FOR TWO (2) STORY SINGLEFAMILY HOMES THAT EXCEED 60 FEET IN LENGTH.

Commissioner David Suarez  
Planning  
February 3, 2025 C4 AC

27. CONSIDER AMENDMENTS TO LAND DEVELOPMENT REGULATIONS TO DISINCENTIVIZE THE CONSTRUCTION OF SINGLE-FAMILY HOMES BUILT ON ELEVATED BERMS, INCLUDING REQUIRING DESIGN REVIEW BOARD REVIEW FOR ALL SINGLE-FAMILY HOMES.

Commissioner Tanya K. Bhatt  
Planning  
February 3, 2025 C4 AD

28. DISCUSS BEAUTIFYING THE FLYOVER BRIDGE LOCATED AT THE INTERSECTION OF MACARTHUR CAUSEWAY TO FIFTH STREET IN SOUTH BEACH.

Commissioner Alex Fernandez  
Public Works  
February 3, 2025 C4 AE

29. CONSIDER AMENDMENTS TO NOTICE REQUIREMENTS IN THE LAND DEVELOPMENT REGULATIONS TO FACILITATE RESCHEDULING OF LAND USE BOARD MEETINGS IN THE EVENT THAT A MEETING IS CANCELED DUE TO A LACK QUORUM; AND DISCUSS AMENDMENTS TO LAND USE BOARD MEMBER ATTENDANCE REQUIREMENTS .

Commissioner David Suarez  
Planning  
February 3, 2025 C4 AW

30. AN AMENDMENT TO COMPREHENSIVE PLAN AND RESILIENCY CODE NONCONFORMING BUILDING PROVISIONS AND RM-1 DISTRICT REGULATIONS TO ALLOW INTRODUCTION OF ON-SITE PARKING AND RESIDENTIAL USES WITHIN NONCONFORMING HOTEL USE ON THE NORTH SIDE OF BELLE ISLE (Dual Referral to the Planning Board).

Commissioner Laura Dominguez  
Planning  
September 11, 2024 C4 W

31. DISCUSS THE USE OF RENT IN EXCESS OF THE MINIMUM FIXED RENT RECEIVED FOR THE MIAMI BEACH CONVENTION CENTER HEADQUARTER HOTEL BEING EARMARKED FOR THE PURPOSE OF PROMOTING AND SUPPORTING WORKFORCE AND AFFORDABLE HOUSING DEVELOPMENT.

Commissioner Tanya K. Bhatt  
Office of the City Manager  
December 11, 2024 C7 Z

32. BI-MONTHLY UPDATE ON CODE ENFORCEMENT ACTIVITIES, AND THE STATUS OF SPECIAL MAGISTRATE CASES, INVOLVING PROPERTIES AND/OR BUSINESSES LOCATED IN NORTH BEACH AND TO ADDRESS ANY ONGOING CONCERNS AND NEW DEVELOPMENTS IN NORTH BEACH.

Commissioner Alex Fernandez  
Code Compliance  
December 11, 2024 C7 AB

33. DISCUSS AND CONSIDER RECOMMENDATIONS RELATING TO THE CITY OF MIAMI BEACH SIDEWALK MATERIAL/COLOR POLICY.

Commissioner Alex Fernandez  
Public Works  
November 20, 2024 C4 T

34. DISCUSS POTENTIALLY REGULATING OR PROHIBITING FRACTIONAL OWNERSHIP IN MIAMI BEACH RESIDENTIAL AREAS.

Commissioner Alex Fernandez  
City Attorney Office  
November 20, 2024 C4 U

35. COORDINATE WITH MIAMI-DADE COUNTY PUBLIC SCHOOLS TO PROMOTE HISTORIC PRESERVATION AND ADAPTIVE RE-USE OF HISTORIC BUILDINGS ON SCHOOL PROPERTY.

Commissioner Tanya K. Bhatt  
Planning  
November 20, 2024 C4 W

36. DISCUSS CHANGES IN STATE LAW PERTAINING TO TELECOMMUNICATIONS FACILITIES IN THE RIGHT-OF-WAY AND CONSIDER CORRESPONDING AMENDMENTS TO CHAPTER 104 OF THE CITY CODE, ENTITLED "TELECOMMUNICATIONS," AND RELATED PROVISIONS IN THE LAND DEVELOPMENT REGULATIONS.

City Attorney  
Public Works  
October 30, 2024 C4 B

37. DISCUSS ADDING TO THE LAND USE AND SUSTAINABILITY COMMITTEE AGENDA MONTHLY UPDATES ON THE G.O. BOND BEACHWALK REFORESTATION PROJECT.

Commissioner Alex Fernandez  
Environment and Sustainability  
October 30, 2024 C4 D

38. CONSIDER AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS TO REQUIRE A 6/7TH VOTE OF THE CITY COMMISSION PRIOR TO THE ADOPTION OF ANY INCREASE IN A PROPERTY'S ZONED HEIGHT.

Commissioner Kristen Rosen Gonzalez  
Planning  
October 30, 2024 C4 F

39. CONSIDER A WAIVER OF THE MAXIMUM GRANT AMOUNT PERMITTED UNDER THE CITY'S PRIVATE PROPERTY ADAPTATION PROGRAM, PURSUANT TO RESOLUTION 2023-32614, TO FUND THE WORK NECESSARY TO RAISE THE HISTORIC HOME LOCATED ON 6005 ALTON ROAD.

Commissioner Kristen Rosen Gonzalez  
Environment and Sustainability  
October 30, 2024 C4 S

40. DISCUSS AND CONSIDER ADOPTING A "LIVE BETTER" PROGRAM, INCLUDING ZONING AND OTHER INCENTIVES, TO PROMOTE ATTAINABLE HOUSING SOLUTIONS IN MIAMI BEACH FOR MIDDLE-INCOME INDIVIDUALS AND FAMILIES.

Commissioner Alex Fernandez  
Planning  
September 11, 2024 C4 V

41. REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE TO DISCUSS AN ORDINANCE INCREASING FINES AND PENALTIES FOR FREQUENT CODE VIOLATIONS THAT AFFECT RESIDENT QUALITY OF LIFE.

Commissioner Alex Fernandez  
Code Compliance  
June 26, 2024 C4 R

42. PROVIDE A PRESENTATION OF THE 41ST STREET CORRIDOR PROJECT STATUS AND FUTURE DIRECTION.

Commissioner Alex Fernandez and Commissioner Joseph Magazine  
Capital Improvement Projects  
May 15, 2024 C4 AK

43. REVIEW AND ANALYZE WHERE LIVE LOCAL DEVELOPMENTS MAY BE CONSTRUCTED IN THE CITY, TAKING INTO ACCOUNT THE PREEMPTIONS IN THE LIVE LOCAL ACT.

Commissioner Alex Fernandez  
Planning  
May 15, 2024 C4 AM

44. PROVIDE A PRESENTATION OF THE OCEAN DRIVE CORRIDOR PROJECT STATUS AND FUTURE DIRECTION.

Commissioner Alex Fernandez and Commissioner Joseph Magazine  
Capital Improvement Projects  
May 15, 2024 C4 AN

45. DISCUSSION OF POTENTIAL AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE (LDR'S) AND THE CITY COMPREHENSIVE PLAN REGARDING ALLOWABLE USES AND DEVELOPMENT REGULATIONS WITHIN THE 40TH STREET RESIDENTIAL SINGLE-FAMILY OVERLAY ONLY APPLICABLE TO RELIGIOUS INSTITUTIONS.

Mayor Steven Meiner  
Planning  
May 15, 2024 C4 AS

46. BARCLAY PROPOSAL – LDR AND COMPREHENSIVE PLAN AMENDMENTS (Dual Referral to FERC and Planning Board).

Economic Development  
Planning  
April 3, 2024 C2 C

47. DISCUSS A PROPOSAL TO CONVERT THE CLEVELANDER TO A RESIDENTIAL PROJECT WITH NO OUTDOOR BAR/ENTERTAINMENT.

City Attorney  
City Attorney Office  
January 31, 2024 C4 AF



48. DISCUSS STRENGTHENING THE CITY'S GREEN PROCUREMENT POLICIES WITH REGARD TO SINGLE-USE PLASTIC FOOD SERVICE ARTICLES AND ENCOURAGE THE USE OF ALTERNATIVES, AND CONSIDER GUIDELINES FOR THE CITY MANAGER TO NEGOTIATE, AS PART OF FUTURE CITY CONTRACTS, ADDITIONAL RESTRICTIONS ON THE USE OF SINGLE-USE PLASTICS AND COMMITMENTS TO USE ALTERNATIVE PRODUCTS.

NOTE: Item Continued to the April 15, 2025 LUSC Meeting

Commissioner Tanya K. Bhatt  
Procurement  
December 11, 2024 C4 K

49. DISCUSS THE STATUS OF THE NORTH BEACH MASTER PLAN.

NOTE: Item Continued to the April 15, 2025 LUSC Meeting

Commissioner Tanya K. Bhatt  
Economic Development  
November 20, 2024 C4 P

50. DISCUSS FUTURE PROGRAMMING FOR WEST LOTS.

NOTE: Item Continued to the April 15, 2025 LUSC Meeting

Commissioner David Suarez  
Parks and Recreation  
September 11, 2024 C4 M

51. REVIEW CURRENT LOADING REQUIREMENTS, AND HOW TO MITIGATE THE IMPACTS OF LOADING AND DELIVERIES ON TRAFFIC CONGESTION AND RESIDENTS' QUALITY OF LIFE (INCLUDING, WITHOUT LIMITATION, INCREASED ENFORCEMENT EFFORTS AS WELL AS LEGISLATIVE AMENDMENTS).

NOTE: Item Continued to the April 15, 2025 LUSC Meeting

Commissioner Tanya K. Bhatt  
Parking  
July 24, 2024 C4 X

52. FOR THE ADMINISTRATION TO EXPLORE AND RECOMMEND NEW, MORE FORWARD-LEANING RESILIENCY CODE UPDATES FOR OUR BUILT ENVIRONMENT.

NOTE: Item Continued to the April 15, 2025 LUSC Meeting

Commissioner Tanya K. Bhatt  
Planning  
June 26, 2024 C4 X

53. DISCUSS AND REVIEW PLANNING/ZONING RESTRICTIONS THAT DELAY THE PERMIT PROCESS AND CONSIDER POSSIBLE AMENDMENTS.

NOTE: Item Continued to the May 8, 2025 LUSC Meeting

Commissioner Kristen Rosen Gonzalez  
Planning  
December 11, 2024 C4 E

54. DISCUSS REPLACING THE DRAWBRIDGE AT 63RD STREET WITH A FLYOVER TO ELEVATE TRAFFIC CONGESTION.

NOTE: Item Continued to the May 8, 2025 LUSC Meeting

Commissioner Tanya K. Bhatt  
Transportation  
December 11, 2024 C4 L

55. DISCUSS DEDICATED BUS LANES ON WASHINGTON AVENUE.

NOTE: Item Continued to the May 8, 2025 LUSC Meeting

Commissioner Alex Fernandez  
Transportation and Mobility  
June 26, 2024 C4 W

56. DISCUSS POTENTIALLY REQUIRING COMMERCIAL CHARTER VESSEL OPERATORS  
TO PROVIDE SANITATION/PUMP-OUT LOGS EVIDENCING COMPLIANCE WITH  
APPLICABLE SANITATION LAWS.

NOTE: Item Continued to the May 8, 2025 LUSC Meeting

Commissioner Tanya K. Bhatt and Commissioner Kristen Rosen Gonzalez  
Police  
February 21, 2024 C4 J

**The meeting adjourned at 6:46 p.m.**