



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

COMMISSION MEMORANDUM

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

FROM: Eric Carpenter, City Manager

DATE: June 25, 2025

SUBJECT: **Report of the May 8, 2025, Land Use and Sustainability Committee (LUSC) Meeting.**

A Land Use and Sustainability Committee (LUSC) meeting was held on May 8, 2025. Committee Members participating were Commissioners Alex Fernandez (Chair) and Tanya K. Bhatt. Commissioner Kristen Rosen Gonzalez also participated. Members from the Administration, including Thomas Mooney, David Martinez, Melissa Berthier, Lindsey Precht, William MacDonald, Alberto Ventura, Jay Fink, Hernan Cardeno, Kristy Bada, and Nick Kallergis from the City Attorney's Office, as well as members of the public, also participated.

The meeting was called to order at 3:12 p.m.

PRIORITY ITEMS

1. 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: Continue the item to a future LUSC meeting for additional updates. Additionally, Commissioner Tanya K. Bhatt was added as a co-sponsor.

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

Commissioner Alex Fernandez
Communications
February 3, 2025 C4 V

Motion – By Acclamation: Continue the item to a future LUSC meeting for additional updates. Additionally, Commissioner Tanya K. Bhatt was added as a co-sponsor.

3. DISCUSS POSSIBLE LEGISLATION INCREASING DISTANCE REQUIREMENTS FOR VAPE/TOBACCO DEALERS TO PROTECT CHILDREN.

Commissioner David Suarez
Planning
February 26, 2025 C4 K

Motion – By Acclamation: Recommend that the City Commission refer an LDR amendment to the Planning Board, in accordance with the recommendations in the LUSC memo.

4. 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

Motion – By Acclamation: Continue the item to a future LUSC meeting for additional discussion.

REGULAR ITEMS

5. 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

Item Not Reached - Deferred to a future date with no discussion.

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

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

Item Not Reached - Deferred to a future date with no discussion.

7. 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).

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

Motion – By Acclamation: Continue the item to the September 11, 2025 LUSC meeting for additional updates.

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

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

Item Not Reached - Deferred to a future date with no discussion.

9. 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.

Commissioner Tanya K. Bhatt
Procurement

December 11, 2024 C4 K

Motion – By Acclamation: Continue the item to the September 11, 2025 LUSC meeting for additional updates.

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

Commissioner Tanya K. Bhatt
Capital Improvement Projects
February 3, 2025 C4 U

Item Not Reached - Deferred to a future date with no discussion.

11. 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

Item Not Reached - Deferred to a future date with no discussion.

12. 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

Motion – By Acclamation: Combine with item 13 and continue the item to the September 11, 2025 LUSC meeting for additional updates, including recommendations of the Design Review Board and Historic Preservation Board.

13. DISCUSS REVIEW DESIGN OPTIONS AND MAINTENANCE STRATEGIES FOR MIAMI BEACH RED SIDEWALKS.

Commissioner Tanya K. Bhatt
Public Works
February 26, 2025 C4 L

Motion – By Acclamation: Combine with item 12 and continue the item to the September 11, 2025 LUSC meeting for additional updates, including recommendations of the Design Review Board and Historic Preservation Board.

14. 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

Item Not Reached - Deferred to a future date with no discussion.

15. 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

Item Not Reached - Deferred to a future date with no discussion.

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

Commissioner Kristen Rosen Gonzalez
Planning
December 11, 2024 C4 E

Motion – By Acclamation: Continue the item to a future LUSC meeting for additional discussion.

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

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

Item Not Reached - Deferred to a future date with no discussion.

18. DISCUSS DEDICATED BUS LANES ON WASHINGTON AVENUE.

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

Item Not Reached - Deferred to a future date with no discussion.

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

Commissioner Alex Fernandez
Planning
February 3, 2025 C4 W

Deferred to a future date with no discussion.

20. DISCUSS SAFETY CONCERNS RELATED TO UTILITY WORK PERFORMED ON PUBLIC PROPERTY.

Commissioner Tanya K. Bhatt
Public Works
March 19, 2025 C4 D

Item Not Reached - Deferred to a future date with no discussion.

21. DISCUSS UPDATES TO THE RESILIENCY CODE.

Commissioner Alex Fernandez
Planning
February 3, 2025 C4 S

Motion – By Acclamation: Continue the item to a future LUSC meeting for additional discussion, as well as updates to the outdoor recreation criteria to address outdoor music and speakers.

22. 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: Recommend that the City Commission refer an LDR amendment to the Planning Board, in accordance with the draft text contained in the LUSC memo.

23. 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

Motion – By Acclamation: Continue to a future LUSC meeting with direction to further develop the proposed criteria for outdoor recreational uses.

24. ORDINANCE – DISTANCE SEPARATION EXEMPTIONS FOR ADULT MATERIAL IN RETAIL COSMETIC STORES.

Commissioner Kristen Rosen Gonzalez
Planning

April 23, 2025 R5 T

Motion – By Acclamation: Recommend the City Commission approve the proposed LDR amendment updated with revised text recommended by the Miami Beach Commission on Women.

FUTURE ITEMS

The following items are being deferred to a future date:

25. DISCUSS AND CONSIDER AMENDMENTS TO PENALTIES FOR VIOLATIONS OF THE CONSTRUCTION, PARKING, AND TRAFFIC MANAGEMENT PLAN (CPTMP) REQUIREMENT IN CHAPTER 106 OF THE CITY CODE, INCLUDING WITHOUT LIMITATION THE SUSPENSION OF A BUILDING PERMIT OR ISSUANCE OF A STOP WORK ORDER; AND DISCUSS PROACTIVE ENFORCEMENT EFFORTS BY THE POLICE, CODE COMPLIANCE, AND PARKING DEPARTMENTS WITH REGARD TO PARKING OR TRAFFIC VIOLATIONS RELATING TO CONSTRUCTION PROJECTS.

Commissioner Alex Fernandez
Parking

February 26, 2025 C4 J

26. 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

27. DISCUSS POSSIBLE PROCUREMENT OF A NEW MONUMENT SIGN FOR MAURICE GIBB MEMORIAL PARK.

Commissioner Alex Fernandez
Capital Improvement Projects
March 19, 2025 C4 C

28. DEVELOP A COMPREHENSIVE PLAN TO INTEGRATE UNDERGROUND CISTERNS WITHIN THE WEST LOTS (Dual Referral to the Finance and Economic Resiliency Committee).

Commissioner Tanya K. Bhatt
Public Works
March 19, 2025 C4 E

29. DISCUSS EXISTING CITY PROGRAMS AND REQUIREMENTS PERTAINING TO THE DESIGN AND MAINTENANCE OF RETAIL STOREFRONTS, PARTICULARLY ALONG THE CITY'S PRIMARY RETAIL BUSINESS CORRIDORS, AND CONSIDER NEW PROGRAMS OR AMENDMENTS TO EXISTING GUIDELINES TO STRENGTHEN DESIGN STANDARDS, ENSURE CLEANLINESS, PROMOTE UNIFORMITY AND COHESIVENESS, AND ENHANCE CURB APPEAL.

Mayor Steven Meiner
Economic Development
March 19, 2025 C4 U

30. DISCUSS AMENDING SECTION 2.1.1.1 OF THE MIAMI BEACH RESILIENCY CODE, WHICH REQUIRES THE DISCLOSURE OF CERTAIN SETTLEMENT AGREEMENTS BETWEEN APPLICANTS AND THIRD PARTIES IN CONNECTION WITH LAND DEVELOPMENT APPLICATIONS BEFORE THE LAND USE BOARDS, TO (1) EXPAND APPLICABILITY TO ALSO INCLUDE PRIVATE APPLICATIONS BEFORE THE CITY COMMISSION, AND (2) REQUIRE, AT A MINIMUM, THE DISCLOSURE OF THE MATERIAL TERMS OF ANY SUCH SETTLEMENT AGREEMENT.

Commissioner David Suarez and Commissioner Alex Fernandez
Planning
February 26, 2025 C4 N

31. 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, INCLUDING AN EXPANDED LIST OF POTENTIAL INSTALLATION SITES.

Commissioner Alex Fernandez
Facilities and Fleet Management
February 26, 2025 C4 O and May 15, 2024 C4 AJ

32. DISCUSS THE CREATION OF A MIAMI BEACH HISTORICAL MUSEUM, AND IDENTIFY POTENTIAL SITES ON CITY-OWNED PROPERTY, INCLUDING WITHOUT LIMITATION AN UNDERUTILIZED OR VACANT STOREFRONT IN A CITY OWNED BUILDING, IN ORDER TO COMPLEMENT THE CITY'S ROBUST CULTURAL OFFERINGS WITH A NEW INSTITUTION FOCUSED ON THE HISTORY OF MIAMI BEACH (Dual Referral to Finance and Economic Resiliency Committee).

Commissioner Tanya K. Bhatt
Tourism and Culture

February 26, 2025 C4 AH

33. 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

34. 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

35. 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

36. 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

37. 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

38. 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

39. 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

40. 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

41. 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

42. 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

43. DISCUSS FUTURE PROGRAMMING FOR WEST LOTS.

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

44. 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

45. 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

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

Commissioner Alex Fernandez
Planning
June 26, 2024 C4 Y

47. 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

48. 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

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

Economic Development
Planning
April 3, 2024 C2 C

50. 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

WITHDRAWN ITEMS

The following items have been withdrawn:

51. 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

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

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

The meeting adjourned at 5:29 p.m.