

C6 A REPORT OF THE FEBRUARY 20, 2025 LAND USE AND SUSTAINABILITY  
COMMITTEE MEETING.

Applicable Area:

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Eric Carpenter, City Manager  
DATE: March 19, 2025  
TITLE: REPORT OF THE FEBRUARY 20, 2025 LAND USE AND SUSTAINABILITY COMMITTEE MEETING.

### **RECOMMENDATION**

### **BACKGROUND/HISTORY**

### **ANALYSIS**

### **FISCAL IMPACT STATEMENT**

Not Applicable

### **Does this Ordinance require a Business Impact Estimate?**

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

### **FINANCIAL INFORMATION**

Not Applicable

### **CONCLUSION**

### **Applicable Area**

Citywide

**Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?**

Yes

**Is this item related to a G.O. Bond Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

**Department**

Planning

**Sponsor(s)**

**Co-sponsor(s)**

**Condensed Title**

Report: February 20, 2025 Land Use and Sustainability Committee Meeting. PL

**Previous Action (For City Clerk Use Only)**



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, [www.miamibeachfl.gov](http://www.miamibeachfl.gov)

## COMMISSION MEMORANDUM

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

FROM: Eric Carpenter, City Manager

DATE: March 19, 2025

SUBJECT: **Report of the February 20, 2025, Land Use and Sustainability Committee (LUSC) Meeting.**

A Land Use and Sustainability Committee (LUSC) meeting was held on February 20, 2025. Committee Members participating were Commissioners Alex Fernandez (Chair), Tanya K. Bhatt (Vice-Chair), Laura Dominguez and David Suarez (via Zoom). Commissioner Kristen Rosen Gonzalez was also present.

Members from the Administration, including Thomas Mooney, David Martinez, David Gomez, Lissette Arrogante, Amy Knowles, Heather Shaw, Hernan Cardeno, Rodney Knowles, Jose Gonzalez and Jay Fink. Nick Kallergis and Robert Rosenwald from the City Attorney's Office, as well as members of the public, also participated.

**The meeting was called to order at 3:03 p.m.**

### **PRIORITY ITEMS**

1. 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

### **Motion – By Acclamation:**

1. **Recommend that the City Commission direct the Administration to review all city owned properties and correct all code violations.**
2. **Continue the item to the March 11, 2025 LUSC meeting for additional updates, as well as a list of repeat violators and recommendations for strengthening penalties.**
2. BARCLAY PROPOSAL – LDR AND COMPREHENSIVE PLAN AMENDMENTS (Dual Referral to FERC and Planning Board).

Economic Development

Planning  
April 3, 2024 C2 C

**Item deferred to a future meeting with no discussion.**

3. 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

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

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

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

**Motion – By Acclamation: Continue the item to the April 15, 2025 LUSC meeting for additional updates.**

5. DISCUSSION REGARDING FACILITATING POP-UPS FOR LOCAL CULTURAL INSTITUTIONS AND LOCAL START-UPS IN VACANT RETAIL COMMERCIAL SPACES.

Commissioner Alex Fernandez and Commissioner Tanya K. Bhatt  
Tourism and Culture  
May 15, 2024 C4 AG

**Motion – TB/LD (3-0): Accept the recommendations of the Administration in the LUSC memo and conclude the item with no further action.**

6. DISCUSS A PROPOSAL ESTABLISHING A HOMEOWNER ASSISTANCE PROGRAM FOR SINGLE FAMILY HOMES TO RESTORE FLOOD-DAMAGED LANDSCAPING.

Commissioner Alex Fernandez  
Public Works  
November 20, 2024 C4 Q

**Item discussed and concluded, with no further action.**

7. 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

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

## **REGULAR ITEMS**

8. 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

**Motion – By Acclamation: Continue the item to the March 11, 2025 LUSC meeting for additional updates, including the status of the National Hotel and any State Extensions of Development Orders.**

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

Commissioner David Suarez  
Planning  
October 30, 2024 C4 A

**Motion – By Acclamation: Continue the item to the March 11, 2025 LUSC meeting.**

10. 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

**Motion – By Acclamation: Continue the item to the May 8, 2025 LUSC meeting for additional updates.**

11. 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

**Item deferred to a future meeting with no discussion.**

12. DISCUSS CREATING ECONOMIC AND ZONING INCENTIVES TO ENCOURAGE THE CONVERSION OF EXISTING OFFICE BUILDINGS TO RESIDENTIAL, WHICH IDEALLY EXPLORE NEW INCENTIVES (ECONOMIC OR OTHER) BEING USED IN OTHER STATES, RATHER THAN RELYING ON EXISTING OPTIONS WHICH WE MIGHT NOT WANT TO ENCOURAGE, SUCH AS FLOOR AREA RATIO (FAR) AND PARKING INCENTIVES, REDUCTIONS TO THE MOBILITY FEE, IN ORDER TO INCREASE THE SUPPLY OF AVAILABLE HOUSING IN MIAMI BEACH.

Commissioner Tanya K. Bhatt and Commissioner Joseph Magazine  
Planning

March 13, 2024 R9 E

**Item withdrawn by sponsor.**

13. 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 the May 8, 2025 LUSC meeting with direction to staff to prepare draft text amendments in accordance with the applicable recommendations in the LUSC memorandum.**

14. 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 deferred to a future meeting with no discussion.**

15. DISCUSS AMENDING THE LAND DEVELOPMENT REGULATIONS TO PROVIDE RELIEF FROM THE CITY'S LANDSCAPING REQUIREMENTS FOR RENOVATIONS TO SINGLE-FAMILY HOMES THAT EXCEED 50% OF THE VALUE OF THE EXISTING BUILDING.

Commissioner Kristen Rosen Gonzalez  
Planning  
December 11, 2024 C4 G

**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.**

16. 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

**Item deferred to the April 15, 2025 meeting with no discussion.**

17. DISCUSS AMENDING THE LAND DEVELOPMENT REGULATIONS FOR SINGLE FAMILY ZONING DISTRICTS TO EXPAND EXISTING ALLOWANCES FOR ARTIFICIAL TURF IN REAR AND SIDE YARDS.

Commissioner Kristen Rosen Gonzalez  
Planning  
December 11, 2024 C4 H

**Item withdrawn by sponsor.**

18. DISCUSS THE STATUS OF THE PRIVATE PORTION OF THE OCEAN TERRACE REDEVELOPMENT PROJECT.

Commissioner Tanya K. Bhatt  
CIP  
November 20, 2024 C4 O

**Item discussed and concluded, with no further action.**

19. 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

**Item deferred to a future meeting with no discussion.**

20. 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 deferred to the April 15, 2025 meeting with no discussion.**

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

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

**Item deferred to the May 8, 2025 meeting with no discussion.**

22. 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



**Motion – By Acclamation:**

1. **Recommend denial of a waiver of the maximum grant.**
  2. **Continue the item to a future date for additional discussion.**
23. DISCUSS THE REGULATION OF THE USE OF GENERATORS, SOUND SYSTEMS, AUDIOVISUAL EQUIPMENT, AND STAGES AT PRIVATE RESIDENCES USED AS PARTY HOUSES.

Commissioner Alex Fernandez  
Code Compliance  
September 11, 2024 C4 R

**Motion – By Acclamation:**

1. **Recommend that the City Commission adopt the proposed amendment to Chapter 12 of the City Code.**
2. **Recommend that the City Commission refer the proposed an amendment to Chapter 7 of the Land Development Regulations of the City Code (LDR's) to the Planning Board.**

**FUTURE ITEMS**

The following items are being deferred to a future date:

24. 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 C4 L

25. 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

26. 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

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

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

28. 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

29. 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

30. 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

31. 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

32. 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

33. 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

34. 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

35. 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

36. 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

37. 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

38. 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

39. 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

40. 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

41. 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

**SPECIAL MEETING FOR HISTORIC PRESERVATION ITEMS**

The following items are being deferred to a future special meeting:

42. 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

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

Commissioner Alex Fernandez  
Planning  
June 26, 2024 C4 Y

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

Commissioner Alex Fernandez  
Planning  
April 28, 2023 C4 D

45. 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

46. 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

47. 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

48. 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

**WITHDRAWN ITEMS**

The following items have been withdrawn:

49. DISCUSSION REGARDING I-395/MACARTHUR CAUSEWAY.

Commissioner Alex Fernandez  
Transportation and Mobility  
May 15, 2024 C4 A-H

50. DISCUSSION REGARDING I-95/JULIA TUTTLE CAUSEWAY FDOT PROJECT.

Commissioner Alex Fernandez  
Transportation and Mobility  
May 15, 2024 C4 A-I

**The meeting adjourned at 6:06 p.m.**