

C6 A REPORT OF THE JULY 9, 2024, LAND USE AND SUSTAINABILITY COMMITTEE  
(LUSC) MEETING.  
Applicable Area:

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Rickelle Williams, Interim City Manager  
DATE: July 24, 2024  
TITLE: REPORT OF THE JULY 9, 2024, LAND USE AND SUSTAINABILITY COMMITTEE (LUSC) MEETING.

### RECOMMENDATION

### BACKGROUND/HISTORY

### ANALYSIS

### FISCAL IMPACT STATEMENT

No Fiscal Impact

Does this Ordinance require a Business Impact Estimate?  
(FOR ORDINANCES ONLY)

### FINANCIAL INFORMATION

### 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: July 9, 2024, Land Use and Sustainability Committee Meeting. PL



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: Rickelle Williams, Interim City Manager

DATE: July 24, 2024

SUBJECT: **Report of the July 9, 2024, Land Use and Sustainability Committee (LUSC) Meeting.**

A Land Use and Sustainability Committee (LUSC) meeting was held on July 9, 2024. Committee Members participating were Commissioners Alex Fernandez (Chair), Tanya K. Bhatt (Vice-Chair), Laura Dominguez, and David Suarez. Commissioner Joseph Magazine also participated. Members from the Administration, including Thomas Mooney, Eric Carpenter, David Martinez, Joe Gomez, David Gomez, Jose Gonzalez, Hernan Cardeno, Lissette Arrogante, Elizabeth Miro, Heather Shaw 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 4:15 p.m.**

### **PRIORITY ITEMS**

1. REQUEST FOR THE ADMINISTRATION TO EXPLORE AND PROVIDE OPTIONS FOR ESTABLISHING NEW RESILIENCY BEST-PRACTICE PARAMETERS TO ENSURE THAT POROUS CONCRETE/PAVERS AND BIOSWALES ARE USED IN NEW DEVELOPMENT TO HELP MITIGATE "NEW NORMAL" FLOODING EVENTS.

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

**Motion – By Acclamation: Continue the item to the September 4, 2024, LUSC meeting with direction to the Administration to develop options in accordance with the following:**

1. **Increase and enhance porous attributes of driveways and walkways in residential districts.**
  2. **Establishing minimum porous requirements in surface parking lots.**
  3. **Explore the use of porous material within on-street parking spaces.**
  4. **Increase and enhance water quality and water retention elements in residential districts.**
2. REVIEW INVEST 90L AND ASSESS IMPACTS TO ONGOING INFRASTRUCTURE PROJECTS INCLUDING POTENTIALLY REPRIORITIZING PROJECTS.

Commissioner Alex Fernandez and Commissioner Tanya K. Bhatt  
Public Works  
June 26, 2024 C4 Z

**Motion – DS/AF (3-0): Conclude the item and recommend that the City Commission re-prioritize the Lakeview A project,**

3. REVIEW INVEST 90L AND ASSESS IMPACTS TO PALM ISLAND, HIBISCUS ISLAND, SUNSET HARBOR, SUNSET ISLANDS, AND INDIAN CREEK AREAS AS PART OF THE FIRST PHASE OF THE NEIGHBORHOOD IMPROVEMENT PLANS,

Commissioner Alex Fernandez  
Public Works  
June 26, 2024 C4 AA

**Motion – DS/AF (3-0): Conclude the item and recommend that the City Commission re-prioritize the Lakeview A project.**

4. DISCUSS A POSSIBLE ORDINANCE TO REQUIRE PROPERTY OWNERS TO PROPERLY DISPOSE OF YARD TRIMMINGS/LEAVES TO AVOID CLOGGING OF STORMWATER DRAINS.

Commissioner Tanya K. Bhatt and Commissioner David Suarez  
Public Works  
June 26, 2024 C4 AC

**Motion – By Acclamation: Continue the item to the September 4, 2024, LUSC meeting with direction to the Administration to develop a pilot based on the Committee discussion.**

5. DISCUSS PROPOSAL TO REVITALIZE THE 200-300 BLOCKS OF LINCOLN ROAD (BETWEEN WASHINGTON AVENUE AND COLLINS AVENUE), INCLUDING PEDESTRIANIZATION OF THE CORRIDOR, OTHER STREETScape IMPROVEMENTS, AND AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS.

Commissioner Alex Fernandez and Commissioner Joseph Magazine  
Planning  
June 26, 2024 C4 AD

**Motion – By Acclamation: Continue the item to the September 4, 2024, LUSC meeting with direction to the Administration to develop a draft ordinance incentivizing non-transient residential uses.**

6. DISCUSS PROPOSED 6<sup>TH</sup> STREET OVERLAY

Mayor Steven Meiner and Commissioner Laura Dominguez  
Planning  
October 18, 2023 C4 A

**Motion – DS/AF (2-1): Continue the item to the September 4, 2024, LUSC meeting to allow for additional discussion between the Flamingo Park Neighborhood Association (FPNA) and property owners within the proposed overlay.**

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

**Motion – By Acclamation: Continue the item to the September 4, 2024, LUSC meeting for additional updates.**

**REGULAR ITEMS**

8. DISCUSS/CONSIDER THE POTENTIAL REZONING OF THE MXE (MIXED USE ENTERTAINMENT) DISTRICT IN NORTH BEACH, ALONG OCEAN TERRACE BETWEEN 73RD AND 75TH STREETS, TO A DIFFERENT ZONING DISTRICT CLASSIFICATION (Dual Referral to Planning Board).

Commissioner Tanya K. Bhatt  
Planning  
May 15, 2024 C4 AD

**Deferred to the September 4, 2024, LUSC meeting with no discussion.**

9. ORDINANCE TO MODIFY THE HEIGHT OF ALLOWABLE FENCING AND SHRUBBERY OF OCEANFRONT PROPERTIES FACING THE BEACHWALK TO IMPROVE SIGHTLINES FOR PEDESTRIANS (Dual Referral to Planning Board).

Commissioner Tanya K. Bhatt  
Planning  
May 15, 2024 C4 AE

**Motion – By Acclamation: Continue the item to the September 4, 2024, LUSC meeting with direction to the Administration to develop options for addressing safety and visibility at access points to the beach walk.**

10. REVIEW CITY'S MODAL PRIORITIZATION STRATEGY ESTABLISHED IN 2015 AS PART OF THE TRANSPORTATION MASTER PLAN.

Commissioner Alex Fernandez and Commissioner Tanya K. Bhatt  
Transportation and Mobility  
May 15, 2024 C4 AF

**Deferred to the September 4, 2024, LUSC meeting with no discussion.**

11. 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 – By Acclamation: Continue the item to the January 2025 LUSC meeting with direction to the Administration to further develop the proposal for vacant storefronts.**

12. DISCUSSION REGARDING I-95/MACARTHUR CAUSEWAY.

Commissioner Alex Fernandez  
Transportation and Mobility  
May 15, 2024 C4 AH

**Motion – By Acclamation: Continue the item to the September 4, 2024, LUSC meeting with direction to the Administration to continue to work with the Florida Department of Transportation (FDOT) to address the west bound I-395 exit onto the Biscayne Boulevard.**

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

Commissioner Alex Fernandez  
Transportation and Mobility  
May 15, 2024 C4 AI

**Motion – By Acclamation: Continue the item to a future date for additional updates.**

14. 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 September 4, 2024, LUSC meeting with no discussion.**

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

Commissioner Alex Fernandez and Commissioner Joseph Magazine  
CIP  
May 15, 2024 C4 AK

**Deferred to a future date.**

16. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, DIRECTING THE CITY ADMINISTRATION TO EXPLORE FEASIBLE STRATEGIES FOR CREATING AND EXPANDING "GREEN ROOFS", AS WELL AS INCORPORATING GREENERY AND LANDSCAPING ON CITY BUILDINGS, AND PRESENT ITS FINDINGS TO THE LAND USE AND SUSTAINABILITY COMMITTEE AND THE FINANCE AND ECONOMIC RESILIENCY COMMITTEE WITHIN 90 DAYS OF THE ADOPTION OF THIS RESOLUTION.

Commissioner Joseph Magazine and Commissioner David Suarez  
Facilities and Fleet Management  
May 15, 2024 C7 BH

**Motion – By Acclamation: Continue the item to the October 10, 2024, LUSC meeting with direction to the Administration to further explore green roof options on City buildings.**

17. EXPLORE ZONING INCENTIVES AND IDENTIFY APPROPRIATE ZONING DISTRICTS TO ENCOURAGE THE DEVELOPMENT OF SCHOOLS AND OTHER EDUCATIONAL FACILITIES.

Commissioner Alex Fernandez  
Planning

April 3, 2024 C4 F

**Deferred to the September 4, 2024, LUSC meeting with no discussion.**

18. CONSIDER THE CREATION OF A NEW CAPITAL PROJECT TO INSTALL FLOATING WALKWAYS AND/OR THE ACQUISITION OF THE OUTLOT AT 2811 INDIAN CREEK DRIVE TO COMPLETE THE INDIAN CREEK PEDESTRIAN PATHWAY (Dual Referral to FERC).

Commissioner Alex Fernandez  
Public Works and Capital Improvement Projects  
March 13, 2024 C4 I

**Deferred to the September 4, 2024, LUSC meeting with no discussion.**

19. REVIEW FUTURE LAND USE MAP CLASSIFICATION FOR PRIDE PARK.

Commissioner Alex Fernandez  
Planning  
March 13, 2024 C4 M

**Deferred to the September 4, 2024, LUSC meeting with no discussion.**

20. 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

**Deferred to the September 4, 2024, LUSC meeting with no discussion.**

21. DISCUS 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 September 4, 2024, LUSC meeting with no discussion.**

22. 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

**Deferred to the September 4, 2024, LUSC meeting with no discussion.**

**FUTURE ITEMS**

The following items were deferred to a future date with no discussion:

23. AMEND LAND DEVELOPMENT REGULATIONS APPLICABLE TO ALL ZONING DISTRICTS WHERE HOTELS ARE PERMITTED, TO INCREASE THE MINIMUM UNIT SIZE FOR HOTEL ROOMS (Dual Referral to the Planning Board).

Commissioner Kristen Rosen Gonzalez and Commissioners Joseph Magazine and David Suarez  
Planning  
June 26, 2024 C4 O

24. DISCUSS AMENDING NOTICE REQUIREMENTS IN THE LAND DEVELOPMENT REGULATIONS (LDRS) TO PERMIT THE CITY TO USE A PUBLICLY ACCESSIBLE WEBSITE HOSTED BY MIAMI-DADE COUNTY AS AN ALTERNATIVE MEANS OF PUBLISHING NOTICES AND ADVERTISEMENTS FOR LAND USE BOARD APPLICATIONS, WHICH ARE CURRENTLY REQUIRED TO BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION (Dual Referral to the Planning Board).

Commissioner David Suarez  
Planning  
June 26, 2024 C4 P

25. INCREASE SECURITY REQUIREMENTS FOR NIGHTCLUBS AND OTHER LATE-NIGHT DRINKING ESTABLISHMENTS.

Commissioner Alex Fernandez and Commissioners Joseph Magazine and David Suarez  
Police  
June 26, 2024 C4 Q

26. 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

27. DISCUSS INSTALLING TRAFFIC DIVERTERS AT CONVENTION CENTER DRIVE AND DADE BOULEVARD.

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

28. AMEND DEFINITION OF "FLOOR AREA" TO EXEMPT UNISEX/GENDER-NEUTRAL RESTROOMS FROM THE DEFINITION OF "FLOOR AREA." (Dual Referral to the LGBTQIA+ Advisory Committee)

Commissioner Alex Fernandez  
Planning  
June 26, 2024 C4 T

29. INSTALLING WAYFINDING SIGNAGE TO OCEAN DRIVE FROM THE ENTRANCE TO THE CITY AT THE MACARTHUR CAUSEWAY.

Commissioner Alex Fernandez  
Transportation and Mobility / Public Works  
June 26, 2024 C4 U

30. DISCUSS DEDICATED BUS LANES ON WASHINGTON AVE,

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

31. 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

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

Commissioner Alex Fernandez  
Planning  
June 26, 2024 C4 Y

33. LDR AMENDMENT TO INCENTIVIZE RESIDENTIAL USES ON LINCOLN ROAD (Dual Referral to the Planning Board).

Commissioner David Suarez  
Planning  
June 26, 2024 C4 AB

34. DISCUSS THE USE OF THE MIDDLE TURN LANE AS REVERSIBLE LANES ON 41ST STREET TO IMPROVE TRAFFIC FLOW DURING PEAK TRAFFIC HOURS.

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

35. REVIEW AND, IF NECESSARY, AMEND PARKING REQUIREMENTS APPLICABLE TO DISTRICTS WHERE LIVE LOCAL PROJECTS ARE PERMITTED (Dual Referral to Planning Board).

Commissioner Kristen Rosen Gonzalez  
Planning  
May 15, 2024 C4 AB

36. 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

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

Commissioner Alex Fernandez and Commissioner Joseph Magazine  
CIP  
May 15, 2024 C4 AN

38. 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

39. MASSAGE THERAPY CENTERS – NORTH BEACH USE REGULATIONS.

Commissioner Alex Fernandez  
Planning  
May 15, 2024 R5 G

40. NORTH BEACH COMPREHENSIVE USE REGULATIONS.

Commissioner Alex Fernandez  
Planning  
May 15, 2024 R5 H

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

City Attorney  
Planning/CAO  
January 31, 2024 C4 AF

42. REVIEW AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS TO AMEND THE HOTEL APPROVAL PROCESS.

Commissioner Alex Fernandez, and Commissioners Tanya K. Bhatt, Joseph Magazine, and David Suarez  
Planning  
December 13, 2023 C4 O, C4 S and R9 G and March 5, 2024 LUSC

43. DISCUSS PROPOSED ORDINANCE ESTABLISHING THE CENTURY AND FARREY LANE OVERLAY ON BELLE ISLE.

Commissioner Alex Fernandez  
Planning  
October 18, 2023 R5 A

**The meeting adjourned at 7:08 p.m.**