

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Interim City Manager Rickelle Williams

DATE: June 26, 2024

TITLE: REPORT OF THE MAY 1, 2024 LAND USE AND SUSTAINABILITY MEETING.

RECOMMENDATION

See attached report.

BACKGROUND/HISTORY

See attached report.

ANALYSIS

FISCAL IMPACT STATEMENT

No Fiscal Impact Expected

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

The Business Impact Estimate (BIE) was published on . See BIE at:
<https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

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)

MIAMIBEACH

█ The Honorable Mayor Steven Meiner and Members of the City Commission

█ Rickelle Williams, Interim City Manager

█ June 26, 2024

█ **Report of the May 1, 2024, Land Use and Sustainability Committee (LUSC) Meeting.**

A Land Use and Sustainability Committee (LUSC) meeting was held on May 1, 2024. Committee Members participating were Commissioners Alex Fernandez (Chair), Tanya K. Bhatt (Vice-Chair), Laura Dominguez, and David Suarez. Commissioner Joseph Magazine also participated, and Commissioner Kristen Rosen Gonzalez participated virtually. Members from the Administration, including Thomas Mooney, Eric Carpenter, David Martinez, David Gomez, Elizabeth Miro, Daniel Alzuri, Hernan Cardeno, Maria Hernandez, Lisette Arrogante, Ian Robinson, Paul Acosta, Manny Marquez Amy Knowles, and Nick Kallergis, Rob Rosenwald and Ric Dopico from the City Attorney's Office, as well as members of the public, also participated.

The meeting was called to order at 5:01 p.m.

PRIORITY ITEMS

1. DISCUSS FPL'S STORM SECURE UNDERGROUND PROGRAM (THE "PROGRAM") AND OPPORTUNITIES TO IDENTIFY THE CITY OF MIAMI BEACH NEIGHBORHOODS THAT MAY BE ELIGIBLE FOR UNDERGROUNDING OF POWER LINES THROUGH THE PROGRAM, AT NO COST OR EXPENSE TO CITY RESIDENTS OR BUSINESSES.

Mayor Steven Meiner and Commissioners Laura Dominguez and Alex Fernandez

Public Works

May 17, 2023 R9 F

Motion – LD/AF (3-0): Conclude the item and transmit the Resolution attached to the LUSC memo to the City Commission with a favorable recommendation.

2. CONDUCT A DETAILED REVIEW OF THE TWO DIFFERENT MODELS FOR THE PROPOSED BYRON CARLYLE CULTURAL CENTER (Dual Referral to FERC).

Commissioner Tanya K. Bhatt
Facilities and Fleet Management

Motion – TB/DS (2-2): Move the proposal to the full City Commission with a favorable recommendation and to include workforce housing in the redevelopment. NOTE: Since this was a tie vote, the recommendation transmitted to the City Commission is unfavorable.

3. AMEND THE LAND DEVELOPMENT REGULATIONS TO CREATE AN APPLICATION FEE FOR ADMINISTRATIVE REVIEW OF DEVELOPMENT APPLICATIONS SUBMITTED UNDER THE LIVE LOCAL ACT (Dual Referral to the Planning Board).

Commissioner Kristen Rosen Gonzalez
Planning

March 13, 2024 C4 N

Motion – TB/DS (4-0): Move an ordinance regarding fees, as delineated in the LUSC memo, to the Planning Board with a favorable recommendation.

4. DISCUSS AN INITIATIVE TO PILOT A DECIBEL SYSTEM FOR NOISE ENFORCEMENT, INCLUDING THE INSTALLATION OF NOISE METERS, IN THE ENTERTAINMENT DISTRICT.

Commissioner Alex Fernandez
Planning

March 13, 2024 C4 L

Motion – By Acclamation: Continue the item to the June 10, 2024, LUSC meeting with the following direction:

1. The Administration shall research the decibel codes utilized in New York City, Philadelphia, Pennsylvania, and Paris, France.
2. The Administration will request the participation of the city sound consultant at the June 10, 2024 LUSC meeting.

5. 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

Motion – By Acclamation: Continue the item to the July 9, 2024, LUSC meeting with direction to further research available financial incentives for the conversion of office to residential.

6. 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 June 10, 2024, LUSC meeting with direction to further develop the requirements for pump out logs.

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 Alex Fernandez and Laura Dominguez
Capital Improvement Projects
March 17, 2021 C7 Q

Motion – By Acclamation:

1. Continue the item to the June 10, 2024, LUSC meeting for additional updates.
2. Recommend that the City Commission take into account the construction schedule and timeline proffered by the developer of the 5th Street pedestrian bridge at the May 1, 2024 LUSC meeting when considering future development applications, grants and financial assistance as it pertains to the developer's other projects in the City.

8. REVIEW ZONING DISTRICTS WHERE ENTERTAINMENT (WHICH INCLUDES NIGHTCLUBS) IS A PERMITTED OR CONDITIONAL USE AND CONSIDER AMENDING THE LAND DEVELOPMENT REGULATIONS TO LIST ENTERTAINMENT AS A CONDITIONAL OR PROHIBITED USE IN SPECIFIED ZONING DISTRICTS (Dual Referral to the Planning Board).

Commissioner David Suarez
Planning
April 3, 2024 C4 C

Motion – By Acclamation: Continue the item to the June 10, 2024, LUSC meeting with direction to develop an ordinance for review by the LUSC, based on the options delineated in the LUSC memo, as well as the discussion at committee.

9. ADOPT MINIMUM REQUIREMENTS FOR RESTAURANTS SEEKING TO PROVIDE ENTERTAINMENT, IN ORDER TO INCENTIVIZE "SUPPER CLUBS" AND RESTAURANTS OFFERING INDOOR PERFORMANCES WITHIN DISTRICTS THAT PERMIT ENTERTAINMENT (Dual Referral to the Planning Board).

Commissioner David Suarez
Planning
April 3, 2024 C4 D

Motion – By Acclamation: Continue the item to the June 10, 2024, LUSC meeting with direction to develop an ordinance for review by the LUSC, based on the options delineated in the LUSC memo, as well as the discussion at committee.

REGULAR ITEMS

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

City Attorney
City Attorney
January 31, 2024 C4 AF

Motion – By Acclamation: Continue the item to the July 9, 2024, LUSC meeting with direction to the developer to further study the height and massing of the proposal, and to obtain feedback and input from the Historic Preservation Board.

DEFERRED ITEMS

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

11. DISCUSS CURRENT INCENTIVES FOR AVERAGE UNIT SIZE REQUIREMENTS IN RESIDENTIAL APARTMENT UNITS.

Commissioner Alex Fernandez
Planning
April 3, 2024 C4 E

12. 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

13. 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

14. DISCUSS POTENTIAL INCENTIVES TO CONVERT CO-LIVING AND TRANSIENT UNITS TO APARTMENTS IN THE NORTH BEACH TCC DISTRICT.

Commissioner Alex Fernandez and Commissioner Tanya K. Bhatt
Planning
March 13, 2024 C4 K

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

Commissioner Alex Fernandez
Planning
March 13, 2024 C4 M

16. 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

17. REVIEW THE CITY'S CURRENT MAXIMUM DEVELOPMENT CAPACITY FOR WATER, SEWER, ELECTRICAL AND OTHER UTILITIES AND PUBLIC FACILITIES, AND HOW TO BETTER USE UPDATED MODELING AND DATA FOR PROJECTED FUTURE DEMAND TO INFORM CITY'S PLANNING AND LEGISLATIVE EFFORTS RELATING TO DEVELOPMENT.

Mayor Steven Meiner and Commissioner Tanya K. Bhatt

Planning
December 13, 2023 C4 R

18. 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

19. DISCUSS THE NEW SHORT-TERM RENTAL LAW PASSED IN NEW YORK CITY,
KNOWN AS 'LOCAL LAW 18.'

Commissioner Alex Fernandez
City Attorney
September 13, 2023 C4 Q

The meeting adjourned at 8:15 p.m.