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City Commission Meeting

The **Wednesday, May 17, 2023** Commission Meeting starts at 8:30 a.m. with the Sutnick Hour where residents may speak on any topic.

To join the virtual commission meeting via Zoom:

Please click this link to join the webinar:

<https://miamibeachfl.gov.zoom.us/j/81392857671>

Access ID 81392857671#

To join via phone:

US: +1. 301.715.8592 or 1.888.475.4499 (Toll Free)

Webinar ID: 81392857671#

It will also be streamed live on MBTV Channel 660 on Atlantic Broadband or 99 on AT&T U-Verse, on the City's website, and on Facebook Live at facebook.com/cityofmiamibeach.

IF YOU WISH TO SPEAK ON AN ITEM DURING THE MEETING:

Via Zoom, please click the "raise hand" button on the screen to raise your hand as soon as the item is called. This will pull you to the top of the list and make it easier for the team to find you in the list of attendees. Or via phone, press *9 to raise a hand to be placed in queue to speak.

Want to read the proposed Commission agenda items and get info about the Commission meeting? Click [here](#).

Want to contact your elected officials directly? Click [here](#).

TO REQUIRE CONDITIONAL USE APPROVAL FROM THE PLANNING BOARD FOR
ALCOHOLIC BEVERAGE ESTABLISHMENTS ON A ROOFTOP IN CLOSE
PROXIMITY TO A BUILDING CONTAINING RESIDENTIAL UNITS

C4A Sponsored by Fernandez

Executive Summary:

This is a referral to the Land Use and Sustainability Committee and Planning Board asking for a requirement of a conditional use approval for rooftops in close proximity to residential units.

Why It Matters:

Miami Beach United **SUPPORTS** a conditional use permit requirement for all rooftop alcohol establishments as presented in this ordinance. We further urge the Land Use and Sustainability Committee and Planning Board to protect the quality of life of residential neighborhoods and buildings by restricting hours of operation where such rooftop establishments are legally allowed, by requiring cessation at 8PM.

Rooftop alcohol establishments should never be adjacent to residential buildings. The distance requirement is key to ensuring residents continue to have their right to quiet enjoyment shielded from the party atmosphere prevalent outside of residential areas. Further, and most importantly, the Planning Board should be prohibited from granting a CUP after the fact.

Read the Commission document by clicking [HERE](#).

REFERRAL TO LAND USE AND SUSTAINABILITY COMMITTEE AND PLANNING
BOARD TO DISCUSS ESTABLISHING AMENDMENTS TO THE CITY'S LAND
DEVELOPMENT REGULATIONS IN RESPONSE TO THE NEW STATE LAW
PROHIBITING REFERENDUM REQUIREMENT FOR ELIMINATING FAR INCREASES

C4B Sponsored by Fernandez and C4C Sponsored by Meiner

Executive Summary:

This is a referral to the Land Use and Sustainability Committee and Planning Board, in response to a new State Law which eliminates the requirement that increases in Floor Area Ratio (FAR) must be approved by Miami Beach voters.

Why It Matters:

The current City of Miami Beach Charter requires that any zoning changes which would result in an increase the permitted square footage of a building on a property of a given size (Floor Area Ratio or FAR) must be approved by voter referendum. For many years, this has served as a major source of protection for residents from overdevelopment and has prevented a number of undesirable projects from moving forward. A new Florida state law would prohibit the requirement for a voter referendum on zoning changes and

require instead that the City Commission have the sole authority to make such changes.

Given the political influence of deep-pocketed developers in our City, this new state law significantly changes the balance of power between residents and financially driven developers when it comes to deciding the permitted size and intensity of development projects. **MBU URGES** this Commission and the Planning Board to enact new legislation which, to the greatest extent possible, protects the interest of residents when zoning changes are being considered. A 6/7 Commission vote requirement to approve FAR increases, as contemplated in C4C, is an example of a protective measure that could be taken, though there may be others as well.

Read the Commission document, by clicking [HERE](#).

WASHINGTON AVENUE OVERLAY/CO-LIVING AMENDMENTS TO EXTEND THE DEADLINE. DEVELOPER MUST OBTAIN BUILDING PERMIT FROM MARCH 1, 2023 TO SEPTEMBER 1, 2027

R5E Sponsored by Arriola -- 10:20 a.m. Second Reading Public Hearing

Executive Summary:

Microunits and co-living units are being proposed as alternative forms of housing which may help address the affordable housing crisis. However, these new paradigms for living are as yet unproven in Miami Beach, and may provide as many challenges as they might opportunities

Why It Matters:

Miami Beach United **DOES NOT SUPPORT** this ordinance. There are already approximately 1000 micro/co-living units approved for sections of North Beach Town Center and Washington Avenue, with not one built/occupied yet. Instead of learning from those and making adjustments as needed, this seeks to expand the area on Washington Ave where more co-living units can be built, and extend by four full years the time frame to get a permit to build. We have absolutely no information on how these new forms of living may impact our city's already-stressed sewer lines and other infrastructure, parking, and traffic. None of these are located anywhere near the biggest employer on the beach, Mount Sinai Hospital, where there may actually be a use for this sort of housing. And there is no explanation offered for why the timeframe to obtain a permit has been extended by four, rather than just one year...perhaps to allow even more developers to put their own plans together for yet more co-living units. Would it not be more prudent to learn from the first ones to be completed in order to course correct as needed, rather than building all under the, same guidelines and being stuck with a model that may not work at all, or which needs refining?

Read the Commission document by clicking [HERE](#).

PERMITTING MULTI-STORY HABITABLE ROOFTOP ADDITIONS IN THE MUSEUM

HISTORIC DISTRICT

R5K Sponsored by Gonzalez

Executive Summary:

This resolution would allow multi-story habitable roof top additions in the Museum Historic District, There is no compelling reason to change our long-standing rules limiting the size of rooftop additions in historic districts to one story.

Why It Matters:

Miami Beach United DOES **NOT SUPPORT** permitting multi-story habitable roof top additions in the Museum Historic District or in any other historic district. The Planning Board got it right in voting 7-0 against this proposal. For over 30 years, existing structures within historic districts have only been permitted to have habitable one-story rooftop additions, with no variances permitted. There is no compelling reason to change our longstanding rules limiting the size of rooftop additions in historic districts to one-story. This change, if permitted, would predictably be expected to spiral out of control in other areas of our cherished historic districts, undoing decades of thoughtful historic preservation land use management.

Read the Commission document by clicking [HERE](#).

PILOT PROGRAM ALLOWING AMBIENT ENTERTAINMENT IN SUNSET HARBOUR AND SOUTH OF FIFTH

R5N Sponsored by Arriola

Executive Summary:

This is a request for an indoor restaurant ambient entertainment pilot program in Sunset Harbour and South of Fifth from 11 AM to 6 PM on Saturdays, Sundays and Holidays.

Why It Matters:

Miami Beach United **OPPOSES** allowing live entertainment, whether ambient or non-ambient, to be performed at commercial establishments as of right now. Given that code enforcement already has difficulty enforcing noise disruption as evidenced by the extremely low percentage of noise complaints which result in citations, significantly expanding the number of locations allowed to offer live entertainment poses an unacceptable risk to resident quality of life. The city commission should uphold two decades of solid and effective planning and zoning decisions rather than prioritize this advocacy on behalf of insistent commercial interests over the clearly stated will of the affected neighborhoods. Further, a pilot program which allows more possible noise disruption is at the very least premature, since we currently have a pilot program in place to measure and assess decibel levels which has not yet yielded data that would be dispositive.

Read the Commission document by clicking [HERE](#).

REFERRAL TO THE PLANNING BOARD: AMEND CHAPTER 142 OF THE LAND DEVELOPMENT REGULATIONS TO ADOPT A UNIFORM 2 AM TERMINATION TIME FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ALONG BOTH SIDES OF ALTON ROAD AND WEST AVENUE

R9E Sponsored by Gelber

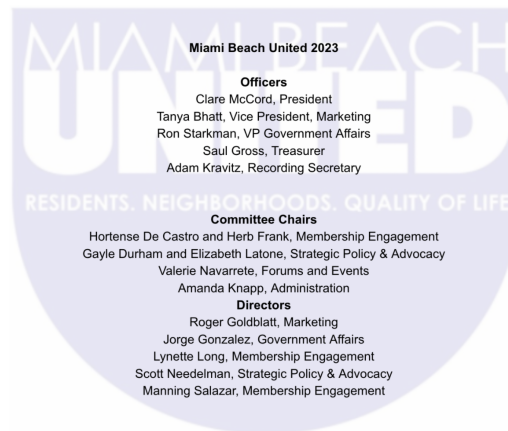
Executive Summary:

This referral to the Planning Board is intended to amend chapter 142 of the Land Development Regulations to adopt a uniform 2:00 AM termination time for the sale and consumption of alcoholic beverages along both sides of West Avenue and to repeal existing exceptions of the 2 AM termination for the sale and consumption of alcoholic beverages in the CD-1 and CD-2 Districts along Alton Road and West Avenue.

Why It Matters:

Miami Beach United **SUPPORTS** this ordinance to prevent the nightclub industry from drifting into the West Avenue residential neighborhood which would negatively impact the 10,000 full-time residents who live there. Since this ordinance has already been adopted in Sunset Harbour and South of Fifth, unless there is equal protection among the three neighborhoods, it is likely that a concentration of late-night bars and clubs will locate along Alton Road and West Avenue. Screeching cars and crowds of bar patrons cause late night noise throughout the evening and into the morning, especially as patrons leave the bars at 5:00 am. We see the problem escalating unless action is taken. Note, we urge those elected to make good on their campaign promise for 2:00 am in this neighborhood.

Read the Commission document by clicking [HERE](#)





Our Mission Dedicated to improving the quality of life for Miami Beach residents, managed and measured growth of our city, and ethical leadership of government – for a vibrant city rooted in history, its people, resources and neighborhoods, with focus on the future – by providing educational and analytical focus on the organization, structure, policies and performance of Miami Beach government. We share our newsletters with over 8,000 subscribers, the majority of whom are registered Miami Beach voters.

Miami Beach United | Streamline Properties/Saul Gross, 1125 Washington Avenue, Miami Beach, FL 33139

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