

MIAMI BEACH

LAND USE BOARDS

PLANNING BOARD AFTER ACTION REPORT

FOR MEETING HELD ON

February 3, 2026, 9:00 A.M.

ATTENDANCE

Board: Seven (7) of seven (7) members present: Brian Elias, Melissa Beattie, Yechiel Ciment, Jonathan Freidin, Elizabeth Latone, Keith Marks & Scott Needelman

Staff: Debbie Tackett, Jake Seiberling, Nick Kallergis, Justin Alexander

ELECTION OF CHAIR AND VICE-CHAIR

1. Election of Chair

Board member Elias elected as Chair; Ciment/Beattie 7-0

2. Election of Vice-Chair

Board member Beattie elected as Vice-Chair; Latone/Elias 7-0

APPROVAL OF MINUTES

3. December 9, 2025 meeting

APPROVED; Freidin/Beattie 7-0

REQUESTS FOR CONTINUANCES/WITHDRAWALS

4. PB25-0776, **Liquor Store Prohibition on Lincoln Rd.** AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED, "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 7 OF THE MIAMI BEACH RESILIENCY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," BY AMENDING SECTION 7.2.12 ENTITLED, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," TO AMEND THE LIST OF PROHIBITED USES TO INCLUDE LIQUOR STORES ON LINCOLN ROAD; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

CONTINUED to the July 7, 2026 meeting; Freidin/Beattie 7-0

5. PB25-0777, **Increase Distance Separation for Tobacco and Vape Stores.** AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE V, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," SECTION 7.5.5, ENTITLED "SPECIALIZED USE REGULATIONS," TO MODIFY AND INCREASE THE MINIMUM DISTANCE

SEPARATION REQUIREMENTS FOR TOBACCO AND VAPE DEALERS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

CONTINUED to the July 7, 2026 meeting; Ciment/Latone 7-0

6. PB25-0789, **323 23rd Street**. An application has been filed requesting a Conditional Use Permit for a Neighborhood Impact Establishment, including indoor entertainment with an occupant content exceeding 199 persons, pursuant to Chapter 1, Article II, Section 1.2.2.4; Chapter 2, Article V, Section 2.5.2; and Chapter 7, Article V, Section 7.5.5.4 of the Miami Beach Resiliency Code.

NO ACTION REQUIRED, to be re-noticed.

7. PB25-0739. **Lincoln Road East Residential Use Incentives – LDR Amendments**. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH RESILIENCY CODE, BY AMENDING CHAPTER 5, ENTITLED “OFF-STREET PARKING,” ARTICLE II, ENTITLED “VEHICLE PARKING, BICYCLE PARKING AND OFF-STREET LOADING REQUIREMENTS,” AT SECTION 5.2.4, ENTITLED “VEHICLE OFF-STREET PARKING REQUIREMENTS,” BY AMENDING THE PARKING REQUIREMENTS IN PARKING TIER 1, BY AMENDING THE PARKING REQUIREMENTS IN PARKING TIER 2 AND BY AMENDING THE PARKING REQUIREMENTS IN PARKING TIER 3; BY AMENDING CHAPTER 7, ENTITLED “ZONING DISTRICT REGULATIONS,” ARTICLE I, ENTITLED “GENERAL TO ALL ZONING DISTRICTS,” BY AMENDING SECTION 7.1.11, ENTITLED “RESIDENTIAL USE INCENTIVES,” TO ESTABLISH RESIDENTIAL USE INCENTIVES SPECIFIC TO PROPERTIES FROM EAST SIDE OF DREXEL AVENUE TO THE WEST SIDE OF COLLINS AVENUE AND LOCATED BETWEEN THE SOUTH PROPERTY LINE OF THOSE LOTS FRONTING ON THE SOUTH SIDE OF LINCOLN ROAD AND SOUTH SIDE OF 17TH STREET; BY AMENDING ARTICLE II, ENTITLED “DISTRICT REGULATIONS,” SECTION 7.2.12, ENTITLED “CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT,” TO DELETE SECTION 7.2.12.4, ENTITLED “ADDITIONAL REGULATIONS (CD-3)” ; BY AMENDING ARTICLE V, ENTITLED “SUPPLEMENTARY DISTRICT REGULATIONS,” BY AMENDING SECTION 7.5.2.1 ENTITLED “HEIGHT REGULATION EXCEPTIONS AND ROOFTOP ADDITIONS,” TO ALLOW FOR MULTI-STORY ROOFTOP ADDITIONS FOR PROJECTS THAT QUALIFY FOR THE LINCOLN ROAD RESIDENTIAL USE INCENTIVES; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WITHDRAWN; NO ACTION REQUIRED.

8. PB25-0738. **Lincoln Road East Residential Use Incentives – Comprehensive Plan Amendment**. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2040 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING THE “RESILIENT LAND USE & DEVELOPMENT ELEMENT,” GOAL RLU 1, ENTITLED “LAND USE,” OBJECTIVE RLU 1.1, ENTITLED “ESTABLISHMENT OF FUTURE LAND USE CATEGORIES” AT TABLE RLU 1.1 TO PROVIDE CONSISTENCY WITH FLOOR AREA RATIO (F.A.R.) REGULATIONS; BY AMENDING POLICY RLU 1.1.10, ENTITLED “HIGH INTENSITY COMMERCIAL (CD-3),” TO PROVIDE FAR AND DENSITY INCENTIVES TO ENCOURAGE THE DEVELOPMENT OF NON-TRANSIENT RESIDENTIAL USES AND THE CONVERSION OF EXISTING TRANSIENT USES TO NON-TRANSIENT RESIDENTIAL USES FOR APPLICABLE PROPERTIES WITH A LOT

LINE ON LINCOLN ROAD AND PROPERTIES LOCATED SOUTH OF 17TH STREET, BETWEEN THE EAST SIDE OF DREXEL AVENUE AND THE WEST SIDE OF COLLINS AVENUE; BY AMENDING OBJECTIVE 1.2, ENTITLED "LAND USE REGULATION," TO ESTABLISH POLICY 1.2.8, ENTITLED "RESIDENTIAL USE INCENTIVES," TO PROVIDE MINIMUM STANDARDS FOR OBTAINING THE FAR AND DENSITY INCENTIVES SET FORTH IN THIS ORDINANCE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, TRANSMITTAL AND AN EFFECTIVE DATE.

WITHDRAWN; NO ACTION REQUIRED.

9. **PB24-0731. Lincoln Road West Residential Use Incentives – LDR Amendments.** AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH RESILIENCY CODE, BY AMENDING CHAPTER 5, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "VEHICLE PARKING, BICYCLE PARKING AND OFF-STREET LOADING REQUIREMENTS," AT SECTION 5.2.4, ENTITLED "VEHICLE OFF-STREET PARKING REQUIREMENTS," BY AMENDING THE PARKING REQUIREMENTS IN PARKING TIER 3; BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICT REGULATIONS," ARTICLE I, ENTITLED "GENERAL TO ALL ZONING DISTRICTS," BY AMENDING SECTION 7.1.11, ENTITLED "RESIDENTIAL USE INCENTIVES," TO ESTABLISH RESIDENTIAL USE INCENTIVES SPECIFIC TO PROPERTIES FROM THE EAST SIDE OF ALTON ROAD TO THE WEST SIDE OF DREXEL AVENUE AND LOCATED BETWEEN THE SOUTH SIDE OF 17TH STREET AND THE NORTH SIDE OF LINCOLN LANE SOUTH; BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," SECTION 7.2.12 ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," TO MODIFY SECTION 7.2.12.3, ENTITLED, "DEVELOPMENT REGULATIONS (CD-3)." TO MODIFY AND CLARIFY DEVELOPMENT REGULATIONS PERTAINING TO HOTEL USES, TO DELETE SECTION 7.2.12.4, ENTITLED "ADDITIONAL REGULATIONS (CD-3)"; BY AMENDING ARTICLE V, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," BY AMENDING SECTION 7.5.2.1 ENTITLED "HEIGHT REGULATION EXCEPTIONS AND ROOFTOP ADDITIONS," TO ALLOW FOR MULTI-STORY ROOFTOP ADDITIONS FOR PROJECTS THAT QUALIFY FOR THE LINCOLN ROAD RESIDENTIAL USE INCENTIVES; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

CONTINUED to the March 10, 2026 meeting; Freidin/Beattie 7-0

10. **PB25-0737. Lincoln Road West Residential Use Incentives – Comprehensive Plan Amendment.** AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2040 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING THE "RESILIENT LAND USE & DEVELOPMENT ELEMENT," GOAL RLU 1, ENTITLED "LAND USE," OBJECTIVE RLU 1.1, ENTITLED "ESTABLISHMENT OF FUTURE LAND USE CATEGORIES" AT TABLE RLU 1.1 TO PROVIDE CONSISTENCY WITH FLOOR AREA RATIO (F.A.R.) REGULATIONS; BY AMENDING POLICY RLU 1.1.10, ENTITLED "HIGH INTENSITY COMMERCIAL (CD-3)," TO PROVIDE FAR AND DENSITY INCENTIVES TO ENCOURAGE THE DEVELOPMENT OF NON-TRANSIENT RESIDENTIAL USES AND THE CONVERSION OF EXISTING TRANSIENT USES TO NON-TRANSIENT RESIDENTIAL USES FOR APPLICABLE PROPERTIES FRONTING LINCOLN ROAD FROM ALTON ROAD TO DREXEL AVENUE AND PROPERTIES LOCATED BETWEEN 17TH STREET AND LINCOLN LANE NORTH; BY AMENDING OBJECTIVE 1.2, ENTITLED "LAND USE REGULATION," TO ESTABLISH POLICY 1.2.8,

ENTITLED "RESIDENTIAL USE INCENTIVES," TO PROVIDE MINIMUM STANDARDS FOR OBTAINING THE FAR AND DENSITY INCENTIVES SET FORTH IN THIS ORDINANCE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, TRANSMITTAL AND AN EFFECTIVE DATE.

CONTINUED to the March 10, 2026 meeting; Freidin/Beattie 7-0

PROGRESS REPORTS

11. PB24-0715. **1800, 1810, & 1818 Michigan Avenue and 1039 18th Street – Single Family Home Lot Split.** Progress report due to code violations and non-compliance with the conditions of approval.

Progress Report CONCLUDED; Ciment/Beattie 7-0

MODIFICATIONS OF PREVIOUSLY APPROVED PROJECTS

12. PB25-0764 a.k.a. PB20-0345, **1200 Ocean Drive.** An application has been filed requesting modifications to a previously issued Conditional Use Permit for outdoor/open-air entertainment within an existing restaurant. Specifically, the applicant is requesting to change the owner/operator, pursuant to Chapter 2, Article V, Section 2.5.2 of the Miami Beach Resiliency Code.

APPROVED; Ciment/Beattie 7-0

PREVIOUSLY CONTINUED APPLICATIONS

NEW APPLICATIONS

13. PB25-0791, **1330 18th Street.** An application has been filed requesting Conditional Use approval for a restaurant with more than 100 seats and an occupancy content in excess of 125 persons, pursuant to Sections 2.5.2, and 7.2.23 of the Miami Beach Resiliency Code.

APPROVED; Latone/Freidin 7-0

14. PB25-0792, **1 Ocean Drive.** An application has been filed requesting the review of private or joint government/private uses in the GU government use zoning district including but not limited to multiple restaurants/alcoholic beverage establishments, retail and beach club with children's center, pursuant to Chapter 7, Article II, Section 7.2.16.2.e of the Miami Beach Resiliency Code.

Transmitted to the City Commission with a FAVORABLE recommendation; Ciment/Marks 7-0

Additionally, the Board approved a motion recommending that the City Commission consider the following recommendations: 1. An amendment to policy RLU 1.1.19 of the 2040 Comprehensive Plan prior to the final action by the City Commission approving any of the proposed uses; 2. Relocation of the existing seventy-two (72) public parking spaces during the construction of the project which may include securing public parking within privately owned lots in close proximity to the site; 3. One additional public meeting with City Staff and the applicant to discuss the proposed operations including but not limited to loading, parking, and noise mitigation; 4. Prohibition of entertainment anywhere on the property; 5. Prohibition of vehicular queuing on Ocean Drive; 6. Provide programming for community members; Marks/Needelman 7-0

15. PB25-0807, **1244 Ocean Drive**. An application has been filed requesting Conditional Use approval for a Neighborhood Impact Establishment or restaurant located on the top floor of a building, whether fully enclosed, partially open, or open to the sky, including open-air portions above the roof-top, which is located on a property that is within 200 feet of a property containing a residential unit, pursuant to Chapter 1, Article II, Section 1.2.2.4; Chapter 2, Article V, Section 2.5.2; and Chapter 7, Article V, Section 7.5.5.4 of the Miami Beach Resiliency Code.

APPROVED; Freidin/Ciment 7-0

COMPREHENSIVE PLAN & CODE AMENDMENTS (Filed pursuant to Chapter 2, Article IV of the Land Development Regulations of the City Code and Chapter 163, Part II, Florida Statutes.)

16. PB25-0804, **Administrative Review of Temporary Surface Parking Lots**. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH RESILIENCY CODE, BY AMENDING CHAPTER 2, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE V, ENTITLED "REZONINGS AND DEVELOPMENT APPROVALS," SECTION 2.5.3 ENTITLED "DESIGN REVIEW," SUBSECTION 2.5.3.3, ENTITLED "ADMINISTRATIVE DESIGN REVIEW," TO EXTEND THE PLANNING DIRECTOR'S AUTHORITY TO REVIEW ELIGIBLE TEMPORARY SURFACE PARKING LOTS; BY AMENDING ARTICLE XIII, ENTITLED "HISTORIC PRESERVATION," SECTION 2.13.7, ENTITLED "ISSUANCE OF CERTIFICATE OF APPROPRIATENESS/CERTIFICATE TO DIG/CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION," TO EXPAND ADMINISTRATIVE REVIEW AUTHORITY FOR TEMPORARY SURFACE PARKING LOTS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

Transmitted to the City Commission with a FAVORABLE recommendation; Latone/Ciment 7-0

17. PB25-0806, **2040 Comprehensive Plan Evaluation and Appraisal Report (EAR)**. AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE STATE COORDINATED REVIEW PROCESS OF SECTION 163.3184(4), FLORIDA STATUTES, BY AMENDING GOALS, OBJECTIVES, POLICIES, AND DOCUMENT TITLES OF THE COMPREHENSIVE PLAN, INCLUDING THE FOLLOWING ELEMENTS: RESILIENT LAND USE AND DEVELOPMENT, TRANSPORTATION, HOUSING, PUBLIC SCHOOL FACILITIES, AND CAPITAL IMPROVEMENT; AND, PURSUANT TO FLORIDA ADMINISTRATIVE CODE RULE 73C-49 AND SECTION 163.3191, FLORIDA STATUTES, ENTITLED "EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN," INCORPORATING NECESSARY AMENDMENTS REFLECTING CHANGES IN STATE REQUIREMENTS, AND UPDATING THE COMPREHENSIVE PLAN BASED ON CHANGES IN LOCAL CONDITIONS SINCE THE LAST UPDATE BASED ON THE EVALUATION AND APPRAISAL REPORT UPDATE ADOPTED ON OCTOBER 16, 2019; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

Transmitted to the City Commission with a FAVORABLE recommendation; Ciment/Latone 7-0

OTHER BUSINESS

ADJOURNMENT