



MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jorge M. Gonzalez, City Manager

FROM: Victor M. Diaz, Jr., Commissioner

DATE: May 28, 2009

SUBJECT: Referral to Land Use Committee to discuss Trac Board Recommendations to Make Land Development Application and Review Process More Transparent

At the regular meeting of the Trac Board May 28, 2009, the Board requested a referral to the Land Use Board. The referral is a discussion item on seven recommendations to make the land development application and review process more transparent and accessible to the public. The seven recommendations slated for discussion are attached. I request that the item be placed on the June 3rd agenda of the Commission on an emergency basis for a referral to the Land Use Board in September or October. Thank you.

VMD/sm

[D R A F T III] – DISCUSSION ITEM FOR T.R.A.C.
COMMITTEE MEETING, THURSDAY, NOV. 20, 5:00PM,
CITY MANAGER’S LARGE CONFERENCE ROOM.

**Making the Land Development Application and Review
Process more Transparent and Accessible to the Public.**

1. Expand the **public notice period** from 15 days to 30 days.
[Ordinance amendment required.]

2. Expand the **project description** in the public notice to include several standardized pieces of information not now included, such as lot size, buildable space, type and intensity of use, conversion – information essential for the public and the neighborhood to be put on notice of the nature and magnitude of what is being proposed.
[Pay for the additional newspaper ad costs by a slight increase in the application fee.]

3. a. Require **posting on the city's website of basic information** at the time a land development application is **accepted for processing**. This will give the public a heads up as to what is in store. [In addition, by identifying applications by neighborhood association district in which located, the city could **affirmatively e-mail the neighborhood association** or associations affected with that basic information.]

b. Contemporaneously with the mailed and published public notice of the public hearing on the project, **post on the website an expanded description of the project**. This would be more detailed than the published notice, and would be the location an interested person or neighborhood association would go to when public notice is given – mailed and published. The expanded project description could be standardized for the applicant to fill in. This should be no burden, for the applicant must address all development aspects in formulating an application.

4. After the date for public hearing is set, **changes to essential features of the application should be posted on the website**, and a closing date for such changes established. It should be unacceptable for an applicant to hand out changes to land development boards as late as the meeting itself. The public has no opportunity for review. Perhaps a **deadline of ten days' prior** submission and posting to the website is necessary to ensure public access to application changes.

5. Agendas should set reasonable parameters, to the extent feasible, for the **approximate time agenda items requiring a public hearing will be heard**. [Reference, Charter policy, Citizens' Bill of Rights (A) 5. *Right to be heard*. . . *Matters shall be scheduled for the convenience of the public, and the agenda shall be divided into approximate time periods so that the public may know approximately when a matter will be heard.*"]

6. Authorize the **written transcript** that is required for an appeal by an affected party to be transcribed from the city's DVD recording of the public hearing, without the resident having to schedule in advance the services of a court reporter, and incur those expenses.

7. Require **administrative decisions** by the Planning Director to be **posted** on the city's website, ~~and the deadline for appeal extended from the current five days to 20 days. [Ordinance amendment required.]~~

Submitted to the Transparency, Reliability and Accountability Committee by Frank Del Vecchio, Oct. 29, 2008; updated November 16, 2008.

THIS PAGE INTENTIONALLY LEFT BLANK