



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: September 9, 2009

SUBJECT: **REFERRAL TO THE NEIGHBORHOODS/COMMUNITY AFFAIRS COMMITTEE
A DISCUSSION ON PROPOSED AMENDMENTS TO ARTICLE XV "STREET
PERFORMERS AND ART VENDORS"**

As you are aware, the City approved and has subsequently amended, Article XV Sections 18-901–18-912 relating to the regulation of Artist Vendors and Street Performers. These regulations have attempted to address concerns relating to impacts to the health, welfare and safety of the community as a result of a proliferation of artist vendors and street performers in pedestrian-heavy streets in our city. The most recent amendments to the code relating to artist vendors and street performers provided for permit locations for artist vendors and street performers on Washington Avenue, Collins Avenue and the Beachwalks. The ordinance defined Washington Avenue and Collins Avenue as including not only particular portions of these north/south corridors, but extending 200 ft. east and/or west of the centerline of those two streets. In addition, the ordinance only regulates artist vending on Lincoln Road from Washington Avenue to Alton Road.

In the last few months, we have seen an increase in the number of vendors placing their tables in an area on the 200 block of Lincoln Road. This area, which can include as many as 10 to 12 vendors, falls in between the 200 ft. distance from the centerline of Collins Avenue and Washington Avenue and, as a result, is not regulated by the current ordinance that requires permits in certain pedestrian-heavy areas. While City staff has monitored to ensure that all vendors using this unregulated area have the appropriate artist certification, and follow ordinance requirements, we continue to receive complaints and observe instances where the number of tables set up are creating issues with pedestrian flow and with entrance and exit from Lincoln Road storefronts. Vendors have also complained regarding incidents with other vendors who "claim" a spot in that area. As a result, it is our recommendation that the Commission refer to the Committee a discussion of the possibility of amending the Street Performer and Artist Vendor ordinance to include all of Lincoln Road from the Beachwalk to Alton Road as requiring a permit. It is our intention to recommend the placement of some vendor tables on the 200 block of Lincoln Road in such a manner as to reduce congestion and ensure appropriate pedestrian flow and access.

In addition to the new, permitted location on Lincoln Road, it is also recommended that the Commission refer for discussion the possibility of the addition of several permitted locations on the crosswalk that connects with the beachwalk at 21st Street. Staff will provide diagrams and location recommendations at the Neighborhoods/Community Affairs Committee, should the item be referred for discussion.

HMF/ah

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And Artist Vendors Ordinance

Agenda Item C4I
Date 9-9-09

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