



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 *JMG*  
DATE: October 27, 2010  
SUBJECT: **REPORT OF THE SEPTEMBER 27, 2010 LAND USE AND DEVELOPMENT COMMITTEE MEETING**

A meeting of the Land Use and Development Committee was held on September 27, 2010. Commissioners Gongora, Wolfson and Tobin were in attendance. Members from the Administration and the public were also in attendance. Please see the attached sign-in sheet. The meeting was called to order at 4:18 pm.

### OLD BUSINESS:

#### **1. ORDINANCE AMENDMENT – EXPAND THE PUBLIC NOTICE PERIOD FOR ALL FOUR LAND USE BOARDS FROM 15 DAYS TO 30 DAYS**

**AFTER-ACTION:** Richard Lorber introduced the item. Frank DelVecchio spoke in favor of the proposed change.

**MOTION:** Tobin/Wolfson (vote 3-0)  
Refer the proposal to the Planning Board.

#### **2. Ordinance – Entertainment in Sidewalk Café Permit Areas on Ocean Dr. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 82, PUBLIC PROPERTY, ARTICLE IV, USES IN PUBLIC RIGHTS-OF-WAY, DIVISION 5, SIDEWALK CAFES, SUBDIVISION II, PERMIT, SECTION 82-385, BY PROVIDING MINIMUM STANDARDS, CRITERIA, AND CONDITIONS FOR ENTERTAINMENT IN SIDEWALK CAFÉ PERMIT AREAS ON OCEAN DRIVE BETWEEN 9<sup>TH</sup> AND 13<sup>TH</sup> STREETS, AND BY AMENDING CHAPTER 142, ZONING DISTRICTS AND REGULATIONS, ARTICLE V, SPECIALIZED USE REGULATIONS, DIVISION 6, ENTERTAINMENT ESTABLISHMENTS, SECTION 142-1361, DEFINITIONS, TO AMEND THE DEFINITION OF OUTDOOR ENTERTAINMENT TO INCLUDE SUCH SIDEWALK CAFÉ AREAS ON OCEAN DRIVE, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

**AFTER-ACTION:** Discussion was held. The Committee requested that staff continue to study the matter, and report back next year.

**MOTION:** Wolfson/Tobin (vote 3-0)  
Motion to table the matter until July 2011.

Agenda Item   C6B    
Date   10-27-10

**3. DISCUSSION REGARDING THE PLACEMENT OF WATER SUB-METERS.**

**AFTER-ACTION:** Mike Alvarez of Public Works introduced the item. Mr. Michael Lefkowitz expressed good satisfaction with working with the City on this issue, and indicated there is now no further need for City action.

**MOTION:** None

**4. REFERRAL TO THE LAND USE AND DEVELOPMENT COMMITTEE FOR REVIEW AND RECOMMENDATION OF AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS", ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS ", SECTION 142-875 "ROOF REPLACEMENTS" TO MODIFY AND EXPAND THE REQUIREMENTS FOR ROOFING MATERIALS IN ALL DISTRICTS; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

**AFTER-ACTION:** Thomas Mooney of the Planning Department introduced the item and explained the need for the proposed amendment. The Committee discussed the matter and inquired if this was related to the case on North Bay Road.

**MOTION:** Tobin/Wolfson (vote 3-0)  
Transmit the matter to the Planning Board for review.

**5. HISTORIC SINGLE FAMILY PROPERTY AD VALOREM TAX EXEMPTION.**

**AFTER-ACTION:** Planning Department staff introduced the item, and discussed the existing program for historic preservation tax exemptions. The Committee discussed the past applications, how many applications there have been, and is the program working the way it supposed to. The matter of the fees which are charged was discussed in the context of the amount of savings each homeowner may expect to accrue over ten years. The Committee decided that no further action was necessary.

**MOTION:** Wolfson/Tobin (vote 3-0)  
No further action necessary.

**6. DISCUSSION REGARDING STRENGTHENING THE PROCESS BY WHICH PERMANENT PARKING SPACES MAY BE REMOVED FROM CITY INVENTORY, FOR INSTANCE BY LIMITING THE PURPOSE AND/OR REQUIRING COMMISSION APPROVAL.**

**AFTER-ACTION:** Saul Frances introduced the item. Michael Larkin spoke about his client, Tapas & Tintos, which desired to use parking spaces when not used for parking, as sidewalk café space. The Committee discussed the issue of temporary bagging of parking meters, and Jorge Gomez explained that this proposed ordinance would apply to the permanent removal of parking spaces. The Committee voted to direct staff to prepare the ordinance, and send to the full Commission; also report back next available meeting with a discussion on the temporary removal of parking spaces by adjacent commercial uses (e.g. sidewalk café uses).

**MOTION:** Tobin/Wolfson (vote 3-0)

Staff to prepare the ordinance, and send to the full Commission; also report back next available meeting with a discussion on the temporary removal of parking spaces by adjacent commercial uses.

**7. DISCUSSION REGARDING LESSENING THE INTENSITY OF THE INDUSTRIAL LIGHT DISTRICT**

**AFTER-ACTION:** Commissioner Wolfson introduced the discussion about the I-1 Light Industrial district. Kent Robbins spoke on behalf of his client, Beach Towing. Residents of the Sunset Harbour neighborhood spoke. Commissioner Tobin requested a study of the Industrial zoning district on Terminal Island, to see if it could replace Sunset Harbour as a location for towing services.

**MOTION:** Wolfson/Gongora (vote 3-0)

1. Refer an ordinance to the Planning Board to make main use parking garages a conditional use in the I-1 Urban Light Industrial zoning district.

**MOTION:** Wolfson/Gongora (vote 3-0)

2. Direct the City Attorney's Office to prepare an amendment to Section 106-213 of the City Code, in order to reduce the total number of tow licenses in the City from three (3) to two (2).

Attachment

JMG/JGG/RGL

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LAND USE AND DEVELOPMENT COMMITTEE MEETING

September 27, 2010 @ 4:00 pm

City Manager's Large Conference Room

Attendance Sheet

| NAME               | E-MAIL ADDRESS                   | I WISH TO RECEIVE THE LINK TO THE ELECTRONIC AGENDA | CONTACT NUMBERS |
|--------------------|----------------------------------|---|-----------------|
| 1. Jorge Gomez     | Jgomez@miamibeachfl.gov          |   | 2010            |
| 2. Raymond Ortega  | Raymondorj@Gmail.com             |   |                 |
| 3. Nikki Wyte      | Nikkiwyte@aol.com                |   |                 |
| 4. Felix MIRANDA   | KALEP 1 @ Hotmail.com            |   |                 |
| 5. Doel Figueoa    | info @ beautybydoel.com          |   |                 |
| 6. Ezzell Grant    | Moody Kidd @ gmail.com           |   |                 |
| 7. Missy Myakie    | Missy Myakie @ yahoo.com         |   |                 |
| 8. Shanaya Bright  | Shanaya.culbster@hotmail.com     |   |                 |
| 9. Scott Hayes     | hayesutlas@aol.com               |   |                 |
| 10. Henry Williams | soberitany @ Yahoo.com           | no  |                 |
| 11. DAVID TRY      | DAVID.TRY @ ME.COM               |   |                 |
| 12. REINA LAWS     | REINA @ RNRMGMT.COM              |   |                 |
| 13. LUIS TOBRÉGAOS | LTOBRÉGAOS@GOLLSOUTH.net         |   |                 |
| 14. M. F. LA       | - @                              |   |                 |
| 15. Luiz PATINO    | Luiz PATINO @ yahoo.com          |   |                 |
| 16. J. Amat        | j.amat @ yahoo.com               |   |                 |
| 17. BRIAN SLIMAN   | BRIANSLIMAN @ MIAMI BEACH FL GOV |   |                 |
| 18. Amy Huber      | ahuber @ shubinbass.com          |   |                 |
| 19. Jo Manning     | drmwk @ jwco.com                 |   |                 |
| 20. Michael Larkin | m.larkin @ brzonny.com           |   |                 |

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LAND USE AND DEVELOPMENT COMMITTEE MEETING  
 September 27, 2010 @ 4:00 pm  
 City Manager's Large Conference Room

**Attendance Sheet**

| NAME                 | E-MAIL ADDRESS              | I WISH TO RECEIVE THE LINK TO THE ELECTRONIC AGENDA | CONTACT NUMBERS  |
|----------------------|-----------------------------|---|------------------|
| 21. FRANK DEL VECCIO | fdeleccio@atlanticbb.net    | Yes.  | 781.305-672-2486 |
| 22. M. Sunshine      | — @ —                       | Yes   | 305 422 9091     |
| 23. M. Courtney      | MAMC@Gov.com                | Yes   | 305-531-4411     |
| 24. M. LEFKOWITZ     | mlefkil@yahoo.com           | Yes   | 780-220 9250     |
| 25. ANGIE HARGOT     | ANGIE@THELEADMIAMILOCAL.COM | —   | 786-444-9045     |
| 26. Cesar Mora       | ChinoC75@yahoo.com          | yes   | 954-381-9088     |
| 27. Juan Cano        | Wangcangje@yahoo.com        | yes   |                  |
| 28. BOBOWITZ         | bobowit@wmsw.com            | yes   | 305-534-4757     |
| 29.                  | @                           |   |                  |
| 30.                  | @                           |   |                  |
| 31.                  | @                           |   |                  |
| 32.                  | @                           |   |                  |
| 33.                  | @                           |   |                  |
| 34.                  | @                           |   |                  |
| 35.                  | @                           |   |                  |
| 36.                  | @                           |   |                  |
| 37.                  | @                           |   |                  |
| 38.                  | @                           |   |                  |
| 39.                  | @                           |   |                  |
| 40.                  | @                           |   |                  |

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