

MIAMI BEACH

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

COMMISSION MEMORANDUM

TO: Mayor Philip Levine and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: March 9, 2016

SUBJECT: **LAND USE AND DEVELOPMENT COMMITTEE MEETING OF FEBRUARY 17, 2016**

A Land Use and Development Committee meeting was held on February 17, 2016. Land Use Committee Members in attendance were Commissioners Joy Malakoff, Michael Grieco, and John Elizabeth Aleman. Members from the Administration, including, Susanne Torriente, Thomas Mooney, Raul Aguila, Eve Boutsis, Michael Belush, Eric Carpenter, Enrique Nunez, Ricardo Guzman, as well as members of public, were also in attendance. Please see the attached sign-in sheet.

The meeting was called to order at 3:05 PM.

1. Discussion Regarding A Proposed Zoning Ordinance Amendment To Allow A 'Hall For Hire' As A Conditional Use Within Existing Religious Institutions Located Within The Museum Local Historic District And In The RM-2 Zoning District.

(Returning from the January 20, 2016 LUDC Meeting
Sponsored by Commissioner Joy Malakoff
December 9, 2015 City Commission Meeting, Item C4A)

AFTER-ACTION:

Representative of the caterer for the Temple presented the proposal. Commissioner Grieco indicated a need to reach out to more properties concerning the proposal.

MOTION: MG/JA (3-0)

Continue to March 30, 2016. Staff to draft an ordinance and more public outreach to be undertaken by the Temple.

2. Annual Evaluation of Parking Impact Fee Structure.

(Returning from the January 20, 2016 LUDC Meeting
Sponsored By City Commission
September 17, 2014 City Commission Meeting, Item R7E)

MOTION: Continued to April 20, 2016 by Acclamation

3. Proposed Revisions To Chapter 126 Of The Land Development Regulations Of The City Code, Pertaining To Landscaping And Minimum Standards For The Landscaping Of Private Properties And Adding A Requirement For A Tree Survey Prior To The Issuance Of A Demolition Permit.

(Returning From the January 20, 2016 LUDC Meeting
Sponsored By Commissioner Joy Malakoff
June 10, 2015 City Commission Meeting, Item C4I)

AFTER-ACTION:

Thomas Mooney introduced the item and provided a summary of the changes.
Eve Boutsis notes that some further modifications will be made regarding code compliance.
Commissioner Malakoff indicated that the City should be responsible for maintaining trees in the right-of-way.
Eric Carpenter noted that the cost to maintain the trees within the public right-of-way in the City would be about \$1.5 million per year.
Commissioner Grieco was not comfortable with the additional cost to the City.
Commissioner Aleman agreed with Commissioner Grieco.
The Committee did agree to further discuss this budget and policy item at a later time.

MOTION: MG/JA (2-1)

Recommend that the Ordinance be sent to the Planning Board with a favorable recommendation, including the current requirement that homeowners maintain swale trees.

4. Discussion Regarding The City of Miami Beach's Building Permit Application Process.

(Returning from the January 20, 2016 LUDC Meeting
Sponsored by Commissioner Ricky Arriola
January 13, 2016 City Commission Meeting, Item C4E)

MOTION: Continued to March 30, 2016 by Acclamation

5. Ordinance Amending Height and Setbacks for Mixed-Use Development in the Sunset Harbour Neighborhood.

(Returning from the January 20, 2016 LUDC Meeting
Sponsored by Commissioner Joy Malakoff
January 13, 2016 City Commission Meeting, Item C4F)

AFTER-ACTION:

Michael Larkin presented the proposal with his team, which includes increased height to 90 feet and reduced front and side setbacks (15' front setback, 10' interior side setbacks, and 5' rear setback.)

Ralph Andrade representing Beach Towing opposed the ordinance.
Kent Harrison Robbins spoke on concerns regarding spot zoning.
Representative of the Lofts indicated opposition to the proposed amendments.
Additional residents of the Lofts spoke against the proposal.
Representative of the Townhomes at Sunset Harbor spoke in favor of the proposal.
Members of the public addressed the committee both in favor and opposed to the proposal.

Comm. Aleman and Malakoff underscored the importance of a covenant for the site.
Commissioner Grieco indicated concerns with the process.

MOTION: JA/JM (2-1)

Recommend that the City Commission refer the proposed Ordinance to the Planning Board with a favorable recommendation.

6. Discussion Regarding A Complete Review of Sign Ordinances.

(Sponsored by Commissioner Ricky Arriola
February 10, 2016 City Commission Meeting, Item C4G)

MOTION: Continued to March 30, 2016 by Acclamation

7. Discussion Regarding Short Term Rentals in North Beach.

(Sponsored by Commissioner Michael Grieco
January 13, 2016 City Commission Meeting, Item C4H)

AFTER-ACTION:

Thomas Mooney introduced the item
Michael Larkin provided a summary of his draft ordinance
Commissioner Grieco indicated that a recommendation from the Master Planner for North Beach be provided at some point
Members of the public addressed the committee
Commissioner Grieco indicated a need to incorporate requirements for renovating property

MOTION: MG/JA (3-0)

Continue to March 30, 2016. Staff to draft a revised ordinance and include a provision for minimum renovation requirements.

8. Proposed Ordinance Setting Forth Demolition Procedures For All Single Family Homes, Regardless of the Year of Construction.

(Sponsored by Commissioner Joy Malakoff
February 10, 2016 City Commission Meeting, Item C4J)

AFTER-ACTION:

Thomas Mooney introduced the item.
Commissioner Grieco agreed with the proposal that plans for a new replacement home be approved prior to the issuance of a demolition permit for an existing home. Not supportive of every home going to the DRB.

MOTION: MG/JA (3-0)

Continue to March 30, 2016 to draft an ordinance only on demolition procedures and to provide the fiscal impact of review of all homes by Design Review Board.

9. CMB Preparations for Likely Passage of State Medical Marijuana Constitutional Amendment.

(Sponsored by Commissioner Michael Grieco
February 10, 2016 City Commission Meeting, Item R9F)

AFTER-ACTION:

Commissioner Malakoff indicated she will not support an ordinance similar to the example presented due to the problems it can bring.
Commissioner Grieco indicated that the City needs to keep on top of the situation and

should bring back for discussion every few months.
Members of the public addressed the committee

MOTION: Continued to April 20, 2016 by Acclamation

10. Discussion Pertaining to a Proposed Ordinance Amendment to Create Operational Regulations for Alcoholic Beverage Establishments Adjacent to the Palm View and West Avenue Residential Areas.

(Sponsored by Commissioner Joy Malakoff
February 10, 2016 City Commission Meeting, Item R5F)

AFTER-ACTION:

Commissioner Malakoff provided an overview of why additional regulations are needed to protect residents and outlined in detail proposed changes.

Commissioner Aleman expressed concern with impact on businesses.

Representative of the Lincoln Road Property Owners Association expressed concern with use and hour limitations.

Other members of the public addressed the committee.

MOTION: Continue to March 30, 2016 by Acclamation. Staff to prepare a draft ordinance in accordance with the discussion, for review on March 30, 2016

The meeting adjourned at 6:00 p.m.



JLM/SMT/TRM/MAB

LAND USE AND DEVELOPMENT COMMITTEE MEETING

February 17, 2016
City Commission Chambers

Attendance Sheet

NAME	CONTACT NUMBER	I WISH TO RECEIVE THE AGENDA ELECTRONICALLY	E-MAIL ADDRESS
1. JERRY BELL	(305) 215-1302		jerry @ bell.davidson.com
2. Graham Rom	305 377 6227		Graham @ brzoninglaw.com
3. SHARON OLSON	305-672-2282		sharon @ us not amil
4. Gues Towner	305-812-8884		Towner @ gmail.com
5. TOMAS LOUPE	305-749-0924		LOUPE @ DECORATION.com
6. Max Leifer	903 247 1883		Max @ DecCapital.com
7. Suzanne Wrythel	954-554-4110		Suzanne @ tesobey.org
8. Mike McNeil	305 788 5795		Mike @ MCMW.com
9. Elena Giardello	954 558 3902		Elena @ me.com
10. Monika Fentin	305 377-6037		Monika @ BRzoninglaw.com
11. Mickey Murray	305-377-6238		Murray @ brzoninglaw.com
12. Daniel Guehls	305 496 9535		Dan @ gsmj.com
13. Carolina Jones	305 772 3330		Caroline @ fcincibz.com
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