

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: April 13, 2016

SUBJECT: LAND USE AND DEVELOPMENT COMMITTEE MEETING OF MARCH 30, 2016

A Land Use and Development Committee meeting was held on March 30, 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, Nick Kallergis, Aleksandr Boksner, Rogelio Madan, and Maria Ruiz, as well as members of public, were also in attendance. Please see the attached sign-in sheet.

The meeting was called to order at 3:09 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 February 17, 2016 LUDC Meeting
Sponsored by Commissioner Joy Malakoff
December 9, 2015 City Commission Meeting, Item C4A)

AFTER-ACTION:

Thomas Mooney introduced the item.
Members of the public addressed the committee.

MOTION: JA/MG (3-0)

Refer the ordinance to the Planning Board.

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

(Returning from the February 17, 2016 LUDC Meeting
Sponsored by Commissioner Joy Malakoff
February 10, 2016 City Commission Meeting, Item C4J)

2a. Discussion: Proposed ordinance pertaining to demolition procedures.

AFTER-ACTION:

Thomas Mooney introduced the item and detailed a minor revision to the proposed ordinance regarding improvements to lots, in addition to new homes.
Commissioner Malakoff detailed the problems of having empty lots in neighborhoods.

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MOTION: JA/MG (3-0)

Recommend approval of the ordinance, including a modification that it apply to improvements to a sf lot, in addition to new homes.

(Note: original referral was to both Land Use and Development Committee AND the Planning Board)

2b. Discussion: Potential fiscal and review process impacts of having all new single family home construction reviewed by the Design Review Board.

AFTER-ACTION:

Thomas Mooney described the architectural review board process utilized in the City of Coral Gables.

Commissioner Malakoff agreed that a rotating architectural review board would be beneficial to the City; however, that the ethics ordinance would have to be amended in order to allow for rotating architects that are practicing within the City.

Members of the public addressed the committee.

MOTION: MG/JA (3-0)

Recommend that the item be continued to April 20, 2016, and that the following information be brought back for discussion:

- a. The City Attorney shall provide draft ballot language pertaining to an ethics ordinance modification for design professionals serving on both a new, rotating board of architects, as well as the existing City Land Use Boards.
- b. The Planning Department shall obtain information on the City of Coral Gables Board of Architects process, and put together an outline of how such a process might be implemented in the City of Miami Beach.

3. 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.

(Returning from the February 17, 2016 LUDC Meeting

Sponsored by Commissioner Joy Malakoff

February 10, 2016 City Commission Meeting, Item R5F)

AFTER-ACTION:

Thomas Mooney introduced the item.

Commissioner Aleman expressed a need to grandfather those restaurants that are operating.

Commissioner Malakoff expressed the need to protect residential neighborhoods from the impacts of alcoholic beverage establishments that are in close proximity.

Commissioner Grieco expressed concerns with setting a precedent and sending a message to investors that the rules can change quickly so that grandfather provisions need to be addressed. He also requested that existing businesses be described as legally non-conforming so that if they close, the new rules apply to any new business.

Members of the public addressed the committee.

Commissioner Malakoff described the need for applicability exception for those businesses that exist or have BTR's, but that those that have not received permits not get grandfathered.

Commissioner Grieco agreed that protections were necessary for residences; however, there was a need to protect those that have already made an investment and are in progress.

Commissioner Aleman expressed similar concerns with the applicability clause and legally non-conforming uses.

MOTION: MG/JA (3-0)

- a. Recommend that the Commission approve the Chapter 6 ordinance, with a modification that projects that have a BTR or land use board approval can continue forward as of the effective date of the ordinance.
- b. Recommend that the City Commission refer the Chapter 142 ordinance related to the Land Development Regulations be referred to the Planning Board.

4. Discussion Regarding Short Term Rentals in North Beach.

(Returning from the February 17, 2016 LUDC Meeting

Sponsored by Commissioner Michael Grieco

January 13, 2016 City Commission Meeting, Item C4H)

AFTER-ACTION:

Thomas Mooney introduced the item and requested additional policy direction on the proposed ordinance.

Aleksandr Boksner provided additional feedback on the ability to regulate short term rentals pursuant to state law and the Florida Building Code.

Commissioner Grieco requested that notice be provided to long-term lessees that there are short-term rentals occurring in an apartment building.

Commissioner Malakoff expressed concerns that the ordinance should require that an entire building be a short-term rental building similar to the regulations of Collins Park.

Members of the public addressed the committee.

Commissioner Malakoff stated that she would only support seven (7) day rentals if the building was rehabilitated in advance.

MOTION: MG/JA (2-1)

Recommendation that the City Commission refer the proposed ordinance to the Planning Board with the following modifications:

- a. Only properties with a 'contributing' structure shall be eligible;
- b. There may be a mix of short and long term rental units within a building, provided that long-term lease tenants are notified when short-term rental units are occurring in a building;
- c. To allow for up to a three-year renovation period for the structure;
- d. To permit management of the property from within the district;
- e. To allow for an open application window for short term rentals.

5. Discussion Regarding A Complete Review of Sign Ordinances.

(Returning from the February 17, 2016 LUDC Meeting

Sponsored by Commissioner Ricky Arriola

February 10, 2016 City Commission Meeting, Item C4G)

MOTION: Continued to April 20, 2016 by acclamation.

6. Discussion Regarding the Removal of Carlos Zapata "Wing" Structure on Lincoln Road.

(Sponsored by City Commission

March 9, 2016 City Commission Meeting, Item C4H)

AFTER-ACTION:

Adrian Morales introduced the item.
Members of the public addressed the committee
Commissioner Malakoff requested that the City look into the idea of selling the structure.

MOTION: MG/JA (3-0)

Recommend that the structure be removed.

7. Discussion Regarding Incentivizing Workforce Housing in the Private Sector.

(Sponsored by Commissioner Michael Grieco
March 9, 2016 City Commission Meeting, Item C4D)

AFTER-ACTION:

Commissioner Grieco expressed the desire to have robust incentives for workforce housing.
He described the difference between housing for families and micro-units.

MOTION: The item was continued to April 20, 2016 by acclamation.

8. Discussion On Air Rights.

(Returning from the February 17, 2016 LUDC Meeting
Sponsored By Commissioner Joy Malakoff
September 2, 2015 City Commission Meeting, Item C4I)

MOTION: The item was continued to May 18, 2016 by acclamation.

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

(Returning from the February 17, 2016 LUDC Meeting
Sponsored by Commissioner Ricky Arriola
January 13, 2016 City Commission Meeting, Item C4E)

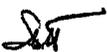
MOTION: The item was discontinued by acclamation.

10. Discussion Regarding The Impact Of A Partial Modification Of Ordinance 2014-3876 As It Relates To A FAR Interpretation.

(Returning from the January 20, 2016 LUDC Meeting
Sponsored by Commissioner Joy Malakoff
January 13, 2016 City Commission Meeting, Item C4I)

MOTION: The item was discontinued by acclamation.

The meeting adjourned at 5:49 p.m.



JLM/SMT/TRM/RAM

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LAND USE AND DEVELOPMENT COMMITTEE MEETING

March 30, 2016

City Commission Chambers

Attendance Sheet

NAME	CONTACT NUMBER	I WISH TO RECEIVE THE AGENDA ELECTRONICALLY	E-MAIL ADDRESS
1. Dan Miller	305-970-7417	Yes	DMiller@...@
2. David Kuba			
3. N. D. Kallergis	6321	NU	ndkallergis@mainbearfla.com
4. M. Carter	305 371-6231		mlarkin@brzoninglaw.ca
5. J. Kan	' 1' 6225	Yes	jkan@brzoninglaw.ca
6. Monica Entro	(305) 512-3445	yes	mentin@brzoninglaw.com
7. Steven Schmitt	305 431-8837	Yes	Stevens64@MFC.COM
8. Bruce Baetman	305-531-0901	Yes	bruce.baetman@yahoo.com
9. Antonio Villa de Rey	305-742-4403	Yes	Anthony@Azul-liquor.com
10. LISA NOONAN	305-970-3626	Yes	LANOONAN@HOTMAIL.COM
11. Marcos Hernandez	305-538-1987	Yes	MARCTYCH@AOL.COM
12. GEORGE DANDROS	917-472-4388	Yes	georgedandros@gmail.com
13. SOPHIA SIECZKOWSKI			@
14. FRANK DEL VECCHIO	305 672 2484	Y	fdelvecchio@atlantictbb.net
15. MORRIS SUNSHINE		Y	@
16. Daniel Cordero			@
17. DAN MILLER	305 512 2823	N	@
18. Alan Shugartman	786-812-0948	N	ashugartman100@gmail.com
19. BERNARDO SANDOVAL	305.785.8225	Y	MIRADORROSSCONDO@gmail.com
20. Seth Fohlisch	954-732-6894	Y	SETAFOLBLICH@GMAIL.COM

MR:SCMBICUPDATES/Land Use and Development Committee(2015)Sign In Sheet 2015.docx

LAND USE AND DEVELOPMENT COMMITTEE MEETING
 March 30, 2016
 City Commission Chambers

Attendance Sheet

	NAME	CONTACT NUMBER	I WISH TO RECEIVE THE LINK TO THE ELECTRONIC AGENDA	E-MAIL ADDRESS
21.	Colony Rockwell	248-330-4553	yes	grockin@concast.net
22.	JOSEPH NAVARRO	716-574-6370	yes	joodebra10@gmail.com
23.	CAROL THOMAS	901-419-8228	YES	PTKMAS156@cox.net
24.	SHAWN BRYANT	3055376454	NO	
25.	DAVID GREEFF	516-80-6729	YES	DANGREFF@AOL.com
26.	Bianca Erickson	786-553-9233	YES	bianca.erickson@gmail.com
27.	Lvannia Van Arman	305600 0219	Yes	LV @LRBID.COM
28.	William Stites		Yes	wmstites@homed.com
29.	Wm PHILLIPS	786-512-5283	NO	
30.	Hamed Rosen			
31.	STEVE POLISAR	305-782-7179		STEVEPOLISAR@GMAIL.COM
32.	Jerry Jacobs	305-336-9951	no	
33.	Glendel Phillips	305-431-7942	yes	glendelphipp305@gmail.com
34.	Kyle Kasal	305-469-2413	yes	KASAL @ Gmail.com
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