

# 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: May 11, 2016

SUBJECT: LAND USE AND DEVELOPMENT COMMITTEE MEETING OF APRIL 20, 2016

A Land Use and Development Committee meeting was held on April 20, 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, Eve Boutsis, Michael Belush, Rogelio Madan, Chief Daniel Oats, Hernan Cardeno, Carmen Sanchez, Jessica Gonzalez, 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 3:06 PM.

**1. Discussion Regarding A Complete Review of Sign Ordinances.**

(Continued from the March 30, 2016 LUDC Meeting  
Sponsored by Commissioner Ricky Arriola  
February 10, 2016 City Commission Meeting, Item C4G)

**AFTER-ACTION:**

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

**MOTION: JA/MG (3-0)**

Recommend that the City Commission refer the item to the Historic Preservation Board, Design Review Board, and Planning Board with modifications to vacant storefront signage enforcement and non-conforming historic signage.

**2. Proposed Comprehensive Plan Amendment Related to Sea Level Rise and Compliance with 2015 Florida Senate Bill 1094, Entitled "Peril of Flood".**

(Sponsored by City Commission  
April 13, 2016 City Commission Meeting, Item C4L)

**AFTER-ACTION:**

Thomas Mooney introduced the item.

**MOTION:** Continued to May 18, 2016 by acclamation.

**3. Annual Evaluation of Parking Impact Fee Structure.**

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

**AFTER-ACTION:**

Thomas Mooney introduced the item.

Members of the public addressed the committee.

An amendment regarding the removal of parking spaces for historic buildings was introduced.

**MOTION: MG/JA (3-0)**

Include amendment regarding the removal of parking spaces for historic buildings into the overall ordinance.

**MOTION: JA/MG (3-0)**

Recommend that the ordinance be referred to the Planning Board with a modification that temporary parking lots only be allowed to exist for three years with the possibility of a two year extension by the Planning Board and that review of the fee in lieu of parking shall occur instead of may occur annually.

**4. Discussion Regarding Potential Fiscal and Review Process Impacts of Having All New Single Family Home Construction Reviewed by the Design Review Board.**

(Continued from the March 30, 2016 LUDC Meeting  
Sponsored by Commissioner Joy Malakoff  
February 10, 2016 City Commission Meeting, Item C4J)

**AFTER-ACTION:**

Thomas Mooney introduced the item and described the system of architectural review in the City of Coral Gables.

Eve Boutsis provided additional details regarding the ministerial make-up of the Coral Gables Board of Architects and the Quasi-Judicial nature of the appeals process.

Commissioner Malakoff expressed support for the idea of having a Board of Architects.

Commissioner Malakoff described the need to modify the ethics section of the City Charter to allow for architects practicing within the City to be able to serve on a Board of Architects.

Members of the public addressed the committee.

Commissioner Aleman expressed concerns over the potential for there not being a quorum and for language to be included to allow homeowners to move forward if a quorum is not present.

**MOTION:** Continued to May 18, 2016 by Acclamation and that an enabling ordinance for a Board of Architects and a ballot question be drafted.

**5. Discussion Regarding Incentivizing Workforce Housing in the Private Sector.**

(Continued from the March 30, 2016 LUDC Meeting  
Sponsored by Commissioner Michael Grieco  
March 9, 2016 City Commission Meeting, Item C4D)

**AFTER-ACTION:**

Maria Ruiz introduced the item. The following list of ideas was read by Maria Ruiz and

members of the committee expressed support or rejected ideas by Acclamation:

- Extending existing benefits - Yes
- Provide financial assistance - Yes
- Impact Fee deferral/restructuring – Yes
- Reimbursement of impact fees using funds collected from market rate and commercial projects – Yes
- Mixed tenant projects – Yes
- Density bonuses offered in exchange for workforce housing – Yes, if no FAR increase is considered
- Increase FAR in CD-2 areas – No
- Micro-housing – Yes
- Reduce or remove parking requirements for workforce housing - Yes
- Amend setback requirements – Maybe depending on the project and neighborhood
- Utilize City-owned properties, including garages, to develop workforce housing – Yes
- Charge market price residential/commercial developments a fee to subsidize affordable and workforce housing (linkage fees) – Yes
- Amend the definition of workforce housing to include those earning 80% to 140% of AMI – Yes
- Encouragement of mixed-income housing through positive marketing efforts – Yes
- Promote education and outreach to developers to understand the incentives - Yes
- Research the possibility for short-term tax abatement for new projects – Yes
- Create a deed restriction program to preserve affordability for properties receiving incentives – Yes

Commissioner Malakoff expressed concerns with the ability of homeownership incentives to work due to the high cost of real estate in the City.

Commissioner Grieco described the potential for this to reduce traffic since more of the City's workforce would be able to live in the City and how this could improve the community. Commissioner Aleman expressed a need to ensure that the incentives are geared towards workers within the City and for a survey to take place to determine the needs for the workforce.

Members of the public addressed the committee.

**MOTION: MG/JA (3-0)**

Move the item and the above noted recommendations to the full City Commission for further discussion.

**6. Discussion Pertaining to Development Regulations And Guidelines for New Construction In the Palm View Historic District To Address Resiliency, Sustainability and Adaptation.**

(Sponsored by Commissioner Joy Malakoff  
March 9, 2016 City Commission Meeting, Item C4K)

**AFTER-ACTION:**

Thomas Mooney introduced the item.

**MOTION:** Continued to June 15, 2016 by Acclamation.

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

(Returning from the February 17, 2016 LUDC Meeting  
Sponsored by Commissioner Michael Grieco  
February 10, 2016 City Commission Meeting, Item R9F)

**AFTER-ACTION:**

Chief Oats described issues regarding Medical Marijuana and his experience in Colorado. He recommended that the City lobby for local control of most issues. Commissioner Grieco described that any likely enabling legislation would allow for local control for the regulation of marijuana dispensaries. Hernan Cardeno described issues related to code enforcement for marijuana dispensaries. Commissioner Aleman requested additional information regarding if Cities are implementing impact fees for dispensaries.

**MOTION:** Continue the item to June 15, 2016 by acclamation.

**8. Discussion Pertaining to an Electronic Agenda System For All City Land Use Boards.**

(Sponsored by City Commission  
April 13, 2016 City Commission Meeting, Item C4A)

**AFTER-ACTION:**

Thomas Mooney introduced the item. Carmen Sanchez described the process to setup an electronic agenda system. Jessica Gonzalez provided an overview of the Novus Agenda system on the City's Website. The new video system for board hearings was described as well. Commissioner Aleman stated that she was ready to go paperless. Members of the public addressed the committee.

**MOTION:** No action taken.

**9. Discussion Regarding Future Rooftop And Deck Accessory Bar Uses In The Sunset Harbour Neighborhood.**

(Sponsored by Commissioner Michael Grieco  
April 13, 2016 City Commission Meeting, Item C4B)

**AFTER-ACTION:**

The Chairperson of the Sunset Harbour homeowners association introduced the proposal to limit rooftop and deck accessory bar uses. Members of the public addressed the committee.

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

**10. Discussion Regarding Operational Regulations for Alcoholic Beverage Establishments South of Fifth Street.**

(Sponsored by Commissioner Michael Grieco  
April 13, 2016 City Commission Meeting, Item C4C)

**AFTER-ACTION:**

Commissioner Grieco introduced the item. He described concerns with allowing 5 am liquor

sales adjacent to residential areas and detailed a proposal to limit future bars in the South of Fifth Neighborhood from applying for 5 am liquor licenses.

Commissioner Aleman expressed a desire to take steps to prevent 5 am liquor sales along 41<sup>st</sup> Street.

Members of the public addressed the committee.

**MOTION: MG/JA (3-0)**

Continue the item to May 18, 2016 and direct staff to consider Frank Del Vecchio's language and prepare a draft ordinance amendment.

**11. Discussion Regarding Incentivizing The Retention, Raising And/Or Relocation Of Historic/Architecturally Significant Single Family Homes (SFH).**

(Sponsored by Commissioner Michael Grieco  
April 13, 2016 City Commission Meeting, Item C4E)

**AFTER-ACTION:**

Daniel Ciraldo of the Miami Design Preservation League made a presentation on elevating structures.

Commissioners expressed concerns over the cost of elevating properties.

Commissioner Aleman wanted to understand if an engineer could determine if certain homes were feasible to elevate.

Thomas Mooney stated that he would seek more information from the Building Official.

**MOTION: JA/JM (2-0)**

That City staff research additional incentives that would encourage single-family homeowners to renovate homes and continue the item to June 15, 2016 by acclamation.

**12. Discussion On The Transit Hub On The 500 Block Of Alton Road.**

(Sponsored by Commissioner Ricky Arriola  
April 13, 2016 City Commission Meeting, Item C4Q)

**AFTER-ACTION:**

Graham Penn introduced the item on behalf of the applicant for a transit hub.

The architect provided an overview of the project.

Members of the public addressed the committee.

Commissioner Aleman stated that it was great that members of the public were thinking about these concepts; however, that it was premature as studies and agreements regarding a proposed transit system were still pending.

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

**13. Discussion Regarding Non-Conforming Use Amendments.**

(Sponsored by Commissioner Ricky Arriola  
April 13, 2016 City Commission Meeting, Item C4R)

**AFTER-ACTION:**

Thomas Mooney introduced the item.

Issues regarding the non-conforming hotel use at the site of the former DiLido Hotel were described.

Eve Boutsis described concerns regarding allowing non-conforming uses to continue and the setting of precedent for future non-conforming uses.

Monika Entin addressed the committee on behalf of the applicant and stated that the proposal would reduce the non-conformity.

**MOTION: JA/JM (2-0)**

That a draft ordinance, prepared by City staff, based on the proposal, be referred to the Planning Board.

The meeting adjourned at 5:50 p.m.

  
JLM/SMT/TRM/RAM

T:\AGENDA\2016\May\Planning\Report of the April 20 2016 LUDC Meeting.docx

LAND USE AND DEVELOPMENT COMMITTEE MEETING

April 20, 2016

City Commission Chambers

Attendance Sheet

	NAME	CONTACT NUMBER	I WISH TO RECEIVE THE AGENDA ELECTRONICALLY	E-MAIL ADDRESS
1.	Tim Wilcox	305-970-7147	Yes	TWILCOX@aol.com
2.	NICK BARSHEL	305-982-5538	NO	@
3.	Daniel Grubb	305-996-9535	V	dgc223@gmail.com
4.	Monya Larkin	305-542-3445	✓	mentin@mc2cmj.com
5.	SEBASTIAN VETER	305-433-2211	XO	@VETVJANREBERT140
6.	JJ WOOD	786-246-4857	NO	@VETVJANREBERT140
7.	Russell Coakley	305-775-6432	Yes	REALBUT@CREDITAGENTS.com
8.	Graham Penn			@
9.				@
10.				@
11.				@
12.				@
13.				@
14.				@
15.				@
16.				@
17.				@
18.				@
19.				@
20.				@

**THIS PAGE INTENTIONALLY LEFT BLANK**