

PLANNING BOARD AFTER ACTION REPORT

Tuesday, February 23, 2016

1:00 PM – 4:02 PM

Board: Six (6) of Seven (7) members present – Brian Elias, Jeff Feldman, Mark Meland, Jack Johnson, Randy Gumenick, & Regan Pace. Roberto Rovira was absent.

Staff: Michael Belush, Eve Boutsis, Rogelio Madam & Alejandro Garavito

I. Administration

A. After Action Report – January 26, 2016

APPROVED - Feldman / Johnson 6-0

1:06

II. Discussion

A. Robotic and Mechanical Parking

DISCUSSED & Continued to April 19, 2016 to include further research on how robotic parking works in other jurisdictions.

1:13

III. Requests for Continuances / Withdrawals / Other

A. File No. 2306. FREE BOARD HEIGHT AND MINIMUM FINISHED FLOOR ELEVATIONS. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART A – GENERAL ORDINANCES, OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 54 “FLOODS” AT SECTION 54-35, “DEFINITIONS,” TO ESTABLISH DEFINITIONS FOR MINIMUM FREEBOARD, MAXIMUM FREEBOARD, AND PROVIDED FREEBOARD AND TO AMEND THE DEFINITION OF BASE FLOOD ELEVATION; AND BY AMENDING SECTION 54-48, “SPECIFIC STANDARDS” BY CLARIFYING THE MINIMUM ELEVATION OF THE LOWEST FINISHED FLOOR FOR RESIDENTIAL CONSTRUCTION AND SUBSTANTIAL IMPROVEMENT; AND BY AMENDING SECTION 54-51, “STANDARDS FOR COASTAL HIGH HAZARD AREAS (V-ZONES),” BY CLARIFYING THE MINIMUM ELEVATION OF THE LOWEST FLOOR OF ALL NEW CONSTRUCTION AND SUBSTANTIAL IMPROVEMENTS; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. [To be Renoticed - No action required].

B. File No. 2314. BUILDING HEIGHT, BASE FLOOD ELEVATION, GRADE AND YARD ELEVATION REQUIREMENTS. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH,

FLORIDA, BY AMENDING CHAPTER 114, "GENERAL PROVISIONS," SECTION 114-1, "DEFINITIONS," INCLUDING A DEFINITION FOR BASE FLOOD ELEVATION, MAXIMUM ADJUSTED GRADE AND FUTURE CROWN OF THE ROAD, AND AMENDING THE DEFINITION OF GRADE; AND BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," DIVISION 2, "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," BY AMENDING AND CLARIFYING THE MAXIMUM ELEVATION WITHIN A REQUIRED YARD AND INCLUDING A MINIMUM ELEVATION REQUIREMENT, AND AMENDING AND CLARIFYING THE MEASUREMENT FOR MAXIMUM BUILDING HEIGHT; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. **[To be Renoticed - No action required]**.

IV. Progress Reports / Revocation/ Modification hearings

A. File No. 2255. 875 71st Street – Gasoline Service Station. 60 Day progress report as required by the Conditional Use Permit
DISCUSSED, and continued to March 22, 2016 - Johnson / Meland 6-0 **1:14 – 1:32**

B. File No. 1840. 2301-2399 Collins Avenue – The 1 Hotel. Progress report due to Code violations. **[Previously continued from 1-26-16]**
DISCUSSED and continued to March 22, 2016 - Johnson / Feldman 6-0 **1:32 – 1:45 & 2:00 – 2:53**

V. New Applications (including associated requests for Modifications)

A. File No. 2305. 6529 Indian Creek Drive – The applicant, The Mimosa, LLC, is requesting Conditional Use approval for a permanent parking lot which is located within 100 feet of a residential use or district to operate after midnight, pursuant to Chapter 118, Article IV, and Chapter 130, Article III of the City Code.
APPROVED - Johnson / Feldman 6-0 **1:45 – 1:59**

VI. Code Amendments (Filed pursuant to Chapter 118, Article III of the Land Development Regulations of the City Code.)

A. File No. 2310. CONCURRENCY EXCEPTION – PARKLETS. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE, BY AMENDING CHAPTER 122, "CONCURRENCY MANAGEMENT," BY AMENDING SECTION 122.5, "EXEMPTIONS FROM CONCURRENCY," TO AUTHORIZE THE CITY COMMISSSTON TO EXEMPT, BY RESOLUTION, TEMPORARY USES IN PUBLIC RIGHTS.OF.WAY FROM THE CITY'S CONCURRENCY REQUIREMENTS, AND TO REQUIRE THE CITY COMMISSION TO SET FORTH THE GEOGRAPHIC AREAS, CRITERIA, AND DURATION FOR ANY SUCH EXEMPTION; AND PROVIDING FOR REPEALER, CODIFIGATION, SEVERABILITY, AND AN EFFECTIVE DATE.
TRANSMIT THE ORDINANCE TO THE CITY COMMISSION WITH A FAVORABLE RECOMMENDATION- Gumenick / Meland 6-0 **2:54 – 3:01**

B. File No. 2315. COMMERCIAL USE OF SINGLE-FAMILY HOMES PROHIBITED. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," OF CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," BY AMENDING DIVISION 2, ENTITLED "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," BY AMENDING SECTION 142-109, ENTITLED "COMMERCIAL USE OF SINGLE-FAMILY HOMES PROHIBITED," BY AMENDING SUBSECTION (c)(1)b., REQUIRING AN OWNER OR RESIDENT TO SUBMIT AN AFFIDAVIT TO THE CITY MANAGER IDENTIFYING THE LIMITED COMMERCIAL USE AT THE RESIDENTIAL PROPERTY; BY AMENDING SUBSECTION (d) THAT REQUIRES NOTIFICATION TO BE REMITTED TO THE TAX COLLECTOR AND PROPERTY APPRAISER BY THE CODE COMPLIANCE DIRECTOR, AND ESTABLISHING A REBUTTABLE PRESUMPTION STANDARD FOR ADVERTISING AND ADVERTISEMENT EVIDENCE, AND INCREASING THOSE MONETARY FINES FOR VIOLATIONS OF SECTION 142-109; BY CREATING SUBSECTION (f), ENTITLED "ENHANCED PENALTIES," WHICH ESTABLISHES ENHANCED PENALTIES FOR VIOLATIONS OF SECTION 142-109; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

TRANSMIT THE ORDINANCE TO THE CITY COMMISSION WITH A FAVORABLE RECOMMENDATION, including a recommendation to provide mail notice to al single family home owners – Johnson / Meland 6-0 **3:01 – 4:39**

C. File No. 2316. PERMITTED ACCESSORY USES IN SINGLE-FAMILY DISTRICTS. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," OF CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING DIVISION 2, ENTITLED "ACCESSORY USES"; BY AMENDING SECTION 142-905, ENTITLED "PERMITTED ACCESSORY USES IN SINGLE-FAMILY DISTRICTS," BY AMENDING SUBSECTION (b)(5)a. WHICH INCREASES THE MONETARY FINES FOR VIOLATIONS OF SUBSECTION 142-905(b)(5), AND REQUIRING NOTIFICATION TO BE REMITTED TO THE MIAMI-DADE TAX COLLECTOR AND PROPERTY APPRAISER BY THE CODE COMPLIANCE DIRECTOR, BY ESTABLISHING A REBUTTABLE PRESUMPTION FOR ADVERTISING AND ADVERTISEMENT EVIDENCE; AND CREATING SUBSECTION (b)(5)b, ENTITLED "ENHANCEMENT PENALTIES," WHICH ESTABLISHES ENHANCED PENALTIES FOR VIOLATIONS OF SUBSECTION (b)(5); BY AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," BY AMENDING DIVISION 3, ENTITLED "SUPPLEMENTARY USE REGULATIONS," BY AMENDING SECTION 142-1111, ENTITLED "SHORT-TERM RENTAL OF APARTMENT UNITS OR TOWNHOMES," BY AMENDING SUBSECTION (d) WHICH INCREASES THE MONETARY FINES FOR VIOLATIONS OF SUBSECTION 142-1111(a), AND REQUIRING NOTIFICATION TO BE REMITTED TO THE MIAMI-DADE TAX COLLECTOR AND PROPERTY APPRAISER BY THE CODE COMPLIANCE DIRECTOR, BY ESTABLISHING A REBUTTABLE PRESUMPTION FOR ADVERTISING AND ADVERTISEMENT EVIDENCE; AND CREATING SUBSECTION (d)(5), ENTITLED "ENHANCED PENALTIES," WHICH ESTABLISHES ENHANCED PENALTIES FOR VIOLATIONS OF SUBSECTION 142-1111(a); AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**TRANSMIT THE ORDINANCE TO THE CITY COMMISSION WITH A FAVORABLE
RECOMMENDATION - Johnson / Gumenick 6-0** **3:40 – 3:50**

VII. NEXT MEETING DATE REMINDER:

Tuesday, March 22, 2016 @ 1:00 pm

VII. Adjournment

Planning Board members: Please mark your calendars and inform staff if you have a schedule conflict. Remember to save the plans and backup materials from items that were continued or deferred; the Planning Department does not have any additional copies.

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