

## JULY 26, 2023

R5 I CPS BELOW-GRADE FLOOR AREA REQUIREMENTS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 1, "GENERAL PROVISIONS," ARTICLE II, "DEFINITIONS", BY AMENDING SECTION 1.2.1, ENTITLED "GENERAL DEFINITIONS," BY AMENDING THE DEFINITION OF FLOOR AREA WITH RESPECT TO BELOW-GRADE AREAS OF A BUILDING; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

3:05 p.m. Second Reading Public Hearing

Planning

First Reading 6/28/2023 - R5 N

Commissioner Laura Dominguez

**ACTION: Ordinance [2023-4564](#) adopted.** The title of the Ordinance was read into the record.

The Public Hearing was held. Commissioner Dominguez made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## JULY 26, 2023

R5 J ALTON ROAD OFFICE HEIGHT OVERLAY – TRANSIENT USE AND OVERLAY EXCEPTIONS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," SECTION 7.2.11, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," BY AMENDING SECTION 7.2.1 1.10 "ALTON ROAD OFFICE DEVELOPMENT OVERLAY (CD-2)," TO INCLUDE CERTAIN EXCEPTIONS FOR DEVELOPMENTS LOCATED BETWEEN LINCOLN ROAD AND 17TH STREET; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

3:10 p.m. Second Reading Public Hearing

Planning

First Reading 6/28/2023 - R5 O(

Commissioner Laura Dominguez

**ACTION: Ordinance [2023-4565](#) adopted.** The title of the Ordinance was read into the record.

The Public Hearing was held. Commissioner Dominguez made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## JULY 26, 2023

R5 K AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH. FLORIDA, AMENDING THE CODE OF THE CITY GENERAL ORDINANCES," BY AMENDING CHAPTER 110 OF THE CITY CODE ENTITLED "UTILITIES," ARTICLE II, ENTITLED "WATER," DIVISION 1, ENTITLED "GENERALLY" BY AMENDING ARTICLE II AND SECTION 110-38, ENTITLED "TAPPING, MAINS, SERVICE PIPES AND CONNECTIONS," TO REQUIRE A PROPERTY OWNER TO CONNECT TO UPGRADED WATER AND/OR SANITARY SEWER INFRASTRUCTURE AT NO EXPENSE TO THE PROPERTY OWNER; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

3:15 p.m. Second Reading Public Hearing

Public Works

First Reading 6/28/2023 - R5 P

Vice-Mayor Ricky Arriola

**ACTION: Ordinance [2023-4566](#) adopted.** The title of the Ordinance was read into the record.

The Public Hearing was held. A motion was made by Vice-Mayor Arriola to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Joe L. Gomez to handle.**

The public hearing was opened: and no one spoke.

## JULY 26, 2023

R5 L AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE MIAMI BEACH CITY CODE, ENTITLED "TAXATION," BY AMENDING ARTICLE V, ENTITLED "LOCAL TAX," BY CREATING SECTION 102-388 THEREOF, ENTITLED "HOMELESS AND DOMESTIC VIOLENCE TAX" TO AUTHORIZE MIAMI-DADE COUNTY TO LEVY, COLLECT, AND ADMINISTER THE 1% LOCAL OPTION FOOD AND BEVERAGE TAX (ALSO KNOWN AS THE "HOMELESS AND DOMESTIC VIOLENCE TAX") WITHIN THE MUNICIPAL LIMITS OF THE CITY OF MIAMI BEACH, AS PROVIDED IN SECTION 212.0306 OF THE FLORIDA STATUTES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

3:20 p.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 6/28/2023 - R5 Q

Vice-Mayor Ricky Arriola

**ACTION: Ordinance [2023-4567](#) adopted.** The title of the Ordinance was read into the record.

The Public Hearing was held. The Item was heard with Items R5 T, R5 AA, R5 AB, R7 M, R9 E, and R9 W. A motion was made by Vice-Mayor Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Dominguez. Roll Call: 5-2; Opposed: Commissioners Meiner and Rosen Gonzalez. **Office of the City Attorney to handle.**

## JULY 26, 2023

R5 P RESIDENTIAL OFFICE REGULATIONS FOR CD-2 DISTRICT  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 1, "GENERAL PROVISIONS," ARTICLE II, "DEFINITIONS," BY AMENDING SECTION 1.2.1, ENTITLED "GENERAL DEFINITIONS," BY CREATING A DEFINITION FOR "RESIDENTIAL OFFICE UNIT"; BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," SECTION 7.2.11, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," BY AMENDING SECTION 7.2.11 .3, ENTITLED "DEVELOPMENT REGULATIONS (CD-2)," TO CLARIFY THAT RESIDENTIAL OFFICE UNITS ARE AMONG THE RESIDENTIAL USES THAT QUALIFY FOR THE FLOOR AREA RATIO APPLICABLE TO MIXED USE BUILDINGS IN THE CD-2 DISTRICT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

5:05 p.m. Second Reading Public Hearing

Planning

First Reading PH 6/28/2023 - R5 H

Commissioner Laura Dominguez

**ACTION: Ordinance [2023-4568](#) adopted.** The Item was heard in conjunction with Item R5 Z. The title of the Ordinance was read into the record. The Public Hearing was held. A motion was made by Commissioner Dominguez to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 7-0. **Thomas Mooney to handle.**

## JUNE 28, 2023

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY CREATING DIVISION 33, ENTITLED "NORTH BEACH COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE," TO ADVISE THE MAYOR AND CITY

COMMISSION IN CONNECTION WITH THE NORTH BEACH COMMUNITY REDEVELOPMENT AGENCY AND IMPLEMENTATION OF THE NORTH BEACH COMMUNITY REDEVELOPMENT AGENCY REDEVELOPMENT PLAN; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing

Economic Development

First Reading 5/17/2023 - R5 I

Commissioner Laura Dominguez

**ACTION: Ordinance [2023-4558](#) adopted as amended.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Richardson made a motion to adopt the Ordinance as amended on Second Reading; seconded by Commissioner Dominguez. Roll Call: 7-0. **Rickelle Williams to handle.**

## JUNE 28, 2023

R5 B APARTMENT HOTEL REVISED DEFINITION

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 "MIAMI BEACH RESILIENCY CODE," CHAPTER 1, ENTITLED "GENERAL PROVISIONS," ARTICLE II, ENTITLED "DEFINITIONS," DIVISION 2, ENTITLED "USE DEFINITIONS," SECTION 1.2.2.1, ENTITLED "RESIDENTIAL," TO MODIFY THE DEFINITION OF APARTMENT HOTEL; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

First Reading 5/17/2023 - R5 L

Planning

Commissioner Steven Meiner

**ACTION: Ordinance [2023-4559](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Meiner made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## JUNE 28, 2023

R5 C ARCHITECTURAL DISTRICT RM-3 SINGLE-STORY ROOFTOP ADDITIONS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE 5, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," AT SECTION 7.5.2.1 ENTITLED "HEIGHT REGULATION EXCEPTIONS AND ROOFTOP ADDITIONS," TO ADOPT REGULATIONS APPLICABLE TO SINGLE STORY ROOFTOP ADDITIONS ON PROPERTIES LARGER THAN 115,000 SQUARE FEET IN THE RM-3 ZONING DISTRICT LOCATED BETWEEN LINCOLN ROAD AND 18 STREET; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

Planning

First Reading 5/17/2023 - R5 M

Commissioner Alex Fernandez

**ACTION: Ordinance [2023-4560](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Fernandez made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## JUNE 28, 2023

R5 I AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI

BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE III, ENTITLED "USE OF PUBLIC PROPERTY," BY AMENDING DIVISION 2, ENTITLED "REVOCABLE PERMIT," BY AMENDING SECTION 82-94 THEREOF, ENTITLED "CRITERIA FOR GRANTING/DENYING REVOCABLE PERMITS," BY DELETING SUBSECTION (C) THEREOF, AND BY CREATING SECTION 82-94.5, ENTITLED "REVOCABLE PERMIT APPLICATION REQUIREMENTS AND CRITERIA FOR EXISTING HEDGES ON CITY PROPERTY," BY STREAMLINING THE APPLICATION AND APPROVAL PROCESS FOR THE ISSUANCE OF REVOCABLE PERMITS PERTAINING TO EXISTING HEDGES ENCROACHING ON CITY PROPERTY; AND AMENDING APPENDIX A, "FEE SCHEDULE," TO ESTABLISH THE APPLICATION, REVIEW, AND REVOCABLE PERMIT FEE FOR HEDGES PURSUANT TO SECTION 82-94.5; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:50 a.m. Second Reading Public Hearing

Public Works

Deferred 5/17/2023 - R5 F / Exp: 9/14/2023

Commissioner Kristen Rosen Gonzalez

**ACTION: Ordinance [2023-4561](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Rosen Gonzalez made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Joe L. Gomez to handle.**

## JUNE 28, 2023

R5 J AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS, AND COMMITTEES," BY AMENDING DIVISION 13, ENTITLED "PARKS AND RECREATIONAL FACILITIES BOARD," BY AMENDING SECTIONS 2-171 THEREOF TO EXPAND THE COMPOSITION OF THE BOARD TO INCLUDE MEMBERS WITH HIGH DEGREE OF INTEREST, PARTICIPATION, AND/OR EXPERTISE IN THE SPORTS OF SOCCER AND BASEBALL; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

1:35 p.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 5/17/2023 - R5 J

Commissioner Alex Fernandez

**ACTION: Ordinance [2023-4562](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Fernandez made a motion to adopt the Ordinance on Second Reading; seconded by Commissioner Meiner. Roll Call: 7-0. **Office of the City Attorney to handle.**

## JUNE 28, 2023

R5 K AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 1 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "GENERAL PROVISIONS," BY AMENDING SECTION 1-14 THEREOF, ENTITLED "GENERAL PENALTY; CONTINUING VIOLATIONS," TO ESTABLISH PROBATION AS A POTENTIAL PENALTY THAT MAY BE IMPOSED FOR ANY CRIMINAL VIOLATION OF THE CITY CODE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

1:40 p.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 5/17/2023 - R5 O

Commissioner Steven Meiner

**ACTION: Ordinance [2023-4563](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Meiner made a motion to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Arriola. Roll Call: 7-0. **Office of the City Attorney to handle.**

## MAY 17, 2023

R5 A VOTER ENACTED INCENTIVES FOR OFFICE USES IN C-PS1 DISTRICT - COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO THE PROCEDURES IN SECTION 163.3187, FLORIDA STATUTES, TO AMEND THE INTERPRETIVE TEXT OF THE MIAMI BEACH COMPREHENSIVE PLAN, BY CHANGING THE INTERPRETIVE TEXT OF THE LIMITED MIXED-USE COMMERCIAL PERFORMANCE STANDARD (C-PS1) REDEVELOPMENTS THAT INCLUDE OFFICE OR RESIDENTIAL USES WITHIN THE NEW FIRST STREET OVERLAY AND DESIGNATING THE FIRST STREET OVERLAY ON THE FUTURE LAND USE MAP; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing

Planning

First Reading 3/27/2023 -R5 G

Commissioner Alex Fernandez

**ACTION: Ordinance [2023-4552](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. A motion was made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## MAY 17, 2023

R5 B VOTER ENACTED INCENTIVES FOR OFFICE USES IN C-PS1 DISTRICT LDR AMENDMENT

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," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 18, "PS PERFORMANCE STANDARD DISTRICT," BY CREATING SECTION 142-699.1, ENTITLED "FIRST STREET OVERLAY" TO ALLOW A FLOOR AREA RATIO AND BUILDING HEIGHT INCREASE FOR REDEVELOPMENTS THAT INCLUDE OFFICE OR RESIDENTIAL USES AND PROVIDE LIMITS ON TRANSIENT USES; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:11 a.m. Second Reading Public Hearing

Planning

First Reading 3/27/2023 - R5 H

Commissioner Alex Fernandez

**ACTION: Ordinance [2023-4553](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. A motion was made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## MAY 17, 2023

R5 C VOTER ENACTED INCENTIVE FOR REPLACING TRANSIENT USES IN R-PS4 DISTRICT -COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2040 COMPREHENSIVE PLAN,

PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING THE "RESILIENT LAND USE & DEVELOPMENT ELEMENT," GOAL RLU 1, ENTITLED "LAND USE," OBJECTIVE RLU 1.1, ENTITLED "ESTABLISHMENT OF FUTURE LAND USE CATEGORIES," AT TABLE RLU 1.1 AND POLICY 1.1.25, ENTITLED "HIGH-DENSITY RESIDENTIAL PERFORMANCE STANDARD (R-PS-4)," BY CREATING VOLUNTARY DEVELOPMENT INCENTIVES, INCLUDING AN INCREASE TO THE MAXIMUM ALLOWABLE FLOOR AREA RATIO ("FAR"), NOT TO EXCEED 0.75 FAR, FOR THE REDEVELOPMENT OF HOTELS, IN THE R-PS-4 FUTURE LAND USE CATEGORY, INTO RESIDENTIAL USE, SUBJECT TO THE PROPERTY OWNER FIRST RECORDING A COVENANT PROHIBITING SHORT-TERM RENTALS ON THE PROPERTY; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, TRANSMITTAL, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Planning

First Reading 3/27/2023 - R5 I

Commissioner Alex Fernandez

**ACTION: Ordinance [2023-4554](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. A motion was made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## MAY 17, 2023

R5 D VOTER ENACTED INCENTIVE FOR REPLACING TRANSIENT USES IN R-PS4 DISTRICT - LDR AMENDMENT

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, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE 11, "DISTRICT REGULATIONS," DIVISION 18, "PS PERFORMANCE STANDARD DISTRICT," AMENDING SECTION 142-696, "RESIDENTIAL PERFORMANCE STANDARD AREA REQUIREMENTS," BY AMENDING THE MAXIMUM ALLOWABLE FLOOR AREA RATIO ("FAR") FOR THE R-PS4 ZONING DISTRICT TO INCENTIVIZE THE REDEVELOPMENT OR CONVERSION OF HOTELS INTO RESIDENTIAL STRUCTURES, BY ALLOWING SUCH PROPERTIES TO RETAIN OR RECONSTRUCT NONCONFORMING FAR IF THE OWNER VOLUNTARILY PROFFERS A RESTRICTIVE COVENANT RUNNING WITH THE LAND THAT SHORT-TERM RENTALS SHALL NOT BE PERMITTED ON THE PROPERTY; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:16 a.m. Second Reading Public Hearing

Planning

First Reading 3/27/2023 - R5 J

Commissioner Alex Fernandez

**ACTION: Ordinance [2023-4555](#) adopted as amended.** The title of the Ordinance was read into the record. The Public Hearing was held. A motion was made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## MAY 17, 2023

R5 E WASHINGTON AVENUE OVERLAY -CO-LIVING AMENDMENTS

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," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT



REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," BY AMENDING SECTION 142-309, ENTITLED "WASHINGTON AVENUE DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO EXTEND THE TIME TO OBTAIN A BUILDING PERMIT FOR CO-LIVING OR MICRO RESIDENTIAL UNITS, ADOPT REGULATIONS FOR THE EAST SIDE OF WASHINGTON AVENUE WITHIN THE OVERLAY, AND ADOPT RELATED AMENDMENTS TO EXISTING REGULATIONS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

Planning

Continued from 4/28/2023 -R5 A

Vice-Mayor Ricky Arriola and

Co-sponsored by Commissioner Laura Dominguez

**ACTION: Ordinance [2023-4556](#) adopted as amended.** The title of the Ordinance was read into the record. The Public Hearing was held. A motion was made by Vice-Mayor Arriola to adopt the Ordinance as amended on Second Reading; seconded by Commissioner Dominguez. Roll Call: 6-1. Opposed Commissioner Rosen Gonzalez. **Thomas Mooney to handle.**

## MAY 17, 2023

R5 H AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING MIAMI BEACH CITY CODE CHAPTER 2 "ADMINISTRATION", ARTICLE VII "STANDARDS OF CONDUCT," AT DIVISION 5 "CAMPAIGN FINANCE REFORM", SECTIONS 2-487 THROUGH AND INCLUDING 2-490 THEREOF TO PROHIBIT CANDIDATES FOR CITY ELECTED OFFICE AND MEMBERS OF THE CITY COMMISSION FROM SOLICITING VENDORS, REAL ESTATE DEVELOPERS AND THEIR LOBBYISTS FOR CONTRIBUTIONS TO ELECTIONEERING COMMUNICATIONS ORGANIZATIONS THAT EXPEND FUNDS RELATED TO CANDIDATES FOR CITY ELECTED OFFICE, AND FURTHER ESTABLISHING DISCLOSURE REQUIREMENTS OF SUCH CITY CANDIDATES AND CITY COMMISSION MEMBERS FOR THEIR SOLICITATION OF CONTRIBUTIONS FOR POLITICAL COMMITTEES AND ELECTIONEERING COMMUNICATIONS ORGANIZATIONS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:35 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 4/28/2023 -R5 Q

Mayor Dan Gelber and Commissioner Steven Meiner

**ACTION: Ordinance [2023-4557](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. A motion was made by Commissioner Meiner to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Office of the City Attorney and Rafael E. Granado to handle.**

## APRIL 28, 2023

R5 C SUNSET HARBOUR OUTDOOR RESTAURANT SEATING AMENDMENT  
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," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE 11, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," BY AMENDING SECTION 142-310, ENTITLED "SPECIAL REGULATIONS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS," TO ALLOW ADDITIONAL OUTDOOR SEATING FOR RESTAURANTS THAT FRONT ALTON ROAD AND ARE LOCATED SOUTH OF 18TH STREET, SUBJECT TO SPECIFIC CRITERIA; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

Planning

First Reading 3/27/2023 - R5 K

Vice-Mayor Ricky Arriola

**ACTION: Ordinance [2023-4545](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Vice-Mayor Arriola made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## APRIL 28, 2023

R5 F LDR AMENDMENT - SQUARE FOOTAGE FOR FAR INCREASES

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," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE I, ENTITLED "GENERAL TO ALL ZONING DISTRICTS," BY CREATING SECTION 142-5, ENTITLED "REQUIREMENTS FOR PROPOSED INCREASES IN ALLOWABLE FLOOR AREA RATIO (FAR)," TO ESTABLISH A REQUIREMENT TO IDENTIFY THE MAXIMUM AMOUNT OF FLOOR AREA THAT COULD BE APPROVED IN CONNECTION WITH A PROPOSED FAR INCREASE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:35 a.m. Second Reading Public Hearing

Planning

First Reading 3/27/2023 - R5 L

Commissioner Kristen Rosen Gonzalez

Co-sponsored by Commissioner Alex Fernandez, Commissioner Laura Dominguez, and Commissioner Steven Meiner

**ACTION: Ordinance [2023-4546](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Rosen Gonzalez made a motion to adopt the Ordinance on Second Reading; seconded by Commissioner Meiner. Roll Call: 7-0. **Thomas Mooney to handle.**

## APRIL 28, 2023

R5 H AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, AT CHAPTER 18, ENTITLED "BUSINESSES," BY CREATING ARTICLE XIX, ENTITLED "CO-OWNED HOUSING UNIT MANAGERS," BY CREATING SECTION 18-940 THEREOF, ENTITLED "CO-OWNED HOUSING UNIT MANAGERS," TO ADOPT BUSINESS REGULATIONS APPLICABLE TO THE MANAGEMENT OF RESIDENTIAL PROPERTIES BY CO-OWNED HOUSING UNIT MANAGERS, INCLUDING DEFINITIONS, MINIMUM REQUIREMENTS, AND MANAGEMENT REGULATIONS, AND A CODE OF CONDUCT, AND PROVIDE FOR ENFORCEMENT AND PENALTIES; AND AMENDING CHAPTER 102, ENTITLED "TAXATION," ARTICLE V, ENTITLED "LOCAL BUSINESS TAX," AT SECTION 102-379, ENTITLED "SCHEDULE OF TAXES," EFFECTIVE OCTOBER 1, 2016," TO ESTABLISH A BUSINESS TAX CATEGORY FOR CO-OWNED HOUSING UNIT MANAGER; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

10:45 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 3/27/2023 - R5 O

Commissioner Alex Fernandez

**ACTION: Ordinance [2023-4547](#) adopted as amended.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Fernandez made a motion to adopt the Ordinance on Second Reading as amended; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**



## APRIL 28, 2023

R5 I AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTIONS (C)(1)(A) AND (C)(2)(A) TO PROVIDE ADDITIONAL CRITERIA AND PROCEDURES FOR THE CO-NAMING OF STREETS IN HONOR OF A DECEASED PERSON WHO SERVED AS THE SPIRITUAL LEADER OF A PROMINENT RELIGIOUS INSTITUTION IN THE CITY OF MIAMI BEACH WHO ALSO MADE SIGNIFICANT CIVIC CONTRIBUTIONS TO THE CITY; PROVIDING SUNSET PROVISIONS THEREOF; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

2:00 p.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 3/27/2023 - R5 N

Mayor Dan Gelber

**ACTION: Ordinance [2023-4548](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Richardson made a motion to adopt the Ordinance on Second Reading; seconded by Commissioner Meiner. Roll Call: 7-0. **Office of the City Attorney to handle.**

## APRIL 28, 2023

R5 J AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING AND RESTATING THE MIAMI BEACH EMPLOYEES' RETIREMENT PLAN CREATED BY ORDINANCE NO. 2006-3504, AS SUBSEQUENTLY AMENDED, BY AMENDING SECTIONS 2, 3, 4, 5, AND 12 OF THE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

2:25 p.m. Second Reading Public Hearing

Office of the City Attorney

Deferred 3/27/2023 - R5 B / Exp: 7/25/2023

Commissioner David Richardson

**ACTION: Ordinance [2023-4549](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Richardson made a motion to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Arriola. Roll Call: 5-2. Opposed: Commissioners Fernandez and Meiner. **Rick Rivera and Marla Alpizar to handle.**

## APRIL 28, 2023

R5 M AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE III, ENTITLED "USE OF PUBLIC PROPERTY," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY CREATING SECTION 82-72 THEREOF, ENTITLED "COMMERCIAL VESSEL ACTIVITY HOURS OF OPERATION AT PUBLICLY-OWNED MARINAS," TO LIMIT THE HOURS OF OPERATION FOR COMMERCIAL VESSEL ACTIVITY AT PUBLICLY-OWNED MARINAS AND MARINE FACILITIES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

2:35 p.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 3/27/2023 - R5 P

Commissioner Steven Meiner, and

Co-sponsored by Commissioners Alex Fernandez and Laura Dominguez

**ACTION: Ordinance 2023-4550 adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Meiner made a motion to adopt the Ordinance on Second Reading; seconded by Commissioner Fernandez. Roll Call: 7-0. **Hernan Cardeno and Adrian Morales to handle.**

## APRIL 28, 2023

R5 N AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 54 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "FLOODS," BY AMENDING ARTICLE II, ENTITLED "FLOODPLAIN MANAGEMENT," BY AMENDING DIVISION IV THEREOF, ENTITLED "PROVISIONS FOR FLOOD HAZARD REDUCTION," BY AMENDING SECTIONS 54-48, TO PROVIDE FOR CORRECTION TO THE ORDINANCE TO STAY IN KEEPING WITH THE FREEBOARD ORDINANCES; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AN EFFECTIVE DATE.

2:40 p.m. Second Reading Public Hearing

Building

First Reading 3/27/2023 - R5 Q

Commissioner Alex Fernandez

**ACTION: Ordinance 2023-4551 adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Fernandez made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Ana Salgueiro to handle.**

## MARCH 27, 2023

R5 A 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 98, ENTITLED "STREETS AND SIDEWALKS," BY AMENDING ARTICLE III, ENTITLED "EXCAVATIONS," BY AMENDING SECTION 98-94 THEREOF, ENTITLED "BUILDING PERMITS," TO CREATE A SUBSECTION 98-94(G) THEREOF, TO PROHIBIT THE INSTALLATION OF NON-ENCLOSED WHEELCHAIR LIFTS IN THE CITY OF MIAMI BEACH; AND PROVIDING CODIFICATION, AND AN EFFECTIVE DATE. FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

First Reading 2/22/2023 - R5 N

Public Works

Commissioner Ricky Arriola

**ACTION: Ordinance 2023-4544 adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. A motion was made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Joe L. Gomez to handle.**

## FEBRUARY 22, 2023

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "TAXATION," BY AMENDING ARTICLE V, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTION 102-373 THEREOF, ENTITLED "INVESTIGATION TO DETERMINE COMPLIANCE WITH ARTICLE," BY REINFORCING THE AUTHORITY OF CITY DEPARTMENTAL PERSONNEL TO ENTER PUBLIC AREAS OF BUSINESS ESTABLISHMENTS IN ORDER TO INVESTIGATE OR DETERMINE COMPLIANCE WITH THE CITY CODE, AND BY AMENDING SECTION 102-377 THEREOF, ENTITLED "PENALTIES, ENFORCEMENT; COLLECTION OF DELINQUENT FEES AND TAXES, AND CRIMINAL

PENALTIES" BY ENHANCING THE PENALTIES FOR BUSINESSES THAT REPEATEDLY OPERATE WITHOUT PROCURING THE REQUIRED LOCAL BUSINESS TAX RECEIPT; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Finance First Reading 2/1/2023 – R5 K

Commissioner Alex Fernandez

**ACTION: Ordinance [2023-4538](#) adopted.** The title of the Ordinance was read into the record.

The Public Hearing was held. Commissioner Fernandez made a motion to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 7-0. **Jason Green to handle.**

## FEBRUARY 22, 2023

R5 B PARKING DISTRICT NO. 6 - RESTAURANT PARKING AMENDMENT

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," BY AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-33, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, AND 8," TO MODIFY THE PARKING REQUIREMENTS FOR RESTAURANT USES IN PARKING DISTRICT NO. 6; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

Planning

First Reading 2/1/2023 - R5 I

Commissioner Alex Fernandez

**ACTION: Ordinance [2023-4539](#) adopted.** The title of the Ordinance was read into the record.

The Public Hearing was held. Commissioner Fernandez made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## FEBRUARY 22, 2023

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 30, ENTITLED "COMMITTEE FOR QUALITY EDUCATION IN MIAMI BEACH SCHOOLS," BY AMENDING SECTIONS 2-190.135-2-190.137 THEREOF TO EXPAND THE COMPOSITION OF THE COMMITTEE INCLUDE REPRESENTATIVES FROM PRIVATE AND CHARTER K-12 SCHOOLS IN MIAMI BEACH TO BETTER SERVE INTERESTS OF ALL STUDENTS IN THE CITY; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:35 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 2/1/2023 - R5 L

Commissioner Kristen Rosen Gonzalez

**ACTION: Ordinance [2023-4540](#) adopted as amended.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Rosen Gonzalez made a motion to adopt the Ordinance on Second Reading; seconded by Commissioner Fernandez. Roll Call: 4-3;

Opposed: Mayor Gelber and Commissioners Arriola and Richardson. **Dr. Leslie Rosenfeld to handle.**

## FEBRUARY 22, 2023

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH,

ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE II, ENTITLED "CITY COMMISSION," BY AMENDING SECTION 2-14, ENTITLED "MEETING PROCEDURES AND AGENDAS," TO IMPOSE A LIMIT ON THE MAXIMUM NUMBER OF PROCLAMATIONS, AWARDS, CERTIFICATES, OR OTHER RECOGNITIONS THAT MAY BE PLACED ON A MEETING AGENDA BY THE MAYOR OR BY EACH MEMBER OF THE CITY COMMISSION; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

10:40 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 2/1/2023 - R5 M

Vice-Mayor Steven Meiner

Co-sponsored by Commissioners Ricky Arriola, Alex Fernandez, and David Richardson

**ACTION: Ordinance 2023-4541 adopted as amended.** The title of the Ordinance was read into the record. The Public Hearing was held. Vice-Mayor Meiner made a motion to adopt the Ordinance on Second Reading with changes; seconded by Commissioners Fernandez and Richardson. Roll Call: 7-0. **Rafael E. Granado to handle.**

## FEBRUARY 22, 2023

R5 I SOUTH OF FIFTH ALCOHOLIC BEVERAGE ESTABLISHMENT REGULATIONS  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 18, "PS PERFORMANCE STANDARD DISTRICT," SECTION 142-693, "PERMITTED USES," TO ELIMINATE EXISTING EXCEPTIONS TO THE 2:00 A.M. CLOSING TIME FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS LOCATED SOUTH OF FIFTH STREET; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

2:31 p.m. Second Reading Public Hearing

Planning

Continued from July 8, 2022 - R5 B

Commissioner Laura Dominguez and Co-sponsored by Mayor Dan Gelber

**ACTION: Ordinance 2023-4542 adopted as amended.** Heard in conjunction with Item R5 J. The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Dominguez made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 5-2. Opposed: Commissioners Arriola and Richardson. **Thomas Mooney to handle.**

## FEBRUARY 22, 2023

R5 L ALCOHOL HOURS OF SALE - OUTDOORS WEST AVENUE  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ALCOHOLIC BEVERAGES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLATIONS," TO ADOPT UNIFORM HOURS FOR THE OUTDOOR SALE AND SERVICE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION AND CONSUMPTION AT SIDEWALK CAFES AT ALCOHOLIC BEVERAGE ESTABLISHMENTS LOCATED ALONG WEST AVENUE, BETWEEN 5TH STREET AND LINCOLN ROAD (INCLUDING SIDE STREETS), AND CREATE A VESTED RIGHTS PROCEDURE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

2:33 p.m. Second Reading Public Hearing

Office of the City Attorney

Continued from July 8, 2022 - R5 D

Commissioner David Richardson

**ACTION: Ordinance 2023-4543 adopted.** The title of the Ordinance was read into the record.

The Public Hearing was held. Commissioner Richardson made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Office of the City and Adrian Morales to handle.**

## **FEBRUARY 1, 2023**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, IN ACCORDANCE WITH THE NEGOTIATED COLLECTIVE BARGAINING AGREEMENT, PROVIDING FOR THE CLASSIFICATIONS IN GROUP III, REPRESENTED BY THE FRATERNAL ORDER OF POLICE ("FOP"), WILLIAM NICHOLS LODGE NO. 8; RETROACTIVELY EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2022, THERE WILL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT ("COLA") OF TWO PERCENT (2%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2023, THERE SHALL BE AN ACROSS THE BOARD COLA OF THREE PERCENT (3%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2024, THERE SHALL BE AN ACROSS THE BOARD COLA OF THREE PERCENT (3%); REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND CODIFICATION.

9:30 a.m. Second Reading Public Hearing

Human Resources

First Reading 12/14/2022 - R5 H

Mayor Dan Gelber

**ACTION: Ordinance [2023-4532](#) adopted.** The title of the Ordinance was read into the record.

The Public Hearing was held. Commissioner Fernandez made a motion to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Meiner. Roll Call: 6-0. Absent: Mayor Gelber. **Maria Alpizar to handle.**

## **FEBRUARY 1, 2023**

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING PART I, SUBPART B, ARTICLE IX, RELATED SPECIAL ACTS, OF THE MIAMI BEACH CITY CODE ENTITLED "PENSION SYSTEM FOR DISABILITY AND RETIREMENT OF MEMBERS OF POLICE AND FIRE DEPARTMENTS"; AMENDING SECTION 62, "DEFINITIONS", RELATED TO ACTUARIAL ASSUMPTIONS; AMENDING SECTION 65, ENTITLED "COMPUTATION OF CREDITABLE SERVICE; SERVICE RECORD"; AMENDING SECTION 76, "BOARD OF TRUSTEES", TO PROVIDE FOR STAGGERED THREE (3) YEAR TERMS; AMENDING SECTION 90, ENTITLED "BENEFITS FOR MEMBERS HIRED ON OR AFTER MAY 8, 2019 FOR INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1510 (IAFF) AND ON OR AFTER JULY 31, 2019 FOR FRATERNAL ORDER OF POLICE, WILLIAM NICHOLS LODGE NO. 8 (FOP)"; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

9:35 a.m. Second Reading Public Hearing

Human Resources

First Reading 12/14/2022 - R5 I

Mayor Dan Gelber

**ACTION: Ordinance [2023-4533](#) adopted.** The title of the Ordinance was read into the record.

The Public Hearing was held. Commissioner Fernandez made a motion to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 6-0. Absent: Mayor Gelber. **Maria Alpizar to handle.**

## **FEBRUARY 1, 2023**

R5 C REFORM OF REHEARING AND APPEAL PROVISIONS



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 118 OF THE LAND DEVELOPMENT REGULATIONS, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 118-9, ENTITLED "REHEARING AND APPEAL PROCEDURES," TO AMEND AND CLARIFY THE CITY'S RULES OF PROCEDURE RELATING TO REHEARINGS AND APPEALS OF DECISIONS OF THE CITY'S LAND USE BOARDS, INCLUDING TIMEFRAMES FOR CONSIDERING REHEARINGS AND NOTICE REQUIREMENTS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing

Planning

First Reading 12/14/2022 - R5 J

Mayor Dan Gelber

**ACTION: Ordinance [2023-4534](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Richardson made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## FEBRUARY 1, 2023

R5 D VITAMIN SHOP BUSINESS TAX RECEIPT CATEGORY

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102, ENTITLED "TAXATION," ARTICLE V, ENTITLED "LOCAL BUSINESS TAX," AT SECTION 102-379, ENTITLED "SCHEDULE OF TAXES, EFFECTIVE OCTOBER 1, 2016," TO ESTABLISH A BUSINESS TAX CATEGORY FOR VITAMIN SHOPS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Planning

First Reading 12/14/2022 - R5 K

Commissioner Alex Fernandez

**ACTION: Ordinance [2023-4535](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Fernandez made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## FEBRUARY 1, 2023

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE MIAMI BEACH CITY CODE, ENTITLED "TAXATION," BY AMENDING ARTICLE IV, ENTITLED "RESORT TAX," BY AMENDING DIVISION 4, ENTITLED "TAX," BY AMENDING SECTION 102-308 THEREOF, ENTITLED "EXEMPTIONS FROM TAX" TO PROVIDE FOR A RESORT TAX EXEMPTIONS FOR EARLY TERMINATION OF TENANCIES INTENDED FOR A PERIOD OF LONGER THAN SIX MONTHS BUT TERMINATED DURING THE FIRST SIX MONTHS OF OCCUPANCY DUE TO DOMESTIC VIOLENCE.

10:20 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 12/14/2022 - R5 L

Commissioner Alex Fernandez

**ACTION: Ordinance [2023-4536](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. A motion was made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Kathie G. Brooks to handle.**

## FEBRUARY 1, 2023

R5 H RESILIENCY CODE AND LDR UPDATE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING A COMPREHENSIVE ZONING ORDINANCE, HEREFTER KNOWN AS THE "RESILIENCY CODE," FOR THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO THE REQUIREMENTS OF SECTION 163.3202, FLORIDA STATUTES AND CONSISTENT WITH THE MIAMI BEACH 2040 COMPREHENSIVE PLAN; TO REGULATE AND RESTRICT THE ERECTION, RECONSTRUCTION, ALTERATION, LOCATION, PRESERVATION, SUBDIVISION, RESILIENCY, DESIGN, AND USE OF BUILDINGS, STRUCTURES, LAND, AND WATER, FOR COMMERCE, INDUSTRY, RESIDENCE, OR OTHER PURPOSES; TO REGULATE AND RESTRICT THE SIZE OF BUILDINGS AND OTHER STRUCTURES HEREFTER ERECTED OR ALTERED; TO REGULATE THE SIZE AND DIMENSIONS OF YARDS, COURTS, AND OTHER OPEN SPACES SURROUNDING BUILDINGS; TO REGULATE AND RESTRICT BUILDING LINES AND THE PERCENTAGE OF LOTS THAT MAY BE OCCUPIED, UNIT SIZES, AND THE DENSITY OF POPULATION; TO REGULATE SIGNAGE; TO ESTABLISH MINIMUM STANDARDS FOR LANDSCAPING; TO PROVIDE FOR THE PROTECTION OF ENVIRONMENTALLY SENSITIVE LANDS AND WATERBODIES; TO ESTABLISH REQUIREMENTS FOR PARKING, TRANSPORTATION AND MOBILITY FEES, CONCURRENCY, AND INFRASTRUCTURE; AND FOR SAID PURPOSES TO ESTABLISH A ZONING ATLAS THAT DIVIDES THE CITY OF MIAMI BEACH INTO DISTRICTS OF SUCH NUMBER, SHAPE AND AREA AS MAY BE DEEMED BEST SUITED TO CARRY OUT THESE REGULATIONS, AND FOR EACH SUCH DISTRICT TO IMPOSE REGULATIONS AND RESTRICTIONS DESIGNATING THE KINDS OR CLASSES OF COMMERCE, INDUSTRIES, RESIDENCES, OR OTHER PURPOSES AS DESCRIBED ABOVE; TO PROVIDE A METHOD FOR AMENDMENT, SUPPLEMENT, CHANGE, MODIFICATION AND REPEAL OF REGULATIONS, RESTRICTIONS AND BOUNDARIES; TO PROVIDE FOR A DESIGN REVIEW BOARD, A PLANNING BOARD, A BOARD OF ADJUSTMENT, AND A HISTORIC PRESERVATION BOARD, AND TO PRESCRIBE THEIR POWERS AND DUTIES; TO PROVIDE PROVISIONS FOR APPEAL; AND TO PRESCRIBE PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE AND ALSO TO PROVIDE FOR ITS ENFORCEMENT; REPEALING ZONING ORDINANCE 89-2665, AS AMENDED, IN ITS ENTIRETY; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, APPLICABILITY AND AN EFFECTIVE DATE.

5:01 p.m. Second Reading Public Hearing

Planning

Continued from 12/14/2022 - R5 G; Deferred

Commissioner Ricky Arriola

10/26/2022 - R5 H / Exp: 2/23/2023

**ACTION: Ordinance [2023-4537](#) adopted as amended.** The title of the Ordinance was read into the record. The Public Hearing\ was held. Commissioner Arriola made a motion to adopt the Ordinance on Second Reading; seconded by Commissioner Dominguez. Roll Call: 5-2; Opposed: Vice-Mayor Meiner and Commissioner Rosen Gonzalez. **Thomas Mooney to handle.**

## DECEMBER 14, 2022

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1605, THE UNCLASSIFIED SALARY ORDINANCE; CORRECTING THE MAXIMUM OF EACH SALARY RANGE TO REFLECT A TWO PERCENT INCREASE (2%) (INSTEAD OF 5% DUE TO A CLERICAL ERROR IN ORDINANCE NO. 2022-4516) TO ACCOUNT FOR COST-OF-LIVING ADJUSTMENTS NOT AWARDED TO UNCLASSIFIED EMPLOYEES IN 2019 AND 2020; AND PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

9:30 a.m. Second Reading Public Hearing

Human Resources

First Reading 11/16/2022 - R5 K  
Mayor Dan Gelber  
Supplemental updated on 12/8/2022  
(Revised Ordinance)

**ACTION: Ordinance [2022-4528](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. A motion was made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Marla Alpizar to handle.**

## DECEMBER 14, 2022

R5 B DEMOLITION BY NEGLECT - REPLICATION REQUIREMENTS  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE X, "HISTORIC PRESERVATION," DIVISION 1, "GENERALLY," BY AMENDING SECTION 118-503 THEREOF, ENTITLED "SCOPE, POLICIES AND EXEMPTIONS," TO AMEND THE REGULATIONS APPLICABLE TO CONTRIBUTING BUILDINGS THAT ARE DEMOLISHED WITHOUT A CERTIFICATE OF APPROPRIATENESS; AND BY AMENDING SECTION 118-564 THEREOF, ENTITLED "DECISIONS ON CERTIFICATE OF APPROPRIATENESS" TO AMEND THE CERTIFICATE OF APPROPRIATENESS REVIEW CRITERIA TO INCLUDE THE SECRETARY OF INTERIOR'S STANDARDS FOR RECONSTRUCTION; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:05 a.m. Second Reading Public Hearing  
Planning

Deferred 9/14/2022 - R5 D / Exp: 1/12/2023  
Commissioner Alex Fernandez and

Co-sponsored by Commissioner Kristen Rosen Gonzalez

**ACTION: Ordinance [2022-4529](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. A motion was made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 7-0. **Thomas Mooney to handle.**

## DECEMBER 14, 2022

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING THE PARKING FEE SECTION OF APPENDIX A, "FEE SCHEDULE," TO CORRECT THE COLLINS PARK GARAGE MONTHLY PARKING PERMIT FEE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing  
Parking

First Reading 11/16/2022 - R5 J  
Commissioner David Richardson

**ACTION: Ordinance [2022-4530](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. A motion was made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Commissioner Fernandez. Roll Call: 7-0. **Monica Beltran to handle.**

## DECEMBER 14, 2022

R5 F VITAMIN SHOP REGULATIONS - LDR AMENDMENT  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING

CHAPTER 114, ENTITLED "GENERAL PROVISION," AT SECTION 114-1, ENTITLED "DEFINITIONS," TO ESTABLISH A DEFINITION FOR "VITAMIN SHOP" AND RELATED DEFINITIONS; AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II ENTITLED "DISTRICT REGULATIONS," DIVISION 6, ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," AT SECTION 142-335, ENTITLED "PROHIBITED USES," TO PROHIBIT VITAMIN SHOPS IN THE CD-3 DISTRICT LOCATED ALONG LINCOLN ROAD; AND AMENDING ARTICLE V ENTITLED "SPECIALIZED USE REGULATIONS", TO ESTABLISH DIVISION 12 ENTITLED "VITAMIN SHOPS," TO ESTABLISH REGULATIONS TO LIMIT THE PROLIFERATION OF VITAMIN SHOPS AS A PRIMARY USE AND MINIMIZE THE IMPACT OF VITAMIN SHOPS AS AN ACCESSORY USE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

5:01 p.m. Second Reading Public Hearing

Planning

First Reading PH 11/16/2022 - R5 G

Commissioner Alex Fernandez

**ACTION: Ordinance [2022-4531](#) adopted.** The Item was heard in conjunction with R5 K. The title of the Ordinance was read into the record. The Public Hearing was held. A motion was made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 5-1; Opposed: Commissioner Rosen Gonzalez. Absent: Commissioner Richardson. **Thomas Mooney to handle.**

## NOVEMBER 16, 2022

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, IN ACCORDANCE WITH THE NEGOTIATED COLLECTIVE BARGAINING AGREEMENT, PROVIDING FOR QUALIFYING INCUMBENTS IN THE CLASSIFICATIONS IN GROUP V REPRESENTED BY THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA ("GSAF"), OPEIU LOCAL 100 AS FOLLOWS: RETROACTIVELY EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2022, THERE WILL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT ("COLA") OF TWO PERCENT (2%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY TWO PERCENT (2%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2023, THERE SHALL BE AN ACROSS THE BOARD COLA OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2024, THERE SHALL BE AN ACROSS THE BOARD COLA OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); ADDING PARKING ENFORCEMENT OPERATIONS SUPERVISOR CLASSIFICATION INTO BARGAINING UNIT; RECLASSIFICATION OF BEACH PATROL OPERATIONS SUPERVISOR; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND CODIFICATION.

9:30 a.m. Second Reading Public Hearing

Human Resources

First Reading 10/26/2022 - R5 L

Mayor Dan Gelber

**ACTION: Ordinance [2022-4521](#) adopted.** The Item was heard with R5 B, R5 C, and R5 K. The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Arriola made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. **Marla Alpizar to handle.**

## NOVEMBER 16, 2022

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, IN ACCORDANCE WITH THE NEGOTIATED COLLECTIVE BARGAINING AGREEMENT, PROVIDING FOR QUALIFYING INCUMBENTS IN THE CLASSIFICATIONS IN GROUP IV REPRESENTED BY GROUP IV COMMUNICATIONS WORKERS OF AMERICA LOCAL 3178 ("CWA") AS FOLLOWS: RETROACTIVELY EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2022, THERE WILL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT ("COLA") OF TWO PERCENT (2%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY TWO PERCENT (2%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2023, THERE SHALL BE AN ACROSS THE BOARD COLA OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2024, THERE SHALL BE AN ACROSS THE BOARD COLA OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); THERE SHALL BE AN INCREASE IN PAY GRADE FOR THE FOLLOWING CLASSIFICATIONS: DISPATCHERS FROM H27 TO H28; COMMUNICATION OPERATORS FROM H25 TO H26; COMPLAINT OPERATORS FROM H26 TO H27; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND CODIFICATION.

9:31 a.m. Second Reading Public Hearing

Human Resources

First Reading 10/26/2022 - R5 M

Mayor Dan Gelber

**ACTION: Ordinance 2022-4522 adopted.** The Item was heard with R5 A, R5 C, and R5 K. See the action with Item R5 A. The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Arriola made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. **Marla Alpizar to handle.**

## NOVEMBER 16, 2022

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED SALARY ORDINANCE, FOR THE FOLLOWING GROUP VI BEING ALL OTHER CLASSIFICATIONS IN THE CLASSIFIED SERVICE NOT COVERED BY A BARGAINING UNIT (COMMONLY REFERRED TO AS "OTHERS") AS FOLLOWS: RETROACTIVELY, EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2022, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT ("COLA") OF TWO PERCENT (2%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY TWO PERCENT (2%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2023, THERE SHALL BE AN ACROSS THE BOARD COLA OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2024, THERE SHALL BE AN ACROSS THE BOARD COLA OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); THE MAXIMUM OF EACH SALARY RANGE SHALL BE RAISED BY ~~FIVE TWO~~ PERCENT (~~5 2~~%) TO ACCOUNT FOR COLAS NOT AWARDED TO OTHERS EMPLOYEES IN ~~2017~~ 2019, AND 2020; VARIOUS CLASSIFICATIONS FOR THE GROUP SHALL BE ADDED AND/OR REMOVED; RANGE CHANGES DUE TO RECLASSIFICATION OF VARIOUS CLASSIFICATIONS SHALL BE ADOPTED; ALL CLASSIFICATIONS AND GRADES IN ALPHABETICAL ORDER SHALL BE READOPTED; OUTDATED LANGUAGE SHALL BE DELETED AND/OR REVISED; AND PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

9:32 a.m. Second Reading Public Hearing



Human Resources  
First Reading 10/26/2022 - R5 N  
Mayor Dan Gelber  
Supplemental updated on 11/9/2022  
(Revised Memorandum and Ordinance)

**ACTION: Ordinance [2022-4523](#) adopted.** The Item was heard with R5 A, R5 B, and R5 K. See the action with Item R5 A. The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Arriola made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. **Marla Alpizar to handle.**

## NOVEMBER 16, 2022

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS, AND COMMITTEES," BY AMENDING DIVISION 26, AND SECTIONS 2-190.106 THROUGH 2-190.111 THEREOF, ENTITLED "GENERAL OBLIGATION BOND OVERSIGHT COMMITTEE," TO UPDATE THE PURPOSE AND COMPOSITION OF THE G.O. BOND OVERSIGHT COMMITTEE TO CHARGE THE COMMITTEE WITH OVERSIGHT OF THE 2022 ARTS & CULTURE G.O. BOND PROGRAM, IF APPROVED BY THE VOTERS ON NOVEMBER 8, 2022; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:05 a.m. Second Reading Public Hearing

Office of the City Attorney  
First Reading 10/26/2022 - R5 O  
Mayor Dan Gelber

**ACTION: Ordinance [2022-4524](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Arriola made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. **Maria Hernandez to handle.**

## NOVEMBER 16, 2022

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 30 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "CODE ENFORCEMENT," BY AMENDING SECTION 30-36 THEREOF, ENTITLED "APPOINTMENT OF CHIEF SPECIAL MAGISTRATE," TO AUTHORIZE THE CITY COMMISSION TO RATIFY THE APPOINTMENT OF SPECIAL MAGISTRATES, AND TO ESTABLISH A CITY OF MIAMI BEACH RESIDENT PREFERENCE FOR CANDIDATES SEEKING APPOINTMENT AS THE CHIEF SPECIAL MAGISTRATE, OR AS A SPECIAL MAGISTRATE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing

Office of the City Attorney  
First Reading 10/26/2022 - R5 P  
Commissioner Steven Meiner, Vice-Mayor Alex Fernandez,  
and Commissioner Kristen Rosen Gonzalez

**ACTION: Ordinance [2022-4525](#) adopted as amended.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Meiner made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. **Office of the City Attorney and Rafael E. Granado to handle.**

### AMENDMENT:

- A former elected official is not eligible to serve as a Special Magistrate for a period of five years after serving as a City Commissioner

## NOVEMBER 16, 2022

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE III, ENTITLED "USE OF PUBLIC PROPERTY," BY AMENDING DIVISION 2, ENTITLED, "REVOCABLE PERMIT," BY AMENDING SECTION 82-94 THEREOF, ENTITLED "CRITERIA FOR GRANTING/DENYING REVOCABLE PERMITS," BY AUTHORIZING AND SETTING FORTH ADDITIONAL CRITERIA TO BE CONSIDERED IN AN APPLICATION FOR A REVOCABLE PERMIT REGARDING AN EXISTING HEDGE ENCROACHING ON CITY PROPERTY; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

Public Works

First Reading 10/26/2022 - R5 J

Commissioner Kristen Rosen Gonzalez

**ACTION: Ordinance [2022-4526](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Rosen Gonzalez made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. **Joe L. Gomez to handle.**

## NOVEMBER 16, 2022

R5 H C-PS2 DEVELOPMENT REGULATIONS - 4TH STREET OVERLAY

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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 18, ENTITLED "PS PERFORMANCE STANDARD DISTRICT," BY AMENDING SECTION 142-693, ENTITLED "PERMITTED USES," TO MODIFY AND AMEND PERMITTED, ACCESSORY AND CONDITIONAL USES WITHIN THE C-PS2 ZONING DISTRICT SOUTH OF FIFTH STREET; BY AMENDING SECTION 142-698, ENTITLED "COMMERCIAL PERFORMANCE STANDARD AREA REQUIREMENTS," BY AMENDING MAXIMUM PERMITTED HEIGHT WITHIN THE C-PS2 ZONING DISTRICT LOCATED SOUTH OF FIFTH STREET; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

5:01 p.m. Second Reading Public Hearing

Planning

Continued from 10/26/2022 - R5 G

Vice-Mayor Alex Fernandez and Commissioner Ricky Arriola

**ACTION: Ordinance [2022-4527](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Vice-Mayor Fernandez made a motion to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. **Thomas Mooney to handle.**

## OCTOBER 26, 2022

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 62 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "HUMAN RELATIONS," BY AMENDING ARTICLE II, ENTITLED "DISCRIMINATION," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 62-31 THEREOF, ENTITLED "DEFINITIONS," SECTION 62-33 THEREOF, ENTITLED "PURPOSE; DECLARATION OF POLICY," AND SECTION 62-37 THEREOF, ENTITLED "DUTIES AND POWERS;" AND BY AMENDING DIVISION 3, ENTITLED "REGULATIONS," BY

AMENDING SECTION 62-86 THEREOF, ENTITLED "DISCRIMINATION IN EMPLOYMENT," SECTION 62-88.1 THEREOF, ENTITLED "DISCRIMINATION IN PUBLIC SERVICES," SECTION 62-90 THEREOF, ENTITLED "USE OF MUNICIPAL FACILITIES," AND SECTION 62-91 THEREOF, ENTITLED "MUNICIPAL FUNDS; AND BY AMENDING DIVISION 4, ENTITLED "EXCEPTIONS," BY AMENDING SECTION 62-111 THEREOF, ENTITLED "EMPLOYMENT," AND BY AMENDING SECTION 61-112 THEREOF, ENTITLED "HOUSING," TO CREATE AN ADDITIONAL PROTECTED CLASSIFICATION CATEGORY IN ORDER TO PROHIBIT DISCRIMINATION BASED UPON A PERSON'S HAIR TEXTURE OR HAIRSTYLE IF SUCH TEXTURE OR STYLE IS COMMONLY ASSOCIATED WITH A PARTICULAR RACE OR NATIONAL ORIGIN; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing

Human Resources

First Reading 9/14/2022 - R5 K

Vice-Mayor Alex Fernandez and Commissioner Kristen Rosen Gonzalez

**ACTION: Ordinance [2022-4517](#) adopted.** The title of the Ordinance was read into the record.

The Public Hearing was held. Commissioner Rosen Gonzalez made a motion to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Fernandez. Roll Call: 5-0. Absent: Mayor Gelber. **Marla Alpizar to handle.**

## OCTOBER 26, 2022

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 58 OF THE MIAMI BEACH CITY CODE, ENTITLED "HOUSING," BY AMENDING ARTICLE IV, ENTITLED "RENTAL HOUSING," BY AMENDING DIVISION 2, ENTITLED "BUILDINGS UNFIT FOR HUMAN HABITATION," BY AMENDING SECTIONS 58-361 THEREOF ENTITLED "DESIGNATION OF BUILDINGS AS UNFIT FOR HUMAN HABITATION; PLACARDING OF UNFIT BUILDINGS; CONDEMNATION OF UNFIT BUILDINGS" AND 58-362 THEREOF, ENTITLED "OWNER'S DUTY TO RELOCATE RESIDENTS," TO PROVIDE ADDITIONAL REMEDIES FOR RESIDENTIAL TENANTS IN CONDEMNED BUILDINGS; CREATING SECTION 58-364 ENTITLED "PROVISIONS OF DIVISION SUPPLEMENTAL AND ADDITIONAL TO OTHER LAWS"; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 9/14/2022 - R5 O

Commissioner David Richardson

**ACTION: Ordinance [2022-4518](#) adopted.** The title of the Ordinance was read into the record.

The Public Hearing was held. Commissioner Richardson made a motion to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Fernandez. Roll Call: 5-0. Absent: Mayor Gelber. **Ana Salgueiro to handle.**

## OCTOBER 26, 2022

R5 C R-PS4 AMENDMENT FOR ACCESSORY USES

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," BY AMENDING CHAPTER 142 OF THE CITY CODE ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 18, ENTITLED "PS PERFORMANCE STANDARD DISTRICT," BY AMENDING SECTION 142-693, ENTITLED "PERMITTED USES," TO MODIFY RESTRICTIONS APPLICABLE TO NEIGHBORHOOD IMPACT ESTABLISHMENTS INTENDED TO PREVENT IMPACTS ON NEIGHBORING RESIDENTIAL COMMUNITIES, AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

Planning

First Reading 9/28/2022 - R5 E

Vice-Mayor Alex Fernandez

**ACTION: Ordinance [2022-4519](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Meiner made a motion to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Fernandez. Roll Call: 5-0. Absent: Mayor Gelber. **Thomas Mooney to handle.**

## **OCTOBER 26, 2022**

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 70-1 THEREOF, ENTITLED "STATE MISDEMEANORS," BY ADOPTING, THROUGH SPECIFIC REFERENCE, THE STATE LAW MISDEMEANOR OFFENSE OF BREACH OF THE PEACE / DISORDERLY CONDUCT, TO AFFIRMATIVELY ESTABLISH AN OFFENSE AGAINST MUNICIPAL LAW FOR THE SAME ACT(S) THAT CONSTITUTE SUCH OFFENSE AGAINST STATE LAW; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:25 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 9/28/2022 - R5 F

Vice-Mayor Alex Fernandez

**ACTION: Ordinance [2022-4520](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Commissioner Meiner made a motion to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Fernandez. Roll Call: 5-0. Absent: Mayor Gelber. **Chief Clements and Office of the City Attorney to handle.**

## **SEPTEMBER 28, 2022**

R5 A WORKFORCE HOUSING FEE WAIVERS

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, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE I, "IN GENERAL," AT SECTION 118-7, "FEES FOR THE ADMINISTRATION OF LAND DEVELOPMENT REGULATIONS," TO WAIVE LAND DEVELOPMENT BOARD APPLICATION FEES ASSOCIATED WITH WORKFORCE HOUSING DEVELOPMENTS; AMENDING CHAPTER 122, "CONCURRENCY MANAGEMENT AND MOBILITY FEES," ARTICLE I, "PURPOSE AND GENERAL PROVISIONS," AT SECTION 122-5, ENTITLED "EXEMPTIONS FROM CONCURRENCY MITIGATION AND MOBILITY FEES," TO WAIVE CONCURRENCY AND MOBILITY FEES ASSOCIATED WITH WORKFORCE HOUSING DEVELOPMENTS; AND AMENDING CHAPTER 133, "SUSTAINABILITY AND RESILIENCY," ARTICLE I, "GREEN BUILDINGS," DIVISION 2, "GREEN BUILDING REGULATIONS," AT SECTION 133-3, "SUSTAINABILITY REQUIREMENTS," TO EXEMPT NON-ELDERLY AND ELDERLY LOW AND MODERATE INCOME AND WORKFORCE HOUSING DEVELOPMENTS FROM THE CITY'S GREEN BUILDING REGULATIONS; AMENDING CHAPTER 82, "PUBLIC PROPERTY," ARTICLE VII, "ART IN PUBLIC PLACES," DIVISION 4, "PROCEDURES," AT SECTION 82-537, "DEFINITIONS," TO EXEMPT, FROM THE ART IN PUBLIC PLACES REQUIREMENTS, LOW OR MODERATE INCOME HOUSING OR WORKFORCE HOUSING DEVELOPMENTS CONSTRUCTED ON CITY-OWNED LAND; AMENDING CHAPTER 58, "HOUSING," ARTICLE I, "IN GENERAL," BY CREATING SECTION 58-1, "FINANCIAL INCENTIVES FOR AFFORDABLE AND WORKFORCE HOUSING DEVELOPMENTS," TO ESTABLISH FINANCIAL INCENTIVES FOR AFFORDABLE AND WORKFORCE HOUSING

DEVELOPMENTS; AMENDING ARTICLE VI, "WORKFORCE HOUSING," SECTION 58-501, "DEFINITIONS," AND SECTION 58-503, "WORKFORCE HOUSING REQUIREMENTS," TO AMEND THE MINIMUM REQUIREMENTS FOR THE DECLARATION OF RESTRICTIVE COVENANTS, INCLUDING THE CONTROL PERIOD; AND AMENDING APPENDIX A, "FEE SCHEDULE," TO EXEMPT WORKFORCE HOUSING UNITS OR DEVELOPMENTS FROM MOBILITY FEES; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

5:10 p.m. Second Reading Public Hearing

Economic Development

First Reading on September 14, 2022 - R5 L

Vice-Mayor Alex Fernandez and Commissioner

Kristen Rosen Gonzalez

**ACTION: Ordinance [2022-4513](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Motion made by Commissioner Rosen Gonzalez to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Fernandez. Roll Call: 6-0. **Rickelle Williams to handle.**

## SEPTEMBER 28, 2022

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS: IN ACCORDANCE WITH THE NEGOTIATED COLLECTIVE BARGAINING AGREEMENT, PROVIDING FOR QUALIFYING INCUMBENTS IN THE CLASSIFICATIONS IN GROUP I, REPRESENTED BY THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES ("AFSCME"), LOCAL NO. 1554, AS FOLLOWS: RETROACTIVELY EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN MAY OF 2022, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT ("COLA") OF TWO PERCENT (2%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY TWO PERCENT (2%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN MAY OF 2023, THERE SHALL BE AN ACROSS THE BOARD COLA OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN MAY OF 2024, THERE SHALL BE AN ACROSS THE BOARD COLA OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); ADDING CONCESSION ATTENDANT, WASTE COLLECTOR, MECHANIC I, WASTE DRIVER SUPERVISOR, DIESEL GENERATOR MECHANIC, PEST CONTROL SUPERVISOR, STORMWATER SUPERVISOR, CONCESSION ATTENDANT PART TIME, MUNICIPAL SERVICE WORKER ("MSW") I PART TIME, RECREATIONAL LEADER I PART TIME, MSW II PART TIME, MSW III PART TIME, AND SIGN MAKER PART TIME CLASSIFICATIONS INTO BARGAINING UNIT; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND CODIFICATION.

5:11 p.m. Second Reading Public Hearing

Human Resources

First Reading on September 14, 2022 - R5 P

Mayor Dan Gelber

**ACTION: Ordinance [2022-4514](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola. Roll Call: 6-0. **Marla Alpizar to handle.**

## SEPTEMBER 28, 2022

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES



SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, IN ACCORDANCE WITH THE NEGOTIATED COLLECTIVE BARGAINING AGREEMENT, PROVIDING FOR THE CLASSIFICATIONS IN GROUP III, REPRESENTED BY THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, ("IAFF"), LOCAL 1510; RETROACTIVELY EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2022, THERE WILL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT ("COLA") OF TWO PERCENT (2%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2023, THERE SHALL BE AN ACROSS-THE-BOARD COLA OF THREE PERCENT (3%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2024, THERE SHALL BE AN ACROSS THE BOARD COLA OF THREE PERCENT (3%); REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND CODIFICATION.

5:12 p.m. Second Reading Public Hearing

Human Resources

First Reading on September 14, 2022 - R5 Q

Mayor Dan Gelber

**ACTION: Ordinance [2022-4515](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola. Roll Call: 6-0. **Marla Alpizar to handle.**

## SEPTEMBER 28, 2022

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1605, THE UNCLASSIFIED SALARY ORDINANCE, AS FOLLOWS: RETROACTIVELY, EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2022, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT ("COLA") OF TWO PERCENT (2%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY TWO PERCENT (2%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2023, THERE SHALL BE AN ACROSS THE BOARD COLA OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL OF 2024, THERE SHALL BE AN ACROSS THE BOARD COLA OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); THE MAXIMUM OF EACH SALARY RANGE SHALL BE RAISED BY FIVE PERCENT (5%) TO ACCOUNT FOR COLAS NOT AWARDED TO UNCLASSIFIED EMPLOYEES IN 2017, 2019, AND 2020; VARIOUS CLASSIFICATIONS FOR THE GROUP SHALL BE ADDED AND/OR REMOVED; RANGE CHANGES DUE TO RECLASSIFICATION OF VARIOUS CLASSIFICATIONS SHALL BE ADOPTED; ALL CLASSIFICATIONS AND GRADES IN ALPHABETICAL ORDER SHALL BE READOPTED; OUTDATED LANGUAGE SHALL BE DELETED AND/OR REVISED; AND PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

5:13 p.m. Second Reading

Public Hearing

Human Resources

First Reading on September 14, 2022 - R5 R

Mayor Dan Gelber

**ACTION: Ordinance [2022-4516](#) adopted.** The title of the Ordinance was read into the record. The Public Hearing was held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola. Roll Call: 6-0. **Marla Alpizar to handle.**

## SEPTEMBER 14, 2022

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH,

FLORIDA, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING ARTICLE III, ENTITLED "GRAFFITI," BY AMENDING DIVISION I, ENTITLED "GENERALLY," BY AMENDING SECTION 70-125 THEREOF, ENTITLED "RESPONSIBILITY OF PROPERTY OWNER(S) TO ABATE GRAFFITI; GRAFFITI ABATEMENT AND NOTICE; ENFORCEMENT," BY AMENDING THE RESPONSIBILITIES OF PROPERTY OWNERS WITH REGARD TO THE ABATEMENT OF GRAFFITI, THE TIMEFRAME IN WHICH SUCH ABATEMENT MUST BE ACCOMPLISHED, AND THE NOTICE PROVISION THEREIN; BY AMENDING SECTION 70-126 THEREOF, ENTITLED "APPEAL," BY MODIFYING CERTAIN TERMS CONTAINED THEREIN; AND BY AMENDING SECTION 70-127 THEREOF, ENTITLED "COST OF GRAFFITI REMOVAL AS LIEN ON PROPERTY; COLLECTION, FORECLOSURE AND SALE," BY AMENDING THE CITY'S ABILITY TO REMEDY UNABATED GRAFFITI AND RECOVER THOSE COSTS INCURRED IN REMEDYING SUCH UNABATED GRAFFITI; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 7/20/2022 - R5 S

Commissioner Steven Meiner

**ACTION: Ordinance [2022-4508](#) adopted.** Title of the Ordinance read into the record. A Public Hearing was held. Motion made by Commissioner Meiner to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Fernandez. Roll Call: 6-0. **Hernan Cardeno to handle.**

## SEPTEMBER 14, 2022

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE MIAMI BEACH CITY CODE, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE 1, ENTITLED "IN GENERAL," BY CREATING SECTION 82-9 THEREOF, ENTITLED "SMOKING IN PARKS AND ON THE BEACHES IS PROHIBITED," TO PROHIBIT SMOKING IN THE CITY'S PARKS AND ON THE CITY'S PUBLIC BEACHES, WITH THE EXCEPTION OF UNFILTERED CIGARS; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:25 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading 7/20/2022 - R5 P

Vice-Mayor Alex Fernandez

**ACTION: Ordinance [2022-4509](#) adopted as amended.** Title of the Ordinance read into the record. A Public Hearing was held. Motion made by Vice-Mayor Fernandez to adopt the Ordinance on Second Reading as amended; seconded by Mayor Gelber. Roll Call: 5-1; Opposed: Commissioner Arriola. **Chief Clements and John Rebar to handle.**

## SEPTEMBER 14, 2022

R5 C MOBILITY FEES APPENDIX A CLARIFICATION

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 122, ENTITLED "CONCURRENCY MANAGEMENT AND MOBILITY FEES," ARTICLE III, ENTITLED "MOBILITY FEES," AT SECTION 122-24, ENTITLED "CALCULATION OF MOBILITY FEE," AND APPENDIX A, ENTITLED "FEE SCHEDULE," TO RELOCATE CERTAIN MOBILITY FEE PROVISIONS TO APPENDIX "A" TO THE CITY CODE, CONSISTENT WITH OTHER FEES ASSESSED BY THE CITY; AND AMENDING APPENDIX "A" TO MODIFY CERTAIN FEES RELATED TO THE LAND USE BOARD REVIEW PROCESS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:30 a.m. Second Reading Public Hearing

Planning

First Reading 7/20/2022 - R5 F

City Manager Alina T. Hudak and Commissioner Ricky Arriola

**ACTION: Ordinance [2022-4510](#) adopted as amended.** Title of the Ordinance read into the record. A Public Hearing was held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading as amended; seconded by Mayor Gelber. Roll Call: 6-0. **Thomas Mooney to handle.**

## SEPTEMBER 14, 2022

R5 F R-PS1 AND R-PS2 APARTMENT-HOTEL CONVERSION INCENTIVES - LDR  
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," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 18, ENTITLED "PS PERFORMANCE STANDARD DISTRICT," BY AMENDING SECTION 142-694, ENTITLED "NONCONFORMING USES AND STRUCTURES," TO ESTABLISH FAR AND BUILDING HEIGHT INCENTIVES FOR THE CONVERSION OF EXISTING APARTMENT HOTEL USES TO RESIDENTIAL APARTMENT USE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:45 a.m. Second Reading Public Hearing

Planning

First Reading on May 4, 2022 - R5 H

Vice-Mayor Alex Fernandez

**ACTION: Ordinance [2022-4511](#) adopted.** The Item was heard in conjunction with Item R5 G. Title of the Ordinance read into the record. A Public Hearing was held. Motion made by Vice-Mayor Fernandez to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola. Roll Call: 6-0. **Thomas Mooney to handle.**

## SEPTEMBER 14, 2022

R5 G R-PS1 AND R-PS2 APARTMENT HOTEL CONVERSION INCENTIVES -  
COMPREHENSIVE PLAN AMENDMENT AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH 2040 COMPREHENSIVE PLAN RESILIENT LAND USE ELEMENT AT (1) TABLE RLU 1.1 TO PROVIDE THAT THE DENSITY AND INTENSITY LIMITS OF THE R-PS-1 AND R-PS-2 LAND USE CATEGORIES SHALL REFER TO POLICY LIMITS OF EACH RESPECTIVE CATEGORY; AT (2) POLICY RLU 1.2.22, ENTITLED "MEDIUM-LOW DENSITY RESIDENTIAL PERFORMANCE STANDARD (R-PS-1)" TO MODIFY DENSITY AND FLOOR AREA RATIO LIMITS OF THE R-PS-1 LAND USE CATEGORY TO INCENTIVIZE THE CONVERSION OF LEGALLY NONCONFORMING APARTMENT-HOTEL USES TO CONFORMING RESIDENTIAL USES; AND AT (3) POLICY RLU 1.2.23, ENTITLED "MEDIUM DENSITY RESIDENTIAL PERFORMANCE STANDARD (R-PS-2)" TO MODIFY DENSITY AND FLOOR AREA RATIO LIMITS OF THE R-PS-2 LAND USE CATEGORY TO INCENTIVIZE THE CONVERSION OF LEGALLY NONCONFORMING APARTMENT- HOTEL USES TO CONFORMING RESIDENTIAL USES; PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS IN SECTION 163.3184 (3), FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:50 a.m. Second Reading Public Hearing

Planning

First Reading on May 4, 2022 - R5 I

Vice-Mayor Alex Fernandez

**ACTION: Ordinance [2022-4512](#) adopted.** The Item was Heard with Item R5 F. Title of the Ordinance read into the record. The Public Hearing was held. Motion made by Vice-Mayor Fernandez to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola. Roll Call: 6-0. **Thomas Mooney to handle.**

## JULY 25, 2022

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING THE SPECIAL ELECTION DATE FOR FILLING OF COMMISSION GROUP II VACANCY IN THE EVENT THE CITY COMMISSION CHOOSES TO FILL SAID VACANCY BY ELECTION, BY AUTHORIZING PURSUANT TO FLORIDA STATUTE SECTION 101.75(3) AND CORRESPONDING FLORIDA STATUTES THE MOVE OF SAID SPECIAL ELECTION DATE TO NOVEMBER 8, 2022 WITH A RUN-OFF ELECTION DATE OF DECEMBER 6, 2022, SPECIFYING QUALIFYING DATES (INCLUDING QUALIFYING VIA PETITION), PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

4:05 p.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on July 20, 2022 - R5 M

Sponsored by the Mayor and all Commissioners

Supplemental 1 - Updated on 7/22/2022

(Ordinance has been updated to include relevant information regarding qualifying by petition, as well as additional elections-related information.)

**ACTION: Ordinance [2022-4507](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. **Office of the City Attorney and Rafael E. Granado to handle.**

## JULY 20, 2022

R5 A ROOFTOP ADDITIONS IN THE CD-3 DISTRICT  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 5, "HEIGHT REGULATIONS," BY AMENDING SECTION 142-1161, ENTITLED "HEIGHT REGULATION EXCEPTIONS," TO MODIFY THE REGULATIONS GOVERNING ROOFTOP ADDITIONS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:05 a.m. Second Reading Public Hearing

Planning

First Reading on June 22, 2022 - R5 U

Commissioner Ricky Arriola

**ACTION: Ordinance [2022-4501](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Fernandez. Roll Call: 6-0. **Thomas Mooney to handle.**

## JULY 20, 2022

R5 B REFORM OF AUTOMATIC STAY PROVISIONS  
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 118 OF THE LAND DEVELOPMENT REGULATIONS, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 118-9, ENTITLED "REHEARING AND APPEAL PROCEDURES," TO AMEND THE CITY'S RULES OF PROCEDURE REGARDING REHEARINGS AND APPEALS OF LAND USE BOARD DECISIONS, INCLUDING PROVISIONS GOVERNING THE AUTOMATIC STAY PENDING APPEAL; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing

Planning

First Reading on July 8, 2022 - R5 N

Mayor Dan Gelber

Co-Sponsored Ricky Arriola

Supplemental updated on 7/15/2022

(Revised Ordinance)

**ACTION: Ordinance [2022-4502](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 6-0. **Thomas Mooney to handle.**

## **JULY 20, 2022**

R5 C SUNSET HARBOUR DEVELOPMENT OVERLAY - OFFICE HEIGHT AMENDMENT  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," AT DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," (1) BY AMENDING SECTION 142-312, "SUNSET HARBOUR DEVELOPMENT REGULATIONS," TO ADOPT THE FOLLOWING REGULATIONS FOR PROPERTIES NORTH OF DADE BOULEVARD, ON ALTON ROAD, SPECIFICALLY LOTS 1-8, BLOCK 12, ISLAND VIEW SUBDIVISION, PB 6, PAGE 115, PUBLIC RECORDS OF MIAMI-DADE COUNTY, AND LOTS 1-2, BLOCK 12-A, ISLAND VIEW ADDITION, PB 9, PAGE 144, PUBLIC RECORDS OF MIAMI-DADE COUNTY: PROHIBIT THE DESIGN REVIEW BOARD FROM APPROVING THE REDUCTION OF THE CLEAR PEDESTRIAN PATH REQUIREMENT, ALLOW FOR DEVELOPMENT AT A MAXIMUM BUILDING HEIGHT OF 75 FEET (SUBJECT TO THE CRITERIA IN THE ORDINANCE), AND ALLOW FOR DECORATIVE ROOFTOP ELEMENTS AT A MAXIMUM HEIGHT OF 16 FEET; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, APPLICABILITY, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Planning

First Reading on July 8, 2022 - R5 O

Commissioner Alex Fernandez

**ACTION: Ordinance [2022-4503](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Fernandez. Roll Call: 6-0. **Thomas Mooney to handle.**

## **JULY 20, 2022**

R5 D PARKING DISTRICT NO. 7 - EXTENSION OF SUNSET PROVISION  
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," BY AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," BY AMENDING SECTION 130-33, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, 8 AND 9" TO EXTEND THE DEADLINE FOR APPLICABILITY OF THE REGULATIONS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

Planning

First Reading on July 8, 2022 - R5 P

Commissioner Alex Fernandez

**ACTION: Ordinance [2022-4504](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second



Reading; seconded by Commissioner Arriola. Roll Call: 5-1; Opposed: Vice-Mayor Rosen Gonzalez. **Thomas Mooney to handle.**

## JULY 20, 2022

R5 K TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT SELF-STORAGE USE - OPTION B - COMPREHENSIVE PLAN REGULATIONS  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH 2040 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING CHAPTER 1, ENTITLED "RESILIENT LAND USE AND DEVELOPMENT ELEMENT," AT POLICY RLU 1.1.31, ENTITLED "TOWN CENTER-CENTRAL CORE CATEGORY (TC-C)" BY PERMITTING "SELF- STORAGE WAREHOUSE" AS A PERMITTED USE FOR SITES WITH PREVIOUSLY EXISTING SELF-STORAGE WAREHOUSE USES; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

5:04 p.m. Second Reading Public Hearing

Planning

Not Reached on 6/22/2022 - R5 L

Commissioner Ricky Arriola

**ACTION: Ordinance [2022-4505](#) adopted.** Heard with Item R5 L. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Fernandez. Roll Call: 6-0. **Thomas Mooney to handle.**

## JULY 20, 2022

R5 L TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT SELF-STORAGE USE - LDR - OPTION B

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED, "LAND DEVELOPMENT REGULATIONS," CHAPTER 142, ENTITLED, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED, "DISTRICT REGULATIONS," DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT," AT SECTION 142-741, ENTITLED "MAIN PERMITTED USES, ACCESSORY USES, CONDITIONAL USES, PROHIBITED USES, AND SUPPLEMENTAL USE REGULATIONS," BY PERMITTING "SELF-STORAGE WAREHOUSE" AS A PERMITTED USE FOR SITES WITH PREVIOUSLY EXISTING SELF STORAGE WAREHOUSE USES IN THIS ZONING DISTRICT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

5:05 p.m. Second Reading Public Hearing

Planning

Not Reached on 6/22/2022 - R5 M

Commissioner Ricky Arriola

**ACTION: Ordinance [2022-4506](#) adopted.** Heard with R5 K. See comments and action with R5 K. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Fernandez. Roll Call: 6-0. **Thomas Mooney to handle.**

## JUNE 22, 2022

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY

AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTION 82-503(B) TO EXEMPT "ADOPT-A-BENCH" OR "BRICK PAVER" NAMING PROGRAMS APPROVED BY THE CITY COMMISSION FROM THE REQUIREMENTS OF SUBSECTION 82-503(A); AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:05 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on May 4, 2022 - R5 N

Vice-Mayor Kristen Rosen Gonzalez

**ACTION: Ordinance [2022-4491](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Rosen Gonzalez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. Absent: Commissioner Samuelian. **John Rebar to handle.**

## JUNE 22, 2022

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY REPEALING DIVISION 5, ENTITLED "SIDEWALK CAFES," IN ITS ENTIRETY AT THE END OF THE CURRENT PERMITTING CYCLE SEPTEMBER 30, 2022, BY DELETING SECTIONS 82-366 THROUGH 82-373, AND SECTIONS 82-381 THROUGH 82-391 THEREOF; AND PROVIDING REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE OF OCTOBER 1, 2022.

10:10 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on May 4, 2022 - R5 O

Mayor Gelber, Vice-Mayor Rosen Gonzalez and

Commissioners Fernandez, Meiner, Richardson, and Samuelian

**ACTION: Ordinance [2022-4492](#) adopted.** Heard with Item R7 P. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. Absent: Commissioner Samuelian. **Office of the City Attorney and Joe L. Gomez to handle.**

## JUNE 22, 2022

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 90, ENTITLED "SOLID WASTE," BY AMENDING ARTICLE IV, ENTITLED "PRIVATE WASTE CONTRACTORS," BY AMENDING DIVISION 4, ENTITLED "SPECIALTY CONTRACTORS," BY AMENDING SUBDIVISION II, ENTITLED "ROLLOFF/PORTABLE WASTE CONTAINER CONTRACTORS," BY AMENDING SECTION 90-276 THEREOF, TO PROVIDE FOR AN ANNUAL ADJUSTMENT FOR ANNUAL ROLLOFF PERMIT FEES TO REFLECT INCREASES IN THE CONSUMER PRICE INDEX; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on May 4, 2022 - R5 P

Commissioner Mark Samuelian

**ACTION: Ordinance [2022-4493](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. Absent: Commissioner Samuelian. **Joe L. Gomez to handle.**

## JUNE 22, 2022

R5 D LINCOLN ROAD WEST PARKING SUBZONE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 130, "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS" BY AMENDING SECTION 130-33, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, 8, AND 9," BY AMENDING SUBSECTION (C) TO CREATE THE "LINCOLN ROAD WEST" PARKING SUBZONE OF PARKING DISTRICT NO. 6; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

Planning

First Reading on May 4, 2022 - R5 G

Commissioner Ricky Arriola

**ACTION: Ordinance [2022-4494](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 6-0. Absent: Commissioner Samuelian. **Office of the City Attorney and Thomas Mooney to handle.**

## JUNE 22, 2022

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE III, ENTITLED "LITTER," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING ARTICLE III, ENTITLED "LITTER," BY AMENDING SECTION 46-92 THEREOF, ENTITLED "LITTER; DEFINITIONS; PROHIBITIONS ON LITTER AND COMMERCIAL HANDBILL VIOLATIONS; COMMERCIAL HANDBILL REGULATIONS, FINES, AND REBUTTABLE PRESUMPTIONS; SEIZURE AND REMOVAL OF LITTER BY THE CITY; ENFORCEMENT; APPEALS; LIENS," TO ESTABLISH AN EXCEPTION PERMITTING ALUMINUM BOTTLES AND CONTAINERS TO BE BROUGHT ONTO THE CITY'S BEACHES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:25 a.m. Second Reading Public Hearing

Environment and Sustainability

First Reading on May 4, 2022 - R5 U

Commissioner Alex Fernandez

**ACTION: Ordinance [2022-4495](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. Absent: Commissioner Samuelian. **Amy Knowles to handle.**

## JUNE 22, 2022

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE II, ENTITLED "CITY COMMISSION," TO AMEND THE AGENDA REQUIREMENTS AND RULES OF PROCEDURE APPLICABLE TO MEETINGS OF THE CITY COMMISSION AND CITY COMMISSION COMMITTEES; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

10:30 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on May 4, 2022 - R5 M

Commissioner David Richardson

**ACTION: Ordinance [2022-4496](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance

on Second Reading with the three amendments listed below; seconded by Commissioner Fernandez. Roll Call: 5-1. Opposed: Vice-Mayor Rosen Gonzalez. Absent: Commissioner Samuelian. **Office of the City Attorney to handle.**

## JUNE 22, 2022

R5 G LINCOLN LANE NORTH PF PROPERTIES - COMPREHENSIVE PLAN AMENDMENT AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CITY OF MIAMI BEACH COMPREHENSIVE PLAN POLICY RLU 1.1.17, ENTITLED "PUBLIC FACILITY: GOVERNMENTAL USES (PF)," TO CLARIFY THAT DEVELOPMENTS INCLUDING PARKING FACILITIES, RESIDENTIAL, COMMERCIAL, BUSINESS AND PROFESSIONAL OFFICES, RETAIL AND SERVICE, EATING AND DRINKING ESTABLISHMENTS, OR MIXED-USE DEVELOPMENT WITH ANY OR ALL OF SAID USES MAY BE PERMITTED IN THE PF FUTURE LAND USE CATEGORY, PURSUANT TO THE PROCEDURES IN SECTION 163.3184, FLORIDA STATUTES; AND PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

1:30 p.m. Second Reading Public Hearing

Planning

First Reading on May 4, 2022 - R5 J

Commissioner Ricky Arriola

**ACTION: Ordinance [2022-4497](#) adopted.** Heard with Items R5 H, R5 I, R7 A, R7 B, R7 C, and R7 D. See comments and action with R5 G. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 5-1. Opposed: Vice-Mayor Rosen Gonzalez. Absent: Commissioner Samuelian. **Thomas Mooney to handle.**

## JUNE 22, 2022

R5 H LINCOLN LANE NORTH GU PROPERTIES - PARKING AMENDMENTS AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," BY AMENDING ARTICLE II, ENTITLED "DISTRICT REQUIREMENTS," BY AMENDING SECTION 130-33, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, 8, AND 9" TO MODIFY THE PARKING REQUIREMENTS IN PARKING DISTRICTS 2, 3 AND 4, AND TO ESTABLISH NEW OFF-STREET PARKING REQUIREMENTS FOR DEVELOPMENTS ON CITY-OWNED LAND LOCATED WITHIN PARKING DISTRICT NO. 2; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

1:31 p.m. Second Reading Public Hearing

Planning

First Reading on May 4, 2022 - R5 K

Commissioner Ricky Arriola

**ACTION: Ordinance [2022-4498](#) adopted.** Heard with Items R5 G, R5 I, R7 A, R7 B, R7 C, and R7 D. See comments and action with R5 G. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola, seconded by Commissioner Richardson. Roll Call: 5-1; Opposed: Vice-Mayor Rosen Gonzalez. Absent: Commissioner Samuelian. **Thomas Mooney to handle.**

## JUNE 22, 2022

R5 I LINCOLN LANE NORTH GU PROPERTIES - HEIGHT REGULATIONS AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING

CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 9, ENTITLED "GU GOVERNMENT USE DISTRICT," BY AMENDING SECTION 142-425 TO CREATE A HEIGHT LIMITATION FOR PRIVATE USES THAT INCORPORATE PUBLIC PARKING SPACES WITHIN THE STRUCTURE THAT ARE OWNED BY THE CITY AND OR OPERATED FOR THE CITY IN THE AREA BOUNDED BY 17TH STREET ON THE NORTH, NORTH LINCOLN LANE ON THE SOUTH, ALTON ROAD ON THE WEST, AND WASHINGTON AVENUE ON THE EAST PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

1:32 p.m. Second Reading Public Hearing

Planning

First Reading on May 4, 2022 - R5 L

Commissioner Ricky Arriola

**ACTION: Ordinance [2022-4499](#) adopted.** Heard with Items R5 G, R5 H, R7 A, R7 B, R7 C, and R7 D. See comments and action with R5 G. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola, seconded by Commissioner Richardson. Roll Call: 5-1; Opposed: Vice-Mayor Rosen Gonzalez. Absent: Commissioner Samuelian.

**Thomas Mooney to handle.**

## JUNE 22, 2022

R5 K HEIGHT INCREASE FOR OFFICE BUILDINGS IN THE CD-3 DISTRICT  
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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 6, ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," BY AMENDING SECTION 142-337, ENTITLED "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO INCREASE THE HEIGHT LIMIT FOR OFFICE USES MEETING CERTAIN LOCATION REQUIREMENTS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

1:45 p.m. Second Reading Public Hearing

Planning

Continued from May 4, 2022 - R5 A

Commissioner Ricky Arriola

**ACTION: Ordinance [2022-4500](#) adopted.** Heard with companion Item R7 R. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. Absent:

Commissioner Samuelian. **Thomas Mooney to handle.**

## MAY 25, 2022

R5 C COLLINS PARK ARTS DISTRICT OVERLAY - ENTERTAINMENT AND CULTURAL USES AMENDMENT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, "OVERLAY DISTRICTS," DIVISION 7, "CULTURAL ARTS NEIGHBORHOOD DISTRICT OVERLAY (CANDO)," BY ADDING CERTAIN CULTURAL USES AS ALLOWABLE ACCESSORY USES AND BY EXPANDING THE BOUNDARIES OF THE OVERLAY DISTRICT AND PERMITTING INDOOR ENTERTAINMENT IN ESTABLISHMENTS AS AN ACCESSORY USE TO A RESTAURANT OR HOTEL; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; APPLICABILITY; AND AN EFFECTIVE DATE.

Second Reading Public Hearing

Planning



First Reading on May 4, 2022 - R5 E

Commissioner Ricky Arriola

**ACTION: Ordinance [2022-4490](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 5-0. Absent: Commissioner Samuelian. Commissioner Fernandez appearing via Zoom was ineligible to cast a vote. **Thomas Mooney to handle.**

## MAY 4, 2022

R5 B COA SCRIVENER'S ERROR

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 118 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE X, ENTITLED "HISTORIC PRESERVATION," DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 118-503 THEREOF, ENTITLED "SCOPE, POLICIES, AND EXEMPTIONS," TO CORRECT A SCRIVENER'S ERROR; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing

Planning

First Reading on April 6, 2022 - R5 V

Mayor Dan Gelber

**ACTION: Ordinance [2022-4486](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## MAY 4, 2022

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS, AND COMMITTEES," BY AMENDING DIVISION 5, ENTITLED "CONVENTION CENTER ADVISORY BOARD," BY AMENDING SECTION 2-46 THEREOF, ENTITLED "ESTABLISHED; PURPOSE; POWERS AND DUTIES; COMPOSITION," TO AMEND THE COMPOSITION OF THE BOARD AND ADD A NONVOTING REPRESENTATIVE OF THE PALM VIEW NEIGHBORHOOD ASSOCIATION; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on April 6, 2022 - R5 X

Commissioner Alex Fernandez and Co-sponsored by Commissioner Samuelian

**ACTION: Ordinance [2022-4487](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian. Roll Call: 7-0. **Rafael E. Granado to handle.**

## MAY 4, 2022

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 18 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "BUSINESSES," BY AMENDING ARTICLE VIII THEREOF, ENTITLED "PARKING LOT," BY AMENDING DIVISION I THEREOF, ENTITLED "GENERALLY," BY AMENDING SECTIONS 18-311 AND 18-339 THEREOF, ENTITLED "OPERATION OF SERVICE," AND "PRIVATE STORAGE OF VALET VEHICLES" TO ALLOW PRIVATE STORAGE OF VALET VEHICLES ON LEASED MUNICIPAL SPACES ON OCEAN DRIVE BETWEEN 5TH AND 15TH

STREET, AND THE ADJACENT SIDE STREETS BETWEEN OCEAN DRIVE AND COLLINS AVENUE, SUBJECT TO THE DISCRETION OF THE PARKING DIRECTOR; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on April 6, 2022 - R5 Y

Vice-Mayor Kristen Rosen Gonzalez and

Co-sponsored by Commissioner Alex Fernandez

**ACTION: Ordinance [2022-4488](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Rosen Gonzalez to adopt the Ordinance on Second Reading as amended; seconded by Commissioner Fernandez. Roll Call: 6-0. Absent: Commissioner Arriola. **Monica Beltran to handle.**

**AMENDMENT:**

- Clarify the language from “valet vehicles may be stored in leased municipal spaces” to “valet vehicles may be stored in leased municipal on-street parking spaces.”

## MAY 4, 2022

R5 F EXPANSION OF ART DECO MIMO OVERLAY DISTRICT

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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE III, ENTITLED "OVERLAY DISTRICTS," DIVISION 12, ENTITLED "ART DECO," TO EXPAND THE BOUNDARIES OF THE OVERLAY AND AMEND THE REQUIREMENTS FOR USES FOR PROPERTIES IN THE OVERLAY DISTRICT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

5:01 p.m. Second Reading Public Hearing

Planning

First Reading PH on April 6, 2022 - R5 I

Commissioners Alex Fernandez and Ricky Arriola

**ACTION: Ordinance [2022-4489](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Fernandez. Roll Call: 7-0. **Thomas Mooney to handle.**

## APRIL 6, 2022

R5 J CLARIFICATIONS TO COA ADMINISTRATIVE APPEALS AND APPLICATION FORM REQUIREMENTS

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 118 OF THE LAND DEVELOPMENT REGULATIONS, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 118-9, ENTITLED "REHEARING AND APPEAL PROCEDURES," IN ORDER TO CLARIFY THE STANDARDS AND PROCEDURE FOR ADMINISTRATIVE APPEALS BEFORE THE BOARD OF ADJUSTMENT; BY AMENDING ARTICLE X, ENTITLED "HISTORIC PRESERVATION," BY AMENDING DIVISION 3, ENTITLED "ISSUANCE OF CERTIFICATE OF APPROPRIATENESS/CERTIFICATE TO DIG/CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION," TO CLARIFY THE REVIEW PROCEDURE FOR ADMINISTRATIVE LEVEL CERTIFICATES OF APPROPRIATENESS, INCLUDING APPEALS THEREOF; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

1:55 p.m. Second Reading Public Hearing

Planning

First Reading on March 9, 2022 - R5 K

City Manager

**ACTION: Ordinance [2022-4481](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 7-0. **Thomas Mooney to handle.**

## APRIL 6, 2022

R5 K MOBILITY FEE WAIVER FOR RESTAURANTS AND SIDEWALK CAFES  
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 122 OF THE LAND DEVELOPMENT REGULATIONS, ENTITLED "CONCURRENCY MANAGEMENT AND MOBILITY FEES," ARTICLE I, ENTITLED "PURPOSE AND GENERAL PROVISIONS," AT SECTION 122-2, ENTITLED "DEFINITIONS"; ARTICLE II, ENTITLED "CONCURRENCY," AT SECTION 122-12, ENTITLED "DETERMINATION OF CONCURRENCY," AND ARTICLE III, ENTITLED "MOBILITY FEES," AT SECTION 122-23, ENTITLED "IMPOSITION AND COLLECTION OF MOBILITY FEES," TO PROVIDE FOR A MOBILITY FEE CREDIT AND CAPACITY CREDIT FOR RESTAURANT AND SIDEWALK CAFE USES THAT HAVE REDUCED THE TOTAL NUMBER OF SEATS SUBSEQUENT TO THE INITIAL MOBILITY FEE AND/OR CONCURRENCY DETERMINATION FOR THE USE, AND PROVIDE FOR RELATED CLARIFICATIONS; AND PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

2:00 p.m. Second Reading Public Hearing

Planning

First Reading on March 9, 2022 - R5 L

Commissioner Ricky Arriola

**ACTION: Ordinance [2022-4482](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## APRIL 6, 2022

R5 L AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 54 OF THE MIAMI BEACH CITY CODE, ENTITLED "FLOODS," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," AND ARTICLE II, ENTITLED "FLOODPLAIN MANAGEMENT," DIVISION 1, ENTITLED "GENERALLY," DIVISION 2, ENTITLED "GENERAL PROVISIONS," DIVISION 3, ENTITLED "ADMINISTRATION," DIVISION 4, ENTITLED "PROVISIONS FOR FLOOD HAZARD REDUCTION," DIVISION 5, "VARIANCE PROCEDURES," AND ARTICLE IV, ENTITLED "STORMWATER MANAGEMENT REQUIREMENTS," IN ORDER TO CONFORM EXISTING PROVISIONS WITH THE REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM, MANAGED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND THE FLORIDA BUILDING CODE, INCLUDING BY ADOPTING THE FOLLOWING AMENDMENTS: 1) APPLY THE STANDARDS FOR COASTAL HIGH HAZARD AREAS TO COASTAL A ZONES; 2) MODIFY THE DEFINITION OF SUBSTANTIAL IMPROVEMENT TO INCLUDE SUBSTANTIAL STRUCTURAL ALTERATIONS AND WORK DETERMINED TO BE A LEVEL 3 ALTERATION UNDER THE FLORIDA BUILDING CODE, AND MODIFY OTHER RELATED DEFINITIONS; AND 3) ADOPT REQUIREMENTS FOR CERTAIN IMPROVEMENTS THAT ARE NOT SUBSTANTIAL IMPROVEMENTS, AND FOR BUILDINGS AND STRUCTURES IN FLOOD AREAS; AND BY ADOPTING OTHER RELATED AMENDMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

2:05 p.m. Second Reading Public Hearing

Building

First Reading on March 9, 2022 - R5 P

Commissioner Alex Fernandez

**ACTION: Ordinance [2022-4483](#) adopted.** Title of the Ordinance read into the record. Public

Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Ana Salgueiro to handle.**

## **APRIL 6, 2022**

R5 M AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE II THEREOF, ENTITLED "CITY COMMISSION," BY AMENDING SECTION 2-12 THEREOF, ENTITLED "MEETING PROCEDURES AND AGENDAS," TO REQUIRE AN INCENTIVE STATEMENT AS PART OF THE ANALYSIS ACCOMPANYING ALL ORDINANCES PLACED ON CITY COMMISSION AGENDAS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

2:10 p.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on March 9, 2022 - R5 Q

Commissioner Alex Fernandez

**ACTION: Ordinance [2022-4484](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola. Roll Call was taken: 6-0; Absent: Mayor Gelber. **Office of the City Manager to handle.**

## **APRIL 6, 2022**

R5 N AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 78 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PERSONNEL," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY CREATING SECTION 78-3 THEREOF, TO AUTHORIZE QUALIFYING CITY EMPLOYEES TO MAKE DONATIONS OF ANNUAL AND SICK LEAVE FOR HUMANITARIAN DISASTER RELIEF, AS MAY BE APPROVED BY THE CITY COMMISSION; AND PROVIDING FOR A SUNSET AND AUTOMATIC REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

2:15 p.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on March 9, 2022 - R5 R

Sponsored by Commissioners Alex Fernandez and Mark Samuelian

**ACTION: Ordinance [2022-4485](#) adopted.** Heard with R7 G. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian. Roll Call: 7-0. **Marla Alpizar to handle.**

## **MARCH 9, 2022**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING APPENDIX A, "FEE SCHEDULE," TO PROVIDE CLARIFICATION, TO REMOVE AND TO ADD CERTAIN FEES; BY AMENDING CHAPTER 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES; EXCEPTIONS;" TO REMOVE PARKING RATES AND FEES THAT ARE ALREADY SET FORTH IN APPENDIX "A;" BY AMENDING DIVISION 3, ENTITLED "CONSTRUCTION PARKING AND TRAFFIC MANAGEMENT PLAN," BY AMENDING SECTION 106-101, ENTITLED "ISSUANCE OF PERMIT," TO REMOVE THE PERMIT FEES; BY AMENDING ARTICLE V, ENTITLED "POLICE VEHICLE TOWING," BY AMENDING DIVISION 2, ENTITLED "PERMIT," BY AMENDING SECTION 106-216, ENTITLED "ISSUANCE; FEE," TO

REMOVE THE REFERENCE TO APPENDIX A; BY AMENDING ARTICLE VI, ENTITLED "TOWING AND IMMOBILIZATION OF VEHICLES," BY AMENDING SECTION 106-269, ENTITLED "IMMOBILIZATION," TO REMOVE THE REFERENCE TO APPENDIX A; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:05 a.m. Second Reading Public Hearing

Parking

First Reading on February 9, 2022 - R5 F

Commissioner David Richardson

**ACTION: Ordinance [2022-4473](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Monica Beltran to handle.**

## MARCH 9, 2022

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14 OF THE CITY CODE, ENTITLED "BUILDING REGULATIONS," BY AMENDING DIVISION 2, "40-YEAR BUILDING RECERTIFICATION PROGRAM," SECTION 14-67, REQUIRING COURTESY NOTIFICATION TO BUILDING OWNERS AT LEAST TWO (2) YEARS PRIOR TO THE ANNIVERSARY OF THEIR RECERTIFICATION AS REQUIRED BY SECTION 8-11(F) OF THE MIAMI-DADE COUNTY CODE AND SECTION 14-67 OF THE CITY CODE, ADDING A REQUIREMENT FOR BUILDING OWNERS TO SUBMIT AN ANNUAL BUILDING MAINTENANCE LOG TO THE BUILDING DEPARTMENT, ESTABLISHING AN INCENTIVE PROGRAM FOR TIMELY ANNUAL BUILDING MAINTENANCE LOG SUBMISSIONS, AND REVISING THE HEADING OF SECTION 14-67 OF THE CITY CODE TO "BUILDING RECERTIFICATION PROGRAM"; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing

Building

Continued from February 9, 2022 - R5 A

Commissioner Alex Fernandez and

Co-sponsored by Commissioner Mark Samuelian

**ACTION: Ordinance [2022-4474](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian. Roll Call: 7-0. **Ana Salgueiro to handle.**

## MARCH 9, 2022

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING APPENDIX A TO THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "FEE SCHEDULE," TO AMEND THE FEES APPLICABLE TO THE BUILDING RECERTIFICATION PROCESS, PURSUANT TO CHAPTER 14 OF THE CITY CODE, ENTITLED "BUILDING REGULATIONS"; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Building

Continued from February 9, 2022 - R5 B

Commissioner Alex Fernandez

**ACTION: Ordinance [2022-4475](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola. Roll Call: 7-0. **Ana Salgueiro to handle.**

## MARCH 9, 2022

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI



BEACH, FLORIDA, AMENDING MIAMI BEACH CITY CODE CHAPTER 38 ENTITLED "ELECTIONS," SECTION 38-3 THEREOF ENTITLED "RESOLUTION BY CITY COMMISSION CALLING ELECTION AND NOTICING THEREOF" BY CLARIFYING DETAILS OF RESOLUTIONS CALLING SPECIAL ELECTIONS ON PROPOSED BALLOT MEASURES, AND AMENDING CODE SECTION 38-4 ENTITLED "ACCEPTANCE OF ELECTION RETURNS; INSTALLATION OF NEW OFFICERS" BY EXPRESSLY PROVIDING THAT DATE OF CITY COMMISSION'S ACCEPTANCE OF ELECTION RETURNS APPLICABLE TO CITY GENERAL AND SPECIAL ELECTIONS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:25 a.m. Second Reading Public Hearing

Office of the City Attorney/Office of the City Clerk

First Reading on February 9, 2022 - R5 J

Commissioner Alex Fernandez

**ACTION: Ordinance [2022-4476](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 7-0. **Rafael E. Granado and Office of the City Attorney to handle.**

## MARCH 9, 2022

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 70-1 THEREOF, ENTITLED "STATE MISDEMEANORS," BY ADOPTING, THROUGH SPECIFIC REFERENCE, THE STATE LAW MISDEMEANOR OFFENSES OF BATTERY, CRIMINAL MISCHIEF, AND INDECENT EXPOSURE TO AFFIRMATIVELY ESTABLISH OFFENSES AGAINST MUNICIPAL LAW FOR THE SAME ACTS THAT CONSTITUTE SUCH OFFENSES AGAINST STATE LAW; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:30 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on February 9, 2022 - R5 K

Commissioner Steven Meiner

**ACTION: Ordinance [2022-4477](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Meiner to adopt the Ordinance on Second Reading; seconded by Commissioner Fernandez. Roll Call: 7-0. **Chief Clements and Office of the City Attorney to handle.**

## MARCH 9, 2022

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTIONS (C)(1)(A) AND (C)(2)(A) TO PROVIDE ADDITIONAL CRITERIA AND PROCEDURES FOR THE CO-NAMING OF STREETS IN HONOR OF A DECEASED PHOTOGRAPHER WHO DOCUMENTED THE LIFE AND RESIDENTS OF MIAMI BEACH; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:35 a.m. Second Reading Public Hearing

Office of the City Attorney

Deferred from February 9, 2022 - R5 L

Commissioner Alex Fernandez

**ACTION: Ordinance [2022-4478](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Jose Gonzalez and Office of the City Attorney to handle.**

## MARCH 9, 2022

R5 H AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 106 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 2, ENTITLED "RESIDENTIAL PARKING PERMITS," BY AMENDING SECTION 106-84 THEREOF, ENTITLED "EXEMPTIONS," BY EXEMPTING MOTOR VEHICLE OWNERS OR OPERATORS WITH VALID DISABLED PERSON OR DISABLED VETERAN LICENSE PLATES, OR DISABLED PERSON PARKING PERMITS, FROM THE FEE REQUIREMENTS ASSOCIATED WITH THE APPLICATION AND ISSUANCE OF RESIDENTIAL PARKING AREA PERMITS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:40 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on February 9, 2022 - R5 N

Commissioner Samuelian

Co-sponsored by Mayor Gelber, Vice-Mayor Rosen Gonzalez, and

Commissioners Fernandez and Richardson

**ACTION: Ordinance [2022-4479](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 7-0. **Monica Beltran to handle.**

## MARCH 9, 2022

R5 I AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 31 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PURCHASING," BY CREATING SECTION 31-1 THEREOF, ENTITLED "MANAGEMENT POLICY FOR INTERNAL CONTROLS ON MAJOR CONSTRUCTION PROJECTS," TO REQUIRE A COMPREHENSIVE CITY-WIDE POLICY AND PROCEDURES FOR PROCUREMENT AND IMPLEMENTATION OF CITY CONSTRUCTION PROJECTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:45 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on February 9, 2022 - R5 I

Commissioner Mark Samuelian

**ACTION: Ordinance [2022-4480](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **David Martinez, Joe L. Gomez, Maria Hernandez, Alex Denis, and Joseph M. Centorino to handle.**

## FEBRUARY 23, 2022

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ALCOHOLIC BEVERAGES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLETIONS," TO PROHIBIT THE SALE AND SERVICE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION BETWEEN THE HOURS OF 2:00 A.M. AND 8:00 A.M. EACH NIGHT AT ALCOHOLIC BEVERAGE ESTABLISHMENTS LOCATED SOUTH OF 16TH

STREET, ON SPECIFIED DATES DURING THE SPRING BREAK HIGH IMPACT PERIOD IN MARCH OF 2022; AND PROVIDING FOR A SUNSET AND AUTOMATIC REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

4:01 p.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on February 9, 2022 - R5 T

Commissioner Alex Fernandez

**ACTION: Ordinance [2022-4472](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian. Roll Call: 4-3. Opposed: Vice-Mayor Richardson and Commissioners Arriola and Rosen Gonzalez. **Hernan Cardeno and Chief Clements to handle.**

## FEBRUARY 9, 2022

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 58 OF THE MIAMI BEACH CITY CODE, ENTITLED "HOUSING," BY AMENDING ARTICLE IV, ENTITLED "RENTAL HOUSING," BY AMENDING DIVISION 3, ENTITLED "TERMINATION OF TENANCY," BY AMENDING SECTION 58-386, ENTITLED "WRITTEN NOTICE OR TERMINATION OF TENANCY," BY ESTABLISHING THE REQUIRED NOTICE PERIOD, WITH WHICH ALL RESIDENTIAL LANDLORDS MUST COMPLY, PRIOR TO INCREASING THE RENTAL RATE OF CERTAIN TENANTS BEYOND A SPECIFIED PERCENT; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

1:40 p.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on January 20, 2022 - R5 T

Commissioner Alex Fernandez

Supplemental updated on 2/4/2022

(Revised Memorandum and Ordinance)

**ACTION: Ordinance [2022-4470](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Alba Tarre to handle.**

## FEBRUARY 9, 2022

R5 E COMMERCIAL HEIGHT LIMITS FOR OFFICE USES - CPS-2 DISTRICT  
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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 18, ENTITLED "PS PERFORMANCE STANDARD DISTRICT," BY AMENDING SECTION 142-698, ENTITLED "COMMERCIAL PERFORMANCE STANDARD AREA REQUIREMENTS," TO MODIFY THE MAXIMUM BUILDING HEIGHT FOR OFFICE USES ON CERTAIN PROPERTIES; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

1:50 p.m. Second Reading Public Hearing

Planning

Continued from January 20, 2022 - R5 H

Commissioner Mark Samuelian

**ACTION: Ordinance [2022-4471](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-1. Opposed: Commissioner Rosen Gonzalez. **Thomas Mooney to handle.**

## JANUARY 20, 2022

R5 A 10-YEAR WATER SUPPLY FACILITIES WORK PLAN AND PROPERTY RIGHTS ELEMENT - COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE 2040 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF 163.3184(3), FLORIDA STATUTES, BY ~~AMENDING THE "RESILIENT LAND USE AND DEVELOPMENT ELEMENT," TO CREATE~~ CREATING A PROPERTY RIGHTS ELEMENT, INCORPORATING GOALS, OBJECTIVES, AND POLICIES AS REQUIRED BY 163.3177(6)(I), FLORIDA STATUTES; AND AMENDING THE "INFRASTRUCTURE ELEMENT" AND "CAPITAL IMPROVEMENT ELEMENT" TO INCORPORATE AN UPDATED 10-YEAR WATER SUPPLY FACILITIES WORK PLAN AND RELATED POLICIES AND STRENGTHEN COORDINATION BETWEEN WATER SUPPLY AND LOCAL LAND USE PLANNING AS REQUIRED BY 163.3177(6)(C)3, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:05 a.m. Second Reading Public Hearing

Planning

First Reading on October 13, 2021 - R5 L

Office of the City Manager

**ACTION: Ordinance [2022-4459](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Meiner to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## JANUARY 20, 2022

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ENVIRONMENT," BY CREATING ARTICLE X, ENTITLED "USE OF GAS-POWERED LEAF BLOWERS," TO CREATE DEFINITIONS, ADOPT REGULATIONS ON THE USE OF GAS-POWERED LEAF BLOWERS WITHIN THE CITY OF MIAMI BEACH, PROVIDE FOR A TEMPORARY SUSPENSION FOR STORM AND HURRICANE CLEANUP, ESTABLISH ENFORCEMENT AND PENALTY PROVISIONS, AND PROVIDE FOR A FINANCIAL HARDSHIP WAIVER; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing

Environment and Sustainability

First Reading on December 8, 2021 - R5 P

Commissioner Mark Samuelian and

Co-sponsored by Commissioners Fernandez, Richardson and Meiner

**ACTION: Ordinance [2022-4460](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance as amended on Second Reading; seconded by Commissioner Fernandez. Roll Call: 7-0. **Amy Knowles to handle.**

**AMENDMENT:** Office of the City Attorney to add a section that if a Code Compliance Officer finds a violation of this Article, the Officer shall issue a Notice of Violation to either the property owner or the landscaping company, to ensure that workers do not receive the violation.

## JANUARY 20, 2022

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION" BY AMENDING ARTICLE VI, ENTITLED "PROCUREMENT," BY AMENDING DIVISION 5, ENTITLED "DEBARMENT OF CONTRACTORS FROM CITY WORK,"

BY AMENDING 2-405 THEREOF, ENTITLED "DEBARMENT AND SUSPENSION PROCEDURES," TO AUTHORIZE THE CITY MANAGER TO TRANSMIT A REQUEST FOR DEBARMENT OR SUSPENSION TO THE OFFICE OF INSPECTOR GENERAL FOR INVESTIGATION; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on December 8, 2021 - R5 Q

Commissioner Mark Samuelian

**ACTION: Ordinance [2022-4461](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Joseph M. Centorino and Alex Denis to handle.**

## JANUARY 20, 2022

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "BUILDING REGULATIONS," BY AMENDING ARTICLE II, ENTITLED "CONSTRUCTION STANDARDS," BY AMENDING DIVISION IV THEREOF, ENTITLED "2017-2020 BUILDING PERMIT REPRIEVE PROGRAM," TO EXTEND THE DURATION OF THE BUILDING PERMIT REPRIEVE PROGRAM FOR OWNERS OF SINGLE-FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, MIXED-USE OR COMMERCIAL PROPERTIES WHO HAVE FAILED TO OBTAIN A BUILDING PERMIT, OR WHO HOLD EXPIRED PERMITS; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AN EFFECTIVE DATE, AND A SUNSET PROVISION.

10:20 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on December 8, 2021 - R5 R

Commissioner Alex Fernandez

**ACTION: Ordinance [2022-4462](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Fernandez to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Ana Salgueiro to handle.**

## JANUARY 20, 2022

R5 F ALCOHOL SALES - DISTANCE SEPARATION AND DELIVERY HOURS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLATIONS," TO CLARIFY THAT PACKAGE STORES AND RETAIL STORES (INCLUDING, BUT NOT LIMITED TO, GROCERY, CONVENIENCE STORES, AND GASOLINE SERVICE/FILLING STATIONS), MAY ONLY MAKE DELIVERIES OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION DURING HOURS WHEN RETAIL SALES OF ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION ARE PERMITTED; AND BY AMENDING 6-4, ENTITLED "LOCATION AND USE RESTRICTIONS," TO AMEND THE REGULATIONS PERTAINING TO MINIMUM DISTANCE SEPARATION REQUIREMENTS FOR PACKAGE STORES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:30 a.m. Second Reading Public Hearing

Planning

First Reading on December 8, 2021 - R5 L

Commissioner Steven Meiner



**ACTION: Ordinance [2022-4463](#) adopted as is.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Meiner to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## JANUARY 20, 2022

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," DIVISION 5, ENTITLED "SIDEWALK CAFES," SUBDIVISION 11, ENTITLED "PERMIT," BY AMENDING 82-390, ENTITLED "PARKLET PROGRAM," TO AMEND THE SCOPE OF THE PARKLET PROGRAM, INCLUDING THE AREAS OF THE CITY WHERE PARKLETS ARE PERMITTED; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:35 a.m. Second Reading Public Hearing

Public Works

First Reading on December 8, 2021 - R5 O

Commissioner Ricky Arriola

**ACTION: Ordinance [2022-4464](#) adopted.** Heard with Items R7 V and R9 N. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-1. Opposed: Commissioner Rosen Gonzalez. **Joe L. Gomez to handle.**

## JANUARY 20, 2022

R5 I LANDSCAPE NEIGHBORHOOD OVERLAYS - LDR OVERLAY VERSION

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," BY AMENDING CHAPTER 126, ENTITLED "LANDSCAPE REQUIREMENTS," BY CREATING 126-8, ENTITLED "LANDSCAPE NEIGHBORHOOD OVERLAYS," TO ESTABLISH PROVISIONS FOR LANDSCAPE NEIGHBORHOOD OVERLAYS WITHIN EXISTING NEIGHBORHOODS, AND CREATE THE LA GORCE ISLAND LANDSCAPE NEIGHBORHOOD OVERLAY; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

10:45 a.m. Second Reading Public Hearing

Planning

First Reading on December 8, 2021 - R5 K

Commissioner Steven Meiner

**ACTION: Ordinance [2022-4465](#) adopted as amended.** Heard in conjunction with R5 J. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Meiner to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Richardson. Roll Call: 7-0. **Thomas Mooney to handle.**

### **AMENDMENT:**

(iv) Newly planted royal palms shall have a minimum of 15 feet of clear or grey wood. Canary Island date palms shall have a minimum of 15 feet of clear or grey wood at the time of planting unless the date palms are set back from the right of way in accordance with the La Gorce Historic Landscape Plan on file with the Planning Department, in which case such Canary Island date palms shall have a minimum of 8 feet of clear or grey wood at the time of planting. All new plantings shall be consistent with the spacing of the existing species within this right of way overlay.

(v) A right of way permit shall not be required for the replacement of a palm tree at the same location within this overlay, provided, however, that the La Gorce Island Neighborhood Association or property owner, as applicable, shall (1) provide the city's urban forester with email notification at least 48 hours before replanting, and (2) be solely responsible for all costs,

expenses, and liability associated with the installation, including costs for repair or replacement of any infrastructure or utilities in the right of way which is damaged as part of the installation.

## **JANUARY 20, 2022**

R5 J AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE MIAMI BEACH CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE II, ENTITLED "CARE AND MAINTENANCE OF TREES AND PLANTS," BY AMENDING DIVISION 2, ENTITLED "TREE PRESERVATION AND PROTECTION," BY AMENDING 46-58, ENTITLED "TREE REMOVAL REQUIREMENTS, EXEMPTIONS, AND PROHIBITED SPECIES" TO AMEND MITIGATION REQUIREMENTS FOR PALMS IDENTIFIED IN LANDSCAPE NEIGHBORHOOD OVERLAYS LISTED WITHIN CHAPTER 126; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:50 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on December 8, 2021 - R5 N

Commissioner Steven Meiner

Co-sponsored by Commissioner Mark Samuelian

**ACTION: Ordinance [2022-4466](#) adopted.** See comments with R5 I. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Meiner to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola. Roll Call: 7-0. **Amy Knowles and Omar Leon to handle.**

## **JANUARY 20, 2022**

R5 K PACKAGE STORE PROHIBITION ON ALTON ROAD  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," BY AMENDING DIVISION 4, "CD-1 COMMERCIAL, LOW-INTENSITY DISTRICT," 142-275, "PROHIBITED USES," AND DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," 142-305, "PROHIBITED USES," TO AMEND THE LIST OF PROHIBITED USES TO INCLUDE PACKAGE LIQUOR STORES ALONG THE ALTON ROAD CORRIDOR; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

5:01 p.m. Second Reading Public Hearing

Planning

First Reading PH on December 8, 2021 - R5 H

Commissioner Steven Meiner and

Co-sponsored by Commissioner Alex Fernandez

**ACTION: Ordinance [2022-4467](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Meiner to adopt the Ordinance on Second Reading; seconded by Commissioner Fernandez. Roll Call: 5-0. Absent: Vice-Mayor Richardson and Commissioner Arriola. **Thomas Mooney to handle.**

## **JANUARY 20, 2022**

R5 L RETAIL FULFILLMENT CENTERS

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," BY AMENDING CHAPTER 114 OF THE CITY CODE, ENTITLED "GENERAL PROVISIONS," AT 114-1, "DEFINITIONS," TO AMEND THE DEFINITION OF CONVENIENCE STORE AND CREATE A DEFINITION FOR "RETAIL FULFILLMENT CENTER;" AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS,"

ARTICLE I, ENTITLED "GENERAL TO ALL ZONING DISTRICTS," BY CREATING 142-4, ENTITLED "NEIGHBORHOOD AND RETAIL FULFILLMENT CENTERS," TO CREATE CITYWIDE REGULATIONS FOR NEIGHBORHOOD AND RETAIL FULFILLMENT CENTERS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

5:02 p.m. Second Reading Public Hearing

Planning

First Reading PH on December 8, 2021 - R5 I

Commissioner Steven Meiner

**ACTION: Ordinance [2022-4468](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Meiner to adopt the Ordinance on Second Reading; seconded by Commissioner Rosen Gonzalez. Roll Call: 5-0. Absent: Vice-Mayor Richardson and Commissioner Arriola. **Thomas Mooney to handle.**

## JANUARY 20, 2022

R5 M REGULATIONS FOR LOWER IMPACT ACCESSORY MEDICAL USES

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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE V, ENTITLED "SPECIALIZED USE REGULATIONS," DIVISION 2, ENTITLED "ASSISTED LIVING AND MEDICAL USES," TO MODIFY REGULATIONS FOR CLASS I MEDICAL USES, WHERE PERMITTED AS AN ACCESSORY USE, TO PROVIDE CONSISTENCY WITH REGULATIONS FOR ACCESSORY COMMERCIAL USES IN CHAPTER 142, ARTICLE IV, DIVISION 2 OF THE LAND DEVELOPMENT REGULATIONS AND OTHER RELATED PROVISIONS; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

5:03 p.m. Second Reading Public Hearing

Planning

First Reading PH on December 8, 2021 - R5 J

Commissioner Mark Samuelian

**ACTION: Ordinance [2022-4469](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Commissioner Fernandez. Roll Call: 5-0. Absent: Vice-Mayor Richardson and Commissioner Arriola. **Thomas Mooney to handle.**

## DECEMBER 8, 2021

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS, AND COMMITTEES," BY AMENDING DIVISION 32, ENTITLED "LGBTQ ADVISORY COMMITTEE," TO CHANGE THE NAME OF THE COMMITTEE TO THE "LGBTQIA+ ADVISORY COMMITTEE," AMENDING SECTIONS 2-190.144-190.145 THEREOF, TO REFLECT THE NAME CHANGE; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:05 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on October 13, 2021 - R5 P

Vice-Mayor David Richardson

Co-sponsored by Commissioner Alex Fernandez

**ACTION: Ordinance [2021-4453](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Richardson to adopt the Ordinance on Second Reading; seconded by Commissioner Fernandez. Roll Call: 7-0. **Rafael E. Granado to handle.**

## DECEMBER 8, 2021

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14 OF THE MIAMI BEACH CITY CODE, ENTITLED "BUILDING REGULATIONS," BY AMENDING ARTICLE III, ENTITLED "NUMBERING," BY AMENDING SECTION 14-107 THEREOF, ENTITLED "OWNERS SHALL OBTAIN NUMBERS; SIZE; CITY NOT TO FURNISH MATERIAL," TO REQUIRE OWNERS OF HOUSES AND BUILDINGS WITHIN THE CITY WITH ACCESS TO A BEACHWALK TO PLACE THE CORRECT STREET NUMBER ON THE SIDE OF THE EASTERNMOST PERIMETER GATE OR FENCE, OR SIDE OF THE STRUCTURE FACING A BEACHWALK; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing

Facilities and Fleet Management

First Reading on October 13, 2021 - R5 K

Commissioner Ricky Arriola

**ACTION: Ordinance [2021-4454](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Adrian Morales to handle.**

## DECEMBER 8, 2021

R5 C SOLAR PANELS - SETBACK EXCEPTIONS 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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 2, ENTITLED "RS-1, RS-2, RS-3, RS-4 SINGLE- FAMILY RESIDENTIAL DISTRICTS," BY AMENDING SECTION 142-106, ENTITLED "SETBACK REQUIREMENTS FOR A SINGLE-FAMILY DETACHED DWELLING," TO MODIFY SINGLE-FAMILY SETBACK REGULATIONS PERTAINING TO SOLAR PANELS AND RELATED EQUIPMENT; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Planning

First Reading on October 13, 2021 - R5 J

Commissioner Mark Samuelian

**ACTION: Ordinance [2021-4455](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## DECEMBER 8, 2021

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 90, ENTITLED "SOLID WASTE," BY AMENDING ARTICLE IV, ENTITLED "PRIVATE WASTE CONTRACTORS," BY AMENDING DIVISION 4, ENTITLED "SPECIALTY CONTRACTORS," BY AMENDING SUBDIVISION II, ENTITLED "ROLL-OFF/PORTABLE WASTE CONTAINER CONTRACTORS," BY AMENDING SECTIONS 90-276 THROUGH 90-278 THEREOF, TO ESTABLISH AN ANNUAL ROLL-OFF PERMIT FEE FOR ROLL-OFF CONTRACTORS, REQUIRED MONTHLY REPORTING TO THE CITY, AND PROVISIONS TO ENSURE NO ROLL OFF PERMIT SHALL BE ISSUED TO A ROLL-OFF CONTRACTOR UNLESS THE CONTRACTOR HAS AN ACTIVE BUSINESS TAX RECEIPT AMENDING APPENDIX A, "FEE SCHEDULE," TO REFLECT THE ANNUAL ROLL-OFF PERMIT FEE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:25 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on October 13, 2021 - R5 I

Commissioner Mark Samuelian

**ACTION: Ordinance [2021-4456](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Joe L. Gomez to handle**

## DECEMBER 8, 2021

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTIONS (C)(1)(A) AND (C)(2)(A) TO PROVIDE ADDITIONAL CRITERIA AND PROCEDURES FOR THE CO-NAMING OF STREETS IN HONOR OF A DECEASED CUBAN-AMERICAN ARTIST WHO MADE VAST CONTRIBUTIONS TO LATIN MUSIC HISTORY AND CULTURE; PROVIDING SUNSET PROVISIONS THEREOF; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:35 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on October 27, 2021 - R5 E

Mayor Dan Gelber

Co-sponsored by Vice-Mayor David Richardson and Commissioners Alex Fernandez and Kristen Rosen Gonzalez

**ACTION: Ordinance [2021-4457](#) adopted as amended with the referral.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Richardson to adopt the Ordinance on Second Reading as amended; seconded by Mayor Gelber. Roll Call: 7-0. **Jose Gonzalez to handle**

## DECEMBER 8, 2021

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ALCOHOLIC BEVERAGES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLATIONS," BY CREATING NEW SUBSECTION (9), WHICH WILL REQUIRE CERTAIN ALCOHOLIC BEVERAGE ESTABLISHMENTS POSSESSING A LICENSE TO SELL AND/OR SERVE ALCOHOLIC BEVERAGES IN THE CITY UNTIL 5 A.M. ("ALCOHOL LICENSE"), TO PROVIDE WRITTEN NOTIFICATION TO THE CHIEF OF POLICE OR DESIGNEE REGARDING ANY PROMOTED EVENT OR CONCERT THAT WILL HAVE A LIVE MUSICAL PERFORMANCE OR ENTERTAINMENT; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:40 a.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on October 13, 2021 - R5 G

Commissioner Mark Samuelian

Supplemental updated on 12/6/2021

(Supplemental Memorandum and Updated Ordinance)

**ACTION: Ordinance [2021-4458](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading as amended; seconded by Mayor Gelber. Roll Call: 6-1; Opposed: Commissioner Arriola. **Chief Clements to handle.**

## OCTOBER 27, 2021



AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-158 THEREOF, ENTITLED "ENFORCEMENT BY CODE INSPECTORS; NOTICE OF VIOLATION; WARNINGS; RESPONSIBILITY TO PROVIDE CURRENT ADDRESS," BY ESTABLISHING AN ADDITIONAL EXCEPTION TO THE REQUIREMENT THAT A WRITTEN WARNING BE PROVIDED PRIOR TO THE ISSUANCE OF A NOTICE OF VIOLATION; AND BY AMENDING SECTION 46-159 THEREOF, ENTITLED "FINES AND PENALTIES FOR VIOLATION; APPEALS; ALTERNATE MEANS OF ENFORCEMENT," BY INCREASING THOSE CIVIL FINES TO BE IMPOSED FOR VIOLATIONS OF CHAPTER 46, ARTICLE IV; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

5:07 p.m. Second Reading Public Hearing

Office of the City Attorney

First Reading on October 13, 2021 - R5 H

Commissioner Mark Samuelian and

Co-sponsored by Commissioner Steven Meiner

**ACTION: Ordinance [2021-4452](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Commissioner Meiner. Roll Call: 6-1. Opposed: Vice Mayor Arriola **Chief Clements to handle.**

## OCTOBER 27, 2021

CHAPTER 106 - SPACE REMOVAL FEES FOR AFFORDABLE HOUSING

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 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES; EXCEPTIONS," TO AMEND THE FEE FOR THE PERMANENT REMOVAL OF ON-STREET PARKING SPACES WHEN SUCH REMOVAL IS ASSOCIATED WITH AFFORDABLE HOUSING DEVELOPMENT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

5:03 p.m. Second Reading Public Hearing

Planning

First Reading on October 13, 2021 - R5 N

Commissioner Michael Góngora

**ACTION: Ordinance [2021-4451](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney and Monica Beltran to handle.**

## OCTOBER 27, 2021

NEW OVERLAY - MEDICAL CANNABIS TREATMENT CENTERS AND PHARMACY STORES

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," BY AMENDING CHAPTER 142 OF THE CITY CODE ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE V, ENTITLED "SPECIALIZED USE REGULATIONS," DIVISION 10, ENTITLED "CONTROLLED SUBSTANCES REGULATIONS AND USE," BY AMENDING SECTION 142-1502, ENTITLED "ZONING DISTRICTS ALLOWING MEDICAL CANNABIS TREATMENT CENTERS, PHARMACY STORES, AND RELATED USES, PROHIBITED LOCATIONS, AND NONCONFORMING USES," TO CREATE A NEW AREA WHERE SUCH USES MAY BE PERMITTED, PROVIDED THAT THE

PROPOSED USE MEETS CERTAIN ELIGIBILITY CRITERIA; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

5:02 p.m. Second Reading Public Hearing

Planning

First Reading PH October 13, 2021 - R5 B

Commissioner Michael Góngora

**ACTION: Ordinance [2021-4450](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora. Roll Call: 7-0. **Thomas Mooney to handle.**

## OCTOBER 27, 2021

NORTH BEACH BANDSHELL - 7275 COLLINS AVENUE HISTORIC SITE DESIGNATION AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE MIAMI BEACH CITY CODE, BY AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE X, ENTITLED "HISTORIC PRESERVATION," DIVISION 4, ENTITLED "DESIGNATION," SECTION 118-593, ENTITLED "HISTORIC PRESERVATION DESIGNATION," AT SUBSECTION (E), ENTITLED "DELINEATION ON ZONING MAP," BY DESIGNATING ONE OR MORE BUILDINGS AT 7275 COLLINS AVENUE AS AN HISTORIC SITE TO BE KNOWN AS "NORTH BEACH BANDSHELL," AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING THAT THE CITY'S ZONING MAP SHALL BE AMENDED TO INCLUDE NORTH BEACH BANDSHELL, 7275 COLLINS AVENUE AS AN HISTORIC SITE; ADOPTING THE DESIGNATION REPORT ATTACHED HERETO AS APPENDIX "A"; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

5:01 p.m. Second Reading Public Hearing

Planning

First Reading PH October 13, 2021 - R5 A

Sponsored by Mayor Dan Gelber, Commissioner Michael Góngora, and the Historic Preservation Board

**ACTION: Ordinance [2021-4449](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Commissioner Steinberg. Roll Call: 7-0. **Thomas Mooney to handle.**

## OCTOBER 13, 2021

PROHIBITION ON APARTMENT HOTELS IN R-PS1 AND R-PS2 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," BY AMENDING CHAPTER 142 OF THE CITY CODE ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 18, ENTITLED "PS PERFORMANCE STANDARD DISTRICT," BY AMENDING SECTION 142-693, ENTITLED "PERMITTED USES," TO PROHIBIT APARTMENT HOTELS IN THE R-PS1 AND R-PS2 DISTRICTS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

5:01 p.m. Second Reading Public Hearing

Planning

First Reading PH September 17, 2021 - R5 F

Mayor and Commission

**ACTION: Ordinance [2021-4448](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0. Absent; Commissioner Góngora. **Thomas Mooney to handle.**

## OCTOBER 13, 2021

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14 OF THE CITY CODE, ENTITLED "BUILDING REGULATIONS," BY AMENDING ARTICLE VII, ENTITLED "PERMITS APPLIED FOR ON OR AFTER MARCH 1, 2002," BY CREATING SECTION 14-600, ENTITLED "DELIVERY OF ENGINEERING REPORTS," CREATING SECTION 14-600 TO REQUIRE THE DELIVERY TO THE CITY OF BUILDING ENGINEERING REPORTS WHICH REFLECT BUILDING CONDITIONS, INCLUDING STRUCTURAL AND LIFE SAFETY COMPONENTS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

### **10:25 a.m. Second Reading Public Hearing**

Office of the City Attorney

First Reading on September 17, 2021 - R5 M

Commissioner Micky Steinberg

**ACTION: Ordinance [2021-4447](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg to adopt the Ordinance on Second Reading as amended; seconded by Mayor Gelber. Roll Call: 7-0. **Ana Salgueiro to handle.**

### **AMENDMENT:**

- Add text in the Ordinance that the penalty would only apply to responsible individuals.

## OCTOBER 13, 2021

NONCONFORMING RESIDENTIAL BUILDINGS -REPAIRS EXCEEDING 50%

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, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING ARTICLE IX, "NONCONFORMANCES," SECTION 118-395, "REPAIR AND/OR REHABILITATION OF NONCONFORMING BUILDINGS AND USES," TO AMEND THE REGULATIONS APPLICABLE TO THE REPAIR AND/OR REHABILITATION OF EXISTING NON- CONFORMING RESIDENTIAL BUILDINGS; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

### **10:20 a.m. Second Reading Public Hearing**

Planning

First Reading on September 17, 2021 - R5 H

Commissioner Micky Steinberg

**ACTION: Ordinance [2021-4446](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora. Roll Call: 7-0. **Thomas Mooney to handle.**

## SEPTEMBER 30, 2021

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING APPENDIX "A" OF THE CITY CODE, ENTITLED "FEE SCHEDULE," TO REVISE FEES CHARGED FOR PARKLET PERMITS, AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **5:06 p.m. Second Reading Public Hearing**

Public Works

First Reading on September 17, 2021 - R5 JMayor Dan Gelber

**ACTION: Ordinance [2021-4445](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 6-0; Absent: Vice-Mayor Arriola.

**Joe L. Gomez to handle.**

## SEPTEMBER 30, 2021

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFES," BY AMENDING SUBDIVISION II, ENTITLED "PERMIT," BY AMENDING SECTIONS 82-382 AND 82-383 THEREOF, TO ABATE SIDEWALK CAFE FEES FOR PERMITTEES LOCATED NORTH OF 63RD STREET, FROM THE EFFECTIVE DATE OF THIS ORDINANCE THROUGH AND INCLUDING SEPTEMBER 30, 2023; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

### **5:05 p.m. Second Reading Public Hearing**

Public Works

First Reading on September 17, 2021 - R5 I

Vice-Mayor Ricky Arriola

**ACTION: Ordinance [2021-4444](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian. Roll Call: 6-0; Absent: Vice-Mayor Arriola. **Joe L. Gomez to handle.**

## SEPTEMBER 17, 2021

WEST AVENUE BAY FRONT OVERLAY - BED AND BREAKFAST PROHIBITION

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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, ENTITLED "OVERLAY DISTRICTS," DIVISION 5, ENTITLED "WEST AVENUE BAY FRONT OVERLAY," TO REMOVE BED AND BREAKFAST INNS AS ALLOWABLE USES IN THE WEST AVENUE BAY FRONT OVERLAY; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

### **5:10 p.m. Second Reading Public Hearing**

Planning

Commissioner Mark Samuelian

First Reading PH on July 28, 2021 - R5 J

**ACTION: Ordinance [2021-4443](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 7-0. **Thomas Mooney to handle.**

## SEPTEMBER 17, 2021

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "TAXATION," BY AMENDING ARTICLE V, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTION 102-356 THEREOF, ENTITLED "CONSTRUCTION OF ARTICLE; DEFINITIONS," BY CREATING ADDITIONAL DEFINITIONS; AND BY AMENDING SECTION 102-386 THEREOF, ENTITLED "PROPERTY OWNER'S RESPONSIBILITIES REGARDING LEGALLY PERMISSIBLE TRANSIENT RENTAL AND OCCUPANCY (SHORT-TERM) OF RESIDENTIAL PROPERTY," BY SETTING FORTH ADDITIONAL REQUIREMENTS FOR THE ISSUANCE OF A BUSINESS TAX RECEIPT, AND ESTABLISHING NEW RESPONSIBILITIES UPON OWNERS OF SHORT-TERM RESIDENTIAL RENTAL PROPERTIES; AND BY AMENDING SECTION 102-387 THEREOF, ENTITLED "PLATFORMS' RESPONSIBILITIES REGARDING LEGALLY PERMISSIBLE TRANSIENT RENTAL AND OCCUPANCY (SHORT-TERM) OF RESIDENTIAL PROPERTY," BY ESTABLISHING FURTHER REQUIREMENTS FOR THOSE PLATFORMS LISTING SHORT-TERM RENTALS OF RESIDENTIAL PROPERTIES; AND PROVIDING FOR REPEALER, SEVERABILITY,

CODIFICATION, AND AN EFFECTIVE DATE

**10:20 a.m. Second Reading Public Hearing**

Office of the City Attorney

Sponsored by Commissioner Michael Góngora and

Co-Sponsored by Commissioners Samuelian and David Richardson

First Reading on July 28, 2021 - R5 S

**ACTION: Ordinance 2021-4442 adopted.** Heard with R5 F, R9 R, R9 AI, and R9 AG. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian. Roll Call: 7-0. **Office of the City Attorney, John Woodruff, Hernan Cardeno, Office of the Inspector General, City Manager Hudak, and Thomas Mooney to handle.**

**MOTION:**

Commissioner Samuelian moved to approve 1) the proposal from the City Administration and City Attorney noting the City Manager's comment 2) Outside Counsel for City Attorney, 3) direct the City Attorney to provide legal support through Outside Counsel to the Inspector General, 4) that the City Attorney and Administration engage with the owners to ensure compliance with the rules and productive conversations.

**AMENDMENT 1**

Accept the draft proposal as submitted, except that the City Manager and the Inspector General will conduct independent third party reviews, and can hire consultants and expert witness, with the additional language Commissioner Góngora suggested in the second paragraph "any appropriate enforcement action, including the issuance of a stop work order; direction to the City Attorney to also retain outside professionals to assist in these efforts and engage with the Inspector General to find an independent professional for the Inspector General to assist in his review, and direct staff along with professionals to structure meetings with property owners to determine if there is a path to conversion to full residential. The Inspector General is to report back within 30 days.

**AMENDMENT 2**

City Manager Alina T. Hudak to do the review as set forth in the amended document, the Inspector General to continue his review, and hire independent professionals to assist the Inspector General and City Manager, and the Office of the City Attorney to hire outside counsel, with direction to staff to also meet with property owners, and report back within thirty (30) days. Motion made by Commissioner Samuelian, seconded by Commissioner Góngora. 6-1; Opposed: Vice-Mayor Arriola. **Offices of the City Attorney, City Manager, and Inspector General to handle.**

## **SEPTEMBER 17, 2021**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY", DIVISION 5, ENTITLED "SIDEWALK CAFES", BY CREATING SECTION 82-391, ENTITLED "VOLUNTARY CITY SUBSIDY ADVANCE PROGRAM FOR SIDEWALK CAFES AND PARKLETS," IN ORDER TO CREATE A VOLUNTARY CITY SIDEWALK CAFE AND PARKLET SUBSIDY PROGRAM FOR THOSE OPERATORS WHO ELECT TO PARTICIPATE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:16 a.m. Second Reading Public Hearing**

Office of the City Attorney

Sponsored by Mayor Dan Gelber

First Reading on July 28, 2021 - R5 P

**ACTION: Ordinance 2021-4441 adopted.** Heard in conjunction with related Items R5 C, R5 I, R5 J, R7 M, R9 P and R9 Q. See comments and action with R5 C. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Joe L. Gomez to handle.**

## **SEPTEMBER 17, 2021**



AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING APPENDIX A, "FEE SCHEDULE," TO REVISE FEES CHARGED FOR SIDEWALK CAFE PERMITS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing**

Office of the City Attorney

Sponsored by Mayor Dan Gelber

First Reading on July 28, 2021 - R5 Q

**ACTION: Ordinance [2021-4440](#) adopted.** Heard with Items R5 D, R5 I, R5 J, R7 M, R9 P and R9 Q. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Tameka Otto Stewart and John Woodruff to handle.**

## **SEPTEMBER 17, 2021**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTIONS (C)(1)(A) AND (C)(2)(A) TO PROVIDE ADDITIONAL CRITERIA AND PROCEDURES FOR THE CO-NAMING OF STREETS IN HONOR OF A PROMINENT JEWISH FIGURE WHO MADE SIGNIFICANT CIVIC CONTRIBUTIONS TO JEWISH HISTORY AND/OR JEWISH-RELATED INITIATIVES; PROVIDING SUNSET PROVISIONS THEREFOR; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing**

Office of the City Attorney

Sponsored by Commissioner David Richardson and Co-Sponsored by Mayor Dan Gelber

First Reading on July 28, 2021 - R5 O

**ACTION: Ordinance [2021-4439](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. See motions below. **Jose Gonzalez to handle.**

**MOTION 1:**

Commissioner Richardson moved the approval of Item R5 B, seconded by Mayor Gelber. Roll Call: 7-0. Ordinance approved on Second Reading.

**MOTION 2:**

Commissioner Richardson made a motion to refer to the Neighborhood and Quality of Life Committee to discuss renaming 19<sup>th</sup> Street for Elie Wiesel and come back to the full City Commission with a recommendation. Approved without objections. Vote: 7-0.

## **JULY 28, 2021**

### **LINCOLN ROAD RETAIL USE AND SIZE LIMITS**

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," BY AMENDING CHAPTER 114 OF THE CITY CODE, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, "DEFINITIONS," TO ESTABLISH DEFINITIONS FOR "PRODUCTION STUDIO" AND RELATED TERMS; AND AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 6, ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," AT SECTION 142-332, ENTITLED "MAIN PERMITTED USES," TO AMEND THE LIST OF MAIN PERMITTED USES FOR PROPERTIES WITH A LOT LINE ON LINCOLN ROAD, BETWEEN COLLINS AVENUE AND ALTON ROAD; AT SECTION 142-333, ENTITLED "CONDITIONAL USES," TO AMEND THE LIST OF CONDITIONAL USES FOR PROPERTIES WITH A LOT LINE ON LINCOLN ROAD, BETWEEN COLLINS

AVENUE AND ALTON ROAD; AND AT SECTION 142-335, ENTITLED "PROHIBITED USES," TO AMEND THE LIST OF PROHIBITED USES FOR PROPERTIES WITH A LOT LINE ON LINCOLN ROAD, BETWEEN COLLINS AVENUE AND ALTON ROAD; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:03 p.m. Second Reading Public Hearing**

Planning

Vice-Mayor Ricky Arriola

First Reading PH on June 23, 2021 - R5 D

**ACTION: Ordinance [2021-4438](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0; Absent: Vice-Mayor Arriola.

## **JULY 28, 2021**

SUNSET HARBOUR CD-2 AND L-1 DEVELOPMENT OVERLAY

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," AT DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," (1) BY AMENDING SECTION 142-305, "PROHIBITED USES," TO PROHIBIT HOTELS, APARTMENT HOTELS AND SUITE HOTELS IN THE SUNSET HARBOUR AREA; AND (2) BY ESTABLISHING SECTION 142-312, "SUNSET HARBOUR DEVELOPMENT REGULATIONS," AND BY AMENDING DIVISION 11, "L-1 LIGHT INDUSTRIAL DISTRICT," BY ESTABLISHING SECTION 142-489, "SUNSET HARBOUR DEVELOPMENT REGULATIONS," TO MODIFY HEIGHT LIMITS, HEIGHT EXCEPTIONS, AND REGULATIONS FOR SPECIAL EVENTS AND OUTDOOR SPEAKERS, ESTABLISH LIMITATIONS FOR LOT SIZE AND LOT AGGREGATION, MODIFY REQUIREMENTS FOR CLEAR PEDESTRIAN PATHS, AND ESTABLISH LIMITATIONS FOR ESTABLISHMENTS OVER 25,000 SQUARE FEET IN THE SUNSET HARBOUR NEIGHBORHOOD; AND (3) BY AMENDING CHAPTER 130, "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," AT SECTION 133-33, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, 8, AND 9," TO MODIFY PARKING REQUIREMENTS FOR NON-RESIDENTIAL USES ABOVE THE GROUND FLOOR IN PARKING DISTRICT NUMBER 5; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, APPLICABILITY AND AN EFFECTIVE DATE.

**5:02 p.m. Second Reading Public Hearing**

Planning

Vice-Mayor Ricky Arriola

Continued from June 23, 2021 - R5 I

**ACTION: Ordinance [2021-4437](#) adopted as amended without the applicability clause.** Title of the Ordinance read into the record. Public Hearing held. See motions below. **Thomas Mooney to handle.**

### **MOTION #1 AS AMENDED**

Moved by Commissioner Richardson with the applicability clause and as amended to allow for the rooftop swimming pool and including the covenants proffered by the developer. Seconded by Vice-Mayor Arriola. Roll Call: 4-3; Motion fails. Opposed: Commissioners Samuelian, Meiner, and Góngora.

### **MOTION #2 TO RECONSIDER PREVIOUS MOTION**

Commissioner Góngora moved to reconsider the motion; seconded by Commissioner Samuelian. All in favor: 7-0.

### **MOTION #3 TO RECONSIDER AND AMENDING WITHOUT APPLICABILITY CLAUSE**

Motion made by Commissioner Góngora to reconsider and amending the Item without the applicability clause. Seconded by Commissioner Samuelian. All present: 7-0.

### **MOTION #4 TO AMEND THE OVERLAY WITHOUT THE APPLICABILITY CLAUSE**

Motion made by Commissioner Góngora to amend the Overlay without the applicability clause. Seconded by Commissioner Samuelian. All present: 7-0.

## JULY 28, 2021

### COMMERCIAL HEIGHT LIMITS FOR OFFICE USES - ALTON ROAD

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," AT DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-306, "DEVELOPMENT REGULATIONS," TO ALLOW FOR ADDITIONAL HEIGHT FOR DEVELOPMENTS WITH SIGNIFICANT OFFICE COMPONENTS LOCATED ON ALTON ROAD BETWEEN 8TH STREET AND 17TH STREET; AND ESTABLISHING SECTION 142-313, "ALTON ROAD OFFICE DEVELOPMENT OVERLAY," TO CREATE NEW DEVELOPMENT REGULATIONS FOR OFFICE USES INCLUDING A VOLUNTARY HEIGHT INCENTIVE, AS WELL AS HEIGHT LIMITS, HEIGHT EXCEPTIONS, MINIMUM GROUND FLOOR ACTIVATION, UPPER LEVEL SETBACK AND MECHANICAL SCREENING REQUIREMENTS, AND NEW REGULATIONS FOR OUTDOOR USES AND SPECIAL EVENTS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

#### **5:01 p.m. Second Reading Public Hearing**

Planning

Mayor Dan Gelber

First Reading PH on June 23, 2021 - R5 A

**ACTION: Ordinance [2021-4436](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-1; Opposed: Commissioner Góngora.

## JULY 28, 2021

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE MIAMI BEACH CITY CODE, ENTITLED "ENVIRONMENT," BY CREATING ARTICLE X, TO BE ENTITLED "WATER QUALITY," TO ESTABLISH THE PURPOSE AND INTENT OF THE ARTICLE; PROVIDE FOR DEFINITIONS; ESTABLISH REQUIREMENTS TO CONTROL, REDUCE, AND PREVENT THE DISCHARGE OF STORMWATER POLLUTANTS; PROHIBIT ILLICIT DISCHARGE (SUBJECT TO CERTAIN EXEMPTIONS); PROVIDE FOR REPORTING OF ILLICIT DISCHARGES; PROVIDE FOR SUSPENSION OF ACCESS TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM; ESTABLISH SEDIMENT AND EROSION CONTROL REQUIREMENTS; PROVIDE FOR PERMIT REVIEW, APPROVAL, AND CONDITIONS; AND PROVIDE FOR ENFORCEMENT AND PENALTIES; AND BY AMENDING APPENDIX A, "FEE SCHEDULE," TO PROVIDE FOR AN ENVIRONMENTAL REVIEW FEE; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

#### **10:45 a.m. Second Reading Public Hearing**

Environment and Sustainability

Commissioner Micky Steinberg

First Reading on June 23, 2021 - R5 V

Supplemental updated on 7/26/2021

**ACTION: Ordinance [2021-4435](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora. Roll Call: 7-0.

## JULY 28, 2021

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE MIAMI BEACH CITY CODE, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE V, ENTITLED "BEACHES," TO CREATE DIVISION 4 THEREOF, TO BE ENTITLED "BEACH AND DUNE PROTECTION," RELATING TO PROTECTION OF THE CITY'S BEACHES AND DUNES; ESTABLISHING THE PURPOSE AND INTENT OF THE ARTICLE, CREATING DEFINITIONS, PROHIBITING CERTAIN ACTIVITIES IN ORDER TO PROTECT THE CITY'S DUNE SYSTEM, IDENTIFY PERMITTED ACTIVITIES, AND PROVIDING FOR ENFORCEMENT AND PENALTIES; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

### **10:40 a.m. Second Reading Public Hearing**

Environment and Sustainability

Commissioner Micky Steinberg

First Reading on June 23, 2021 - R5 U

**ACTION: Ordinance [2021-4434](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Arriola. Roll Call: 7-0.

## **JULY 28, 2021**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE IV, ENTITLED "OFFICERS AND EMPLOYEES," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 2-191, ENTITLED "ENUMERATION OF ORGANIZATIONAL UNITS," TO REMOVE THE NAME OF THE FLEET DEPARTMENT, AND CHANGE THE NAME OF THE PROPERTY MANAGEMENT DEPARTMENT TO THE FACILITIES AND FLEET MANAGEMENT DEPARTMENT; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:35 a.m. Second Reading Public Hearing**

Human Resources

First Reading on June 23, 2021 - R5 T

Commissioner Mark Samuelian

**ACTION: Ordinance [2021-4433](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0

## **JULY 28, 2021**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 25, ENTITLED "TRANSPORTATION, PARKING, AND BICYCLE-PEDESTRIAN FACILITIES COMMITTEE," BY AMENDING SECTION 2-190.94 THEREOF, ENTITLED "COMPOSITION," TO ALLOW BUSINESS OWNERS IN THE CITY OF MIAMI BEACH AN OPPORTUNITY TO PARTICIPATE IN THE TRANSPORTATION, PARKING, AND BICYCLE-PEDESTRIAN FACILITIES COMMITTEE; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:30 a.m. Second Reading Public Hearing**

Office of the City Attorney

Commissioner David Richardson

First Reading on June 23, 2021 - R5 S

**ACTION: Ordinance [2021-4432](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Arriola. Roll Call: 7-0.

## **JULY 28, 2021**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH TO REPLACE ALL INSTANCES OF THE TERM "SPECIAL MASTER" THROUGHOUT THE CODE WITH THE TERM "SPECIAL MAGISTRATE," TO BE CONSISTENT WITH CHAPTER 162 OF THE FLORIDA STATUTES; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

### **10:25 a.m. Second Reading Public Hearing**

Office of the City Attorney

Commissioner Michael Gongora

First Reading on June 23, 2021 - R5 Q

**ACTION: Ordinance [2021-4431](#) adopted.** Title of the Ordinance read into the record. Public Hearing held.

Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## **JULY 28, 2021**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 12 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ARTS, CULTURE AND ENTERTAINMENT," BY AMENDING ARTICLE I, ENTITLED "FILM AND PRINT PRODUCTIONS," BY AMENDING SECTION 12-1 THEREOF, ENTITLED "FILM AND PRODUCTION PERMITS," TO PROVIDE THE CITY MANAGER WITH THE DISCRETION TO AUTHORIZE A FILM OR PRODUCTION PERMIT FOR AN INDIVIDUAL OR ENTITY PREVIOUSLY ISSUED A NOTICE OF VIOLATION IN THE PRECEDING TWELVE-MONTH PERIOD (FOR A FIRST OFFENSE ONLY), IF THE CITY MANAGER DETERMINES THAT THE GRANTING OF THE PERMIT IS IN THE BEST INTERESTS OF THE CITY, AND THE PERMITTEE AGREES TO ANY SUCH ADDITIONAL CONDITIONS AS MAY BE DEEMED NECESSARY BY THE CITY MANAGER; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:20 a.m. 2:30 p.m. Second Reading Public Hearing**

Office of the City Attorney

Commissioner Michael Góngora and Co-sponsored by Commissioner Mark Samuelian

First Reading on June 23, 2021 - R5 O

**ACTION: Ordinance [2021-4430](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 7-0.

## **JULY 28, 2021**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING ARTICLE II, ENTITLED "PUBLIC PLACES," BY AMENDING DIVISION 2, ENTITLED "BICYCLING, SKATEBOARDING, ROLLER SKATING, IN-LINE SKATING, MOTORIZED MEANS OF TRANSPORTATION, ELECTRIC BICYCLES, MOPEDS, MOTORCYCLES, MOTORIZED BICYCLES, AND MOTORIZED SCOOTERS," BY AMENDING SECTION 70-66 THEREOF, ENTITLED "DEFINITIONS," BY ESTABLISHING AND MODIFYING CERTAIN DEFINITIONS SET FORTH THEREIN; AND BY CREATING SECTION 70-72, ENTITLED "PROHIBITION ON DELIVERING SPECIFIED MOTORIZED VEHICLES FOR RENTAL OR LEASE," WHICH SHALL SERVE TO PROHIBIT PERSONS AND BUSINESS ENTITIES FROM DELIVERING CERTAIN MOTORIZED VEHICLES, FOR RENTAL OR LEASE, IN THE CITY; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:15 a.m. Second Reading Public Hearing**

Office of the City Attorney

Commissioner David Richardson

First Reading on June 23, 2021 - R5 N

Supplemental updated on 7/26/2021

**ACTION: Ordinance [2021-4429](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-1; Opposed: Vice-Mayor Arriola.

## **JULY 28, 2021**

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 98, ENTITLED "STREETS AND SIDEWALKS," BY AMENDING ARTICLE III, ENTITLED "EXCAVATIONS," BY AMENDING SECTION 98-94 THEREOF, ENTITLED "BUILDING PERMITS," TO CREATE PLATFORM LIFTS AND STAIRWAY CHAIRLIFTS MAINTENANCE REQUIREMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:10 a.m. Second Reading Public Hearing**

Public Works



Vice-Mayor Ricky Arriola

First Reading on June 23, 2021 - R5 K

**ACTION: Ordinance [2021-4428](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 7-0.

## JULY 28, 2021

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," DIVISION 5, ENTITLED "SIDEWALK CAFES," SUBDIVISION II, ENTITLED "PERMIT," BY AMENDING SECTION 82-382, ENTITLED "APPLICATION," AND SECTION 82-383, ENTITLED "PERMIT FEE; PENALTIES FOR LATE PAYMENT; REVIEW OF FEE; EXCEPTION," TO REPEAL OUTDATED PROVISIONS; AND BY CREATING SECTION 82-390 THEREOF, ENTITLED "PARKLET PROGRAM," TO CREATE A SIDEWALK CAFE PARKLET PROGRAM, ESTABLISH THE SCOPE OF THE PROGRAM, PROVIDE FOR DESIGN GUIDELINES, IDENTIFY PERMITTED PARKLET AREAS, PROVIDE FOR AN APPLICATION, SITE PLAN, AND FEES, INCORPORATE THE PROVISIONS OF THE SIDEWALK CAFE ORDINANCE, AND PROVIDE FOR REMOVAL; AND AMENDING APPENDIX "A" TO THE CITY CODE, ENTITLED "FEE SCHEDULE," TO ESTABLISH A BASE PARKLET APPLICATION FEE AND AN ANNUAL PER-SQUARE FOOT PER-PARKING SPACE PARKLET FEE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:05 a.m. Second Reading Public Hearing**

Public Works

Vice-Mayor Ricky Arriola

First Reading on June 23, 2021 - R5 L

Supplemental updated on 7/26/2021

**ACTION: Ordinance [2021-4427](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## JUNE 23, 2021

NORTH SHORE LOCAL HISTORIC DISTRICT-TATUM WATERWAY EXPANSION

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE MIAMI BEACH CITY CODE, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE X, "HISTORIC PRESERVATION," DIVISION 4, "DESIGNATION," SECTION 118-593, "HISTORIC PRESERVATION DESIGNATION," BY ADOPTING THE DESIGNATION OF THE NORTH SHORE HISTORIC DISTRICT TATUM WATERWAY EXPANSION, WHICH IS GENERALLY BOUNDED BY 77TH STREET ON THE SOUTH, HAWTHORNE AVENUE AND CRESPI BOULEVARD ON THE WEST, 87TH STREET ON THE NORTH, AND TATUM WATERWAY DRIVE AND BYRON AVENUE ON THE EAST, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING THAT THE CITY'S ZONING MAP SHALL BE AMENDED TO INCLUDE THE NORTH SHORE HISTORIC DISTRICT TATUM WATERWAY EXPANSION; ADOPTING THE DESIGNATION REPORT ATTACHED HERETO AS APPENDIX "A"; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

5:01 p.m. Second Reading Public Hearing

Planning

First Reading on May 12, 2021 - R5 A

Historic Preservation Board

**ACTION: Ordinance [2021-4426](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Góngora to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola; Roll Call: 7-0.

## **JUNE 23, 2021**

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY CREATING SECTION 70-8, TO PROHIBIT INDIVIDUALS FROM APPROACHING OR REMAINING WITHIN A SPECIFIED DISTANCE OF A LAW ENFORCEMENT OFFICER ENGAGED IN THE LAWFUL PERFORMANCE OF A LEGAL DUTY, AFTER RECEIVING A WARNING NOT TO DO SO; PROVIDING PENALTIES FOR SUCH VIOLATION; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:35 a.m. Second Reading Public Hearing**

Office of the City Attorney

First Reading on May 12, 2021 - R5 N

Commissioner Steven Meiner and Co-sponsored

by Commissioners Mark Samuelian, Ricky Arriola and David Richardson

**ACTION: Ordinance [2021-4425](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Meiner to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian. Roll Call: 7-0.

## **JUNE 23, 2021**

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTIONS (C)(1)(A) AND (C)(2)(A) TO PROVIDE ADDITIONAL CRITERIA AND PROCEDURES FOR THE CO-NAMING OF STREETS IN HONOR OF A DECEASED HISTORICAL FIGURE WHO WAS INSTRUMENTAL IN HELPING LATIN AMERICAN COUNTRIES ACHIEVE INDEPENDENCE FROM THE SPANISH EMPIRE; PROVIDING SUNSET PROVISIONS THEREFOR; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:30 a.m. Second Reading Public Hearing**

Office of the City Attorney

First Reading on May 12, 2021 - R5 O

Vice-Mayor Michael Góngora

**ACTION: Ordinance [2021-4424](#) adopted.** Item referred. Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Gongora to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-1; Opposed: Commissioner Meiner.

## **JUNE 23, 2021**

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY'S PENSION ORDINANCE, CREATED BY ORDINANCE NO. 2006-3504, AS AMENDED (THE "MIAMI BEACH EMPLOYEES' RETIREMENT PLAN" OR "PLAN"), BY AMENDING SECTION 5.01(b)(6) THEREOF, FOR THE SOLE PURPOSE OF IMPLEMENTING EMPLOYEE BENEFIT PROVISIONS RELATING TO THE EMPLOYMENT OF THE CITY CLERK, AS APPROVED VIA CITY

COMMISSION RESOLUTION NO. 2021-31601, BY PROVIDING FOR A PENSION ACCRUAL FACTOR OF FOUR PERCENT (4%) FOR THE CHARTER POSITION OF CITY CLERK, THE SAME ACCRUAL FACTOR APPLICABLE TO THE CITY MANAGER AND CITY ATTORNEY; AND PROVIDING FOR SEVERABILITY; REPEALER; AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing**

Office of the City Attorney

First Reading on April 21, 2021 – R5 P

Mayor Gelber

**ACTION: Ordinance [2021-4423](#) adopted as amended as of date office became a Charter Officer.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola. Roll Call: 7-0.

## **MAY 26, 2021**

RM3 OCEANFRONT GROUND FLOOR AND ROOFTOP ADDITIONS IN THE ARCHITECTURAL DISTRICT

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, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION V, "RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY," SECTION 142-246, "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO CREATE ADDITIONAL REGULATIONS REGARDING GROUND FLOOR ADDITIONS; AND BY AMENDING ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 5, "HEIGHT REGULATIONS," SECTION 142-1161, "HEIGHT REGULATION EXCEPTIONS," TO CREATE ADDITIONAL REGULATIONS REGARDING ROOFTOP ADDITIONS FOR PROPERTIES LOCATED IN THE ARCHITECTURAL DISTRICT; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

**5:02 p.m. Second Reading Public Hearing**

Planning

Commissioner Ricky Arriola

First Reading on May 12, 2021 - R5 M

**ACTION: Ordinance [2021-4422](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## **MAY 12, 2021**

R5 L CHAPTER 142 - MXE USE REGULATIONS

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," BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISIONS," AT SECTION 114-1, ENTITLED "DEFINITIONS," TO ESTABLISH A DEFINITION FOR EXPERIENTIAL RETAIL; BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 13, ENTITLED "MXE MIXED USE ENTERTAINMENT DISTRICT," BY AMENDING SECTION 142-542, ENTITLED "CONDITIONAL USES," TO AMEND THE LIST OF CONDITIONAL USES TO INCLUDE ENTERTAINMENT ESTABLISHMENT AND ARTISANAL RETAIL WITH OFF-

SITE SALES AS AN ACCESSORY USE TO A HOTEL; AMENDING SECTION 142-543, ENTITLED "ACCESSORY USES," TO ALLOW FOR ACCESSORY USES SUBJECT TO THE SUPPLEMENTAL ACCESSORY USE REGULATIONS IN SECTION 142-543.1; CREATING SECTION 142-543.1, ENTITLED "SUPPLEMENTAL ACCESSORY USE REGULATIONS," TO CLARIFY AND CONSOLIDATE REGULATIONS FOR ACCESSORY USES, AND ALLOW FOR ARTISANAL RETAIL FOR ON-SITE SALES ONLY, EXPERIENTIAL RETAIL, AND RELATED USES AS PERMITTED ACCESSORY USES; AMENDING SECTION 142-544, ENTITLED "PROHIBITED USES," TO PROHIBIT MEDICAL AND DENTAL OFFICES, STAND ALONE BARS, AND RELATED USES; AND AMENDING SECTION 142-546, ENTITLED "ADDITIONAL RESTRICTIONS FOR LOTS FRONTING ON OCEAN DRIVE, OCEAN TERRACE AND COLLINS AVENUE," TO RENAME THE SECTION, PROVIDE THAT COMMERCIAL USES ON ROOFTOPS SHALL BE LIMITED TO RESTAURANTS, AND CLARIFY EXISTING REGULATIONS; AND AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 2, ENTITLED "ACCESSORY USES," TO REPEAL SECTION 142-904, ENTITLED "ADDITIONAL MIXED USE ENTERTAINMENT DISTRICT REGULATIONS," AND AMEND AND RELOCATE THE PROVISIONS THEREIN TO SECTION 142-543.1; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:01 p.m. Second Reading Public Hearing**

Planning

Mayor Dan Gelber

First Reading PH on April 21, 2021 - R5 A

**ACTION: Ordinance [2021-4421](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## **MAY 12, 2021**

R5 K AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING MIAMI BEACH CITY CODE CHAPTER 78, ARTICLE II THEREOF, ENTITLED "EMPLOYEE BENEFIT PLANS;" AMENDING SECTION 78-81, "ENTITLED GROUP HEALTH INSURANCE," TO PROVIDE THAT ANY EMPLOYEE WHO ELECTS TO DECLINE PARTICIPATION IN THE CITY'S GROUP HEALTH INSURANCE PLAN FOLLOWING RETIREMENT AFTER THE EFFECTIVE DATE OF THIS ORDINANCE MAY RESUME COVERAGE AND BE ELIGIBLE FOR THE CITY'S CONTRIBUTION TOWARDS THE COST OF COVERAGE IF IT IS DEMONSTRATED THAT THE RETIRED EMPLOYEE HAS MAINTAINED CONTINUOUS COVERAGE UNDER ANOTHER GROUP HEALTH PLAN SINCE THEIR DATE OF RETIREMENT OR SINCE THE DATE ON WHICH THEY LAST OPTED OUT OF THE CITY'S GROUP HEALTH INSURANCE PLAN; REPEALING SECTION 78-82, ENTITLED "HEALTH MAINTENANCE ORGANIZATION;" PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

**2:20 p.m. Second Reading Public Hearing**

Office of the City Attorney

Vice-Mayor Michael Góngora

First Reading on April 21, 2021 - R5 R

**ACTION: Ordinance [2021-4420](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Góngora to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0; Absent: Commissioner Arriola.

## MAY 12, 2021

R5 J AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTIONS (C)(1)(A) AND (C)(2)(A) TO PROVIDE ADDITIONAL CRITERIA AND PROCEDURES FOR THE CO-NAMING OF STREETS IN HONOR OF DECEASED PERSONS WHO ARE KNOWN FOR THEIR ROLE AS A GAY-RIGHTS PIONEER AND AS ONE OF THE FIRST OPENLY LGBTQ PEOPLE EVER ELECTED TO PUBLIC OFFICE IN THE U.S.; PROVIDING SUNSET PROVISIONS THEREFOR; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **2:15 p.m. Second Reading Public Hearing**

Office of the City Attorney

Commissioner David Richardson

First Reading on April 21, 2021 - R5 Q

**ACTION: Ordinance [2021-4419](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Góngora. Roll Call: 6-1; Opposed: Commissioner Meiner.

## MAY 12, 2021

R5 I APPENDIX A FEE SCHEDULE MODIFICATION - PLANNING AND PUBLIC WORKS REVISION AND MAILING FEES

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING APPENDIX A, "FEE SCHEDULE," TO REVISE AND ESTABLISH FEES CHARGED BY THE PLANNING AND PUBLIC WORKS DEPARTMENTS FOR THE REVIEW OF PLANS REVISIONS ASSOCIATED WITH BUILDING PERMIT REVIEW; AND AMEND THE FEE CHARGED BY THE PLANNING DEPARTMENT FOR MAIL NOTICES ASSOCIATED WITH LAND USE BOARD APPLICATIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **2:10 p.m. Second Reading Public Hearing**

Planning

Vice-Mayor Michael Góngora

First Reading on April 21, 2021 - R5 L

**ACTION: Ordinance [2021-4418](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Góngora to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-0; Absent: Commissioner Arriola.

## MAY 12, 2021

R5 H APPENDIX A FEE SCHEDULE MODIFICATION - ZONING VERIFICATION LETTERS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI



BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING APPENDIX A, "FEE SCHEDULE," TO REVISE AND ESTABLISH FEES CHARGED FOR ZONING VERIFICATION LETTERS, AND CLARIFY EXISTING PROVISIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**2:05 p.m. Second Reading Public Hearing**

Planning

Commissioner Ricky Arriola

First Reading on April 21, 2021 - R5 J

**ACTION: Ordinance [2021-4417](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## **MAY 12, 2021**

R5 G AFFORDABLE HOUSING LAND USE FEE WAIVERS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE I, "IN GENERAL," AT SECTION 118-7, "FEES FOR THE ADMINISTRATION OF LAND DEVELOPMENT REGULATIONS," TO WAIVE LAND DEVELOPMENT APPLICATION FEES FOR NON-ELDERLY AND ELDERLY LOW AND MODERATE INCOME HOUSING; AND AMENDING CHAPTER 122, "CONCURRENCY MANAGEMENT AND MOBILITY FEES," ARTICLE I, "PURPOSE AND GENERAL PROVISIONS," AT SECTION 122-5, "EXEMPTIONS FROM CONCURRENCY MITIGATION AND MOBILITY FEES," AND ARTICLE III, "MOBILITY FEES," AT SECTION 122-24, "CALCULATION OF MOBILITY FEE," TO WAIVE CONCURRENCY AND MOBILITY FEES FOR NON-ELDERLY AND ELDERLY LOW AND MODERATE INCOME HOUSING; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

**2:00 p.m. Second Reading Public Hearing**

Planning

Vice-Mayor Michael Góngora

First Reading on April 21, 2021 - R5 I

**ACTION: Ordinance [2021-4416](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Góngora to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0

## **MAY 12, 2021**

R5 F HEIGHT LIMITS FOR OFFICE USES - SUNSET HARBOUR NEIGHBORHOOD

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," AT DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-306, "DEVELOPMENT REGULATIONS," TO ALLOW FOR ADDITIONAL HEIGHT AND ESTABLISH DEVELOPMENT CRITERIA FOR OFFICE DEVELOPMENTS LOCATED IN THE SUNSET HARBOUR NEIGHBORHOOD; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**1:55 p.m. Second Reding Public Hearing**

Planning

Mayor Dan Gelber and Commissioner David Richardson

Continued from April 21, 2021 - R5 B

**ACTION: Ordinance [2021-4415](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading as amended by removing the words "and hotel" from the new text; seconded by Mayor Gelber. Roll Call: 6-0; Absent: Commissioner Arriola.

## MAY 12, 2021

### R5 E CHAPTER 46 - NOISE EXEMPTIONS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-157, ENTITLED "EXEMPTIONS," TO MODIFY IDENTIFIED EXEMPTIONS FROM THE PROHIBITION ON UNNECESSARY AND EXCESSIVE NOISE SET FORTH IN SECTION 46-152; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

#### **10:30 a.m. Second Reading Public Hearing**

Planning/Office of the City Attorney

Mayor Dan Gelber

First Reading on April 21, 2021 - R5 N

**ACTION: Ordinance [2021-4414](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-1; Opposed: Commissioner Arriola.

## MAY 12, 2021

### R5 D CHAPTER 6 - ALCOHOL HOURS OF SALE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE I, ENTITLED "IN GENERAL," SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLATIONS," TO AMEND THE HOURS OF SALE FOR ALCOHOLIC BEVERAGES BY ALCOHOLIC BEVERAGE ESTABLISHMENTS IN SPECIFIED AREAS OF THE CITY; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

#### **10:25 a.m. Second Reading Public Hearing**

Planning/Office of the City Attorney

Mayor Dan Gelber

First Reading on April 21, 2021 - R5 O

**ACTION: Ordinance [2021-4413](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance as amended on Second Reading; seconded by Mayor Gelber. Roll Call: 4-3; Opposed: Vice-Mayor Góngora, Commissioner Arriola and Commissioner Richardson.

## MAY 12, 2021

### R5 C PARKING REDUCTIONS FOR RESIDENTIAL USES IN MXE DISTRICT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," AT SECTION 130-31, ENTITLED "PARKING DISTRICTS ESTABLISHED," TO MODIFY PARKING REQUIREMENTS FOR NEW CONSTRUCTION WITHIN THE MXE DISTRICT LOCATED IN THE OCEAN DRIVE/COLLINS AVENUE LOCAL HISTORIC DISTRICT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

#### **10:20 a.m. Second Reading Public Hearing**

Planning

Commissioner Ricky Arriola

First Reading on April 21, 2021 - R5 M

**ACTION: Ordinance [2021-4412](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 6-0; Absent: Vice-Mayor Góngora.

## APRIL 21, 2021

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING ARTICLE II, ENTITLED "PUBLIC PLACES," BY AMENDING DIVISION 2, ENTITLED "BICYCLING, SKATEBOARDING, ROLLER SKATING, IN-LINE SKATING, MOTORIZED MEANS OF TRANSPORTATION, ELECTRIC BICYCLES, MOPEDS, MOTORCYCLES, MOTORIZED BICYCLES, AND MOTORIZED SCOOTERS," BY AMENDING SECTION 70-70.1 THEREOF, ENTITLED "RESPONSIBILITIES OF PERSONS AND BUSINESS ENTITIES PROVIDING RENTALS OR LEASES OF MOPEDS, MOTORCYCLES, AND MOTORIZED BICYCLES," TO EXPAND THE CITY MANAGER'S AUTHORITY TO ORDER THE IMMEDIATE SUSPENSION AND CLOSURE OF THOSE BUSINESS ENTITIES RENTING OR LEASING CERTAIN VEHICLES UPON THE CITY MANAGER'S DECLARATION OF A HIGH IMPACT PERIOD; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

### **10:40 a.m. Second Reading Public Hearing**

Office of the City Attorney

First Reading on March 17, 2021 - R5 K

Commissioner David Richardson and Co-sponsored by Mayor Dan Gelber and Commissioner Mark Samuelian

**ACTION: Ordinance [2021-4411](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian. Roll Call: 6-1; Opposed: Commissioner Arriola.

## APRIL 21, 2021

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION" BY AMENDING ARTICLE VII, ENTITLED "STANDARDS OF CONDUCT," BY AMENDING 2-486 THEREOF, ENTITLED "CONE OF SILENCE," TO STRENGTHEN THE ROLE OF THE OFFICE OF INSPECTOR GENERAL IN PROCUREMENT-RELATED MATTERS, BY PROVIDING AN EXCEPTION FOR COMMUNICATIONS BETWEEN THE INSPECTOR GENERAL AND THEIR STAFF; BY AMENDING ARTICLE IX, ENTITLED "PROTECTION OF EMPLOYEES DISCLOSING SPECIFIED INFORMATION," BY AMENDING SECTIONS 2-518, 2-519, AND 2-520 THEREOF, TO ESTABLISH THE INSPECTOR GENERAL AS AN APPROPRIATE PARTY TO DISCLOSE INFORMATION WHICH WOULD BE PROTECTED UNDER ARTICLE IX (CITY'S WHISTLEBLOWER ORDINANCE); AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:35 a.m. Second Reading Public Hearing**

Office of the City Attorney

First Reading on March 17, 2021 - R5 L

Commissioner Mark Samuelian and Co-sponsored by Commissioner Meiner

**ACTION: Ordinance [2021-4410](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## APRIL 21, 2021

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CITY CODE, ENTITLED ADMINISTRATION, BY AMENDING ARTICLE VI THEREOF, ENTITLED PROCUREMENT, BY AMENDING DIVISION 3 THEREOF, ENTITLED CONTRACT PROCEDURES, BY AMENDING SECTION 2-378, ENTITLED "INSPECTOR GENERAL CONTRACT ALLOCATION," TO REPEAL PROVISIONS RELATING TO THE CONTRACT ALLOCATION METHODOLOGY UTILIZED FOR FUNDING THE OFFICE OF INSPECTOR GENERAL; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

### **10:30 a.m. Second Reading Public Hearing**

Office of Management and Budget/Office of the City Attorney

First Reading on March 17, 2021 - R5 J

Sponsored by Commissioner Mark Samuelian

**ACTION: Ordinance [2021-4409](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## APRIL 21, 2021

R5 D AMENDMENTS TO COMPOSITION OF DRB AND PB

AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 118 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE II, ENTITLED "BOARDS," DIVISION 2, ENTITLED "PLANNING BOARD," SECTION 118-53, ENTITLED "COMPOSITION"; AND DIVISION 3, ENTITLED "DESIGN REVIEW BOARD," SECTION 118-72, ENTITLED "MEMBERSHIP"; TO AMEND THE QUALIFICATIONS FOR THE CITIZEN AT LARGE MEMBERSHIP CATEGORY ON THE PLANNING BOARD AND DESIGN REVIEW BOARD; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:25 a.m. Second Reading Public Hearing**

Planning

First Reading on March 17, 2021 - R5 G

Vice-Mayor Michael Góngora

**ACTION: Ordinance [2021-4408](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Góngora to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian. Roll Call: 7-0.

## APRIL 21, 2021

R5 C FAENA DISTRICT OVERLAY - REVISED BUILDING HEIGHT LIMIT

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, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, ENTITLED "OVERLAY DISTRICTS," AMENDING DIVISION 10, ENTITLED "FAENA DISTRICT OVERLAY," SECTION 142-869, ENTITLED "COMPLIANCE WITH REGULATIONS," TO AMEND THE MAXIMUM ALLOWABLE HEIGHT FOR RM-3 OCEANFRONT LOTS GREATER THAN 70,000 SQUARE FEET IN SIZE, WHICH ALSO CONTAIN A CONTRIBUTING HISTORIC STRUCTURE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:20 a.m. Second Reading Public Hearing**

Planning

First Reading on March 17, 2021 - R5 F

Commissioner Ricky Arriola

**ACTION: Ordinance [2021-4407](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Góngora. Roll Call: 7-0.

## MARCH 17, 2021

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 26 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "CIVIL EMERGENCIES," BY AMENDING ARTICLE 2, ENTITLED "STATE OF EMERGENCY," BY AMENDING SECTION 26-31 THEREOF, ENTITLED "DECLARATION OF EMERGENCY," BY CLARIFYING AND UPDATING CERTAIN PROVISIONS CONTAINED THEREIN; AND BY AMENDING SECTION 26-33 THEREOF, ENTITLED "DISCRETIONARY EMERGENCY MEASURES," BY UPDATING CERTAIN TERMS CONTAINED THEREIN; AND BY AMENDING SECTION 26-34 THEREOF, ENTITLED "FILING

AND PUBLICATION," TO PROVIDE FURTHER PUBLIC NOTIFICATION REQUIREMENTS PERTAINING TO THE DECLARATION OF A STATE OF EMERGENCY OR EMERGENCY MEASURES IMPLEMENTED PURSUANT THERETO; AND BY AMENDING SECTION 26-36 THEREOF, ENTITLED "VIOLATIONS," TO ESTABLISH SPECIFIED PENALTIES FOR THOSE BUSINESS ESTABLISHMENTS OPERATING IN VIOLATION OF AN IMPOSED CURFEW; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing**

Office of the City Attorney

First Reading on February 24, 2021 - R5 A

Mayor Dan Gelber

**ACTION: Ordinance [2021-4406](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 5-2; Opposed: Commissioners Arriola and Meiner.

## **MARCH 17, 2021**

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 31 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PURCHASING," BY AMENDING ARTICLE II THEREOF, ENTITLED "CONSTRUCTION CONTRACTS - MINIMUM WAGES AND BENEFITS," BY AMENDING SECTION 31-27, ENTITLED "ESTABLISHMENT OF MINIMUM WAGES," TO EXTEND THE WAGE REQUIREMENTS OF THE ORDINANCE TO CONSTRUCTION PROJECTS ON CITY-OWNED LAND THAT ARE DEVELOPED BY PERSONS OR ENTITIES OTHER THAN THE CITY, PURSUANT TO A (I) DEVELOPMENT AGREEMENT, (II) GROUND LEASE, OR (III) MANAGEMENT AGREEMENT WITH THE CITY; BY AMENDING SECTION 31-31, "ENTITLED EXCEPTIONS," TO EXEMPT CERTAIN PROJECTS FROM THE REQUIREMENTS OF THE ORDINANCE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing**

Office of the City Attorney

First Reading on February 24, 2021 - R5 G

Commissioner David Richardson and Co-sponsored by Commissioner Micky Steinberg

**ACTION: Ordinance [2021-4405](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Commissioner Steinberg. Roll Call: 7-0.

## **MARCH 17, 2021**

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14, "ENTITLED "BUILDING REGULATIONS," DIVISION 2, "PERMIT FEES," AT SECTION 14-61, ENTITLED "PERMITTING FEES, GENERALLY" TO TEMPORARILY WAIVE PERMIT FEES FOR ELECTRIC VEHICLE CHARGING STATIONS ON PRIVATE PROPERTIES UNTIL MARCH 31, 2023; AMENDING APPENDIX A, "FEE SCHEDULE," TO REFLECT ELECTRIC VEHICLE CHARGING STATION PERMIT FEE WAIVERS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing**

Environment and Sustainability

First Reading on February 10, 2021 - R5 F

Commissioner Mark Samuelian and Co-sponsored by



Vice-Mayor Góngora and Commissioner Steinberg

**ACTION: Ordinance [2021-4404](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Góngora. Roll Call: 7-0

## MARCH 17, 2021

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFES," BY AMENDING SUBDIVISION II, ENTITLED "PERMIT," BY AMENDING SECTION 82-382 THEREOF, ENTITLED "APPLICATION," BY ESTABLISHING CRITERIA TO BE UTILIZED IN THE DETERMINATION OF WHETHER AN APPLICATION, SEEKING ISSUANCE OR RENEWAL OF A SIDEWALK CAFÉ PERMIT, SHOULD BE APPROVED OR DENIED; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:25 a.m. Second Reading Public Hearing**

Public Works

First Reading on February 10, 2021 - R5 J

Commissioner Mark Samuelian, Commissioner Steven Meiner and Mayor Dan Gelber

**ACTION: Ordinance [2021-4403](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Commissioner Meiner. Roll Call: 7-0.

## MARCH 17, 2021

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING APPENDIX A, "FEE SCHEDULE," TO REVISE AND ESTABLISH FEES CHARGED FOR REINSPECTION ON BUILDING PERMITS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:05 a.m. Second Reading Public Hearing**

Building

First Reading on February 10, 2021 - R5 D

Vice-Mayor Michael Góngora

**ACTION: Ordinance [2021-4402](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Góngora to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## FEBRUARY 10, 2021

R5 C PARKING REDUCTIONS - HARDING TOWNSITE AND MXE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," AT SECTION 130-31, ENTITLED "PARKING DISTRICTS ESTABLISHED," TO MODIFY PARKING REQUIREMENTS FOR NEW CONSTRUCTION WITHIN CD-2 OR MXE DISTRICTS LOCATED IN THE OCEAN DRIVE/COLLINS AVENUE OR HARDING TOWNSITE LOCAL HISTORIC DISTRICTS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

### **10:15 a.m. Second Reading Public Hearing**

Planning

First Reading on January 13, 2021 - R5 L

Commissioner Ricky Arriola

**ACTION: Ordinance [2021-4401](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 6-1; Opposed: Commissioner Steinberg.

## **FEBRUARY 10, 2021**

R5 B PRE-1942 SINGLE-FAMILY FENCE HEIGHT MODIFICATIONS

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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 2, ENTITLED "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," SECTION 142-106, ENTITLED "SETBACK REQUIREMENTS FOR A SINGLE-FAMILY DETACHED DWELLING," TO MODIFY FENCE REQUIREMENTS; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

### **10:10 a.m. Second Reading Public Hearing**

Planning

First Reading on January 13, 2021 - R5 M

Commissioner Micky Steinberg

**ACTION: Ordinance [2021-4400](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian. Roll Call: 7-0.

## **FEBRUARY 10, 2021**

R5 A INTERNATIONAL INN - 2301 NORMANDY DRIVE HISTORIC SITE DESIGNATION

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE MIAMI BEACH CITY CODE, BY AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE X, ENTITLED "HISTORIC PRESERVATION," DIVISION 4, ENTITLED "DESIGNATION," SECTION 118-593, ENTITLED "HISTORIC PRESERVATION DESIGNATION," AT SUBSECTION (E), ENTITLED "DELINEATION ON ZONING MAP," BY DESIGNATING ONE OR MORE BUILDINGS AT 2301 NORMANDY DRIVE AS AN HISTORIC SITE TO BE KNOWN AS "INTERNATIONAL INN, 2301 NORMANDY DRIVE," AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING THAT THE CITY'S ZONING MAP SHALL BE AMENDED TO INCLUDE 2301 NORMANDY DRIVE AS AN HISTORIC SITE; ADOPTING THE DESIGNATION REPORT ATTACHED HERETO AS APPENDIX "A"; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

### **10:05 a.m. Second Reading Public Hearing**

Planning

First Reading on January 13, 2021 - R5 K

Historic Preservation Board & Commissioner Góngora

**ACTION: Ordinance [2021-4399](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian. Roll Call: 7-0.

## **JANUARY 27, 2021**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI

BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFES," BY AMENDING SUBDIVISION I, ENTITLED "GENERALLY," BY AMENDING SECTION 82-371 THEREOF, ENTITLED "CIVIL FINES AND PENALTIES; DENIAL OF FUTURE PERMITS TO REPEAT VIOLATORS; ENHANCED PENALTIES," BY MODIFYING THOSE PENALTIES TO BE IMPOSED FOR VIOLATIONS OF THIS DIVISION; AND BY AMENDING SUBDIVISION II, ENTITLED "PERMIT," BY AMENDING SECTION 82-382 THEREOF, ENTITLED "APPLICATION," BY FURTHER ENHANCING THE PROHIBITION FOR PERMITTEES THAT REPEATEDLY VIOLATE THIS DIVISION; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**5:01 p.m. Second Reading Public Hearing**

Office of the City Attorney

Mayor Dan Gelber & Commissioner Mark Samuelian

First Reading on January 13, 2021 - R5 C

**ACTION: Ordinance [2021-4398](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## **JANUARY 13, 2021**

R5 J CD-2 ALTON ROAD OUTDOOR MOVIE THEATERS - REVISED BOUNDARIES

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-310, ENTITLED "SPECIAL REGULATIONS FOR ALCOHOL BEVERAGE ESTABLISHMENTS," TO MODIFY THE BOUNDARIES OF THE AREA IN WHICH OUTDOOR MOTION PICTURE THEATERS AND ACCESSORY OUTDOOR BAR COUNTERS ARE PERMITTED; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:03 p.m. Second Reading Public Hearing**

Planning

First Reading PH on December 9, 2020 - R5 L

Commissioner Mark Samuelian

**ACTION: Ordinance [2021-4397](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora. Roll Call: 7-0.

## **JANUARY 13, 2021**

R5 I POST DISASTER TEMPORARY ZONING RELIEF

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE II, ENTITLED "BOARDS," DIVISION 2, ENTITLED "PLANNING BOARD," SECTION 118-52, ENTITLED "MEETINGS AND PROCEDURES"; DIVISION 3, ENTITLED "DESIGN REVIEW BOARD," SECTION 118-75, ENTITLED "QUORUM AND VOTING"; DIVISION 4, "HISTORIC PRESERVATION BOARD," SECTION 118-106, ENTITLED "QUORUM AND VOTING"; AND DIVISION 5, ENTITLED "BOARD OF ADJUSTMENT," SECTION 118-135, ENTITLED "MEETINGS AND RECORDS," TO AMEND REQUIREMENTS PERTAINING TO ATTENDANCE AND PARTICIPATION AT PUBLIC MEETINGS; BY AMENDING CHAPTER 118,

ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," CREATING ARTICLE XIII, TO BE ENTITLED "TEMPORARY EMERGENCY USES," TO ESTABLISH A PROCESS TO AUTHORIZE TEMPORARY USES DURING A STATE OF EMERGENCY; BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 2, ENTITLED "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," SECTION 142-106, ENTITLED "SETBACK REQUIREMENTS FOR A SINGLE-FAMILY DETACHED DWELLING," TO AUTHORIZE THE USE OF A CAMPER TRAILER OR RECREATIONAL VEHICLE AS A TEMPORARY DWELLING DURING A STATE OF EMERGENCY, WHERE A RESIDENCE HAS BEEN DEEMED UNINHABITABLE; AND BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 1, ENTITLED "GENERALLY," AT SECTION 142-874, ENTITLED "REQUIRED ENCLOSURES," TO AUTHORIZE THE LIMITED OUTDOOR SALE AND RENTAL OF HOME IMPROVEMENT PRODUCTS DURING A STATE OF EMERGENCY; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

**5:02 p.m. Second Reading Public Hearing**

Planning

First Reading PH on December 9, 2020 - R5 K

Commissioner Mark Samuelian

**ACTION: Ordinance [2021-4396](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora. Roll Call: 7-0.

## **JANUARY 13, 2021**

R5 H SUNSET HARBOUR PROHIBITED USE REGULATIONS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," (1) AT DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-303, "CONDITIONAL USES" AND SECTION 142-305, "PROHIBITED USES"; AND (2) AT DIVISION 11, "1-1 LIGHT INDUSTRIAL DISTRICT," SECTION 142-483, "CONDITIONAL USES" AND SECTION 142-485, "PROHIBITED USES," TO MODIFY CONDITIONAL AND PROHIBITED USES IN THE SUNSET HARBOUR NEIGHBORHOOD, GENERALLY BOUNDED BY PURDY AVENUE, 20TH STREET, ALTON ROAD, AND DADE BOULEVARD; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:01 p.m. Second Reading Public Hearing**

Planning

First Reading PH on December 9, 2020 - R5 J

Commissioner Ricky Arriola

**ACTION: Ordinance [2021-4395](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora. Roll Call: 7-0.

## **JANUARY 13, 2021**

R5 G MODIFICATIONS TO LANDSCAPE REQUIREMENTS FOR SMALL ADDITIONS

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," BY AMENDING CHAPTER 126, ENTITLED "LANDSCAPE REQUIREMENTS," SECTION 126-3, ENTITLED "SHORT TITLE AND

APPLICABILITY,” TO PROVIDE EXEMPTIONS TO THE CITY OF MIAMI BEACH LANDSCAPE ORDINANCE FOR ADDITIONS TO EXISTING BUILDINGS UNDER CERTAIN CIRCUMSTANCES; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

**2:30 p.m. Second Reading Public Hearing**

Planning

First Reading on December 9, 2020 - R5 P

Commissioner Micky Steinberg

**ACTION: Ordinance [2021-4394](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 7-0.

## **JANUARY 13, 2021**

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 54 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED “FLOODS,” BY CREATING ARTICLE III, TO BE ENTITLED “RESILIENCY STANDARDS FOR TIDAL FLOOD PROTECTION,” TO STATE THE PURPOSE AND INTENT OF THE ARTICLE; ESTABLISH DEFINITIONS; AND ESTABLISH CONSTRUCTION STANDARDS THAT ENSURE THAT SEAWALLS AND OTHER TIDAL FLOOD BARRIERS STRENGTHEN COASTAL RESILIENCE AND MITIGATE THE EFFECTS OF TIDAL FLOODING AND SEA LEVEL RISE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**2:25 p.m. Second Reading Public Hearing**

Environment and Sustainability

First Reading on December 9, 2020 - R5 N

Commissioner Mark Samuelian

Supplemental updated on 1/8/2021 (Ordinance)

**ACTION: Ordinance [2021-4393](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian. Roll Call: 6-0; Absent: Commissioner Arriola.

## **JANUARY 13, 2021**

### **SUPPLEMENTAL MATERIAL 1: MEMORANDUM AND ORDINANCE**

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE MIAMI BEACH CITY CODE, ENTITLED "ENVIRONMENT," TO CREATE ARTICLE IX THEREOF, TO BE ENTITLED “USE OF FERTILIZER,” RELATING TO FLORIDA FRIENDLY FERTILIZER USE WITHIN THE CITY OF MIAMI BEACH, PROVIDING FOR DEFINITIONS, APPLICABILITY, TIMING OF FERTILIZER APPLICATIONS, FERTILIZER FREE ZONES, FERTILIZER CONTENT AND APPLICATION REQUIREMENTS, AND MANAGEMENT OF VEGETATIVE MATTER, OUTLINING CERTAIN EXEMPTIONS, REQUIRING TRAINING AND LICENSING, PROVIDING ENFORCEMENT AND PENALTIES; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**2:20 p.m. Second Reading Public Hearing**

Environment and Sustainability

Continued from December 9, 2020 - R5 E

Commissioner Góngora and

Co-sponsored by Mayor Gelber and Commissioners Samuelian, Steinberg and Richardson

Supplemental updated on 1/8/2021 (Memorandum and Ordinance)

**ACTION: Ordinance [2021-4392](#) adopted as amended.** Title of the Ordinance read into the



record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance as amended on Second Reading; seconded by Commissioner Góngora. Roll Call: 7-0.

**AMENDMENT:**

City parks will be subject to the requirements of the Ordinance, except for limited high impact areas in parks that show visible wear and tear; the City Manager would have to approve such areas annually.

## **JANUARY 13, 2021**

### **R5 D COMMERCIAL HEIGHT LIMITS FOR OFFICE USES - ALTON ROAD AND TERMINAL ISLAND**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS, "(1) AT DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-306, "DEVELOPMENT REGULATIONS"; AND (2) AT DIVISION 11, "1-1 LIGHT INDUSTRIAL DISTRICT," SECTION 142-486, "DEVELOPMENT REGULATIONS," TO ALLOW FOR ADDITIONAL HEIGHT FOR DEVELOPMENTS WITH SIGNIFICANT OFFICE COMPONENTS LOCATED ON ALTON ROAD BETWEEN 6TH STREET AND COLLINS CANAL, AND ON TERMINAL ISLAND; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:45 a.m. Second Reading Public Hearing**

Planning

First Reading on December 9, 2020 - R5 O

Mayor Dan Gelber and Commissioner David Richardson

**ACTION: Ordinance [2021-4391](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## **JANUARY 13, 2021**

### **R5 B CHAPTER 18. ~~HERITAGE~~ LEGACY BUSINESS ESTABLISHMENTS**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 18 OF THE MIAMI BEACH CITY CODE, ENTITLED "BUSINESSES," BY CREATING ARTICLE XVIII, ENTITLED "MIAMI BEACH HERITAGE LEGACY BUSINESS REGISTRY"; BY CREATING SECTION 18-930, ENTITLED "PURPOSE," AND SECTION 18-931, ENTITLED "MINIMUM REQUIREMENTS, CRITERIA, AND PROCEDURE FOR DESIGNATION OF HERITAGE LEGACY BUSINESS ESTABLISHMENTS," TO CREATE THE MIAMI BEACH ~~HERITAGE~~ LEGACY BUSINESS REGISTRY, AND ESTABLISH THE PURPOSE, MINIMUM REQUIREMENTS, CRITERIA, AND PROCEDURE FOR THE DESIGNATION OF QUALIFIED BUSINESSES AS ~~HERITAGE~~ LEGACY BUSINESS ESTABLISHMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:31 a.m. Second Reading Public Hearing**

Planning

First Reading on December 4, 2020 - R5 B

Mayor Dan Gelber

**ACTION: Ordinance [2021-4390](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## **JANUARY 13, 2021**

## R5 A CHAPTER 46 - NOISE EXEMPTIONS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-157, ENTITLED "EXEMPTIONS," TO MODIFY IDENTIFIED EXEMPTIONS FROM THE PROHIBITION ON UNNECESSARY AND EXCESSIVE NOISE SET FORTH IN SECTION 46-152; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:30 a.m. Second Reading Public Hearing**

Planning

Mayor Dan Gelber

First Reading on December 4, 2020 - R5 A

**ACTION: Ordinance [2021-4389](#) adopted as is.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 6-1; Opposed: Commissioner Arriola.

## **DECEMBER 9, 2020**

### R5 M RENTAL PROHIBITION OF CERTAIN MOTOR VEHICLES

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE I, ENTITLED "GENERAL TO ALL ZONING DISTRICTS," BY CREATING SECTION 142-3, ENTITLED "RENTALS OR LEASES OF MOPEDS, MOTORCYCLES THAT ARE POWERED BY A MOTOR WITH A DISPLACEMENT OF 50 CUBIC CENTIMETERS OR LESS, AND MOTORIZED BICYCLES PROHIBITED IN THE CITY OF MIAMI BEACH," WHICH SHALL PROHIBIT PERSONS AND BUSINESS ENTITIES FROM ENGAGING IN THE RENTAL OR LEASE OF CERTAIN IDENTIFIABLE VEHICLES (WHICH SHALL INCLUDE, BUT NOT BE LIMITED TO MOPEDS, MOTORIZED BICYCLES, GOLF CARTS AND LOW SPEED VEHICLES) AND ESTABLISHING THOSE RESPECTIVE DEFINITIONS FOR SUCH PROHIBITED VEHICLES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **5:01 p.m. Second Reading Public Hearing**

Planning/Office of the City Attorney

Sponsored by Commissioner David Richardson & Co-Sponsored by Commissioner Samuelian

First Reading PH on November 18, 2020 - R5 B

Supplemental updated on 12/8/2020

**ACTION: Ordinance [2020-4388](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian, Roll Call: 6-0; Absent: Commissioner Arriola.

## **DECEMBER 9, 2020**

### R5 I BUILDING PERMIT REPRIEVE PROGRAM

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "BUILDING REGULATIONS," BY AMENDING ARTICLE II, ENTITLED "CONSTRUCTION STANDARDS," BY AMENDING DIVISION IV THEREOF, ENTITLED "BUILDING PERMIT REPRIEVE PROGRAM," BY AMENDING SECTIONS 14-85, AND 14-87 TO PROVIDE FOR THE ONE YEAR PERMIT REPRIEVE PROGRAM FOR OWNERS OF SINGLE FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, MIXED USE OR COMMERCIAL PROPERTIES WHO HAVE FAILED TO OBTAIN A BUILDING PERMIT(S), OR

HAVE EXPIRED PERMITS; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AN EFFECTIVE DATE, AND A SUNSET PROVISION.

**9:50 a.m. Second Reading Public Hearing**

Building

Sponsored by Commissioner Micky Steinberg

First Reading on November 18, 2020 - R5 T

**ACTION: Ordinance [2020-4387](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Ana Salgueiro to handle.**

## **DECEMBER 9, 2020**

R5 H AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 34 OF THE CODE OF THE CITY OF MIAMI BEACH ENTITLED "COMMUNITY DEVELOPMENT," BY AMENDING ARTICLE III THEREOF, ENTITLED "SAFE NEIGHBORHOOD IMPROVEMENT DISTRICTS," BY AMENDING DIVISION 5, ENTITLED "DISTRICT 4," BY AMENDING SECTION 34-203 THEREOF, TO ELIMINATE THE AD VALOREM CAP OF \$500 PER PROPERTY PER YEAR, CONSISTENT WITH ORDINANCE NO. 2002-3380; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

**9:45 a.m. Second Reading Public Hearing**

Office of the City Attorney

Sponsored by Commissioner David Richardson

First Reading on November 18, 2020 - R5 Q

**ACTION: Ordinance [2020-4386](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## **DECEMBER 9, 2020**

R5 G ABANDONED AND VACANT PROPERTIES REGISTRY - REVENUES AND FEES  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING APPENDIX A, "FEE SCHEDULE," TO REVISE AND ESTABLISH FEES CHARGED FOR SERVICES RELATED TO THE REGISTRATION OF ABANDONED AND VACANT PROPERTIES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**9:40 a.m. Second Reading Public Hearing**

Planning

Sponsored by Commissioner Ricky Arriola and Co-sponsored by Vice-Mayor Steven Meiner

First Reading on November 18, 2020 - R5 N

**ACTION: Ordinance [2020-4385](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola. Roll Call: 7-0.

## **DECEMBER 9, 2020**

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 110 OF THE CODE OF THE CITY OF MIAMI BEACH ENTITLED "UTILITIES," ARTICLE IV, ENTITLED "FEES, CHARGES, RATES AND BILLING PROCEDURE," BY AMENDING SECTION 110-166 THEREOF, ENTITLED "SCHEDULE OF MONTHLY WATER USER RATES AND TAPPING CHARGES;" BY

AMENDING SECTION 110-168 THEREOF, ENTITLED "SCHEDULE OF MONTHLY SANITARY SEWER USER RATES" ARE TO BE AMENDED; AND BY AMENDING SECTION 110-171 THEREOF, ENTITLED "RATE INDEXING," IN ORDER TO ADJUST AND MODIFY HOW WATER AND SANITARY SEWER RATES ARE CALCULATED AND APPLIED; AND FURTHER, AMENDING APPENDIX A OF THE CITY CODE, ENTITLED "FEE SCHEDULE," TO INCREASE THE WATER RATES AND SANITARY SEWER SERVICE CHARGES IMPOSED BY THE CITY PURSUANT TO SECTIONS 110-166, 110-168, 110-171, AND APPENDIX A; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**9:35 a.m. Second Reading Public Hearing**

Public Works

Sponsored by Commissioner David Richardson

First Reading on November 18, 2020 - R5 R

**ACTION: Ordinance [2020-4384](#) adopted as amended.** Heard with related Item R9 W. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading implementing Option 2; seconded by Commissioner Arriola. Roll Call: 4-3: Opposed: Mayor Gelber and Commissioners Góngora and Samuelian.

## **DECEMBER 9, 2020**

R5 D REPLACEMENT OF FLOOR PLATES IN NONCONFORMING CONTRIBUTING BUILDINGS

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, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING ARTICLE IX, "NONCONFORMANCES," BY AMENDING SECTION 118-395, ENTITLED "REPAIR AND/OR REHABILITATION OF NONCONFORMING BUILDINGS AND USES," TO AUTHORIZE THE HISTORIC PRESERVATION BOARD TO APPROVE THE RECONSTRUCTION OF ORIGINAL INTERIOR FLOOR PLATES IN CONTRIBUTING BUILDINGS ON LOTS THAT ARE NON-CONFORMING AS TO FLOOR AREA RATIO (FAR), SUBJECT TO CERTAIN SPECIFIED CONDITIONS; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

**9:25 a.m. Second Reading Public Hearing**

Planning

Sponsored by Mayor Dan Gelber

First Reading on July 29, 2020 - R5 P

**ACTION: Ordinance [2020-4383](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## **DECEMBER 9, 2020**

R5 C WOLFSONIAN ARTS DISTRICT - LDR

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," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," BY AMENDING SECTION 142-309, ENTITLED "WASHINGTON AVENUE DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," CREATING SECTION 142-309.1, ENTITLED "WOLFSONIAN ARTS DISTRICT' TO ADOPT FLOOR AREA RATIO, HEIGHT, AND SETBACK REGULATIONS PERTAINING TO A UNIQUE CULTURAL

INSTITUTION; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**9:20 a.m. Second Reading Public Hearing**

Planning

Sponsored by Commissioner David Richardson

First Reading on July 29, 2020 - R5 O

**ACTION: Ordinance [2020-4382](#) adopted.** Heard with R5 B. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0. **Thomas Mooney to handle.**

## **DECEMBER 9, 2020**

R5 B WOLFSONIAN ARTS DISTRICT - COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH 2040 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING THE "RESILIENT LAND USE ELEMENT," OBJECTIVE RLU 1.1 ENTITLED "ESTABLISHMENT OF FUTURE LAND USE CATEGORIES," AT POLICY RLU 1.1.9, ENTITLED "MEDIUM INTENSITY COMMERCIAL (CD-2)," TO INCREASE THE MAXIMUM FLOOR AREA RATIO (FAR) WITHIN THE "WOLFSONIAN ARTS DISTRICT;" AND DESIGNATING THE "WOLFSONIAN ARTS DISTRICT" ON THE FUTURE LAND USE MAP; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**9:15 a.m. Second Reading Public Hearing**

Planning

Sponsored by Commissioner David Richardson

First Reading on July 29, 2020 - R5 N

**ACTION: Ordinance [2020-4381](#) adopted.** Heard with R5 C. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## **DECEMBER 9, 2020**

R5 A MODIFICATIONS TO FAR EXEMPTIONS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, AT SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISIONS," AT SECTION 114-1, ENTITLED "DEFINITIONS," TO AMEND THE DEFINITION OF FLOOR AREA BY AMENDING THE LIST OF AREAS EXCLUDED FROM THE DEFINITION OF FLOOR AREA; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**9:10 a.m. Second Reading Public Hearing**

Planning

Sponsored by Mayor Dan Gelber

First Reading on July 29, 2020 - R5 M

**ACTION: Ordinance [2020-4380](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Roll Call: 7-0.

## **NOVEMBER 18, 2020**

R5 L R-PS4 ACCESSORY USE AMENDMENTS FOR NIE

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," BY AMENDING CHAPTER 142 OF THE CITY CODE ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 18, ENTITLED "PS PERFORMANCE STANDARD DISTRICT," BY AMENDING SECTION 142-693, ENTITLED "PERMITTED USES," TO PERMIT NEIGHBORHOOD IMPACT ESTABLISHMENTS AS A CONDITIONAL USE WHEN SUCH USE IS AN ACCESSORY TO OCEANFRONT APARTMENT BUILDINGS WITH 300 UNITS MORE, AND TO FURTHER PERMIT SUCH NEIGHBORHOOD IMPACT ESTABLISHMENTS APPROVED BY THE PLANNING BOARD AS A CONDITIONAL USE TO OPERATE OPEN AREAS ABOVE THE GROUND FLOOR WITH A MAXIMUM PATRON-OCCUPANT LOAD OF 250 PERSONS, SUBJECT TO SPECIFIC USE LIMITATIONS INTENDED TO PREVENT IMPACTS ON NEIGHBORING RESIDENTIAL COMMUNITIES, AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:08 p.m. Second Reading Public Hearing**

Planning Commissioner Ricky Arriola

Continued from October 14, 2020 - R5 H

**ACTION: Ordinance [2020-4379](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora; Roll Call: 7-0.

## **NOVEMBER 18, 2020**

R5 K SUNSET HARBOUR NEIGHBORHOOD IDENTITY OVERLAY DISTRICT – LDR AMENDMENTS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," AT ARTICLE III, ENTITLED "OVERLAY DISTRICTS," TO ESTABLISH DIVISION 14, ENTITLED "SUNSET HARBOUR MIXED-USE NEIGHBORHOOD OVERLAY DISTRICT," TO PROVIDE REGULATIONS ON FORMULA RESTAURANT AND FORMULA COMMERCIAL ESTABLISHMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**5:07 p.m. Second Reading Public Hearing**

Planning Commissioner Ricky Arriola

First Reading PH on September 16, 2020 - R5 I

**ACTION: Ordinance [2020-4378](#) adopted as amended.** Heard with Items R5 J & R9 S. See action with R5 J. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora; Roll Call: 7-0.

## **NOVEMBER 18, 2020**

R5 J SUNSET HARBOUR NEIGHBORHOOD IDENTITY OVERLAY - COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH AMENDING THE 2040 COMPREHENSIVE PLAN, BY AMENDING THE "RESILIENT LAND USE AND DEVELOPMENT ELEMENT," GOAL RLU 1, ENTITLED "LAND USE," TO ESTABLISH OBJECTIVE RLU 1.5, TO BE ENTITLED "NEIGHBORHOOD IDENTITY," TO PROVIDE POLICIES THAT FOSTER CONTINUED DEVELOPMENT AND PRESERVATION OF UNIQUE NEIGHBORHOODS, PROVIDE FOR THE INCLUSION IN THE COMPREHENSIVE PLAN OF POLICIES THAT PROVIDE VISION AND GUIDANCE FOR SPECIFIC NEIGHBORHOODS, AND ESTABLISH A POLICY SPECIFIC TO THE SUNSET HARBOUR NEIGHBORHOOD THAT FOSTERS ITS UNIQUE SMALL-TOWN, NEIGHBORHOOD-

SERVING, AND MIXED-USE CHARACTER; AND BY AMENDING THE 2040 COMPREHENSIVE PLAN MAP SERIES TO ESTABLISH A "NEIGHBORHOODS MAP"; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:06 p.m. Second Reading Public Hearing**

Planning

Sponsored by Commissioner Ricky Arriola

First Reading PH September 16, 2020 - R5 H

**ACTION: Ordinance [2020-4377](#) adopted as amended.** Heard with Items R5 K & R9 S. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora; Roll Call: 7-0.

## **NOVEMBER 18, 2020**

R5 I RM1 HOTEL USES AT DESIGNATED HISTORIC SITES IN NORTH BEACH - LDR REGULATIONS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 3, "RESIDENTIAL MULTI-FAMILY DISTRICTS," SUBDIVISION II, "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," BY AMENDING SECTION 142-152, "MAIN PERMITTED AND PROHIBITED USES," SECTION 142-153, "CONDITIONAL USES," SECTION 142-154, "ACCESSORY USES," AND SECTION 142-155, "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO MODIFY THE DEVELOPMENT REGULATIONS AND USE REQUIREMENTS FOR DESIGNATED HISTORIC SITES IN NORTH BEACH; BY AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," SECTION 130-32, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1," AND 130-36, "OFF-SITE PARKING FACILITIES," AND ARTICLE V, "FEE IN LIEU OF PARKING PROGRAM," SECTION 130-132, "FEE CALCULATION," TO AMEND THE REQUIREMENTS FOR OFF SITE PARKING FACILITIES AND THE REMOVAL OF EXISTING PARKING SPACES, WITHIN DESIGNATED HISTORIC SITES IN NORTH BEACH; AND BY AMENDING CHAPTER 6, ENTITLED "ALCOHOLIC BEVERAGES," SECTION 6-4, ENTITLED "LOCATION AND USE RESTRICTIONS," TO PROVIDE FOR AN EXEMPTION FROM DISTANCE SEPARATION REQUIREMENTS FOR DESIGNATED HISTORIC SITES IN NORTH BEACH; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

**5:05 p.m. Second Reading Public Hearing**

Planning

Sponsored by Commissioner Ricky Arriola

First Reading PH September 16, 2020 - R5 G

**ACTION: Ordinance [2020-4376](#) adopted.** Item heard with R5 H. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora; Roll Call: 6-0; Absent: Steinberg.

## **NOVEMBER 18, 2020**

R5 H RM1 HOTEL USES AT DESIGNATED HISTORIC SITES IN NORTH BEACH - COMPREHENSIVE PLAN REGULATIONS.

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH 2040 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING CHAPTER 1, ENTITLED "RESILIENT LAND USE AND DEVELOPMENT ELEMENT," AT POLICY RLU 1.1.5, ENTITLED "LOW DENSITY MULTI FAMILY RESIDENTIAL (RM-1)," TO ALLOW FOR HOTELS, APARTMENT HOTELS, AND

SUITE HOTELS AT DESIGNATED HISTORIC SITES IN NORTH BEACH; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**5:04 p.m. Second Reading Public Hearing**

Planning Commissioner Ricky Arriola

First Reading PH September 16, 2020 - R5 F

**ACTION: Ordinance [2020-4375](#) adopted.** Item heard with R5 I. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora. Roll Call: 6-0; Absent: Commissioner Steinberg.

## **NOVEMBER 18, 2020**

R5 G 4000 ALTON ROAD – LDR AMENDMENTS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, AT SUBPART B, ENTITLED, "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUB-DIVISION IV, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," CREATING SECTION 142-220, ENTITLED, "ADDITIONAL REGULATIONS FOR PROPERTIES THAT FRONT THE WEST SIDE OF ALTON ROAD AND THE JULIA TUTTLE CAUSEWAY," TO CREATE ZONING REGULATIONS FOR PROPERTIES LOCATED WITHIN SUCH AREA; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**5:03 p.m. Second Reading Public Hearing**

Planning Commissioner Ricky Arriola

First Reading on October 14, 2020 - R5 L

**ACTION: Ordinance [2020-4374](#) adopted.** Item heard with R5 E and R5 F. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian; Roll Call: 7-0; **Thomas Mooney to handle.**

## **NOVEMBER 18, 2020**

R5 F 4000 ALTON ROAD EXPANSION - FLUM / COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO THE PROCEDURES IN SECTION 163.3187, FLORIDA STATUTES, TO AMEND THE FUTURE LAND USE MAP OF THE MIAMI BEACH COMPREHENSIVE PLAN, BY CHANGING THE DESIGNATION FOR THE PARCEL LOCATED ABUTTING 4000 ALTON ROAD AND FRONTING 41ST STREET/INTERSTATE 195, FROM THE CURRENT DESIGNATION OF PF, "PUBLIC FACILITY: GOVERNMENT USE," TO THE PROPOSED DESIGNATION OF RM-2, "RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY;" PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**5:02 p.m. Second Reading Public Hearing**

Planning Commissioner Ricky Arriola

First Reading PH October 14, 2020 - R5 K

**ACTION: Ordinance [2020-4373](#) adopted.** Item heard with R5 E and R5 G Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola, seconded by Commissioner Samuelian with a unit restriction covenant. Roll Call: 7-0.

## NOVEMBER 18, 2020

R5 E 4000 ALTON ROAD EXPANSION - REZONING

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING DISTRICT MAP, REFERENCED IN SECTION 142-72 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL LOCATED ABUTTING 4000 ALTON ROAD AND FRONTING 41ST STREET/INTERSTATE 195, FROM THE CURRENT ZONING CLASSIFICATION OF GU, "GOVERNMENTAL USE," TO THE PROPOSED ZONING CLASSIFICATION OF RM-2, "RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY;" AND PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

### **5:01 p.m. Second Reading Public Hearing**

Planning

Commissioner Ricky Arriola

First Reading PH October 14, 2020 - R5 J

**ACTION: Ordinance [2020-4372](#) adopted.** Item heard with R5 F and R5 G. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola, seconded by Commissioner Samuelian with the proffer as accepted by the developer. Roll Call: 7-0.

### **DEVELOPER PROFFER:**

Voluntary proffer via covenant to do a unit count restriction for 187 units, draft of which he will sent via e-mail.

## NOVEMBER 18, 2020

R5 D MINIMUM FLOOD ELEVATION REQUIREMENTS FOR NON-RESIDENTIAL BUILDINGS  
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," BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISIONS," AT SECTION 114-1, ENTITLED "DEFINITIONS," TO MODIFY THE DEFINITION OF "HEIGHT OF BUILDING" AND ESTABLISH DEFINITIONS FOR "DESIGN FLOOD ELEVATION" AND "MINIMUM HEIGHT OF NON-RESIDENTIAL GROUND FLOOR"; AND BY AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION REVIEW AND PROCEDURES," ARTICLE IX, ENTITLED "NONCONFORMANCES," TO CLARIFY THAT MINIMUM FIRST FLOOR ELEVATION STANDARDS APPLY TO THE RECONSTRUCTION, REPAIR, OR REHABILITATION OF A NONCONFORMING STRUCTURE THAT HAS BEEN DAMAGED OR DEMOLISHED; AND BY AMENDING CHAPTER 133, ENTITLED "SUSTAINABILITY AND RESILIENCY," TO ESTABLISH ARTICLE III, TO BE ENTITLED "GROUND FLOOR STANDARDS FOR NONRESIDENTIAL BUILDINGS," TO ESTABLISH REGULATIONS FOR BUILDING FRONTAGES WITH NON-RESIDENTIAL USES ON THE GROUND FLOOR; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **9:40 a.m. Second Reading Public Hearing**

Planning

Commissioner Mark Samuelian

First Reading on October 14, 2020 - R5 Q

**ACTION: Ordinance [2020-4371](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora; Roll Call: 7-0.

## NOVEMBER 18, 2020

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 30, ENTITLED "COMMITTEE FOR QUALITY EDUCATION IN MIAMI BEACH SCHOOLS," BY AMENDING SECTION 2-190.137 THEREOF, ENTITLED "COMPOSITION, KNOWLEDGE AND EXPERIENCE" TO REFLECT THE NAME CHANGE OF SEVERAL MIAMI BEACH SCHOOLS; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**9:35 a.m. Second Reading Public Hearing**

Organizational Development and Performance Initiatives

First Reading on October 14, 2020 - R5 P Commissioner Micky Steinberg

**ACTION: Ordinance [2020-4370](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora; Roll Call: 7-0.

## **NOVEMBER 18, 2020**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING SECTION 70-70.1 THEREOF, ENTITLED "RESPONSIBILITIES OF PERSONS AND BUSINESS ENTITIES PROVIDING RENTALS OR LEASES OF MOPEDS, MOTORCYCLES, AND MOTORIZED BICYCLES," TO AMEND THE REGULATIONS APPLICABLE TO THE RENTAL OR LEASE OF MOPEDS, MOTORCYCLES, AND MOTORIZED BICYCLES BY REQUIRING THE INSTALLATION OF AN EMERGENCY POWER OFF (EPO) DEVICE ONTO EACH VEHICLE WITHIN A BUSINESS'S FLEET; AND BY REQUIRING ALL PERSONS THAT RENT OR LEASE MOPEDS, MOTORCYCLES, AND MOTORIZED BICYCLES TO RETURN SUCH VEHICLES PRIOR TO 7 PM EACH DAY; AND BY AMENDING SECTION 70-71 THEREOF, ENTITLED "ENFORCEMENT, PENALTIES," BY SETTING FORTH ADDITIONAL PENALTIES FOR VIOLATIONS OF SECTION 70-70.1; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

**9:05 a.m. Second Reading Public Hearing**

Office of the City Attorney

Sponsored by Vice-Mayor Steven Meiner & Co-sponsored by Commissioner Samuelian

First Reading on October 14, 2020 - R5 R

**ACTION: Ordinance [2020-4369](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Meiner; Roll Call: 6-1; Opposed: Commissioner Arriola.

## **OCTOBER 14, 2020**

R5 O RM-1 HOTELS ABUTTING LINCOLN LANE SOUTH - LDR AMENDMENTS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, ENTITLED "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," SECTION 142-152, ENTITLED "MAIN PERMITTED AND PROHIBITED USES," TO AMEND THE PERMITTED USES FOR PROPERTIES ABUTTING LINCOLN LANE SOUTH, BETWEEN DREXEL AVENUE AND LENOX AVENUE; AND AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," SECTION 130-32, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO.



1," TO AMEND THE OFF-STREET PARKING REQUIREMENTS FOR HOTEL UNITS ABUTTING LINCOLN LANE SOUTH BETWEEN DREXEL AVENUE AND LENOX AVENUE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

**5:02 p.m. Second Reading Public Hearing**

Planning

Commissioner Ricky Arriola

Continued from September 16, 2020 - R5 P

**ACTION: Ordinance [2020-4368](#) adopted.** Heard with R5 N. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Mayor Gelber; Roll Call: 7-0.

## **OCTOBER 14, 2020**

R5 N RM-1 HOTELS ABUTTING LINCOLN LANE SOUTH – COMPREHENSIVE PLAN AMENDMENTS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENT LAND USE AND DEVELOPMENT ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING GOAL RLU 1, ENTITLED "LAND USE," BY AMENDING OBJECTIVE RLU 1.1, "ESTABLISHMENT OF FUTURE LAND USE CATEGORIES," BY AMENDING POLICY RLU 1.1.5, ENTITLED "LOW DENSITY MULTI FAMILY RESIDENTIAL (RM-1)," TO MODIFY THE ALLOWABLE USES FOR PROPERTIES ABUTTING LINCOLN LANE SOUTH BETWEEN DREXEL AVENUE AND LENOX AVENUE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**5:01 p.m. Second Reading Public Hearing**

Planning

Commissioner Ricky Arriola

Continued from September 16, 2020 - R5 O

**ACTION: Ordinance [2020-4367](#) adopted.** Heard with R5 O. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Mayor Gelber; Roll Call: 7-0.

## **OCTOBER 14, 2020**

R5 M FAENA DISTRICT OVERLAY

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, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, ENTITLED "OVERLAY DISTRICTS," AMENDING DIVISION 10, ENTITLED "FAENA DISTRICT OVERLAY," TO AMEND THE PARKING REQUIREMENT FOR PLACE OF ASSEMBLY USE; AMEND THE ALLOWABLE HEIGHT FOR RM-3 OCEANFRONT LOTS GREATER THAN 70,000 SQUARE FEET IN SIZE, WHICH ALSO CONTAIN A CONTRIBUTING HISTORIC STRUCTURE; AND AMEND THE ALLOWABLE SETBACKS AND REQUIRED YARDS FOR RM-3 OCEANFRONT LOTS GREATER THAN 70,000 SQUARE FEET IN SIZE, WHICH ALSO CONTAIN A CONTRIBUTING HISTORIC STRUCTURE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**3:00 p.m. Second Reading Public Hearing**

Planning

Commissioner Ricky Arriola

First Reading on September 16, 2020 - R5 T

**ACTION: Ordinance [2020-4366](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson; Roll Call: 5-2; Opposed: Commissioners Meiner and Steinberg.

## **OCTOBER 14, 2020**

R5 I AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 30 OF THE MIAMI BEACH CITY CODE, ENTITLED "CODE ENFORCEMENT," BY AMENDING ARTICLE II, ENTITLED "SPECIAL MASTER," BY AMENDING SECTION 30-37, ENTITLED "TERMS OF OFFICE; COMPENSATION"; BY AMENDING THE COMPENSATION OF THE SPECIAL MASTER(S); PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

### **9:50 a.m. Second Reading Public Hearing**

Office of the City Clerk

First Reading on September 29, 2020 - R5 A

Sponsored by Commissioner Michael Góngora

**ACTION: Ordinance [2020-4365](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber; Roll Call: 6-0; Absent: Commissioner Góngora.

## **OCTOBER 14, 2020**

R5 G WEST AVENUE BAY FRONT OVERLAY - REMOVAL OF SUITE HOTELS  
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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, ENTITLED "OVERLAY DISTRICTS," DIVISION 5, ENTITLED "WEST AVENUE BAY FRONT OVERLAY," TO REMOVE SUITE HOTEL AND SUITE HOTEL UNITS AS ALLOWABLE USES IN THE WEST AVENUE BAY FRONT OVERLAY; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

### **9:40 a.m. Second Reading Public Hearing**

Planning

Sponsored by Vice-Mayor Mark Samuelian

First Reading PH September 16, 2020 - R5 J

**ACTION: Ordinance [2020-4364](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber; Roll Call: 6-0; Absent: Commissioner Góngora.

## **OCTOBER 14, 2020**

R5 E AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 66 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MARINE STRUCTURES, FACILITIES, AND VESSELS," BY AMENDING ARTICLE II, ENTITLED "RESTRICTED WAKE ZONES," BY AMENDING SECTION 66-43 ENTITLED "RESTRICTED AREAS," BY AMENDING SUBSECTIONS (B) AND (C) THEREOF TO AMEND THE BOUNDARIES OF THE SLOW SPEED, MINIMUM WAKE ZONE IN THE AREA OF THE MIAMI BEACH MARINA; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **9:30 a.m. Second Reading Public Hearing**

Environment and Sustainability

Sponsored by Mayor Dan Gelber

First Reading on September 16, 2020 - R5 W

**ACTION: Ordinance [2020-4363](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber; Roll Call: 6-0; Absent: Commissioner Góngora.

## OCTOBER 14, 2020

### SUPPLEMENTAL MATERIAL 1: MEMORANDUM AND ORDINANCE

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING PART I, SUBPART B, ARTICLE IX, RELATED SPECIAL ACTS, OF THE MIAMI BEACH CITY CODE ENTITLED "PENSION SYSTEM FOR DISABILITY AND RETIREMENT OF MEMBERS OF POLICE AND FIRE DEPARTMENTS"; AMENDING THE PENSION SYSTEM TO IMPLEMENT THE COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE CITY AND FIRE FIGHTERS OF MIAMI BEACH, IAFF LOCAL 1510, AND MIAMI BEACH FRATERNAL ORDER OF POLICE, WILLIAM NICHOLS LODGE NO. 8; AMENDING SECTION 65, ENTITLED "COMPUTATION OF CREDITABLE SERVICE; SERVICE RECORD"; AMENDING SECTION 66, ENTITLED "SERVICE AND DISABILITY BENEFITS GENERALLY"; AMENDING SECTION 79, ENTITLED DEFERRED RETIREMENT OPTION PLAN (DROP); AMENDING SECTION 82, ENTITLED "MILITARY SERVICE"; AMENDING SECTION 84, ENTITLED "DISTRIBUTION LIMITATION"; AMENDING SECTION 87, ENTITLED "BENEFITS FOR EMPLOYEES HIRED ON OR AFTER JULY 14, 2010 AND PRIOR TO SEPTEMBER 31, 2013; AMENDING SECTION 88, ENTITLED "BENEFITS FOR MEMBERS HIRED ON OR AFTER SEPTEMBER 30, 2013 AND PRIOR TO JUNE 8, 2016 FOR INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1510 (IAFF) AND JULY 20, 2016 FOR FRATERNAL ORDER OF POLICE, WILLIAM NICHOLS LODGE NO. 8 (FOP); AMENDING SECTION 89, ENTITLED "BENEFITS FOR MEMBERS HIRED ON OR AFTER JUNE 8, 2016 FOR INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1510 (IAFF) AND JULY 20, 2016 FOR FRATERNAL ORDER OF POLICE, WILLIAM NICHOLS LODGE NO. 8 (FOP); CREATING A NEW SECTION 90, ENTITLED "BENEFITS FOR MEMBERS HIRED ON OR AFTER MAY 8, 2018 FOR INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1510 (IAFF) AND ON OR AFTER JULY 31, 2018 FOR FRATERNAL ORDER OF POLICE, WILLIAM NICHOLS LODGE NO. 8 (FOP)"; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

### 9:25 a.m. Second Reading Public Hearing

Human Resources

Sponsored by Commissioner Ricky Arriola

First Reading on September 16, 2020 - R5 V

Supplemental updated on 10/12/2020

**ACTION: Ordinance [2020-4362](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Samuelian; Roll Call: 6-0; Absent: Commissioner Góngora.

## OCTOBER 14, 2020

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14 OF THE CODE OF THE CITY OF MIAMI BEACH ENTITLED "BUILDING REGULATIONS," BY AMENDING ARTICLE II THEREOF, ENTITLED "CONSTRUCTION STANDARDS," BY AMENDING DIVISION 2, ENTITLED "PERMIT FEES," BY AMENDING SECTION 14-69 THEREOF, ENTITLED "EMPLOYEE TRAINING, EDUCATION, SAFETY AND TECHNOLOGY ENHANCEMENTS," TO PROVIDE THAT THE TRAINING AND TECHNOLOGY SURCHARGE SHALL NOT APPLY TO RESIDENTIAL DEVELOPMENTS FOR

AFFORDABLE HOUSING UNITS OR WORKFORCE HOUSING UNITS THAT SATISFY ALL APPLICABLE REQUIREMENTS OF CHAPTER 58 OF THE CITY CODE RELATING TO AFFORDABLE HOUSING UNITS OR WORKFORCE HOUSING UNITS, RESPECTIVELY; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

**9:20 a.m. Second Reading Public Hearing**

Housing and Community Services

Sponsored by Vice-Mayor Mark Samuelian &

Co-Sponsored by Commissioners David Richardson & Michael Góngora

First Reading on September 16, 2020 - R5 U

**ACTION: Ordinance [2020-4361](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Samuelian; Roll Call: 6-0; Absent: Commissioner Góngora

## **OCTOBER 14, 2020**

R5 B SHORT TERM RENTAL FINE REVISIONS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING MIAMI BEACH CITY CODE CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," SECTION 142-905, "PERMITTED ACCESSORY USES IN SINGLE-FAMILY DISTRICTS," AT SUBSECTION (B)(5) THEREOF, AND AMENDING SECTION 142-1111, "SHORT-TERM RENTAL OF APARTMENT UNITS OR TOWNHOMES," FOR THE LIMITED PURPOSE OF DELETING THE FINE AMOUNTS SPECIFIED THEREIN FOR VIOLATIONS OF THE CITY'S SHORT-TERM RENTAL RESTRICTIONS (INCLUDING CORRESPONDING RESTRICTION ON SPECIAL MASTER'S INABILITY TO WAIVE OR REDUCE SAID FINES), AND SUBSTITUTING THEREFOR THOSE FINE AMOUNTS WITHIN THE STATUTORILY-PRESCRIBED LIMITS SET FORTH IN CHAPTER 162, FLORIDA STATUTES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**9:15 a.m. Second Reading Public Hearing**

Office of the City Attorney

Sponsored by Mayor Dan Gelber

First Reading on September 29, 2020 - R5 B

**ACTION: Ordinance [2020-4360](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Mayor Gelber; Roll Call: 6-0; Absent: Commissioner Góngora.

## **OCTOBER 14, 2020**

R5 A MATRIX GROUP RECOMMENDATIONS: SIMPLIFICATION OF SINGLE-FAMILY REGULATIONS AND DRB ADMINISTRATIVE REVIEW PROCEDURES

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," BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, ENTITLED "DEFINITIONS," TO MODIFY THE DEFINITION OF LOT COVERAGE; BY AMENDING CHAPTER 118, ENTITLED "ADMINISTRATIVE AND REVIEW PROCEDURES," ARTICLE VI, ENTITLED "DESIGN REVIEW PROCEDURES," SECTION 118-260, ENTITLED "ADMINISTRATIVE REVIEW PROCEDURES," TO AMEND ADMINISTRATIVE REVIEW PROCEDURES APPLICABLE TO THE DESIGN REVIEW BOARD; BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 2, ENTITLED "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," SECTION 142-105, ENTITLED "DEVELOPMENT REGULATIONS AND AREA

REQUIREMENTS," TO SIMPLIFY THE CITY'S SINGLE-FAMILY DEVELOPMENT REGULATIONS, INCLUDING THE CALCULATION OF LOT COVERAGE AND UNIT SIZE, AND TO MODIFY ALLOWABLE HEIGHT EXCEPTIONS; BY AMENDING SECTION 142-106, ENTITLED "SETBACK REQUIREMENTS FOR A SINGLE-FAMILY DETACHED DWELLING," TO MODIFY SINGLE-FAMILY SETBACK REGULATIONS; BY AMENDING ARTICLE V, ENTITLED "SPECIALIZED USE REGULATIONS," DIVISION 8, ENTITLED "HOME-BASED BUSINESS OFFICE," SECTION 142-1411, ENTITLED "HOME-BASED BUSINESS OFFICE," TO ELIMINATE THE FEE ASSOCIATED WITH A HOME BASED BUSINESS OFFICE; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

**9:10 a.m. Second Reading Public Hearing**

Planning

First Reading on September 16, 2020 - R5 S

Sponsored by Vice-Mayor Mark Samuelian

**ACTION: Ordinance [2020-4359](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Samuelian to adopt the Ordinance on Second Reading; seconded by Mayor Gelber; Roll Call: 6-0; Absent: Commissioner Góngora.

**AMENDMENT:**

**SECTION 8. Exceptions.**

This Ordinance shall not apply to:

1. Any application for a Land Use Board Approval filed with the Planning Department on or before ~~August 25~~ **October 14, 2020**.
2. Any application that has been issued a Building Permit Process Number from the Building Department on or before ~~August 25~~ **October 14, 2020**.

## **SEPTEMBER 16, 2020**

R5 Q CD-2 ALTON ROAD OUTDOOR MOVIE THEATERS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 6, ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE I, ENTITLED "IN GENERAL," SECTION 6-4, ENTITLED "LOCATION AND USE RESTRICTIONS," IN ORDER TO PERMIT OUTDOOR MOTION PICTURE THEATERS FRONTING ON ALTON ROAD TO SELL AND/OR OFFER ALCOHOLIC BEVERAGES FOR CONSUMPTION; BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-305, "PROHIBITED USES," AND SECTION 142-310, ENTITLED "SPECIAL REGULATIONS FOR ALCOHOL BEVERAGE ESTABLISHMENTS," TO PROVIDE REGULATIONS FOR OUTDOOR MOTION PICTURE THEATERS AND ACCESSORY OUTDOOR BAR COUNTERS; BY AMENDING ARTICLE IV, DIVISION 3, SECTION 142-1109, ENTITLED "ACCESSORY OUTDOOR BAR COUNTERS," TO PERMIT OUTDOOR BAR COUNTERS AS AN ACCESSORY USE TO OUTDOOR MOTION PICTURE THEATERS; AND BY AMENDING DIVISION 5, "HEIGHT REGULATIONS," SECTION 142-1161, ENTITLED "HEIGHT REGULATION EXCEPTIONS," TO AMEND THE LIST OF HEIGHT EXCEPTIONS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:12 p.m. Second Reading Public Hearing**

Planning

Commissioner Ricky Arriola

First Reading PH on July 29, 2020 - R5 J

**ACTION: Ordinance [2020-4358](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance as amended on Second Reading; seconded by Mayor Gelber; Roll Call: 7-0.



## SEPTEMBER 16, 2020

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 29 AND SECTIONS 2-180.128 - 2-180.133 THEREOF, ENTITLED "RESERVED," TO ESTABLISH THE "BLACK AFFAIRS ADVISORY COMMITTEE," AND TO SET FORTH THE PURPOSE, POWERS AND DUTIES, COMPOSITION, KNOWLEDGE AND EXPERIENCE, AND SUPPORTING DEPARTMENT; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **9:30 a.m. Second Reading Public Hearing**

Tourism and Culture First Reading on July 29, 2020 - R5 V

**ACTION: Ordinance [2020-4357](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Mayor Gelber; Roll Call: 7-0.

## SEPTEMBER 16, 2020

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING SECTION 70-70.1 THEREOF, ENTITLED "RESPONSIBILITIES OF PERSONS AND BUSINESS ENTITIES PROVIDING RENTALS OR LEASES OF MOPEDS, MOTORCYCLES, AND MOTORIZED BICYCLES," BY LIMITING THE TOTAL NUMBER OF MOPEDS, MOTORCYCLES, AND MOTORIZED BICYCLES WHICH PERSONS AND BUSINESS ENTITIES MAY RENT OR LEASE; BY AUTHORIZING THE CITY MANAGER TO PROHIBIT THE RENTAL OR LEASE OF MOPEDS, MOTORCYCLES, AND MOTORIZED BICYCLES UPON DECLARATION OF A HIGH IMPACT PERIOD; BY PROHIBITING THE OVERNIGHT RENTAL OR LEASE OF MOPEDS, MOTORCYCLES, AND MOTORIZED BICYCLES; AND BY AMENDING SECTION 70-71 THEREOF, ENTITLED "ENFORCEMENT, PENALTIES," BY SETTING FORTH ADDITIONAL PENALTIES FOR VIOLATIONS OF SECTION 70-70.1, AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND FOR AN EFFECTIVE DATE.

### **9:25 a.m. Second Reading Public Hearing**

Office of the City Attorney

Vice-Mayor Mark Samuelian & Co-sponsored by Commissioner Steven Meiner

First Reading on July 29, 2020 - R5 U

**ACTION: Ordinance [2020-4356](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Samuelian; Roll Call: 6-1; Opposed: Commissioner Arriola.

## SEPTEMBER 16, 2020

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 12.5, ENTITLED "AFFORDABLE HOUSING ADVISORY COMMITTEE," BY AMENDING SECTION 2-167 THEREOF, ENTITLED "ESTABLISHED; PURPOSE; POWERS AND DUTIES; COMPOSITION," TO AMEND THE COMPOSITION OF THE AFFORDABLE HOUSING ADVISORY COMMITTEE TO INCLUDE A MEMBER OF THE CITY COMMISSION, AND TO REDUCE THE NUMBER OF COMMITTEE MEMBERS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN

EFFECTIVE DATE.

**9:20 a.m. Second Reading Public Hearing**

Housing and Community Services

Commissioner Michael Góngora First Reading on July 29, 2020 - R5 S

**ACTION 1: Ordinance [2020-4355](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Samuelian; Roll Call: 7-0.

## **SEPTEMBER 16, 2020**

R5 B 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 98, ENTITLED "STREETS AND SIDEWALKS," BY AMENDING SECTION 98-94 THEREOF, ENTITLED "BUILDING PERMITS," BY CREATING A BATTERY BACKUP LOWERING SYSTEM REQUIREMENT FOR CERTAIN ELEVATORS, AND BY AMENDING CHAPTER 14, ENTITLED "BUILDING REGULATIONS," BY RELOCATING SECTION 14-403(D) THEREOF, INTO SECTION 98-94, AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**9:15 a.m. Second Reading Public Hearing**

Public Works

Commissioner Michael Góngora

First Reading on July 29, 2020 - R5 R

**ACTION: Ordinance [2020-4354](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance as amended on Second Reading; seconded by Commissioner Steinberg; Roll Call: 7-0.

## **SEPTEMBER 16, 2020**

R5 A DESIGN REVIEW BOARD ADVISORY PROCESS

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," BY AMENDING CHAPTER 118 OF THE CITY CODE, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING ARTICLE VI, ENTITLED "DESIGN REVIEW PROCEDURES," BY AMENDING SECTION 118-252, ENTITLED "APPLICABILITY AND EXEMPTIONS," TO CREATE A PROCEDURE FOR THE DESIGN REVIEW BOARD TO CONDUCT A NON-BINDING, ADVISORY REVIEW OF THE DESIGN OF CERTAIN RIGHT-OF-WAY AND/OR NEIGHBORHOOD IMPROVEMENT PROJECTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**9:10 a.m. Second Reading Public Hearing**

Planning

Vice-Mayor Mark Samuelian

First Reading on July 29, 2020 - R5 Q

**ACTION: Ordinance [2020-4353](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Samuelian to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora; Roll Call: 7-0.

## **JULY 29, 2020**

R5 L NON-CONFORMING PHARMACIES AND MEDICAL CANNABIS TREATMENT CENTERS - NONCONFORMANCE EXCEPTIONS

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 SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER

118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING ARTICLE IX, ENTITLED "NONCONFORMANCES," AT SECTION 118-393, ENTITLED "NONCONFORMING USE OF BUILDINGS," TO PERMIT A NONCONFORMING PHARMACY STORE OR NONCONFORMING MEDICAL CANNABIS TREATMENT CENTER TO RELOCATE WITHIN THE SAME BUILDING, PROVIDED THAT THE RELOCATED PHARMACY STORE OR MEDICAL CANNABIS TREATMENT CENTER IS NO LARGER THAN 2,000 SQUARE FEET, AND TO PROVIDE THAT A NONCONFORMING PHARMACY STORE OR MEDICAL CANNABIS TREATMENT CENTER THAT IS RELOCATED PURSUANT TO THIS SECTION SHALL BE EXEMPT FROM THE MINIMUM DISTANCE SEPARATION REQUIREMENTS SET FORTH IN SECTION 142-1502(B)(4) AND (5); AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**5:02 p.m. Second Reading Public Hearing**

Planning

First Reading PH on June 24, 2020 - R5 F

Sponsored by Vice-Mayor Mark Samuelian

**ACTION: Ordinance [2020-4352](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Samuelian to adopt the Ordinance on Second Reading; seconded by Commissioner Richardson. Roll Call: 6-1; Opposed: Commissioner Steinberg.

## **JULY 29, 2020**

R5 K RM-2 HOTEL ACCESSORY USES - BALLROOM AND MEETING ROOM STRUCTURES  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 130 ENTITLED "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," SECTION 130-32, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1," TO AMEND THE OFF-STREET PARKING REQUIREMENTS FOR BALLROOMS AND MEETING ROOMS FOR BUILDINGS ASSOCIATED WITH HOTELS; AND AMENDING CHAPTER 142 ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION IV, "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," SECTION 142-213, "CONDITIONAL USES," TO AMEND THE ALLOWABLE CONDITIONAL USES IN THE RM-2 ZONING DISTRICT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

**5:01 p.m. Second Reading Public Hearing**

Planning

First Reading PH on June 24, 2020 - R5 E

Sponsored by Commissioner Ricky Arriola

**ACTION: Ordinance [2020-4351](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Samuelian. Roll Call: 7-0.

## **JULY 29, 2020**

R5 G CPS-4 LAND DEVELOPMENT REGULATIONS PUBLIC-PRIVATE MARINA MIXED-USE REDEVELOPMENTS

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," BY AMENDING CHAPTER 142, ENTITLED, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 18, ENTITLED "PS PERFORMANCE STANDARD DISTRICT," BY

CREATING SECTION 142-708, ENTITLED, "ADDITIONAL REGULATIONS FOR PUBLIC-PRIVATE MARINA MIXED-USE REDEVELOPMENTS," TO CREATE DEVELOPMENT REGULATIONS APPLICABLE TO PUBLIC-PRIVATE MARINA MIXED-USE REDEVELOPMENTS INCORPORATING CITY-OWNED MARINA PROPERTY; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:06 a.m. Second Reading Public Hearing**

Planning

First Reading on June 24, 2020 - R5 N

Mayor Dan Gelber

**ACTION: Ordinance [2020-4350](#) adopted.** Title of the Ordinance read into the record. See action and motions with R7 A1. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance as on Second Reading, seconded by Commissioner Góngora; Roll Call. 7-0.

## **JULY 29, 2020**

R5 F COMPREHENSIVE PLAN AMENDMENT - PF PUBLIC-PRIVATE REDEVELOPMENT AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENT LAND USE AND DEVELOPMENT ELEMENT, GOAL RLU 1, ENTITLED "LAND USE," OBJECTIVE RLU 1.1, ENTITLED "ESTABLISHMENT OF FUTURE LAND USE CATEGORIES," POLICY RLU 1.1.17, ENTITLED "PUBLIC FACILITY: GOVERNMENTAL USES (PF)," TO PERMIT PUBLIC-PRIVATE MARINA REDEVELOPMENT AND RELATED USES ON PUBLIC PROPERTY; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:06 a.m. Second Reading Public Hearing**

Planning

First Reading on June 24, 2020 - R5 M

Mayor Dan Gelber

**ACTION: Ordinance [2020-4349](#) adopted as amended with the adoption of Policy RLU 1.1.17.** Title of the Ordinance read into the record. Public Hearing held. Item heard with R7 A1. Motion made by Commissioner Arriola to adopt the Ordinance as amended on Second Reading, seconded by Commissioner Góngora; Roll Call. 7-0.

## **JULY 29, 2020**

R5 E TC-C DISTRICT CO-LIVING UNITS - LAND DEVELOPMENT REGULATIONS 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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT," SECTION 142-741, ENTITLED "MAIN PERMITTED USES, ACCESSORY USES, CONDITIONAL USES, PROHIBITED USES, AND SUPPLEMENTAL USE REGULATIONS," TO MODIFY THE MAXIMUM NUMBER OF CO-LIVING UNITS, MODIFY PROVISIONS RELATING TO THE RESERVATION OF CO-LIVING UNITS, AND CLARIFY EXISTING PROVISIONS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**9:30 a.m. Second Reading Public Hearing**

Planning

First Reading on June 24, 2020 - R5 L

Sponsored by Commissioner Ricky Arriola

**ACTION: Ordinance [2020-4348](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Richardson to adopt the Ordinance

as amended on Second Reading; seconded by Commissioner Góngora; Roll Call: 7-0.

## **JULY 29, 2020**

### **R5 D ZONING OVERLAY FOR NORTH BEACH PRIVATE AND PUBLIC SCHOOLS DISTRICT OVERLAY**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," AT ARTICLE III, ENTITLED "OVERLAY DISTRICTS," TO ESTABLISH DIVISION 14, ENTITLED "NORTH BEACH PRIVATE AND PUBLIC SCHOOL OVERLAY DISTRICT," TO PROVIDE REGULATIONS FOR RENOVATIONS AND ENHANCEMENTS TO SCHOOLS LOCATED WITHIN THE BOUNDARIES OF THE DISTRICT; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

#### **9:25 a.m. Second Reading Public Hearing**

Planning

First Reading on June 24, 2020 - R5 K

Sponsored by Commissioner Micky Steinberg

**ACTION: Ordinance [2020-4347](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora; Roll Call: 7-0.

## **JULY 29, 2020**

### **R5 C WASHINGTON AVENUE OVERLAY - LDR INCENTIVES CLARIFICATIONS**

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," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," BY AMENDING SECTION 142-309, ENTITLED "WASHINGTON AVENUE DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO CLARIFY THE SETBACK REQUIREMENTS AND CO-LIVING/MICRO UNIT DEVELOPMENT REGULATIONS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

#### **9:20 a.m. Second Reading Public Hearing**

Planning

First Reading on June 24, 2020 - R5 J

Sponsored by Commissioner Ricky Arriola

**ACTION: Ordinance [2020-4346](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola; Roll Call: 7-0.

## **JULY 29, 2020**

### **R5 B BUILDING REGISTRY**

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 SUBPART A, ENTITLED "GENERAL ORDINANCES," BY AMENDING CHAPTER 58, ENTITLED "HOUSING," BY AMENDING ARTICLE III, ENTITLED "PROPERTY MAINTENANCE STANDARDS," DIVISION 1, "GENERALLY," SECTION 58-180, "DEFINITIONS," AND BY CREATING DIVISION 4, ENTITLED "ABANDONED AND VACANT PROPERTIES REGISTRY," TO CREATE THE CITY'S VACANT AND ABANDONED PROPERTIES REGISTRY AND



ESTABLISH APPLICABLE REQUIREMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**9:15 a.m. Second Reading Public Hearing**

Planning First Reading on June 24, 2020 - R5 I

Sponsored by Commissioner Ricky Arriola

**ACTION: Ordinance [2020-4345](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora; Roll Call: 7-0.

## **JULY 29, 2020**

R5 A RM-2 CONDITIONAL USES FOR 600 BLOCK OF WASHINGTON AVENUE

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," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION IV, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," SECTION 142-213, ENTITLED "CONDITIONAL USES," TO MODIFY THE CONDITIONAL USE REGULATIONS FOR PROPERTIES FRONTING THE WEST SIDE OF WASHINGTON AVENUE BETWEEN 6TH STREET AND 7TH STREET; AND BY AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTAL DISTRICT REGULATIONS," DIVISION 2, ENTITLED "ACCESSORY USES," SECTION 142-902, ENTITLED "PERMITTED ACCESSORY USES," TO CLARIFY THE PERMITTED ACCESSORY USES FOR HOTELS IN THE RM-2 DISTRICT; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

**9:10 a.m. Second Reading Public Hearing**

Planning

Deferred from March 18, 2020 - R5 A

Sponsored by Commissioner Ricky Arriola

**ACTION: Ordinance [2020-4344](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora; Roll Call: 7-0.

## **JUNE 24, 2020**

R5 D PARKING REQUIREMENTS IN HISTORIC AND CONSERVATION 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," BY AMENDING CHAPTER 130 OF THE CITY CODE, ENTITLED "OFF-STREET PARKING REQUIREMENTS," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-31, ENTITLED "PARKING DISTRICTS ESTABLISHED," ~~SECTION 130-32, ENTITLED "OFF STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1" AND SECTION 130-33, ENTITLED "OFF STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, AND 8,"~~ TO AMEND THE PARKING REQUIREMENTS FOR RESIDENTIAL, HOTEL, NON-RESIDENTIAL AND ACCESSORY USES LOCATED WITHIN HISTORIC DISTRICTS, HISTORIC SITES AND CONSERVATION DISTRICTS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**9:25 a.m. Second Reading Public Hearing**

Planning

Commissioner Ricky Arriola

First Reading on February 12, 2020 - R5 H

**ACTION: Ordinance [2020-4343](#) adopted as is.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading, including a referral to the Land Use and Sustainability Committee to discuss the

Harding Township area, seconded by Commissioner Góngora. Roll call: 7-0.

## **JUNE 24, 2020**

### **R5 C MXE HOTEL UNIT SIZE FOR GROUND FLOOR ADDITIONS**

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, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 13, ENTITLED "MXE MIXED USE ENTERTAINMENT DISTRICT," AT SECTION 142-545, ENTITLED "DEVELOPMENT REGULATIONS," TO MODIFY THE UNIT SIZE REQUIREMENTS FOR NEW HOTEL UNITS IN GROUND FLOOR ADDITIONS TO CONTRIBUTING STRUCTURES IN HISTORIC DISTRICTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

#### **9:20 a.m. Second Reading Public Hearing**

Planning

Commissioner Ricky Arriola

Deferred from March 18, 2020 - R5 H

**ACTION: Ordinance [2020-4342](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading, seconded by Mayor Gelber. Roll call: 7-0.

## **JUNE 24, 2020**

### **R5 B HISTORIC PRESERVATION REVIEW OF GU HEIGHT WAIVERS**

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, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 9, ENTITLED "GU GOVERNMENT USE DISTRICT," BY AMENDING SECTION 142-425, ENTITLED "DEVELOPMENT REGULATIONS," TO MODIFY THE REVIEW PROCEDURES FOR WAIVERS OF HEIGHT REQUIREMENTS ON LOTS WITH A GU ZONING DESIGNATION; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

#### **9:15 a.m. Second Reading Public Hearing**

Planning

Sponsored by Commissioner Michael Góngora and

Co-sponsored by Mayor Gelber and Commissioner Samuelian

Deferred from March 18, 2020 - R5 C

**ACTION: Ordinance [2020-4341](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading, seconded by Commissioner Samuelian. Roll call: 6-1; Opposed; Commissioner Arriola.

## **JUNE 24, 2020**

R5 A 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 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES; EXCEPTIONS"; AND BY AMENDING APPENDIX A TO THE CITY CODE, ENTITLED "FEE SCHEDULE," TO ESTABLISH PARKING RATES AND PENALTIES FOR THE NEW COLLINS PARK GARAGE, AND TO MAKE CORRECTIONS TO OTHER PARKING RATES AND FEES

SET FORTH IN APPENDIX "A"; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**9:10 a.m. Second Reading Public Hearing**

Parking

Commissioner Mark Samuelian

First Reading on 5/13/2020 - R5 G

**ACTION: Ordinance [2020-4340](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading, seconded by Mayor Gelber. Roll call: 5-2; Opposed: Vice-Mayor Steinberg and Commissioner Góngora.

## **MAY 13, 2020**

R5 F PROHIBITED USES ALONG 71ST STREET AND NORMANDY DRIVE

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," BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, ENTITLED "DEFINITIONS," BY DELETING THE DEFINITIONS FOR "ADULT CONGREGATE LIVING FACILITY" AND "ADULT CONGREGATE LIVING FACILITY UNIT," AND BY CREATING A DEFINITION FOR "PERSONAL SERVICE ESTABLISHMENT"; AND BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," AND DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT," TO AMEND THE PROHIBITED USE REGULATIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**9:30 a.m. Second Reading Public Hearing**

Planning

Deferred from March 18, 2020 - R5 B

Vice-Mayor Micky Steinberg

**ACTION: Ordinance [2020-4339](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Steinberg to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian; Roll call: 7-0

## **MAY 13, 2020**

R5 E SUNSET HARBOUR ALCOHOLIC BEVERAGE ESTABLISHMENT REGULATIONS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," (1) AT DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-310, "SPECIAL REGULATIONS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS"; AND (2) AT DIVISION 11, "I-1 LIGHT INDUSTRIAL DISTRICT," SECTION 142-488, "SPECIAL REGULATIONS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS," TO ELIMINATE EXISTING EXCEPTIONS TO THE 2:00 A.M. CLOSING TIME FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS IN THE SUNSET HARBOUR NEIGHBORHOOD, WHICH IS GENERALLY BOUNDED BY PURDY AVENUE, 20TH STREET, ALTON ROAD, AND DADE BOULEVARD; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**9:25 a.m. Second Reading Public Hearing**

Planning

Deferred from March 18, 2020 - R5 I

Sponsored by Commissioner Mark Samuelian & Commissioner Ricky Arriola

& Co-sponsored by Commissioner Góngora and Mayor Gelber

**ACTION: Ordinance [2020-4338](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on Second Reading; seconded by Commissioner Góngora; Roll call: 7-0;

## MAY 13, 2020

### R5 D CERTIFICATES OF USE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 114 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "GENERAL PROVISIONS," BY AMENDING SECTION 114-1 THEREOF, ENTITLED "DEFINITIONS," TO MODIFY THE DEFINITION OF "CERTIFICATE OF USE;" AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING SECTION 118-2 THEREOF, ENTITLED "CERTIFICATES OF OCCUPANCY AND CERTIFICATE OF USE," TO ESTABLISH A CRITERIA FOR OBTAINING A CERTIFICATE OF USE, AND BY AMENDING SECTION 118-356 THEREOF, ENTITLED "REVOCATION OR MODIFICATION OF VARIANCE," FOR CONSISTENCY WITH THE AMENDMENTS MADE IN THE AFORESTATED SECTIONS; BY AMENDING CHAPTER 102, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTIONS 102-371 AND 102-372 THEREOF FOR CONSISTENCY WITH THE AMENDMENTS MADE IN THE AFORESTATED SECTIONS; BY AMENDING CHAPTER 14, ENTITLED "BUILDING REGULATIONS," BY AMENDING SECTION 14-404 THEREOF, ENTITLED "GROUNDS FOR SUSPENSION OR REVOCATION," BY PROVIDING THAT THE CITY MANAGER OR DESIGNEE MAY EITHER REVOKE OR TEMPORARILY SUSPEND THE CERTIFICATE OF USE IF CERTAIN CONDITIONS ARE PRESENT; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### 9:20 a.m. Second Reading Public Hearing

Planning

Deferred from March 18, 2020 - R5 D

Commissioner Ricky Arriola and Co-sponsored by Commissioner Góngora

**ACTION: Ordinance [2020-4337](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Commissioner Arriola; Roll call: 7-0

## MAY 13, 2020

### R5 C DEMOLITION BY NEGLECT - PRESUMPTION CLAUSE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE X, "HISTORIC PRESERVATION," DIVISION 1, "GENERALLY," BY AMENDING SECTION 118-503 THEREOF, ENTITLED "SCOPE, POLICIES AND EXEMPTIONS," TO AMEND THE REGULATIONS APPLICABLE TO CONTRIBUTING BUILDINGS THAT ARE DEMOLISHED WITHOUT A CERTIFICATE OF APPROPRIATENESS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### 9:15 a.m. Second Reading Public Hearing

Planning

Deferred from March 18, 2020 - R5 E

Sponsored by Commissioner Ricky Arriola and

Co-sponsored by Mayor Dan Gelber, Commissioner Góngora, and Commissioner Mark Samuelian

**ACTION: Ordinance [2020-4336](#) adopted.** Title of the Ordinance read into the record. Public

Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Steinberg; Roll call: 7-0

## **MAY 13, 2020**

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 18, ENTITLED "SENIOR AFFAIRS COMMITTEE," BY AMENDING SECTION 2-180.13 THEREOF, ENTITLED "COMPOSITION," TO ALLOW SENIOR RESIDENTS RESIDING IN FEDERATION TOWERS TO ALSO BE ELIGIBLE TO SERVE ON THE SENIOR AFFAIRS COMMITTEE; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **9:10 a.m. Second Reading Public Hearing**

Office of the City Attorney

Deferred from March 18, 2020 - R5 G

Commissioner Michael Gongora

**ACTION: Ordinance [2020-4335](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to adopt the Ordinance as amended on Second Reading; seconded by Vice-Mayor Steinberg; Roll call: 7-0

## **MAY 13, 2020**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 62 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED, "HUMAN RELATIONS," BY AMENDING ARTICLE II, ENTITLED "DISCRIMINATION," BY AMENDING SECTION 62-86 ENTITLED "DISCRIMINATION IN EMPLOYMENT," TO EXTEND EMPLOYMENT PROTECTIONS TO INDEPENDENT CONTRACTORS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **9:05 a.m. Second Reading Public Hearing**

Office of the City Attorney/Office of the City Manager

Deferred from March 18, 2020 - R5 F

Sponsored by Commissioner Steven Meiner

**ACTION: Ordinance [2020-4334](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Meiner to adopt the Ordinance on Second Reading; seconded by Vice-Mayor Steinberg; Roll call: 7-0;

## **FEBRUARY 26, 2020**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ALCOHOLIC BEVERAGES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLATIONS," TO PROHIBIT THE SALE AND/OR SERVING OF ANY ALCOHOLIC BEVERAGE(S) BEYOND 3 A.M., FOR A DEFINED PERIOD OF TIME IN THE MONTH OF MARCH, BY ANY ALCOHOLIC BEVERAGE ESTABLISHMENT LOCATED IN THE MXE MIXED USE ENTERTAINMENT DISTRICT (EXCLUDING THAT PORTION OF THE MXE DISTRICT LOCATED BETWEEN 73RD AND 75TH STREETS), OR THAT PORTION OF THE CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT LOCATED BETWEEN PENNSYLVANIA AVENUE AND COLLINS COURT, FROM 5TH STREET TO 16TH STREET; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.



### **5:02 p.m. Second Reading Public Hearing**

Office of the City Attorney

Mayor Dan Gelber

First Reading on February 12, 2020 - R5 O

**ACTION: Ordinance [2020-4333](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading as amended made by Vice-Mayor Richardson; seconded by Mayor Gelber; Ballot vote: 5-2; Opposed: Commissioners Góngora and Steinberg. **Office of the City Attorney, Police Chief Clements, Hernan Cardeno, and Heather Shaw to handle.**

### **AMENDMENTS:**

- Limit sale of alcohol for six days, from March 13 to March 18, 2020 - **Police Chief Clements and Hernan Cardeno to handle.**
- Rollback hours of alcohol sales to 3:00 a.m. during that period
- Sunsets on March 18, 2020

### **DIRECTION:**

- Provide after-action report to the City Commission within 90 days of the conclusion of the March 2020 Spring Break. (No later than the July 29, 2020 Commission Meeting). **Police Chief Clements and Heather Shaw to handle.**
- Bring forth the Spring Break plan for March 2021, at least six months prior to March 2021; i.e. the September 16, 2020 Commission Meeting. **Police Chief Clements and Heather Shaw to handle.**

## **FEBRUARY 12, 2020**

R5 D DEFINITION OF FLOOR AREA

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART B OF THE CITY CODE, ENTITLED "LAND DEVELOPMENT REGULATIONS," CHAPTER 114, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, ENTITLED "DEFINITIONS," TO MODIFY FOR CLARIFICATION PURPOSES THE DEFINITION OF "FLOOR AREA"; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, APPLICABILITY, AND AN EFFECTIVE DATE. **2:30 p.m. Second Reading Public Hearing**

Planning/ Mayor Dan Gelber, Commissioners Michael Góngora and Mark Samuelian

First Reading on January 15, 2020 - R5 M

**ACTION: Ordinance [2020-4332](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. See related Item R7 E and motions below. **Thomas Mooney to handle.**

### **DIRECTION:**

Direct the Office of the City Attorney to conclude the settlement agreement. **Office of the City Attorney to handle.**

### **MOTION 1:**

Motion made by Commissioner Góngora to adopt the Ordinance on Second Reading; seconded by Mayor Gelber. Ballot vote: 7-0. Ordinance adopted.

### **MOTION NO 2:**

Motion made by Commissioner Góngora to direct the City Attorney to conclude the settlement agreement as requested by Outside Counsel Jeffrey Bass; seconded by Mayor Gelber. By

acclamation.

## FEBRUARY 12, 2020

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, "SIDEWALK CAFES," BY AMENDING SUBDIVISION II, "PERMIT," BY AMENDING SECTION 82-385, ENTITLED "MINIMUM STANDARDS, CRITERIA, AND CONDITIONS FOR OPERATION OF SIDEWALK CAFÉS," ESTABLISHING THE REQUIREMENT THAT SIDEWALK CAFÉ OPERATORS STACK AND SECURE SIDEWALK CAFÉ FURNITURE AT THE CLOSE OF BUSINESS EACH DAY; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing** Economic Development

Commissioner Mark Samuelian First Reading on January 15, 2020 - R5 J

**ACTION: Ordinance [2020-4331](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Samuelian to adopt the Ordinance on second reading as amended; seconded by Commissioner Meiner; Ballot vote: 7-0.

**AMENDMENT:**

**Section 82-385(L)** add "stack and/or secure sidewalk café furniture" to existing language

## FEBRUARY 12, 2020

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 2-22 THEREOF, ENTITLED "GENERAL REQUIREMENTS," TO CLARIFY THE QUALIFICATION REQUIREMENTS FOR MEMBERS OF AGENCIES, BOARDS, AND COMMITTEES; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing** Office of the City Attorney

Vice-Mayor David Richardson First Reading on January 15, 2020 - R5 O

**ACTION: Ordinance [2020-4330](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Richardson to adopt the Ordinance on Second Reading as amended; seconded by Commissioner Góngora; Ballot vote: 7-0. **Rafael E.**

**Granado to handle.**

**New Section reads:**

"Notwithstanding the requirements set forth herein, the qualified full-time employee of a business must be approved by a 4/7 vote of the Mayor and City Commission."

## FEBRUARY 12, 2020

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ALCOHOLIC BEVERAGES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLATIONS," BY REQUIRING THOSE ALCOHOLIC BEVERAGE ESTABLISHMENTS LOCATED ON OCEAN DRIVE, BETWEEN 5TH STREET AND 15TH STREET, POSSESSING A LICENSE TO SELL AND/OR SERVE ALCOHOLIC BEVERAGES IN THE CITY UNTIL 5 A.M. ("ALCOHOL LICENSE"), AND SELLING AND/OR SERVING ALCOHOLIC BEVERAGES LATER THAN 12 A.M., TO RETAIN THE SERVICES OF AN OFF-DUTY POLICE OFFICER, FROM 12 A.M. UNTIL THIRTY (30) MINUTES PAST THE CLOSING OF THE ALCOHOLIC BEVERAGE

ESTABLISHMENT, ON SATURDAYS AND SUNDAYS AND, DURING HOLIDAY WEEKENDS OR CITY-SPONSORED EVENTS, ON SATURDAY, SUNDAY, AND MONDAY; ESTABLISHING EXCEPTIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:05 a.m. Second Reading Public Hearing** Office of the City Attorney

Mayor Dan Gelber and Co-sponsored by Commissioner Ricky Arriola

First Reading on January 15, 2020 - R5 A

**ACTION: Ordinance [2020-4329](#) adopted.** See related Item C6 A #12. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance on Second Reading; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## **JANUARY 15, 2020**

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS: PROVIDING FOR THE CLASSIFICATIONS IN GROUP I, REPRESENTED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME) LOCAL 1554, IN ACCORDANCE WITH THE COLLECTIVE BARGAINING AGREEMENT, EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN APRIL 2018, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN JULY 2020, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN JULY 2021, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); IN THE EVENT THE CITY'S GENERAL FUND REVENUES INCREASE BY ELEVEN PERCENT (11%) OR MORE IN JUNE 2020, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF TWO PERCENT (2%) INSTEAD OF THE ONE PERCENT (1%) FOR JULY 2021; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND CODIFICATION.

**10:35 a.m. Second Reading Public Hearing**

Human Resources

Commissioner Ricky Arriola

First Reading on December 11, 2018 - R5 L

**ACTION: Ordinance [2020-4328](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Góngora; seconded by Commissioner Meiner; Ballot vote: 7-0.

## **JANUARY 15, 2020**

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 31 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PURCHASING," BY AMENDING ARTICLE II THEREOF, ENTITLED "CONSTRUCTION CONTRACTS - MINIMUM WAGES AND BENEFITS," BY AMENDING SECTION 31-27, ENTITLED "ESTABLISHMENT OF MINIMUM WAGES," TO INCREASE THE CONTRACT THRESHOLD FOR CITY PROJECTS SUBJECT TO MINIMUM WAGES AND BENEFITS; BY AMENDING SECTION 31-31, ENTITLED "EXCEPTIONS," TO EXEMPT

EMERGENCY PURCHASES FROM THE MINIMUM WAGE REQUIREMENTS OF THE ORDINANCE; BY CREATING SECTION 31-32, ENTITLED "REPORTING REQUIREMENT," TO INCLUDE A REPORTING REQUIREMENT OF CERTIFIED PAYROLL INFORMATION FOR ALL CITY CONSTRUCTION CONTRACTS IN EXCESS OF \$1,500,000, INCLUDING CONTRACTS EXEMPTED PURSUANT TO SECTION 31-31 OF THE CITY CODE; AND BY AMENDING ARTICLE III, ENTITLED "LOCAL WORKFORCE PARTICIPATION GOALS AND REPORTING REQUIREMENTS FOR CITY CONSTRUCTION CONTRACTS," SECTION 31-40 THEREOF, ENTITLED "LOCAL WORKFORCE PARTICIPATION GOALS AND REPORTING REQUIREMENTS FOR CITY CONSTRUCTION CONTRACTS," TO STREAMLINE REPORTING REQUIREMENTS AND ELIMINATE UNNECESSARY INTERIM WORKFORCE PARTICIPATION REPORTING REQUIREMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

**10:30 a.m. Second Reading Public Hearing**

Procurement/Office of the City Attorney

Sponsored by Commissioner Steinberg

First Reading on December 11, 2018 - R5 P

**ACTION: Ordinance [2020-4327](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Steinberg; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## **JANUARY 15, 2020**

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING MIAMI BEACH CITY CODE CHAPTER 38 ENTITLED "ELECTIONS," SECTION 38-6 THEREOF ENTITLED "EARLY VOTING," BY INCREASING THE NUMBER OF EARLY VOTING DAYS FOR CITY RUNOFF ELECTIONS FROM 2 TO 3 DAYS, WITH SAID EARLY VOTING PERIOD TO OCCUR ON THE FRIDAY, SATURDAY, AND SUNDAY IMMEDIATELY PRECEDING SUCH RUN-OFF ELECTION; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing**

City Attorney/City Clerk

Sponsored by the entire City Commission

First Reading on December 11, 2018 - R5 M

**ACTION: Ordinance [2020-4326](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Steinberg; seconded by Commissioner Samuelian; Ballot vote: 7-0.

**AMENDMENT:**

**Sec. 38-6 – Early voting**

(3) Special election-standalone (not otherwise held in conjunction with general or runoff election); Early voting shall commence 15 days immediately preceding such special election for a total of 14 consecutive days. In the event of a special election to fill a vacancy on the City Commission, early voting for any resulting run-off Election shall occur on the Friday, Saturday and Sunday immediately preceding such run-off election.

## **JANUARY 15, 2020**

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CITY CODE, ENTITLED ADMINISTRATION, BY AMENDING ARTICLE VI THEREOF, ENTITLED PROCUREMENT, BY AMENDING DIVISION 3 THEREOF, ENTITLED CONTRACT PROCEDURES, BY CREATING SECTION 2-378, ENTITLED "INSPECTOR GENERAL CONTRACT ALLOCATION," TO PROVIDE FOR DEDICATED FUNDING FOR THE ACTIVITIES AND OPERATIONS OF THE

CITY'S OFFICE OF INSPECTOR GENERAL, BASED ON A PERCENTAGE OF THE CONTRACT AMOUNTS EXPENDED BY THE CITY UNDER CERTAIN CITY CONTRACTS, AND TO ESTABLISH MANDATORY CONTRACT PROVISIONS RELATING TO THE INSPECTOR GENERAL'S REVIEWS, AUDITS, INSPECTIONS AND INVESTIGATIONS OF CITY CONTRACTS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing**

Office of the City Attorney

Commissioner Mark Samuelian

First Reading on December 11, 2018 - R5 O

**ACTION: Ordinance [2020-4325](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Steinberg; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## **JANUARY 15, 2020**

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY AMENDING SECTION 82-501 THEREOF, ENTITLED "GENERALLY," TO PROVIDE FOR CERTAIN EXEMPTIONS FROM THE REQUIREMENTS OF THE ORDINANCE; AND BY AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTION (A) THEREOF, TO EXEMPT THE NAMING OR RE-NAMING OF CERTAIN SPECIFIED CITY-OWNED PUBLIC FACILITIES FROM THE VOTER REFERENDUM REQUIREMENT OF SECTION 82-503(6) OF THE CITY CODE, PROVIDED THAT SUCH NAMING OR RE-NAMING IS FOR A LIMITED TERM OF YEARS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing**

Office of the City Attorney

Commissioner Mark Samuelian

First Reading on December 11, 2018 - R5 N

**ACTION: Ordinance [2020-4324](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Samuelian; seconded by Commissioner Arriola; Ballot vote: 5-2; Opposed: Commissioners Góngora and Steinberg.

## **JANUARY 15, 2020**

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFES," BY AMENDING SUBDIVISION I, ENTITLED "GENERALLY," BY AMENDING SECTION 82-371 THEREOF, ENTITLED "CIVIL FINES AND PENALTIES; DENIAL OF FUTURE PERMITS TO REPEAT VIOLATORS; ENHANCED PENALTIES," BY SPECIFYING THOSE ENHANCED PENALTIES TO BE IMPOSED FOR VIOLATIONS OF THE SIDEWALK CAFÉ CODE OF CONDUCT; AND BY AMENDING SUBDIVISION II, ENTITLED "PERMIT," BY AMENDING SECTION 82-383 THEREOF, ENTITLED "PERMIT FEE; PENALTIES FOR LATE PAYMENT; REVIEW OF FEE; EXCEPTION," BY AUTHORIZING SIDEWALK CAFÉ PERMIT FEES TO BE PAID IN SEMIANNUAL INSTALLMENTS AND ASSESSING AN



ADMINISTRATIVE FEE; AND BY AMENDING SECTION 82-389 THEREOF, ENTITLED "SIDEWALK CAFÉ CODE OF CONDUCT," BY CLARIFYING THOSE PROHIBITIONS PERTAINING TO FOOD AND BEVERAGE DISPLAYS, AND FOOD AND DRINK MENU SPECIALS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing**

Office of the City Attorney

Mayor Dan Gelber

First Reading on December 11, 2018 - R5 K

**ACTION: Ordinance [2020-4323](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Steinberg; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## **DECEMBER 11, 2019**

R5 F AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 66 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MARINE STRUCTURES, FACILITIES, AND VESSELS," BY AMENDING ARTICLE II, ENTITLED "RESTRICTED WAKE ZONES," BY AMENDING SECTION 66-43 ENTITLED "RESTRICTED AREAS," BY AMENDING SUBSECTION (C) THEREOF REGARDING THE SLOW SPEED, MINIMUM WAKE ZONES BY ADDING A YEAR-ROUND SLOW SPEED ZONE AROUND FLAGLER MEMORIAL ISLAND (THE "MONUMENT ISLAND"); AND BY AMENDING SUBSECTION (B) THEREOF TO AMEND THE BOUNDARIES OF THE IDLE SPEED, NO WAKE ZONE IN THE AREA OF THE MIAMI BEACH MARINA; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:30 a.m. Second Reading Public Hearing** /Office of the City Attorney

Mayor Dan Gelber / Last Heard on 2019- - R5 O

**ACTION: Ordinance [2019-4311](#)\* adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Steinberg; seconded by Commissioner Samuelian; Ballot vote: 7-0.

**City Clerk's Note:** This Ordinance was adopted on October 16, 2019, but due to insufficient advertisement it had to go for second reading again.

## **DECEMBER 11, 2019**

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS: PROVIDING FOR THE CLASSIFICATIONS IN GROUP IV, REPRESENTED BY THE COMMUNICATIONS WORKERS OF AMERICA (CWA) LOCAL 3178, IN ACCORDANCE WITH THE COLLECTIVE BARGAINING AGREEMENT, EFFECTIVE UPON RATIFICATION OF THIS AGREEMENT, THERE SHALL BE AN INCREASE IN PAY GRADE FOR THE FOLLOWING CLASSIFICATIONS: LIFEGUARD I FROM H52 TO H54; LIFEGUARD II FROM H56 TO H58; LIFEGUARD LIEUTENANT FROM H58 TO H60; PARKING ENFORCEMENT OFFICER I FROM H22 TO H24; PARKING DISPATCHERS FROM H24 TO H25; EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN OCTOBER 2018, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN OCTOBER 2019, THERE

SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); EFFECTIVE THE FIRST FULL PAY PERIOD ENDING IN OCTOBER 2020, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); IN THE EVENT THE CITY'S GENERAL FUND REVENUES INCREASE BY ELEVEN PERCENT (11%) OR MORE IN JUNE 2020, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF TWO PERCENT (2%) INSTEAD OF THE ONE PERCENT (1%) FOR OCTOBER 2020; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND CODIFICATION.

**10:25 a.m. Second Reading Public Hearing** /Human Resources

Commissioner Ricky Arriola /First Reading on October 30, 2019 - R5 F

**ACTION: Ordinance [2019-4322](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Steinberg; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## **DECEMBER 11, 2019**

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 16, ENTITLED "YOUTH COMMISSION," BY AMENDING SECTION 2-188(B) THEREOF, ENTITLED "COMPOSITION," TO ALLOW MIAMI BEACH YOUTHS WHO ARE RESIDENTS OF THE CITY OF MIAMI BEACH BUT ATTENDING SCHOOL OUTSIDE OF THE CITY, BUT WITHIN MIAMI-DADE COUNTY, TO ALSO BE ELIGIBLE TO SERVE ON THE YOUTH COMMISSION; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing**

Office of the City Attorney/ Commissioner Ricky Arriola

First Reading on October 16, 2019 - R5 AB

**ACTION: Ordinance [2019-4321](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Steinberg; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## **DECEMBER 11, 2019**

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CITY CODE, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, "USES IN PUBLIC RIGHTS-OF-WAY," DIVISION 5, "SIDEWALK CAFES," SUBDIVISION II, SECTION 82-382, ENTITLED "APPLICATION," AND SECTION 82-383, ENTITLED "PERMIT FEE; PENALTIES FOR LATE PAYMENT; REVIEW OF FEE; EXCEPTION," TO ABATE SIDEWALK CAFÉ FEES FOR BUSINESSES LOCATED NORTH OF 63RD STREET AND WASHINGTON AVENUE FROM 6TH STREET TO LINCOLN ROAD, FROM THE EFFECTIVE DATE OF THIS ORDINANCE THROUGH AND INCLUDING SEPTEMBER 30, 2021; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. **10:15 a.m. Second Reading Public Hearing**

Public Works/ Mayor Dan Gelber/ First Reading on October 16, 2019 - R5 AA

**ACTION: Ordinance [2019-4320](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Steinberg; seconded by Commissioner Góngora; Ballot vote: 7-0.

## **DECEMBER 11, 2019**

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 31, ENTITLED "SUSTAINABILITY COMMITTEE," BY AMENDING SECTION 2-190.142 THEREOF, ENTITLED "COMPOSITION" TO REMOVE THE REQUIREMENT FOR AN APPOINTMENT OF A CITY COMMISSIONER TO THE SUSTAINABILITY COMMITTEE; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:10 a.m. Second Reading Public Hearing**

Office of the City Attorney/Mayor Dan Gelber

First Reading on October 16, 2019 - R5 Z

**ACTION: Ordinance [2019-4319](#) adopted.** Heard in conjunction with related Item R7 F. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Samuelian; seconded by Commissioner Steinberg; Ballot vote: 7-0.

## **DECEMBER 11, 2019**

### **SUPPLEMENTAL MATERIAL 1: REVISED ORDINANCE**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE II THEREOF, ENTITLED "CITY COMMISSION," BY AMENDING SECTION 2-12 THEREOF, ENTITLED "MEETING PROCEDURES AND AGENDAS," TO REQUIRE A FISCAL IMPACT STATEMENT AS PART OF THE ANALYSIS ACCOMPANYING ORDINANCES AND RESOLUTIONS PLACED ON CITY COMMISSION AGENDAS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:05 a.m. Second Reading Public Hearing**

Office of the City Attorney/Commissioner Mark Samuelian

First Reading on October 16, 2019 - R5 Y - Supplemental updated on 12/9/2019

**ACTION: Ordinance [2019-4318](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Samuelian; seconded by Commissioner Meiner; Ballot vote: 7-0.

## **OCTOBER 30, 2019**

R5 E COMMON VARIANCE REQUESTS - CHAPTER 6 ALCOHOL

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 6, ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE I, ENTITLED "IN GENERAL," AT SECTION 6-4, ENTITLED "LOCATION AND USE RESTRICTIONS," TO ESTABLISH CULTURAL SPECIALTY DISTRICTS, PROVIDE THAT THERE SHALL BE NO DISTANCE SEPARATION REQUIREMENTS IN SUCH DISTRICTS BETWEEN ALCOHOLIC BEVERAGE ESTABLISHMENTS (ALSO OPERATING AS RESTAURANTS WITH FULL KITCHENS) AND EDUCATIONAL FACILITIES AND PLACES OF WORSHIP, AND TO ESTABLISH OPERATING

CONDITIONS; AND AT SECTION 6-6, ENTITLED "MINIMUM SEATS AND HOTEL ROOM REQUIREMENTS," TO REDUCE THE NUMBER OF SEATS REQUIRED FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**5:09 p.m. Second Reading Public Hearing** Planning

Commissioner John Elizabeth Alemán First Reading on October 16, 2019 - R5 X

**ACTION: Ordinance [2019-4317](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Alemán; seconded by Commissioner Malakoff; Ballot vote: 7-0.

## **OCTOBER 30, 2019**

### **R5 D COMMON VARIANCES - ALLOWABLE ENCROACHMENTS**

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, BY AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE III, ENTITLED "DESIGN STANDARDS," AT SECTION 130-64, ENTITLED "DRIVES," TO MODIFY DRIVEWAY REQUIREMENTS FOR LOW-SCALE MULTIFAMILY RESIDENTIAL BUILDINGS; BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 2, ENTITLED "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," AT SECTION 142-106, ENTITLED "SETBACK REQUIREMENTS FOR A SINGLE-FAMILY DETACHED DWELLING," TO INCORPORATE AND MODIFY REQUIREMENTS FOR ALLOWABLE ENCROACHMENTS AND SWIMMING POOLS RELATED TO SINGLE FAMILY HOMES CURRENTLY LOCATED IN SECTIONS 142-1132 AND 142-1133; BY AMENDING DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT," AT SECTION 142-744, ENTITLED "SETBACKS AND ENCROACHMENTS," AND SECTION 142-745, ENTITLED "STREET FRONTAGE, DESIGN, AND OPERATIONS REQUIREMENTS," TO CLARIFY AND REVISE REQUIREMENTS FOR HABITABLE ENCROACHMENTS, SHADE STRUCTURES, SETBACKS, AND OFF-STREET LOADING; AND BY AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 4, ENTITLED "SUPPLEMENTARY YARD REGULATIONS," AT SECTION 142-1132, ENTITLED "ALLOWABLE ENCROACHMENTS WITHIN REQUIRED YARDS," TO REMOVE REQUIREMENTS FOR SINGLE FAMILY DISTRICTS AND MODIFY REQUIREMENTS FOR ALLOWABLE ENCROACHMENTS IN REQUIRED YARDS, AND AT SECTION 142-1133, ENTITLED "SWIMMING POOLS," TO REMOVE REQUIREMENTS FOR SWIMMING POOLS IN SINGLE FAMILY DISTRICTS AND AMEND REQUIREMENTS FOR SWIMMING POOLS IN OTHER DISTRICTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**5:05 p.m. Second Reading Public Hearing** Planning

Commissioner John Elizabeth Alemán First Reading on October 16, 2019 - R5 T

**ACTION: Ordinance [2019-4316](#) adopted as is.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Vice-Mayor Arriola; seconded by Commissioner Alemán; Ballot vote: 6-1; Opposed: Commissioner Malakoff.

## **OCTOBER 30, 2019**

**R5 C COMMON VARIANCES - ROOFTOP ADDITIONS, SETBACKS (INCLUDING FOR MIXED-USE DEVELOPMENT), ROOM SIZES**

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, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, ENTITLED "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," AT SECTIONS 142-155 AND 142-156, SUBDIVISION IV, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," AT SECTIONS 142-217 AND 142-218, AND SUBDIVISION V, ENTITLED "RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY," AT SECTIONS 142-246 AND 142-247, TO MODIFY SETBACK AND UNIT SIZE REQUIREMENTS FOR ROOFTOP ADDITIONS TO CONTRIBUTING STRUCTURES IN HISTORIC DISTRICTS AND INDIVIDUALLY DESIGNATED HISTORIC BUILDINGS; DIVISION 4, ENTITLED "CD-1 COMMERCIAL, LOW INTENSITY DISTRICT," AT SECTIONS 142-276 AND 142-277, DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," AT SECTIONS 142-306 AND 142-307, AND DIVISION 6, ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," AT SECTIONS 142-337 AND 142-338, TO MODIFY SETBACK AND UNIT SIZE REQUIREMENTS FOR RESIDENTIAL USES AND ROOFTOP ADDITIONS TO CONTRIBUTING STRUCTURES IN HISTORIC DISTRICTS AND INDIVIDUALLY DESIGNATED HISTORIC BUILDINGS, AND TO MODIFY THE MAXIMUM ALLOWABLE HEIGHT FOR ALL USES; DIVISION 13, ENTITLED "MXE MIXED USE ENTERTAINMENT DISTRICT," AT SECTION 142-545, TO MODIFY THE UNIT SIZE REQUIREMENTS FOR NEW HOTEL UNITS FOR ROOFTOP ADDITIONS TO CONTRIBUTING STRUCTURES IN HISTORIC DISTRICTS AND INDIVIDUALLY DESIGNATED HISTORIC BUILDINGS, AND TO MODIFY THE MAXIMUM ALLOWABLE HEIGHT FOR ALL USES; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**5:04 p.m. Second Reading Public Hearing** Planning

Commissioner John Elizabeth Alemán First Reading on October 16, 2019 - R5 S

**ACTION: Ordinance [2019-4315](#) adopted as is.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Alemán; seconded by Commissioner Malakoff; Ballot vote: 6-1; Opposed: Commissioner Góngora.

## **OCTOBER 30, 2019**

### **R5 B COMMON VARIANCES SIGNAGE**

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, BY AMENDING CHAPTER 138, ENTITLED "SIGNS," ARTICLE I, ENTITLED "IN GENERAL," AT SECTION 138-9, ENTITLED "YARD REQUIREMENTS," TO CLARIFY SIGN REQUIREMENTS; ARTICLE II, ENTITLED "DESIGN STANDARDS, WINDOW, AWNING, WALL, PROJECTION, AND DETACHED (MONUMENT) SIGNS," AT SECTION 138-16, ENTITLED "WALL SIGN," TO MODIFY LOCATION REQUIREMENTS AND INCORPORATE AND MODIFY SUPPLEMENTAL STANDARDS FOR WALL SIGNS; BY AMENDING SECTION 138-18, ENTITLED "PROJECTING SIGN," TO MODIFY REQUIREMENTS FOR PROJECTING SIGNS; BY AMENDING SECTION 138-19, ENTITLED "DETACHED SIGN," TO MODIFY SETBACK REQUIREMENTS FOR DETACHED SIGNS; AND BY AMENDING SECTION 138-22, ENTITLED "SUPPLEMENTAL STANDARDS," TO MODIFY SUPPLEMENTAL STANDARDS; BY AMENDING ARTICLE III, ENTITLED "SPECIFIC DISTRICT SIGN REGULATIONS," DIVISION 1, ENTITLED "SPECIAL SIGN REGULATIONS," AT



SECTION 138-58, ENTITLED "VERTICAL RETAIL CENTER SIGNS," TO MODIFY REQUIREMENTS FOR SIGNAGE AT VERTICAL RETAIL CENTERS; AND BY AMENDING THE AFORESTATED SECTIONS TO ADDRESS THE FREQUENCY OF APPLICATIONS FOR COMMONLY SOUGHT VARIANCES RELATED TO SIGNAGE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**5:03 p.m. Second Reading Public Hearing** Planning

Commissioner John Elizabeth Alemán First Reading on October 16, 2019 - R5 R

**ACTION: Ordinance [2019-4314](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Alemán; seconded by Commissioner Góngora; Ballot vote: 7-0.

## **OCTOBER 30, 2019**

R5 A RM-2 CONDITIONAL USES FOR BAYFRONT APARTMENTS IN THE WEST AVENUE OVERLAY DISTRICT

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," BY AMENDING CHAPTER 142 OF THE CITY CODE, 03 ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION IV, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," SECTION 142-21.3, ENTITLED "CONDITIONAL USES," TO EXPAND THE CONDITIONAL USES TO INCLUDE CERTAIN TYPES OF NON-MEDICAL OFFICE AND PERSONAL SERVICE USES FOR BAYFRONT APARTMENT BUILDINGS IN THE WEST AVENUE OVERLAY DISTRICT; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. **5:01 p.m. Second Reading Public Hearing** Planning

Commissioner Joy Malakoff

First Reading PH on October 16, 2019 - R5 D

**ACTION: Ordinance [2019-4313](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Alemán; seconded by Commissioner Malakoff; Ballot vote: 7-0.

## **OCTOBER 16, 2019**

R5 P WASHINGTON AVENUE OVERLAY - LDR INCENTIVES

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," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," BY AMENDING SECTION 142-303, ENTITLED "CONDITIONAL USES," TO MODIFY PROVISIONS APPLICABLE TO CONDITIONAL USES IN THE CD-2 DISTRICT, AND BY AMENDING SECTION 142-309, ENTITLED "WASHINGTON AVENUE DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO INCREASE THE BUILDING HEIGHT FOR CERTAIN USES AND CLARIFY THE SETBACK REQUIREMENTS; AND BY AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-33, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, AND 8," TO MODIFY THE PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 7; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:01 p.m. Second Reading Public Hearing**/Planning/Vice-Mayor Ricky Arriola and

Commissioner Michael Góngora/Deferred from September 11, 2019 - R5 H

**ACTION: Ordinance [2019-4312](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on second reading made by Commissioner Steinberg; seconded by Commissioner Samuelian; Ballot vote: 6-0; Absent: Mayor Gelber.

## OCTOBER 16, 2019

R5 O AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 66 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MARINE STRUCTURES, FACILITIES, AND VESSELS," BY AMENDING ARTICLE II, ENTITLED "RESTRICTED WAKE ZONES", BY AMENDING SECTION 66-43 ENTITLED "RESTRICTED AREAS," BY AMENDING SUBSECTION (C) THEREOF REGARDING THE SLOW SPEED, MINIMUM WAKE ZONES BY ADDING A YEAR-ROUND SLOW SPEED ZONE AROUND FLAGLER MEMORIAL ISLAND (THE "MONUMENT ISLAND"); AND BY AMENDING SUBSECTION (B) THEREOF TO AMEND THE BOUNDARIES OF THE IDLE SPEED, NO WAKE ZONE IN THE AREA OF THE MIAMI BEACH MARINA; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:55 p.m. Second Reading Public Hearing**/Office of the City Attorney/Mayor Dan Gelber

First Reading on September 11, 2019 - R5 U

**ACTION: Ordinance [2019-4311](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Referred to Neighborhood/Community Affairs Committee for future locations. Motion to adopt the Ordinance on second reading made by Commissioner Alemán; seconded by Commissioner Steinberg; Ballot vote: 7-0.

## OCTOBER 16, 2019

R5 N AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 70-7, ENTITLED "RESERVED," BY CREATING DEFINITIONS AND THOSE REGULATIONS WHICH SHALL PROHIBIT THE SMOKING OF CANNABIS, MARIJUANA, OR HEMP ON PUBLIC PROPERTY; ESTABLISHING SIGNAGE REQUIREMENTS; PROVIDING PENALTIES AND ENFORCEMENT FOR VIOLATION; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:50 p.m. Second Reading Public Hearing**

Office of the City Attorney

Mayor Dan Gelber and Co-sponsored by Vice-Mayor Ricky Arriola

First Reading on September 11, 2019 - R5 S

**ACTION: Ordinance [2019-4310](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on second reading made by Commissioner Alemán; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## OCTOBER 16, 2019

R5 M AMBIENT ENTERTAINMENT PERMIT PROGRAM

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 12 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ARTS, CULTURE AND ENTERTAINMENT," BY AMENDING ARTICLE II, ENTITLED "SPECIAL EVENTS," BY CREATING SECTION 12-6, ENTITLED "AMBIENT ENTERTAINMENT PERMIT PROGRAM," TO CREATE AN AMBIENT ENTERTAINMENT PERMIT PROGRAM, SET FORTH DEFINITIONS, IDENTIFY ELIGIBLE ESTABLISHMENTS, PROVIDE FOR AN APPLICATION, ESTABLISH REGULATIONS APPLICABLE TO THE PERMIT PROGRAM (INCLUDING THE TERM OF THE PERMIT, NOTICE REQUIREMENTS, AND MINIMUM STANDARDS, CRITERIA, AND CONDITIONS), PROVIDE FOR ENFORCEMENT AND PENALTIES, AND CREATE REPORTING REQUIREMENTS; AND PROVIDING FOR

REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:45 p.m. Second Reading Public Hearing**/Planning/Commissioner John Elizabeth Alemán

First Reading on September 11, 2019 - R5 R

**ACTION: Ordinance [2019-4309](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on second reading made by Commissioner Alemán; seconded by Vice-Mayor Arriola; Ballot vote: 6-1; Opposed: Commissioner Samuelian.

## **OCTOBER 16, 2019**

R5 L AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE MIAMI BEACH CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE II, ENTITLED "CARE AND MAINTENANCE OF TREES AND PLANTS," BY AMENDING DIVISION 2, ENTITLED "TREE PRESERVATION AND PROTECTION," BY AMENDING SECTION 46-56 THEREOF, ENTITLED "DEFINITIONS," TO DEFINE "ANSI A-300," "HEDGE," "HERITAGE TREE RECOGNITION PROGRAM," "PALM," "CLUSTERING PALMS," "PRUNING ALLOWANCE," AND "SHRUB," AND TO MODIFY THE EXISTING DEFINITION OF "TREE"; BY AMENDING SECTION 46-58, ENTITLED "TREE REMOVAL REQUIREMENTS, EXEMPTIONS, AND PROHIBITED SPECIES," TO REQUIRE DOCUMENTATION FROM AN ARBORIST CERTIFIED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE, A FLORIDA LICENSED LANDSCAPE ARCHITECT, OR AN ASCA REGISTERED CONSULTING ARBORIST, AND TO AMEND THE REMOVAL OF PROHIBITED SPECIES; BY AMENDING 46-59, ENTITLED "TREE WORK PERMIT APPLICATION PROCESSING, REQUIREMENTS, AND REVIEW," TO REQUIRE A TREE WORK PERMIT FOR CROWN PRUNING NOT IN ACCORDANCE WITH ANSL- A300 TREE CARE STANDARDS, TO PROVIDE FOR ADDITIONAL REQUIREMENTS FOR A TREE WORK PERMIT DISPLAY, AND TO CLARIFY TREE WORK PERMIT FEES; BY AMENDING SECTION 46-61, ENTITLED "TREE REPLACEMENT," TO REPLACE THE EXISTING TREE REPLACEMENT CHART AND CANOPY MITIGATION REQUIREMENTS WITH A TREE REPLACEMENT CHART BASED ON THE TOTAL DIAMETER IN INCHES OF ALL TREES TO BE REMOVED, TO MODIFY THE PERCENT OF TREES THAT CAN BE PALMS, AND TO ADD PROVISIONS FOR SOIL VOLUME REQUIREMENTS; BY AMENDING SECTION 46-62, ENTITLED "TREE PRESERVATION, AND PROTECTION REQUIREMENTS, ROOT CUTTING, TREE RELOCATIONS, AND TREE PRUNING," TO MODIFY THE TITLE AND TO REQUIRE THAT THE MAINTENANCE OF RIGHT-OF-WAY TREES AND PALMS SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER; BY AMENDING SECTION 46-63, ENTITLED "HERITAGE TREES," TO MODIFY THE TITLE, APPLICATION CRITERIA, AND TO DEFINE THE HERITAGE TREE RECOGNITION PROGRAM BENEFITS; BY AMENDING SECTION 46-64, ENTITLED "SPECIMEN TREE STANDARDS," TO INCLUDE A PARTIAL MITIGATION REQUIREMENT OPTION FOR TRANSPLANTING TREES; BY AMENDING SECTION 46-67 ENTITLED "ENFORCEMENT/CIVIL REMEDIES," TO AMEND THE EXISTING CIVIL FINES AND PENALTIES; BY CREATING SECTION 46-68, TO BE ENTITLED "EXEMPTIONS FROM PROVISIONS OF THIS ARTICLE," TO PROVIDE FOR EXEMPTIONS IN REGARD TO PRUNING, TRIMMING, OR REMOVING DANGEROUS TREES; AND BY AMENDING SECTIONS 46-31, 46-57, 46-58, AND 46-59 TO PROVIDE FOR NON-SUBSTANTIVE TEXT AMENDMENTS, CLARITY, AND/OR CONSISTENCY WITH THE AMENDMENTS MADE IN THE AFORESTATED SECTIONS; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:40 p.m. Second Reading Public Hearing**

Environment and Sustainability

Commissioners John Elizabeth Alemán and Joy Malakoff

First Reading on September 11, 2019 - R5 Q

**ACTION: Ordinance [2019-4308](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on second reading made by Commissioner Steinberg; seconded by Commissioner Alemán; Ballot vote: 6-0; Absent: Mayor Gelber.

## OCTOBER 16, 2019

R5 K FENCE STANDARDS FOR VACANT LOTS AND CONSTRUCTION SITES  
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," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 2, ENTITLED "RS-1, RS-2, RS-3, RS-4 SINGLE- FAMILY RESIDENTIAL DISTRICTS," SECTION 142-108, ENTITLED "PROVISIONS FOR THE DEMOLITION OF SINGLE-FAMILY HOMES LOCATED OUTSIDE OF HISTORIC DISTRICTS," TO CREATE FENCING REQUIREMENTS FOR VACANT LOTS IN SINGLE FAMILY DISTRICTS; BY AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTARY YARD REGULATIONS," DIVISION 1, ENTITLED "GENERALLY," BY CREATING SECTION 142-876, ENTITLED "VACANT AND ABANDONED PROPERTIES AND CONSTRUCTION SITES," TO ESTABLISH MINIMUM FENCING STANDARDS AND REQUIREMENTS FOR VACANT AND ABANDONED PROPERTIES AND FOR CONSTRUCTION SITES IN ALL DISTRICTS; AND BY AMENDING DIVISION 4, ENTITLED "SUPPLEMENTARY YARD REGULATIONS," SECTION 142-1132, ENTITLED "ALLOWABLE ENCROACHMENTS WITHIN REQUIRED YARDS," TO AMEND THE FENCING REQUIREMENTS FOR VACANT LOTS AND ABANDONED PROPERTIES IN ALL DISTRICTS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**1:35 p.m. Second Reading Public Hearing/**Planning/Commissioner Joy Malakoff

First Reading on September 11, 2019 - R5 N

**ACTION:** Ordinance [2019-4307](#) adopted. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on second reading made by Commissioner Steinberg; seconded by Commissioner Alemán; Ballot vote: 6-0; Absent: Mayor Gelber.

## OCTOBER 16, 2019

R5 J MOBILITY FEES - LAND DEVELOPMENT REGULATIONS  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART B OF THE LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION REVIEW PROCEDURES," ARTICLE VI, ENTITLED "DESIGN REVIEW PROCEDURES," AT SECTION 118-253, ENTITLED "APPLICATION FOR DESIGN REVIEW," AND CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE X, ENTITLED "HISTORIC PRESERVATION," DIVISION 3, ENTITLED "ISSUANCE OF CERTIFICATE OF APPROPRIATENESS/CERTIFICATE TO DIG/CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION," AT SECTION 118-562, ENTITLED "APPLICATION," TO MODIFY REQUIREMENTS FOR TRAFFIC STUDIES CONSISTENT WITH REVISED CONCURRENCY STANDARDS; AMENDING CHAPTER 122, ENTITLED "CONCURRENCY MANAGEMENT," TO BE RENAMED AS "CONCURRENCY MANAGEMENT AND MOBILITY FEES"; DELETING, AMENDING, AND RESTATING PROVISIONS IN SECTIONS 122-1 THROUGH 122-10; CREATING ARTICLE I, ENTITLED "PURPOSE AND GENERAL PROVISIONS," SECTION 122-1, ENTITLED "PURPOSE," TO STATE THE PURPOSE FOR CONCURRENCY AND MOBILITY FEES; SECTION 122-2, ENTITLED "DEFINITIONS," TO ESTABLISH DEFINITIONS RELATED TO CONCURRENCY MANAGEMENT AND MOBILITY FEES; SECTION 122-3, ENTITLED "CONCURRENCY MITIGATION AND MOBILITY FEE REQUIRED," TO ESTABLISH REQUIREMENTS FOR CONCURRENCY REVIEW AND CALCULATION AND PAYMENT OF MOBILITY FEES; SECTION 122-4, ENTITLED "CONCURRENCY MITIGATION AND MOBILITY FEE REVIEW," TO ESTABLISH DEPARTMENTAL AND AGENCY RESPONSIBILITY FOR REVIEW OF SPECIFIC CONCURRENCY AND MOBILITY FEE REQUIREMENTS; SECTION 122-5, ENTITLED "EXEMPTIONS FROM CONCURRENCY AND MOBILITY FEES," TO PROVIDE EXEMPTIONS FROM CONCURRENCY REVIEW AND MOBILITY FEE PAYMENT TO INCENTIVIZE DEVELOPMENT UNDER CERTAIN SPECIFIED CONDITIONS; SECTION 122-6, ENTITLED "APPLICATION FOR ESTIMATE OF CONCURRENCY MITIGATION AND MOBILITY

FEES," TO ESTABLISH PROCEDURES FOR DETERMINING CONCURRENCY MITIGATION AND MOBILITY FEES; AND SECTION 122-7, ENTITLED "ENFORCEMENT AND PENALTIES," TO ESTABLISH ENFORCEMENT PROCEDURES AND PENALTIES; ESTABLISHING ARTICLE II, ENTITLED "CONCURRENCY," SECTION 122-11, ENTITLED "LEVEL OF SERVICE STANDARDS," TO ESTABLISH LEVELS OF SERVICE FOR INFRASTRUCTURE CONSISTENT WITH THE COMPREHENSIVE PLAN; AND SECTION 122-12, ENTITLED "DETERMINATION OF CONCURRENCY," TO ESTABLISH PROCEDURES FOR THE CALCULATION OF CONCURRENCY REQUIREMENTS AND CAPACITY CREDITS; ESTABLISHING ARTICLE III, ENTITLED "MOBILITY FEES," SECTION 122-21, ENTITLED "LEGISLATIVE INTENT," TO PROVIDE THE LEGISLATIVE AUTHORITY FOR, AND INTENT OF, THE MOBILITY FEE PROGRAM; SECTION 122-22, "ADOPTION OF MOBILITY FEE STUDY," TO INCORPORATE BY REFERENCE THE CITY OF MIAMI BEACH MOBILITY FEE TECHNICAL ANALYSIS, DATED AUGUST 2018; SECTION 122-23, "MOBILITY FEE IMPOSITION AND COLLECTION," TO ESTABLISH REQUIREMENTS FOR THE IMPOSITION AND COLLECTION OF MOBILITY FEES; SECTION 122-24, "CALCULATION OF MOBILITY FEES," TO ESTABLISH MOBILITY FEES AND THE METHODOLOGY FOR THE CALCULATION OF MOBILITY FEES; SECTION 122-25, "ALTERNATIVE INDEPENDENT MOBILITY FEE STUDY," TO AUTHORIZE THE CITY MANAGER TO DEVELOP A PROCEDURE FOR THE REVIEW OF ALTERNATIVE INDEPENDENT MOBILITY FEE STUDIES TO DETERMINE THE IMPACT AND MOBILITY FEES FOR LAND USES NOT DEFINED IN THE CODE; SECTION 122-26, ENTITLED "MOBILITY FEE LAND USES," TO ESTABLISH SCHEDULE OF LAND USES FOR THE CALCULATION OF MOBILITY FEES; SECTION 122-27, ENTITLED "MOBILITY FEE BENEFIT DISTRICT," TO DESIGNATE THE ENTIRE CITY AS A MOBILITY FEE BENEFIT DISTRICT; SECTION 122-28, ENTITLED "ESTABLISHMENT OF MOBILITY FEE FUND," TO ESTABLISH A MOBILITY FEE FUND; SECTION 122-29, ENTITLED "USE OF MOBILITY FEE FUND," TO SPECIFY PERMITTED USES OF MOBILITY FEE PROCEEDS; AND AMENDING "APPENDIX A – FEE SCHEDULE," TO PROVIDE FOR ADMINISTRATIVE FEES FOR CONCURRENCY AND MOBILITY FEE REVIEW; AND PROVIDING FOR APPLICABILITY, REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:30 p.m. Second Reading Public Hearing/**Planning/Commissioner John Elizabeth Alemán

First Reading on September 11, 2019 - R5 P

**ACTION:** Ordinance [2019-4306](#) adopted as amended. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on second reading made by Commissioner Alemán to approve the Planning Board recommendation; seconded by Commissioner Malakoff; Ballot vote: 7-0.

## **OCTOBER 16, 2019**

R5 H ACCESSORY DWELLING UNITS (ADU) - LAND DEVELOPMENT REGULATIONS  
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," BY AMENDING CHAPTER 114 OF THE CITY CODE, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, ENTITLED "DEFINITIONS," TO ESTABLISH A DEFINITION FOR "ACCESSORY DWELLING UNIT" AND REMOVE THE DEFINITION OF "GUEST/SERVANTS QUARTERS". AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 2, ENTITLED "ACCESSORY USES," SECTION 142-905, ENTITLED "PERMITTED ACCESSORY USES IN SINGLE-FAMILY DISTRICTS," TO REPLACE GUEST/SERVANTS QUARTERS WITH ACCESSORY DWELLING UNIT AS AN ALLOWABLE ACCESSORY USE FOR SINGLE-FAMILY DISTRICTS, AND PROVIDE STANDARDS FOR THEIR DEVELOPMENT AND LEASING. AND AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 4, ENTITLED "SUPPLEMENTARY YARD REGULATIONS," SECTION 142-1132, ENTITLED "ALLOWABLE ENCROACHMENTS WITHIN REQUIRED YARDS," TO ALLOW FOR ACCESSORY DWELLING UNITS AS AN ALLOWABLE USE IN ACCESSORY BUILDINGS AND MODIFY THE MEASUREMENT OF HEIGHT FOR



ACCESSORY BUILDINGS. AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**11:15 a.m. Second Reading Public Hearing/**Planning/Vice-Mayor Ricky Arriola

Continued from July 31, 2019 - R5 C

**ACTION: Ordinance [2019-4305](#) adopted as amended.** Item heard with R5 G. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance as amended on Second Reading made by Commissioner Alemán; seconded by Vice-Mayor Arriola; Ballot vote: 6-1; Opposed: Commissioner Malakoff.

## **OCTOBER 16, 2019**

R5 G ACCESSORY DWELLING UNITS (ADU) - COMPREHENSIVE PLAN AMENDMENT  
AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, BY AMENDING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT"; OBJECTIVE 1, ENTITLED "LAND DEVELOPMENT REGULATIONS," AT POLICY 1.2, "SINGLE FAMILY RESIDENTIAL CATEGORY (RS)," TO ALLOW FOR ACCESSORY AND CONDITIONAL USES AS PROVIDED FOR IN THE LAND DEVELOPMENT REGULATIONS AND TO PROVIDE THAT ACCESSORY DWELLING UNITS DO NOT COUNT TOWARDS MAXIMUM DENSITY LIMITS. AND AMENDING CHAPTER 3, ENTITLED "HOUSING ELEMENT," OBJECTIVE 1, ENTITLED "CREATION AND/OR PRESERVATION OF AFFORDABLE HOUSING" AND "OBJECTIVE 3," ENTITLED "ADEQUATE SITES AND DISTRIBUTION OF HOUSING FOR VERY LOW TO MODERATE-INCOME HOUSEHOLDS; AND ADEQUATE SITES FOR MOBILE AND MANUFACTURED HOMES," TO PROVIDE FOR THE DEVELOPMENT OF ACCESSORY DWELLING UNITS IN ORDER TO ENCOURAGE THE DEVELOPMENT OF HOUSING AT AN ATTAINABLE RATE. AND PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**11:10 a.m. Second Reading Public Hearing/**Planning/Vice-Mayor Ricky Arriola

Continued from July 31, 2019 - R5 B

**ACTION: Ordinance [2019-4304](#) adopted as amended.** Item heard in conjunction with R5 H. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Alemán; seconded by Vice-Mayor Arriola; Ballot vote: 6-1; Opposed: Commissioner Malakoff.

## **OCTOBER 16, 2019**

R5 F DEVELOPMENT REGULATIONS FOR HOTELS ON LINCOLN ROAD  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," SECTION 130-33, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, AND 7," TO AMEND THE OFF-STREET PARKING REQUIREMENTS FOR HOTEL UNITS ON LINCOLN ROAD BETWEEN ALTON ROAD AND WASHINGTON AVENUE; BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 6, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," SECTION 142-337, "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO AMEND THE MINIMUM HOTEL UNIT SIZE FOR NEW HOTEL UNITS AND THE MAXIMUM BUILDING HEIGHT FOR HISTORIC BUILDINGS ON LINCOLN ROAD; AND BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 5, "HEIGHT REGULATIONS," TO PROVIDE ADDITIONAL REGULATIONS FOR ROOFTOP ADDITIONS FOR HISTORIC BUILDINGS ON LINCOLN ROAD. AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

**10:35 a.m. Second Reading Public Hearing/**Planning/Vice-Mayor Ricky Arriola

First Reading on September 11, 2019 - R5 L

**ACTION: Ordinance [2019-4303](#) adopted as amended.** Title of the Ordinance read into the

record. Motion made by Commissioner Alemán to adopt the Ordinance as amended; seconded by Vice-Mayor Arriola; Ballot vote: 7-0.

**AMENDMENTS:**

- Remove Drexel Avenue altogether
- Adding the 500-room cap for hotel units that are availing themselves of these incentives.
- Keeping the 0.5% Art in Public Places contribution.

## **OCTOBER 16, 2019**

### **SUPPLEMENTAL MATERIAL 1: ADDITIONAL INFORMATION**

R5 C EVALUATION AND APPRAISAL REVIEW - COMPREHENSIVE PLAN AMENDMENTS  
AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE STATE COORDINATED REVIEW PROCESS OF SECTION 163.3184(4) AND (11), FLORIDA STATUTES, BY AMENDING GOALS, OBJECTIVES, POLICIES, AND DOCUMENT TITLES OF THE COMPREHENSIVE PLAN, INCLUDING THE FOLLOWING ELEMENTS: FUTURE LAND USE, TRANSPORTATION, HOUSING, PUBLIC SCHOOLS FACILITIES, INFRASTRUCTURE, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, CAPITAL IMPROVEMENTS PROGRAM, AND HISTORIC PRESERVATION. ESTABLISHING A NEW RESILIENCY AND SUSTAINABILITY ELEMENT THAT INCORPORATES THE CONSERVATION AND COASTAL ZONE MANAGEMENT GOALS, OBJECTIVES, AND POLICIES REQUIRED BY SECTION 163.3177, FLORIDA STATUTES; DELETING THE CONSERVATION/COASTAL ZONE MANAGEMENT ELEMENT; AND, PURSUANT TO FLORIDA ADMINISTRATIVE CODE RULE 73C-49 AND SECTION 163.3191, FLORIDA STATUTES, ENTITLED "EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN," INCORPORATING NECESSARY AMENDMENTS REFLECTING CHANGES IN STATE REQUIREMENTS, AND UPDATING THE COMPREHENSIVE PLAN BASED ON CHANGES IN LOCAL CONDITIONS SINCE THE LAST UPDATE BASED ON THE EVALUATION AND APPRAISAL REPORT UPDATE ADOPTED ON APRIL 13, 2011. PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing**

Planning/Commissioner John Elizabeth Alemán/First Reading on July 31, 2019 - R5 K  
Supplemental updated on 10/11/2019

**ACTION:** Ordinance [2019-4302](#) adopted as amended. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Alemán as amended; seconded by Commissioner Malakoff; Ballot vote: 7-0. **Thomas Mooney to handle.**

**AMENDMENT:**

**Policy ROS 1.4.3(new)**

Add comma (,) before "where appropriate"

The City shall continue to implement policies to recommendations in the Blueways Master Plan to increase the interaction of residents and tourists with the waterways in and around the City including, but not limited to, implementing kayak launches, landscape improvements, artificial habitat creation, establishing living shorelines, improve pedestrian connectivity, and create pedestrian promenades(,) where appropriate.

## **OCTOBER 16, 2019**

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-152, ENTITLED "NOISES; UNNECESSARY AND EXCESSIVE PROHIBITED," BY AMENDING THE HOURS PROHIBITING POWER TOOLS AND LANDSCAPING EQUIPMENT. AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:15 a.m. Second Reading Public Hearing**

Commissioners Mark Samuelian & Michael Góngora

First Reading on July 31, 2019 - R5 I

**ACTION: Ordinance [2019-4301](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Vice-Mayor Arriola; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## **OCTOBER 16, 2019**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFES," BY AMENDING SUBDIVISION II, ENTITLED "PERMIT," BY AMENDING SECTION 82-389 THEREOF, ENTITLED "SIDEWALK CAFE CODE OF CONDUCT," TO EXTEND THOSE PROHIBITIONS PERTAINING TO THE SOLICITATION OF PEDESTRIANS ON THE PUBLIC RIGHT OF WAY, AS SET FORTH IN SECTION 82-389(J) HEREIN, TO LINCOLN ROAD AND ESPANOLA WAY; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:10 a.m. Second Reading Public Hearing**

Office of the City Attorney/Mayor and City Commission/First Reading on September 25, 2019 - R5 C

**ACTION: Ordinance [2019-4300](#) adopted.** Item heard with R9 O. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on Second Reading made by Commissioner Steinberg; seconded by Commissioner Alemán; Ballot vote: 7-0.

## **SEPTEMBER 25, 2019**

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 1 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "GENERAL PROVISIONS," BY CREATING SECTION 1-15, ENTITLED "FEE SCHEDULE," TO PROVIDE THAT ALL FEES AND CHARGES ESTABLISHED BY THE CITY COMMISSION SHALL BE SET FORTH IN APPENDIX A TO THE CITY CODE, ENTITLED "FEE SCHEDULE"; PROVIDE FOR AN ANNUAL ADJUSTMENT FOR CERTAIN SPECIFIED FEES AND CHARGES TO REFLECT INCREASES IN THE CONSUMER PRICE INDEX; AND PROVIDE THAT CERTAIN OTHER FEES AND CHARGES SHALL BE SUBJECT TO ADJUSTMENT AS OTHERWISE PROVIDED IN THE CITY CODE; AND BY AMENDING APPENDIX A TO THE CITY CODE, ENTITLED "FEE SCHEDULE," TO CONSOLIDATE FEES AND CHARGES ESTABLISHED BY THE CITY COMMISSION, AND TO IDENTIFY WHICH FEES AND CHARGES SHALL BE SUBJECT TO ANNUAL ADJUSTMENT; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **5:06 p.m. Second Reading Public Hearing**

Office of Management and Budget      Commissioner Mark Samuelian

First Reading on September 11, 2019 – R5 K

**ACTION: Ordinance [2019-4299](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on second reading made by Commissioner Alemán; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## **SEPTEMBER 25, 2019**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF

MIAMI BEACH, FLORIDA, AMENDING CHAPTER 90 OF THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING ARTICLE IV, ENTITLED "PRIVATE WASTE CONTRACTORS," BY AMENDING DIVISION 4, ENTITLED "SPECIALTY CONTRACTORS," BY AMENDING SUBDIVISION II, ENTITLED "ROLL OFF/PORTABLE WASTE CONTAINER CONTRACTORS," BY AMENDING SECTION 90-278 THEREOF, ENTITLED "FEES AND REQUIREMENTS; PENALTIES FOR NON-PAYMENT," TO INCREASE THE ON-STREET PERMIT FEE AND OFF-STREET PERMIT FEE FOR ROLL OFF CONTAINERS FROM EIGHTEEN PERCENT (18%) TO TWENTY PERCENT (20%); AND PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE, WITH SUCH RAISE TO BECOME EFFECTIVE ON OCTOBER 5, 2019. **5:05 p.m. Second Reading Public Hearing**

Public Works Vice-Mayor Ricky Arriola First Reading on September 11, 2019 - R5 I

**ACTION: Ordinance [2019-4298](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance on second reading made by Commissioner Alemán; seconded by Commissioner Góngora; Ballot vote: 7-0.

## SEPTEMBER 11, 2019

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING APPENDIX A, ENTITLED "FEE SCHEDULE," TO CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," ARTICLE V, "FINANCE", "FEE FOR DISHONORED CHECKS OR ELECTRONIC FUNDS TRANSFER," BY AMENDING THE FEE FOR DISHONORED CHECKS AND ELECTRONIC FUNDS TRANSFERS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND FOR AN EFFECTIVE DATE.

**10:35 a.m. Second Reading Public Hearing** Finance

First Reading on July 17, 2019 - R5 M

Commissioner Mark Samuelian

**ACTION: Ordinance [2019-4297](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance on Second Reading by Commissioner Malakoff; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## SEPTEMBER 11, 2019

R5 F AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VII, ENTITLED "ART IN PUBLIC PLACES" ("AIPP"), BY AMENDING SECTION 82-537 THEREOF, ENTITLED "DEFINITIONS," TO AMEND THE DEFINITION OF "CITY CONSTRUCTION PROJECT" AND THE DOLLAR THRESHOLD THEREIN FROM \$500,000, TO \$250,000 FOR THE PROJECTS SUBJECT TO THE PROVISIONS OF ARTICLE VII; AMENDING THE TYPES OF PROJECTS EXCLUDED FROM THE APPLICABILITY OF ARTICLE VII, AND AMENDING THE DEFINITION OF "CONSTRUCTION COST"; BY AMENDING SECTION 82-562, ENTITLED "POWERS AND DUTIES," TO PROVIDE NON-SUBSTANTIVE TEXT AMENDMENTS; BY AMENDING SECTION 82-587, ENTITLED "APPROPRIATION BY THE CITY TO THE FUND," TO AMEND THE AMOUNT TO BE APPROPRIATED TO THE ART IN PUBLIC PLACES FUND ("FUND") FROM NOT LESS THAN 1½ PERCENT, TO NOT LESS THAN 2 PERCENT OF THE CONSTRUCTION COST OF CITY CONSTRUCTION PROJECTS, CONFORMING LANGUAGE RELATIVE TO PROJECTS DEVELOPED BY PERSONS OR ENTITIES OTHER THAN THE CITY TO THE AMENDED DEFINITIONS OF "CITY CONSTRUCTION PROJECT" AND "CONSTRUCTION COST," AND REQUIRING A

5/7TH CITY COMMISSION VOTE FOR WAIVER OR REDUCTION OF AN OTHERWISE REQUIRED AIPP APPROPRIATION OR PLACEMENT OF AN APPROPRIATION INTO THE FUND; BY AMENDING SECTION 82-588, ENTITLED "PERMITTED USE OF FUND MONIES," TO PROVIDE NON-SUBSTANTIVE TEXT CHANGES; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:30 a.m. Second Reading Public Hearing** Tourism and Culture

First Reading on July 17, 2019 - R5 T

Mayor Dan Gelber and Co-Sponsored by Commissioners John Alemán and Joy Malakoff

**ACTION: Ordinance [2019-4296](#) adopted.** Item heard in conjunction with R7 N. Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance on Second Reading by Commissioner Alemán; seconded by Commissioner Malakoff' Ballot vote: 7-0

## SEPTEMBER 11, 2019

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ENVIRONMENT," BY CREATING ARTICLE VIII, TO BE ENTITLED "SALE OR USE RESTRICTIONS FOR SINGLE-USE PLASTIC BEVERAGE STRAWS AND SINGLE-USE PLASTIC STIRRERS," TO ESTABLISH REGULATIONS FOR THE SALE AND USE OF SINGLE-USE PLASTIC BEVERAGE STRAWS AND SINGLE-USE PLASTIC STIRRERS, AND TO PROVIDE FOR ENFORCEMENT, PENALTIES, AND WAIVERS FOR FINANCIAL HARDSHIP; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:25 a.m.**

**Second Reading Public Hearing**

Environment and Sustainability First Reading on July 17, 2019 - R5 R

Sponsored by Vice-Mayor Ricky Arriola, Co-sponsored by Mayor Dan Gelber and Commissioners John Elizabeth, Michael Góngora, Joy Malakoff, Mark Samuelian and Micky Steinberg

**ACTION: Ordinance [2019-4295](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance on Second Reading by Commissioner Steinberg; seconded by Mayor Gelber; Ballot vote: 7-0.

## SEPTEMBER 11, 2019

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING PORTIONS OF THE CITY'S SIDEWALK CAFÉ ORDINANCE, AS CODIFIED IN SECTIONS 82-366 THROUGH 82-388 OF THE CITY CODE; SUCH AMENDMENTS PROVIDING, IN PART, FOR THE CREATION OF A NEW SECTION, 82-389, ENTITLED "SIDEWALK CAFÉ CODE OF CONDUCT," WHICH SECTION CONTAINS CERTAIN TERMS AND CONDITIONS FOR COMPLIANCE WITH A SIDEWALK CAFÉ PERMIT THAT WOULD BE SUBJECT TO ENHANCED PENALTIES FOR VIOLATION, (WHICH PENALTIES ARE SET FORTH IN SECTION 82-371(B)). FURTHER AMENDING THE SIDEWALK CAFÉ PERMIT APPLICATION REQUIREMENTS BY REQUIRING PERMITTEES TO EXECUTE AN AFFIDAVIT EVIDENCING RECEIPT OF THE CODE OF CONDUCT, AND PERMITTEES' AGREEMENT TO BE BOUND BY SAME; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing** Office of the City Manager

First Reading on July 17, 2019 - R5 Q

Mayor Dan Gelber and Co-Sponsored by Commissioner and Mark Samuelian

**ACTION: Ordinance [2019-4294](#) adopted as is with direction.** See related Item C6 C



#9. Item referred. Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance on Second Reading by Commissioner Góngora; seconded by Commissioner Alemán. Ballot vote: 7-0.

**REFERRAL:**

Referral to the September 25, 2019 Neighborhood/Community Affairs Committee to discuss sidewalk café Code of Conduct on Lincoln Road and Española Way. **Eric Carpenter to place on the Committee Agenda. Office of the City Attorney and Amy Mehu to handle.**

**DIRECTION:**

- First Reading for sidewalk café Ordinance for Española Way and Lincoln Road to be placed on the September 25, 2019 Budget Related Commission Agenda. Lilia Cardillo to place on the Commission Agenda, if received. **Office of the City Attorney and Amy Mehu to handle.**
- Direct Administration to add specific language in the permits for renewals that within a month or two they will be subject to the new Ordinance. **Roy Coley to handle.**

## **SEPTEMBER 11, 2019**

R5 C SUNSET HARBOR PARKING REDUCTIONS TO INCENTIVIZE RESILIENCY  
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," BY AMENDING CHAPTER 130 OF THE CITY CODE ENTITLED, "OFF-STREET PARKING," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-33, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, AND 8," TO AMEND THE PARKING REQUIREMENTS APPLICABLE TO PARKING DISTRICT NO. 5; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing**

Planning First Reading on July 17, 2019 - R5 P

Vice-Mayor Ricky Arriola

**ACTION: Ordinance [2019-4293](#) adopted as is.** Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance on Second Reading by Commissioner Alemán; seconded by Commissioner Malakoff. Ballot vote: 6-1. Opposed: Commissioner Góngora.

## **SEPTEMBER 11, 2019**

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE IV, ENTITLED "OFFICERS AND EMPLOYEES," BY AMENDING SECTION 2-191, ENTITLED "ENUMERATION OF ORGANIZATIONAL UNITS," BY AMENDING SUBSECTIONS (G), (I), (Q), AND (R) THEREOF TO REPLACE THE NAME OF "DEPARTMENT OF EMERGENCY MANAGEMENT" WITH THE "PROPERTY MANAGEMENT DEPARTMENT," TO CHANGE THE NAME OF THE "TRANSPORTATION DEPARTMENT" TO THE "TRANSPORTATION AND MOBILITY DEPARTMENT," TO CHANGE THE NAME OF "OFFICE OF COMMUNICATIONS" TO THE "OFFICE OF MARKETING AND COMMUNICATIONS," AND TO CHANGE THE NAME OF "OFFICE OF BUDGET AND PERFORMANCE IMPROVEMENT" TO THE "OFFICE OF MANAGEMENT AND BUDGET"; AND FURTHER AMENDING SECTION 2-191 BY CREATING SUBSECTIONS (Y) AND (Z) TO ADD THE "OFFICE OF INSPECTOR GENERAL" AND THE "FLEET MANAGEMENT DEPARTMENT"; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing** Human Resources

First Reading on July 31, 2019 - R5 J Vice-Mayor Ricky Arriola

**ACTION: Ordinance [2019-4292](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance on Second Reading by Commissioner Samuelian; seconded by Commissioner Alemán; Ballot vote: 7-0.

## SEPTEMBER 11, 2019

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, BY ADDING THE FOLLOWING CLASSIFICATIONS TO GROUP V REPRESENTED BY THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA (GSAF): CHIEF BUILDING INSPECTOR, CHIEF ROOFING INSPECTOR, SENIOR MECHANICAL INSPECTOR, SENIOR PLUMBING INSPECTOR AND SENIOR ELEVATOR INSPECTOR, WHICH WERE PREVIOUSLY CLASSIFIED AS UNCLASSIFIED EMPLOYEES IN ORDINANCE NO. 2017-4093, AND SENIOR MECHANICAL INSPECTOR, SENIOR PLUMBING INSPECTOR AND SENIOR ELEVATOR INSPECTOR WHICH WERE PREVIOUSLY CLASSIFIED AS GROUP VI COMPRISING OF ALL OTHER CLASSIFICATIONS IN THE CLASSIFIED SERVICE NOT COVERED BY A BARGAINING UNIT (COMMONLY REFERRED TO AS "OTHERS") IN ORDINANCE NO. 789; AMENDING AND READOPTING ALL REMAINING CLASSIFICATIONS AND GRADES IN ALPHABETICAL ORDER; RENUMBERING ALL SALARY GRADES; EFFECTIVE THE FIRST FULL PAY PERIOD IN OCTOBER OF 2018, THERE WILL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%), EFFECTIVE THE FIRST PAY PERIOD ENDING IN OCTOBER OF 2019 THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%).EFFECTIVE THE FIRST PAY PERIOD ENDING IN OCTOBER OF 2020, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%) WITH AN OPTION OF A TWO PERCENT (2%) ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) IF THE CITY OF MIAMI BEACH'S GENERAL FUND REVENUES INCREASE BY ELEVEN PERCENT (11%) IN JUNE OF 2019; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE. **10:05 a.m. Second Reading Public**

### **Hearing**

Human Resources

First Reading on July 17, 2019 - R5 L

Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2019-4291](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance on Second Reading by Commissioner Alemán; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## JULY 31, 2019

R5 H CCC CIVIC & CONVENTION CENTER DISTRICT HOTEL SETBACK REGULATIONS & MECHANICAL PARKING

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," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND

REGULATIONS," ARTICLE II, ENTITLED, "DISTRICT REGULATIONS," DIVISION 7, ENTITLED "CCC CONVENTION CENTER DISTRICT," SECTION 142-366, ENTITLED "SETBACK REQUIREMENTS," TO MODIFY THE DEVELOPMENT REGULATIONS PERTAINING TO SETBACK REQUIREMENTS TO ACCOMMODATE THE DEVELOPMENT OF A CONVENTION HOTEL; BY AMENDING CHAPTER 130 OF THE CITY CODE, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-38, ENTITLED "MECHANICAL AND ROBOTIC PARKING SYSTEMS," TO CREATE AN EXEMPTION FROM PLANNING BOARD REVIEW, IN ORDER TO ALLOW MECHANICAL PARKING IN THE CCC CIVIC & CONVENTION CENTER DISTRICT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

11:55 a.m. Second Reading Public Hearing

Planning

Mayor Dan Gelber

First Reading on July 17, 2019 - R5 O

**ACTION: Ordinance [2019-4290](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance by Commissioner Alemán; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## JULY 31, 2019

R5 G PORTION OF OCEAN TERRACE, 74TH STREET AND 75TH STREET RIGHTS OF WAY - ZONING DISTRICT CHANGE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING DISTRICT MAP, CONSISTENT WITH THE REQUIREMENTS OF CITY CODE SECTION 142-72, "DISTRICT MAP," AND PURSUANT TO CITY CODE SECTION 118-162, "PETITIONS FOR CHANGES AND AMENDMENTS," BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE OCEAN TERRACE RIGHT OF WAY (BETWEEN THE CENTERLINE OF 74TH STREET AND THE NORTHERN RIGHT OF WAY LINE OF 75TH STREET AS SHOWN ON THE PLAT OF THE TOWNSITE OF HARDING, RECORDED IN PLAT BOOK 34, PAGE 4 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY), AND LOCATED IN THE 75TH STREET RIGHT OF WAY BETWEEN OCEAN TERRACE AND COLLINS AVENUE, AND WHICH IS COMPRISED OF LESS THAN 10 ACRES, FROM THE CURRENT ZONING CLASSIFICATION OF GU, "GOVERNMENT USE DISTRICT," TO CD-2, "COMMERCIAL MEDIUM INTENSITY DISTRICT," AND MXE, "MIXED-USE ENTERTAINMENT," AND EXTENDING THE BOUNDARY OF THE OCEAN TERRACE OVERLAY ZONE TO ENCOMPASS SAID PARCEL OF LAND; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

11:35 a.m. Second Reading Public Hearing

Planning

Vice-Mayor Ricky Arriola

Continued from July 17, 2019 - R5 J

**ACTION: Ordinance [2019-4289](#) adopted.** Item heard in conjunction with R5 F, R7 A1, and R7 A2. See action and comments with R7 A2. Item heard in conjunction with R7 A1. See action and comments with R7 A2. Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance by Commissioner Malakoff; seconded by Commissioner Alemán; Ballot vote: 7-0.

## JULY 31, 2019

R5 F PORTION OF OCEAN TERRACE, 74TH STREET AND 75TH STREET RIGHTS OF WAY - COMPREHENSIVE PLAN

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY OF MIAMI BEACH 2025 COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE CATEGORY PURSUANT TO SECTION 118-166 OF THE CITY CODE, AND PURSUANT TO SECTIONS 163.3181 AND SECTION 163.3187, FLORIDA STATUTES, BY CHANGING THE FUTURE LAND USE DESIGNATION FOR A PARCEL OF LAND LOCATED IN THE EAST HALF OF THE OCEAN TERRACE RIGHT OF WAY (BETWEEN THE CENTERLINE OF 74TH STREET AND THE NORTHERN RIGHT OF WAY LINE OF 75TH STREET AS SHOWN ON THE PLAT OF THE TOWNSITE OF HARDING, RECORDED IN PLAT BOOK 34, PAGE 4 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY), AND LOCATED IN THE 75TH STREET RIGHT OF WAY BETWEEN OCEAN TERRACE AND COLLINS AVENUE, AND WHICH IS COMPRISED OF LESS THAN 10 ACRES, FROM THE CURRENT DESIGNATIONS OF PF, "PUBLIC FACILITY," AND ROS, "RECREATION AND OPEN SPACE," TO THE FUTURE LAND USE CATEGORIES OF CD-2, "COMMERCIAL MEDIUM INTENSITY," AND MXE, "MIXED-USE ENTERTAINMENT"; AND PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

11:30 a.m. Second Reading Public Hearing

Planning

Vice-Mayor Ricky Arriola

Continued from July 17, 2019 - R5 I

**ACTION: Ordinance [2019-4288](#) adopted.** Item heard in conjunction with R5 G, R7 A1, and R7 A2. See action and comments with R7 A2. Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance by Commissioner Alemán; seconded by Vice-Mayor Arriola; Ballot vote: 7-0.

## JULY 31, 2019

R5 E TC-C DISTRICT CO-LIVING UNIT DENSITY CALCULATIONS LAND DEVELOPMENT REGULATIONS

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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT," TO MODIFY HOW THE MAXIMUM NUMBER OF CO-LIVING UNITS IS CALCULATED, MODIFY THE MAXIMUM NUMBER OF CO-LIVING UNITS, AND MODIFY HOW CO-LIVING UNITS AFFECT MAXIMUM DENSITY CALCULATIONS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

11:25 p.m. Second Reading Public Hearing

Planning

Commissioner John Elizabeth Alemán

Continued from July 17, 2019 - R5 H

**ACTION: Ordinance [2019-4287](#) adopted.** Item heard with R5 D. See action with item. Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance as-is by Commissioner Alemán; with a six-month review; seconded by Commissioner Góngora. Ballot vote: 6-1; Opposed: Vice-Mayor Arriola.

## JULY 31, 2019

### R5 D TC-C DISTRICT CO-LIVING UNIT DENSITY CALCULATIONS COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, BY AMENDING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT"; OBJECTIVE 1, ENTITLED "LAND DEVELOPMENT REGULATIONS," AT POLICY 1.2, "TOWN CENTER - CENTRAL CORE CATEGORY (TC-C)," TO MODIFY HOW CO-LIVING UNITS AFFECT MAXIMUM DENSITY CALCULATIONS; AND AMENDING CHAPTER 3, ENTITLED "HOUSING ELEMENT," OBJECTIVE 1, ENTITLED "CREATION AND/OR PRESERVATION OF AFFORDABLE HOUSING" TO PROVIDE FOR THE DEVELOPMENT OF CO-LIVING UNITS IN ORDER TO ENCOURAGE THE DEVELOPMENT OF HOUSING AT AN ATTAINABLE RATE; AND PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

11:20 a.m. Second Reading Public Hearing

Planning

Commissioner John Elizabeth Alemán

Continued from July 17, 2019 - R5 G

**ACTION: Ordinance [2019-4286](#) adopted.** Item heard in conjunction with R5 E. Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance by Commissioner Alemán; seconded by Commissioner Malakoff; Ballot vote: 7-0.

## JULY 31, 2019

### R5 A HEIGHT INCREASE FOR GROUND LEVEL ADDITIONS ON OCEANFRONT LOTS IN THE ARCHITECTURAL DISTRICT

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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION V, ENTITLED "RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY," BY AMENDING SECTION 142-246, ENTITLED "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO INCREASE THE HEIGHT LIMIT FOR GROUND FLOOR ADDITIONS MEETING CERTAIN REQUIREMENTS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**11:05 a.m. Second Reading Public Hearing**

Planning

First Reading on July 17, 2019 - R5 N

Vice-Mayor Ricky Arriola and Co-Sponsored by

Commissioners John Elizabeth Alemán and Joy Malakoff

**ACTION: Ordinance [2019-4285](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance as-is, with the referrals referenced below, by Commissioner Alemán; seconded by Commissioner Malakoff; Ballot vote: 7-0.

## JULY 17, 2019



R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, BY ADDING THE FOLLOWING CLASSIFICATIONS TO GROUP III REPRESENTED BY THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF) LOCAL 1510: FIRE INSPECTOR AND FIRE INSPECTOR SUPERVISOR; IN ACCORDANCE WITH THE NEGOTIATED COLLECTIVE BARGAINING AGREEMENTS, PROVIDING FOR THE CLASSIFICATIONS IN GROUP III, REPRESENTED BY THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, (IAFF), LOCAL 1510; EFFECTIVE THE FIRST PAY PERIOD ENDING IN OCTOBER OF 2018, THERE WILL NOT BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ZERO PERCENT (0%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL NOT BE INCREASED; EFFECTIVE THE FIRST PAY PERIOD ENDING IN APRIL 1, OF 2020, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); EFFECTIVE THE FIRST PAY PERIOD ENDING IN APRIL 1, OF 2021, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND CODIFICATION.

**10:30 a.m. Second Reading Public Hearing**

Human Resources

Commissioner John Elizabeth Alemán and Co-Sponsored by Commissioner Joy Malakoff  
First Reading on June 5, 2019 - R5 T

**ACTION: Ordinance [2019-4284](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance on Second Reading by Commissioner Alemán; seconded by Commissioner Malakoff. Ballot vote: 7-0.

## **JULY 17, 2019**

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 62 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "HUMAN RELATIONS," BY AMENDING ARTICLE VI, ENTITLED "PROTECTION OF HOSPITALITY EMPLOYEES," BY AMENDING SECTION 62-206 THEREOF, ENTITLED "REQUIREMENT TO PROVIDE SAFETY BUTTON OR NOTIFICATION DEVICE TO CERTAIN EMPLOYEES," BY EXTENDING THE EFFECTIVE DATE FOR COMPLIANCE WITH THE PROVISIONS OF SECTION 62-206, WHICH IS CURRENTLY AUGUST 1, 2019; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing**

Office of the City Attorney      Commissioner Michael Góngora  
First Reading on June 5, 2019 - R5 S

**ACTION: Ordinance [2019-4283](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance on Second Reading by Commissioner Góngora; seconded by Commissioner Steinberg. Ballot vote: 5-2; Opposed: Vice-Mayor Arriola and Commissioner Alemán.

## **JULY 17, 2019**

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF

MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFES," BY AMENDING SUBDIVISION I, ENTITLED "GENERALLY," BY AMENDING SECTION 82-366 THEREOF, ENTITLED "DEFINITIONS," BY MODIFYING THE SPECIALS BOARD, MENU BOARD, AND SANDWICH BOARD SIGN DEFINITIONS; AND BY AMENDING SUBDIVISION II, ENTITLED "PERMIT," BY AMENDING SECTION 82-385 THEREOF, ENTITLED "MINIMUM STANDARDS, CRITERIA, AND CONDITIONS FOR OPERATION OF SIDEWALK CAFES," WHICH SHALL SERVE TO PROHIBIT A SIDEWALK CAFE FROM PLACING A SPECIALS BOARD UPON THE PUBLIC RIGHT OF WAY; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing**

Office of the City Manager      Sponsored by Commissioner Mark Samuelian

First Reading on June 5, 2019 - R5 R

**ACTION: Ordinance [2019-4282](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance on second reading by Commissioner Samuelian; seconded by Commissioner Alemán. Ballot vote: 7-0.

## **JULY 17, 2019**

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, "SIDEWALK CAFES," BY AMENDING SUBDIVISION II, "PERMIT," BY AMENDING SECTION 82-382, ENTITLED "APPLICATION," AND SECTION 82-383, ENTITLED "PERMIT FEE; PENALTIES FOR LATE PAYMENT; REVIEW OF FEE; EXCEPTION," TO EXTEND ABATEMENT OF SIDEWALK CAFE PERMIT FEES, INCLUDING ANNUAL PERMIT APPLICATION FEES AND SQUARE FOOTAGE FEES, FOR BUSINESSES PARTICIPATING IN THE CITY'S WASHINGTON AVENUE PILOT PARKLET PROGRAM, WHICH PROGRAM SHALL TERMINATE ON MARCH 31, 2021; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing**

Public Works      Vice-Mayor Ricky Arriola

First Reading on June 5, 2019 - R5 Q

**ACTION: Ordinance [2019-4281](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made to adopt the Ordinance on second reading by Commissioner Alemán; seconded by Vice-Mayor Arriola. Ballot vote: 7-0.

## **JUNE 5, 2019**

**5:15:14 p.m.**

R5 L PROHIBITED USE AMENDMENT AND EXPANSION - LINCOLN ROAD AND ART DECO OVERLAY DISTRICT

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," BY AMENDING CHAPTER 114 OF THE CITY CODE, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, "DEFINITIONS," TO AMEND THE DEFINITIONS FOR "CONVENIENCE STORE" AND "GROCERY STORE"; AND AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS,"

DIVISION 6, ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," SECTION 142-335, ENTITLED "PROHIBITED USES," TO AMEND THE LIST OF PROHIBITED USES FOR PROPERTIES WITH A LOT LINE ON LINCOLN ROAD, BETWEEN COLLINS AVENUE AND ALTON ROAD; AND BY AMENDING ARTICLE III, ENTITLED "OVERLAY DISTRICTS," DIVISION 12, ENTITLED "ART DECO," AT SECTION 142-870.11, ENTITLED "COMPLIANCE WITH REGULATIONS," TO AMEND THE LIST OF PROHIBITED USES FOR PROPERTIES IN THE OVERLAY DISTRICT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:01 p.m. Second Reading Public Hearing**

Continued from May 8, 2019 - R5 L

Planning Commissioners Ricky Arriola and Michael Góngora

**ACTION: Ordinance [2019-4280](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt Ordinance Option A made by Commissioner Góngora; seconded by Commissioner Arriola; Voice vote: 7-0.

## **JUNE 5, 2019**

**2:23:59 p.m.**

**SUPPLEMENTAL MATERIAL 3: ORDINANCE**

R5 K WATER MANAGEMENT EXPERTS FOR DRB, PB, AND HPB AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 118 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE II, ENTITLED "BOARDS," DIVISION 2, ENTITLED "PLANNING BOARD," SECTION 118-53, ENTITLED "COMPOSITION"; DIVISION 3, ENTITLED "DESIGN REVIEW BOARD," SECTION 118-72, ENTITLED "MEMBERSHIP"; AND DIVISION 4, ENTITLED "HISTORIC PRESERVATION BOARD," SECTION 118-103, ENTITLED "MEMBERSHIP," TO AMEND THE COMPOSITION OF THE PLANNING BOARD, DESIGN REVIEW BOARD, AND HISTORIC PRESERVATION BOARD TO INCLUDE A CATEGORY FOR A WATER MANAGEMENT EXPERT ON EACH BOARD; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **2:15 p.m. Second Reading Public Hearing**

First Reading on May 8, 2019 - R5 W

Planning Commissioner John Elizabeth Alemán

Supplemental updated on 6/3/2019

**ACTION: Ordinance [2019-4279](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Alemán; seconded by Commissioner Samuelian; Voice vote: 7-0.

## **JUNE 5, 2019**

**2:00:29 p.m.**

R5 J LINCOLN ROAD - SPEAKER REGULATIONS AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 6, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," BY AMENDING SECTION 142-336 THEREOF, ENTITLED "LINCOLN ROAD REQUIREMENTS," TO MODIFY REGULATIONS PERTAINING TO INTERIOR AND EXTERIOR SPEAKERS ON LOTS FRONTING LINCOLN ROAD, AND TO ESTABLISH PENALTY AND ENFORCEMENT PROVISIONS APPLICABLE TO VIOLATIONS THEREOF; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN

**EFFECTIVE DATE. 1:40 p.m. Second Reading Public Hearing**

First Reading on May 8, 2019 - R5 O

Planning

Commissioners John Elizabeth Alemán and Ricky Arriola

**ACTION: Ordinance 2019-4278 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Alemán; seconded by Commissioner Góngora; Voice vote: 6-1; Opposed: Vice-Mayor Malakoff.

## **JUNE 5, 2019**

**1:59:04 p.m.**

R5 I TC-C DISTRICT- HEIGHT AND PUBLIC BENEFIT CLARIFICATIONS 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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT," TO MODIFY SECTION 142-747, ENTITLED "PUBLIC BENEFITS PROGRAM," TO CLARIFY THE ADDITIONAL HEIGHT INCENTIVES PROVIDED PURSUANT TO THE PUBLIC BENEFITS PROGRAM FOR THE TC-C DISTRICT, AND TO PROVIDE ALTERNATIVE OPTIONS IN THE EVENT OF AN APPLICANT'S NON-COMPLIANCE WITH THE LEED PLATINUM CERTIFICATION PUBLIC BENEFIT OPTION; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**1:35 p.m. Second Reading Public Hearing**

First Reading on May 8, 2019 - R5 T

Planning

Commissioner John Elizabeth Alemán

**ACTION: Ordinance 2019-4277 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Alemán; seconded by Commissioner Arriola; Voice vote: 7-0.

## **JUNE 5, 2019**

**1:52:49 p.m.**

R5 H ALTERNATIVE PARKING INCENTIVES FOR MAIN USE GARAGES AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE III, ENTITLED "DESIGN STANDARDS," AT SECTION 130-68, ENTITLED "COMMERCIAL AND NONCOMMERCIAL PARKING GARAGES," TO PROVIDE FOR ALTERNATIVE PARKING INCENTIVES, INCLUDING NON-PARKING USES, WITHIN MAIN USE COMMERCIAL AND NONCOMMERCIAL PARKING GARAGES, AND TO PROVIDE INCENTIVES FOR WORKFORCE HOUSING UNITS; AND AMENDING ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," AT SECTION 130-32, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1," TO ELIMINATE THE PARKING REQUIREMENT WITHIN PARKING DISTRICT NO. 1 FOR WORKFORCE HOUSING UNITS LOCATED WITHIN A MAIN USE PARKING GARAGE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE. **1:30 p.m. Second Reading Public Hearing**

First Reading PH on May 8, 2019 - R5 N

Planning

Commissioner John Elizabeth Alemán

**ACTION: Ordinance 2019-4276 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Alemán;

seconded by Commissioner Arriola; Voice vote: 7-0.

## **JUNE 5, 2019**

**10:51:47 a.m.**

R5 G COLLINS PARK NEIGHBORHOOD HOTEL & PARKING REGULATIONS  
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," BY AMENDING CHAPTER 130 OF THE CITY CODE ENTITLED, "OFF-STREET PARKING," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-31, ENTITLED "PARKING DISTRICTS ESTABLISHED," AND SECTION 130-33, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, AND 8," TO CREATE PARKING DISTRICT NO. 9, TO BE REFERRED TO AS THE "COLLINS PARK DISTRICT"; BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION IV, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," SECTION 142-217, ENTITLED "AREA REQUIREMENTS"; SUBDIVISION V, ENTITLED "RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY," SECTION 142-246, ENTITLED "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS"; DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-306, ENTITLED "DEVELOPMENT REGULATIONS"; AND DIVISION 6, ENTITLED, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," SECTION 142-337, ENTITLED "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO MODIFY THE DEVELOPMENT REGULATIONS PERTAINING TO PARKING REQUIREMENTS AND MINIMUM HOTEL UNIT SIZES FOR PROPERTIES LOCATED WITHIN PARKING DISTRICT NO. 9; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

### **10:35 a.m. Second Reading Public Hearing**

First Reading on May 8, 2019 - R5 U

Planning

Commissioner Ricky Arriola

**ACTION: Ordinance [2019-4275](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion [2] made by Commissioner Alemán to adopt the Ordinance as amended; seconded by Vice-Mayor Malakoff; Voice vote: 6-0; Absent: Commissioner Steinberg. **Thomas Mooney to handle.**

### **MOTION 1:**

Motion made by Commissioner Alemán to adopt the Ordinance as-is; seconded by Commissioner Arriola. Roll-call vote: 2-4. Against: Mayor Gelber, Vice-Mayor Malakoff, Commissioners Góngora, and Samuelian. Absent: Commissioner Steinberg. **Motion failed.**

### **MOTION 2:**

Motion made by Commissioner Alemán to adopt the Ordinance as amended, with no parking requirements for establishments that have 100 seats or fewer; seconded by Vice-Mayor Malakoff. Roll-call vote: 6-0. Absent: Commissioner Steinberg. **Motion approved.**

## **JUNE 5, 2019**

**10:51:00 a.m.**

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF



MIAMI BEACH, FLORIDA, AMENDING CHAPTER 62 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED, "HUMAN RELATIONS," BY AMENDING ARTICLE II, ENTITLED "DISCRIMINATION," BY AMENDING SECTION 62-35 ENTITLED "MEMBERSHIP," TO REMOVE THE REQUIREMENT THAT AN ATTORNEY MUST SERVE AS CHAIR OF THE HUMAN RIGHTS COMMITTEE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:30 a.m. Second Reading Public Hearing**

First Reading on May 8, 2019 - R5 Z

Office of the City Attorney

Vice-Mayor Joy Malakoff and Commissioner Michael Góngora

**ACTION: Ordinance [2019-4274](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Alemán; seconded by Mayor Gelber; Voice vote: 6-0; Absent: Commissioner Steinberg.

## **JUNE 5, 2019**

**10:49:58 a.m.**

R5 E SIGNAGE REQUIREMENTS FOR TEMPORARY BUSINESSES AND SIGN CODE AMENDMENTS FOR THE TC-C ZONING DISTRICT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 138, ENTITLED "SIGNS," ARTICLE VI, ENTITLED "SPECIFIC USE SIGNS," BY CREATING SECTION 138-205, ENTITLED "SIGNAGE FOR TEMPORARY BUSINESSES," TO ESTABLISH REGULATIONS FOR SIGNAGE ASSOCIATED WITH THE OPERATION OF A TEMPORARY BUSINESS; AND AMENDING ARTICLE II, ENTITLED "DESIGN STANDARDS, WINDOW, AWNING, WALL, PROJECTING, AND DETACHED (MONUMENT) SIGNS," AT SECTION 138-16, ENTITLED "WALL SIGN," SECTION 138-18, ENTITLED "PROJECTING SIGN," AND SECTION 138-19, ENTITLED "DETACHED SIGN," TO CLARIFY SIGNAGE REQUIREMENTS APPLICABLE TO THE TOWN CENTER- CENTRAL CORE (TC-C) ZONING DISTRICT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing**

First Reading on May 8, 2019 - R5 X

Planning

Commissioner Ricky Arriola

**ACTION: Ordinance [2019-4273](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Alemán; seconded by Commissioner Arriola; Voice vote: 6-0; Absent: Commissioner Steinberg.

## **JUNE 5, 2019**

**10:48:29 a.m.**

R5 D SINGLE FAMILY ACCESSORY STRUCTURE HARMONIZATION

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," BY AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE IX, ENTITLED "NONCONFORMANCES," AT SECTION 118-395, ENTITLED "REPAIR AND/OR REHABILITATION OF NONCONFORMING BUILDINGS AND USES," TO INCORPORATE EXISTING REQUIREMENTS FOR NONCONFORMING SINGLE FAMILY STRUCTURES AND ALLOW FOR THE RAISING OF CERTAIN ACCESSORY AND NON-HABITABLE STRUCTURES; AND AMENDING CHAPTER 142, ENTITLED

"ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 2, ENTITLED "RS-1, RS-2, RS-3, AND RS-4 SINGLE FAMILY RESIDENTIAL DISTRICTS," AT SECTION 142-105, ENTITLED "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO AMEND REQUIREMENTS FOR NONCONFORMING SINGLE FAMILY STRUCTURES; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing**

First Reading on May 8, 2019 - R5 V

Planning

Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2019-4272](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Alemán; seconded by Vice-Mayor Malakoff; Voice vote: 6-0; Absent: Commissioner Steinberg.

## **JUNE 5, 2019**

**10:40:26 a.m.**

R5 C ADMINISTRATIVE REVIEW OF OPERABLE STOREFRONTS

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 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE VI, "DESIGN REVIEW PROCEDURES," AT SECTION 118-260, ENTITLED "ADMINISTRATIVE REVIEW PROCEDURES," TO AUTHORIZE THE ADMINISTRATIVE REVIEW OF OPERABLE STOREFRONTS AND/OR FAÇADE ALTERATIONS UTILIZING AN EXTERIOR COMPONENT WITHIN THE STOREFRONT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing**

First Reading on May 8, 2019 - R5 Q

Planning

Commissioner Ricky Arriola

**ACTION: Ordinance [2019-4271](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Alemán; seconded by Commissioner Arriola; Voice vote: 6-0; Absent: Commissioner Steinberg.

## **JUNE 5, 2019**

**10:38:57 a.m.**

R5 B MECHANICAL PARKING AMENDMENTS

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," BY AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-38, ENTITLED "MECHANICAL AND ROBOTIC PARKING SYSTEMS," TO AUTHORIZE THE DESIGN REVIEW BOARD AND HISTORIC PRESERVATION BOARD TO REVIEW AND APPROVE MECHANICAL PARKING ASSOCIATED WITH APARTMENT BUILDINGS WITH 20 APARTMENT UNITS OR LESS, EVEN WHEN AN ALLEY IS NOT PRESENT, AND TO AUTHORIZE THE PLANNING DIRECTOR TO REVIEW AND APPROVE MECHANICAL PARKING LIFTS ASSOCIATED WITH SINGLE-FAMILY HOMES; AND TO MODIFY THE INSPECTION REQUIREMENTS FOR ALL MECHANICAL PARKING SYSTEMS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

### **10:10 a.m. Second Reading Public Hearing**

First Reading on May 8, 2019 - R5 P Planning

Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2019-4270](#) adopted.** See related Item C6 D #10. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Alemán; seconded by Commissioner Góngora; Voice vote: 6-0; Absent: Commissioner Steinberg.

## **JUNE 5, 2019**

**10:35:00 a.m.**

R5 A DISTANCE SEPARATION AND PROHIBITION ON VAPING AND SMOKE SHOPS AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISIONS," AT SECTION 114-1, ENTITLED "DEFINITIONS," TO DEFINE RETAIL TOBACCO PRODUCTS DEALER, RETAIL VAPE PRODUCTS DEALER, RETAIL SMOKING DEVICES DEALER, TOBACCO/VAPE DEALER, CIGAR/HOOKAH BAR, AND RELATED TERMS; CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," AT SECTION 142-311, ENTITLED "ALTON ROAD GATEWAY AREA DEVELOPMENT REGULATIONS," TO PROHIBIT TOBACCO/VAPE DEALERS; CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 6, ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," AT SECTION 142-335, ENTITLED "PROHIBITED USES," TO PROHIBIT TOBACCO/VAPE DEALERS; CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, ENTITLED "OVERLAY DISTRICTS," DIVISION 12, ENTITLED "ART DECO MIMO COMMERCIAL CHARACTER OVERLAY DISTRICT," AT SECTION 142-870.11, ENTITLED "COMPLIANCE WITH REGULATIONS," TO PROHIBIT TOBACCO/VAPE DEALERS; AND CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE V, ENTITLED "SPECIALIZED USE REGULATIONS," ESTABLISHING DIVISION 11, TO BE ENTITLED "TOBACCO AND VAPING PRODUCTS," TO PROHIBIT TOBACCO/VAPE DEALERS IN PROXIMITY TO ELEMENTARY, MIDDLE, AND SECONDARY SCHOOLS, AND ESTABLISH DISTANCE SEPARATION REQUIREMENTS; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

### **10:05 a.m. Second Reading Public Hearing**

First Reading PH on 5/8/19 - R5 M Planning Vice-Mayor Joy Malakoff

**ACTION: Ordinance [2019-4269](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Vice-Mayor Malakoff; seconded by Commissioner Alemán; Voice vote: 6-0; Absent: Commissioner Steinberg.

## **MAY 8, 2019**

**1:55:12 p.m.**

**1:57:30 p.m.**

R5 K AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "TAXATION," BY AMENDING ARTICLE V, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTION 102-356 THEREOF, ENTITLED "CONSTRUCTION OF ARTICLE; DEFINITIONS," TO AMEND THE DEFINITION OF "PROMOTER"; AMENDING SECTION 102-360 THEREOF, ENTITLED "BUSINESS TAX

RECEIPT DURATION AND EXPIRATION DATE," TO ESTABLISH A PROHIBITION ON THE ISSUANCE OF BUSINESS TAX RECEIPTS TO PROMOTERS DURING HIGH IMPACT PERIODS, AND FURTHER ESTABLISHING THE SUSPENSION, DURING HIGH IMPACT PERIODS, OF THOSE ANNUAL BUSINESS TAX RECEIPTS ISSUED TO PROMOTERS; AMENDING SECTION 102-377 THEREOF, ENTITLED "PENALTIES, ENFORCEMENT; COLLECTION OF DELINQUENT FEES AND TAXES, AND CRIMINAL PENALTIES," BY SETTING FORTH ADDITIONAL PENALTIES FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS THAT HAVE A PROMOTED EVENT DURING A HIGH IMPACT PERIOD; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:35 p.m. Second Reading Public Hearing**

First Reading on April 24, 2019 - R5 A

Office of the City Attorney Mayor Dan Gelber

**ACTION: Ordinance [2019-4268](#) adopted.** See related Item C6 C #16. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Vice-Mayor Malakoff; seconded by Commissioner Alemán. Ballot vote: 6-1; Opposed: Commissioner Arriola.

## **MAY 8, 2019**

**1:53:19 p.m.**

R5 J AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFES," BY AMENDING SUBDIVISION LI, ENTITLED "PERMIT," BY AMENDING SECTION 82-381 THEREOF, ENTITLED "PERMITTED AREAS; CONDITION PERMIT; CITY MANAGER'S RIGHT TO REMOVE SIDEWALK CAFES; REQUIREMENT DISCLOSURES ON MENUS, BILLS, AND RECEIPTS," BY CLARIFYING A SIDEWALK CAFE'S STATUS UPON THE CITY'S PROPERTY, AND ESTABLISHING THE CITY MANAGER'S AUTHORITY TO TERMINATE OR SUSPEND SIDEWALK CAFE OPERATIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:33 p.m. Second Reading Public Hearing**

First Reading on April 10, 2019 - R5 M

Office of the City Attorney Mayor Dan Gelber

**ACTION: Ordinance [2019-4267](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Alemán; seconded by Vice-Mayor Malakoff. Ballot vote: 7-0.

## **MAY 8, 2019**

**1:45:48 p.m.**

**SUPPLEMENTAL MATERIAL 1: MEMORANDUM & ORDINANCE**

R5 I AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE V, ENTITLED "BEACHES," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 82-443 THEREOF, ENTITLED "HIGH IMPACT EVENTS ON BEACH PROPERTY," IN ORDER TO EXPAND THE AUTHORITY OF THE CITY MANAGER TO IMPOSE ADDITIONAL IMMEDIATE MEASURES FOR HIGH IMPACT EVENTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND

AN EFFECTIVE DATE.

**1:32 p.m. Second Reading Public Hearing**

First Reading on April 10, 2019 - R5 L

Office of the City Attorney

Mayor Dan Gelber

Supplemental updated on 5/3/2019

**ACTION: Ordinance [2019-4266](#) adopted, as corrected.** See related Item C6 C #16. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Góngora with the correction in the title; seconded by Vice-Mayor Malakoff. Ballot vote: 6-1; Opposed: Commissioner Arriola.

## **MAY 8, 2019**

**1:44:48 p.m.**

R5 H AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE I, ENTITLED "IN GENERAL," SECTION 6-5 THEREOF, ENTITLED "PATRON AGE RESTRICTIONS," BY AMENDING THE ENFORCEMENT AND PENALTIES PROVISIONS FOR THOSE VIOLATIONS ISSUED PURSUANT TO SECTION 6-5(A) OF THE CITY CODE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:31 p.m. Second Reading Public Hearing**

First Reading on April 10, 2019 - R5 K

Office of the City Attorney

Mayor Dan Gelber

**ACTION: Ordinance [2019-4265](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Alemán; seconded by Mayor Gelber. Ballot vote: 6-1; Opposed: Commissioner Arriola.

## **MAY 8, 2019**

**1:30:54 p.m.**

R5 G AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 82-1 THEREOF, ENTITLED "CONDUCTING BUSINESS ON STREETS, PARKS, OR OTHER PUBLIC PROPERTY; ENFORCEMENT; PENALTIES; UNPAID FINES TO CONSTITUTE LIENS," BY PROVIDING FOR CRIMINAL PENALTY PROVISIONS IN LIEU OF CIVIL PENALTIES FOR VIOLATIONS OF THIS SECTION AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:30 p.m. Second Reading Public Hearing**

First Reading on April 10, 2019 - R5 J

Office of the City Attorney

Commissioner Mark Samuelian

**ACTION: Ordinance [2019-4264](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Samuelian; seconded by Vice-Mayor Malakoff. Ballot vote: 5-2; Opposed: Commissioners Arriola and Góngora.

## **MAY 8, 2019**

**11:25:20 a.m.**

R5 F KITEBOARD OPERATOR PERMIT FEE



AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE V, ENTITLED "BEACHES," BY AMENDING DIVISION 2, ENTITLED "RESTRICTED AREAS," BY AMENDING THE HEADING TO SECTION 82- 468, ENTITLED "WATERCRAFT PROHIBITED IN RESTRICTED SWIM AREAS AND IN CERTAIN NON- RESTRICTED SWIM AREAS; PERMITTED LAUNCH, INGRESS/EGRESS, AND USE AREAS FOR KITEBOARDS; REQUIREMENTS REGARDING SAFETY EQUIPMENT AND DISTANCE," TO INCLUDE REFERENCES TO KITEBOARD OPERATOR PERMITS, DISTANCE SEPARATIONS, AND KITEBOARD LESSONS TO BE CONSISTENT WITH THE TEXT THEREIN; AND, AMENDING APPENDIX "A," ENTITLED "FEE SCHEDULE," TO INCLUDE A FEE FOR THE KITEBOARD OPERATOR PERMIT PROVIDED IN SECTION 82-468(C); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:30 a.m. Second Reading Public Hearing**

First Reading on April 10, 2019 - R5 H

Economic Development Commissioner Mark Samuelian

**ACTION: Ordinance [2019-4263](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Samuelian; seconded by Commissioner Alemán. Ballot vote: 7-0.

## **MAY 8, 2019**

**11:24:03 a.m.**

R5 E BUILDING PERMIT REPRIEVE PROGRAM

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "BUILDING REGULATIONS," BY AMENDING ARTICLE II, ENTITLED "CONSTRUCTION STANDARDS," BY AMENDING DIVISION 4 THEREOF, ENTITLED "2017-2018 BUILDING PERMIT REPRIEVE PROGRAM," BY AMENDING SECTIONS 14-85 AND 14-87 TO PROVIDE FOR AN ADDITIONAL ONE YEAR EXTENSION OF THE BUILDING PERMIT REPRIEVE PROGRAM FOR PROPERTY OWNERS WHO HAVE FAILED TO OBTAIN A BUILDING PERMIT(S), OR HAVE EXPIRED PERMITS, AND AMENDING THE TITLE OF DIVISION 4 ACCORDINGLY; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing**

First Reading on April 10, 2019 - R5 Q

Building Commissioner Micky Steinberg

**ACTION: Ordinance [2019-4262](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Steinberg; seconded by Commissioner Alemán. Ballot vote: 7-0.

## **MAY 8, 2019**

**11:22:45 a.m.**

R5 D 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, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 2, ENTITLED "TEMPORARY OBSTRUCTIONS," BY AMENDING SECTION 82-151, ENTITLED "PERMIT REQUIRED," BY AMENDING SUBSECTION 82-151 (E)(1),

ENTITLED "PENALTIES FOR VIOLATIONS," BY AMENDING THE FINE SCHEDULE TO FOUR OFFENSES WITH THE FIRST OFFENSE COMMENCING AT \$500; SECOND OFFENSE \$1,000; THIRD OFFENSE \$5,000; AND FOURTH OFFENSE \$10,000; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing**

First Reading on April 10, 2019 - R5 I

Parking

Vice-Mayor Joy Malakoff

**ACTION: Ordinance [2019-4261](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Vice-Mayor Malakoff; seconded by Commissioner Alemán. Ballot vote: 7-0.

## **MAY 8, 2019**

**11:20:58 a.m.**

R5 C AMENDMENT TO APPENDIX A - COMPREHENSIVE FEE ADJUSTMENTS LAND DEVELOPMENT AND PERMITTING FEES

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING APPENDIX A, "FEE SCHEDULE," TO AMEND PLANNING REVIEW FEES ASSOCIATED WITH LAND USE BOARD APPLICATIONS, BY AMENDING THE PER-SQUARE-FOOT FEES AND APPLICABILITY THEREOF, ESTABLISHING AN ADDITIONAL FEE FOR CONDITIONAL USE PERMITS FOR NEIGHBORHOOD IMPACT ESTABLISHMENT USES, ELIMINATING THE "EXCESSIVE REVIEW FEE," AND ESTABLISHING A RESUBMITTAL FEE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE..

**10:15 a.m. Second Reading Public Hearing**

First Reading on April 10, 2019 - R5 O

Planning

Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2019-4260](#) adopted.** See Related Item C6 A #1. Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Alemán; seconded by Mayor Gelber. Ballot vote: 7-0.

## **MAY 8, 2019**

**11:19:25 a.m.**

R5 B CITY COMMISSION SPONSORED COMPREHENSIVE PLAN AND LDR AMENDMENTS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE III, ENTITLED "AMENDMENT PROCEDURE," AT SECTION 118-162 THEREOF, ENTITLED "PETITION FOR CHANGES AND AMENDMENTS," TO AMEND THE APPLICATION REQUIREMENTS AND FEES ASSOCIATED WITH AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS AND COMPREHENSIVE PLAN; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing**

First Reading on April 10, 2019 - R5 G

Planning

Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2019-4259](#) adopted.** Title of the Ordinance read into the record.

Public Hearing held. Motion to adopt the Ordinance made by Commissioner Alemán; seconded by Vice-Mayor Malakoff. Ballot vote: 7-0.

## **MAY 8, 2019**

**11:18:00 a.m.**

R5 A TEMPORARY PARKING LOT STANDARDS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 126 OF THE CITY CODE, ENTITLED "LANDSCAPE REQUIREMENTS," SECTION 126-12, ENTITLED "TEMPORARY PARKING LOT STANDARDS," TO MODIFY THE REGULATIONS APPLICABLE TO TEMPORARY PARKING LOTS; AND AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE III "DESIGN STANDARDS," SECTION 130-70, "TEMPORARY PARKING LOT STANDARDS," TO MODIFY THE REQUIREMENTS FOR TEMPORARY PARKING LOTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:05 a.m. Second Reading Public Hearing**

F on April 10, 2019 - R5 F

Planning Commissioner Micky Steinberg

**ACTION: Ordinance [2019-4258](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion to adopt the Ordinance made by Commissioner Steinberg; seconded by Commissioner Alemán. Ballot vote: 7-0.

## **APRIL 10, 2019**

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 15 THEREOF, ENTITLED "SISTER CITIES PROGRAM" ("PROGRAM"), BY DELETING PROVISIONS REGARDING THE COORDINATING COUNCIL OF THE PROGRAM AND PROVIDING THAT THE PROGRAM SHALL BE ADMINISTERED BY THE MIAMI BEACH CHAMBER OF COMMERCE AND GOVERNED BY REGULATIONS AS MAY BE ESTABLISHED BY THE CITY COMMISSION BY RESOLUTION; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:20 a.m.**

### **Second Reading Public Hearing**

Office of the Mayor and Commissioner/Mayor Dan Gelber

First Reading on March 13, 2019 - R5 O

**ACTION: Ordinance [2019-4257](#) adopted as amended.** Item heard with R7 I. Motion made by Commissioner Alemán to approve the Ordinance, as amended, and the Memorandum of Understanding (R7 I); seconded by Mayor Gelber; Ballot vote: 7-0.

## **APRIL 10, 2019**

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY'S PROCUREMENT ORDINANCE, AS CODIFIED IN SECTIONS 2-312 THROUGH 2-396 OF DIVISIONS 1 THROUGH 4 OF ARTICLE VI, ENTITLED "PROCUREMENT," OF CHAPTER 2 OF THE CITY CODE, AMENDING SECTIONS 2-312 THROUGH 2-315 THEREOF, TO PROVIDE FOR DEFINITIONS AND UPDATED PROCEDURES FOR ENCUMBRANCES OF FUNDS AND THE SALE, TRANSFER, OR EXCHANGE OF SURPLUS GOODS; AMENDING SECTIONS 2-336 THROUGH 2-343 THEREOF, TO PROVIDE UPDATED

PURCHASING AUTHORITY PROCEDURES; AMENDING SECTIONS 2-366 THROUGH 2-374 THEREOF, TO INCREASE THE FORMAL BID THRESHOLDS FOR PROCUREMENT OF GOODS AND SERVICES, PROVIDE EXEMPTIONS FROM FORMAL BID REQUIREMENTS FOR CERTAIN SPECIFIED PROFESSIONAL SERVICES AND SOLE SOURCE PURCHASES, STREAMLINE CITY'S CONTRACT AND BID PROTEST PROCEDURES, AND AUTHORIZE A PRE-QUALIFICATION PROGRAM FOR CONSTRUCTION BIDDERS; AND AMENDING SECTIONS 2-366 THROUGH 2-374 THEREOF, TO PROVIDE UPDATED PROCEDURES FOR OPEN MARKET PURCHASES, COOPERATIVE PURCHASING, AND EMERGENCY PURCHASES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing** Procurement/Commissioner Ricky Arriola  
First Reading on March 13, 2019 - R5 L

**ACTION: Ordinance [2019-4256](#) adopted as amended.** Motion made by Commissioner Alemán to approve the Ordinance as amended; seconded by Commissioner Arriola; Ballot vote: 7-0.

## **APRIL 10, 2019**

### **R5 B ALTON GATEWAY DEVELOPMENT REGULATION AMENDMENTS**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," AT SECTION 142-311, ENTITLED "ALTON ROAD GATEWAY AREA DEVELOPMENT REGULATIONS," TO INCLUDE MODIFICATIONS TO BUILDING SETBACKS, PEDESTRIAN PATH REQUIREMENTS, BUILDING HEIGHT FOR NON-RESIDENTIAL STRUCTURES, AND GREEN SPACE REQUIREMENTS; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing** Planning/Mayor Dan Gelber  
First Reading on March 13, 2019 - R5 K

**ACTION: Ordinance [2019-4255](#) adopted.** Motion made by Commissioner Alemán to approve the Ordinance; seconded by Mayor Gelber; Ballot vote: 7-0.

## **APRIL 10, 2019**

### **R5 A DEVELOPMENT AGREEMENT TIMETABLES**

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," CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE I, ENTITLED "IN GENERAL," SECTION 118-4, ENTITLED "AUTHORITY TO ENTER INTO DEVELOPMENT AGREEMENT; HEARINGS," IN ORDER TO PROVIDE THAT A DEVELOPMENT AGREEMENT MAY EXTEND THE EXPIRATION DATE OF CITY LAND USE BOARD ORDERS FOR PROJECTS CONTEMPLATED IN THE DEVELOPMENT AGREEMENT; AMENDING ARTICLE IV, ENTITLED "CONDITIONAL USE PROCEDURE," SECTION 118-193, ENTITLED "APPLICATIONS FOR CONDITIONAL USES"; AMENDING ARTICLE VI, ENTITLED "DESIGN REVIEW PROCEDURES," SECTION 118-258, ENTITLED "BUILDING PERMIT APPLICATION"; AMENDING ARTICLE VIII, ENTITLED "PROCEDURE FOR VARIANCES AND ADMINISTRATIVE APPEALS," SECTION 118-355, ENTITLED "VARIANCE TIME LIMITS; DECISIONS";

AND AMENDING ARTICLE X, ENTITLED "HISTORIC PRESERVATION," DIVISION 2, ENTITLED "HISTORIC PRESERVATION BOARD REVIEW OF PROJECTS," SECTION 118-532, ENTITLED "PROCEEDINGS BEFORE THE HISTORIC PRESERVATION BOARD," TO PROVIDE THAT A LAND USE BOARD ORDER MAY BE AUTOMATICALLY EXTENDED PURSUANT TO A DEVELOPMENT AGREEMENT THAT PROVIDES FOR A LATER EXPIRATION DATE THAN THE EXPIRATION DATE OTHERWISE APPLICABLE TO SUCH LAND USE BOARD ORDER; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:05 a.m. Second Reading Public Hearing** Planning/Commissioner Ricky Arriola

First Reading on March 13, 2019 - R5 J

**ACTION: Ordinance [2019-4254](#) adopted.** Motion made by Commissioner Alemán to approve the Ordinance; seconded by Commissioner Arriola; Ballot vote: 7-0.

## **MARCH 13, 2019**

R5 E LAND DEVELOPMENT AND PERMITTING FEES

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING APPENDIX A, "FEE SCHEDULE," TO REVISE THE PER-SQUARE-FOOT FEES CHARGED FOR SERVICES RELATED TO REVIEWS OF PLANNING BOARD, BOARD OF ADJUSTMENT, HISTORIC PRESERVATION BOARD, OR DESIGN REVIEW BOARD APPLICATIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:30 p.m. Second Reading Public Hearing**

Planning

Commissioner John Elizabeth Alemán

First Reading on February 13, 2019 - R5 Q

**ACTION: Ordinance [2019-4253](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Mayor Gelber; Ballot vote: 7-0.

## **MARCH 13, 2019**

R5 D URBAN HEAT ISLAND

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH AT CHAPTER 114, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, ENTITLED "DEFINITIONS," TO DEFINE "COOL PAVEMENT," "HIGH ALBEDO SURFACE," "POROUS PAVEMENT," "SOLAR CARPORT," "SUSTAINABLE ROOF FEE," AND RELATED TO AMEND RELATED DEFINITIONS; AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE I, ENTITLED "IN GENERAL," AT SECTION 118-7, ENTITLED "FEES FOR THE ADMINISTRATION OF LAND DEVELOPMENT REGULATIONS," TO WAIVE APPLICATION FEES FOR LAND USE BOARD APPROVAL TO INSTALL SUSTAINABLE ROOFING SYSTEMS, SOLAR CARPORTS, POROUS PAVEMENTS, AND COOL PAVEMENTS; AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," AT ARTICLE III, ENTITLED "DESIGN STANDARDS," TO CREATE REQUIREMENTS FOR SURFACE AND ROOFTOP PARKING; AMENDING CHAPTER 133, ENTITLED "SUSTAINABILITY AND RESILIENCY," ARTICLE II, ENTITLED "SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA," IN ORDER TO ESTABLISH REVIEW CRITERIA TO THE REDUCE THE HEAT ISLAND EFFECT OF BUILDINGS; AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT



REGULATIONS," DIVISION 2, ENTITLED "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," AT SECTION 142-105, ENTITLED "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO ALLOW FOR SOLAR PANELS TO BE CONSIDERED AS AN ALLOWABLE HEIGHT EXCEPTION; AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 1, ENTITLED "GENERALLY," AT SECTION 142-875, ENTITLED "ROOF REPLACEMENTS AND NEW ROOFS," TO ESTABLISH REQUIREMENTS FOR SUSTAINABLE ROOFS AND TO CREATE A "SUSTAINABLE ROOF FEE" FOR CONSTRUCTING A ROOFED CONSTRUCTION OF ROOFS UTILIZING ALTERNATIVE ROOFING MATERIALS; AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 2, ENTITLED "ACCESSORY USES," AT SECTION 142-902, ENTITLED "PERMITTED ACCESSORY USES," TO CLARIFY THAT SOLAR PANELS ARE A PERMITTED ACCESSORY USE IN ALL DISTRICTS; AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 4, ENTITLED "SUPPLEMENTARY YARD REGULATIONS," AT SECTION 142-1132, ENTITLED "ALLOWABLE ENCROACHMENTS WITHIN REQUIRED YARDS," TO ALLOW FOR SOLAR CARPORTS AS AN ALLOWABLE ENCROACHMENT INTO THE SIDE YARD SETBACKS, AND TO CREATE DRIVEWAYS REQUIREMENTS INCORPORATING PERVIOUS SURFACE AREAS; FURTHER AMENDING THE ABOVE AFORESTATED PROVISIONS TO ENSURE CONSISTENCY THROUGH OUT THE CODE AND TO CLEAN UP CERTAIN LANGUAGE OF THE CODE CLARIFY EXISTING REGULATIONS; AND AMENDING APPENDIX A, ENTITLED "FEE SCHEDULE," IN ORDER TO ESTABLISH A SUSTAINABLE ROOF FEE; AND PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing**

Planning

Commissioner John Elizabeth Alemán

First Reading on February 13, 2019 - R5 O

**ACTION: Ordinance [2019-4252](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Vice-Mayor Malakoff; Ballot vote: 7-0.

## **MARCH 13, 2019**

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ALCOHOLIC BEVERAGES," BY AMENDING SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLATIONS," BY AMENDING SUBSECTION 6-3(A)(6) TO PROVIDE ADDITIONAL CONDITIONS FOR THE EXTENSION OF ALCOHOLIC BEVERAGE SALES UNTIL 7:00 A.M. FOR CERTAIN ALCOHOLIC BEVERAGE ESTABLISHMENTS ON JANUARY 1 (NEW YEAR'S DAY) OR ON THE MONDAY OBSERVED AS A NATIONAL HOLIDAY FOR NEW YEAR'S DAY, AND DURING CERTAIN DESIGNATED MAJOR EVENT DAYS OR WEEKENDS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing**

Office of the City Attorney

First Reading on February 13, 2019 - R5 S

Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2019-4251](#) adopted as is.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Vice-Mayor Malakoff; Ballot vote: 7-0.

## MARCH 13, 2019

R5 B CCC CIVIC & CONVENTION CENTER DISTRICT HOTEL REGULATIONS  
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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 7, ENTITLED "CCC CONVENTION CENTER DISTRICT," SECTION 142-366, ENTITLED, "SETBACK REQUIREMENTS"; AMENDING CHAPTER 130 OF THE CITY CODE, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-32, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1," AND AMENDING ARTICLE IX, ENTITLED "VALET AND TANDEM PARKING," SECTION 130-251, ENTITLED "REQUIREMENTS," TO MODIFY THE DEVELOPMENT REGULATIONS PERTAINING TO SETBACK REQUIREMENTS AND PARKING REQUIREMENTS TO ACCOMMODATE THE DEVELOPMENT OF A CONVENTION HOTEL; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

### 10:10 a.m. Second Reading Public Hearing

Planning

Mayor Dan Gelber

First Reading on February 13, 2019 - R5 P

**ACTION: Ordinance [2019-4250](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to approve the Ordinance; seconded by Vice-Mayor Malakoff; Ballot vote: 7-0.

## MARCH 13, 2019

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 25, ENTITLED "TRANSPORTATION, PARKING, AND BICYCLE-PEDESTRIAN FACILITIES COMMITTEE," BY AMENDING SECTION 2-190.94, ENTITLED "COMPOSITION," TO AMEND THE COMPOSITION OF THE TRANSPORTATION, PARKING, AND BICYCLE-PEDESTRIAN FACILITIES COMMITTEE; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

### 10:05 a.m. Second Reading Public Hearing

Office of the City Attorney

Commissioner John Elizabeth Alemán

First Reading on February 13, 2019 - R5 N

**ACTION: Ordinance [2019-4249](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Malakoff to approve the Ordinance as amended; seconded by Commissioner Alemán; Ballot vote: 6-1; Opposed: Commissioner Góngora.

## MARCH 4, 2019

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING ARTICLE

II, ENTITLED "PUBLIC PLACES," BY AMENDING DIVISION 2, ENTITLED "BICYCLING, SKATEBOARDING, ROLLER SKATING, IN-LINE SKATING, MOTORIZED MEANS OF TRANSPORTATION, ELECTRIC BICYCLING, MOPEDS, MOTORCYCLES, MOTORIZED BICYCLES, AND MOTORIZED SCOOTERS," BY AMENDING SECTION 70-70.1, ENTITLED "RESPONSIBILITIES OF PERSONS AND BUSINESS ENTITIES PROVIDING RENTALS OR LEASES OF MOPEDS, MOTORCYCLES, AND MOTORIZED BICYCLES," TO AMEND THE REGULATIONS APPLICABLE TO THE RENTAL OR LEASE OF MOPEDS, MOTORCYCLES, AND MOTORIZED BICYCLES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**12:59 p.m. Second Reading Public Hearing**

Office of the City Attorney      Commissioner John Elizabeth Alemán

First Reading on February 13, 2019 - R5 R

**ACTION: Ordinance [2019-4248](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to adopt Ordinance; seconded by Mayor Gelber. Ballot vote: 6-0; Absent: Commissioner Góngora.

## **FEBRUARY 13, 2019**

R5 M MEDICAL CANNABIS TREATMENT CENTERS AND PHARMACY STORE  
AMENDED LAND USE REGULATIONS FOR DISTANCE SEPARATION FROM  
SCHOOLS

LAND USE AND DEVELOPMENT COMMITTEE VERSION

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA; AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE V, ENTITLED, "SPECIALIZED USE REGULATIONS," DIVISION 10, ENTITLED CONTROLLED SUBSTANCES REGULATIONS AND USE," TO: (1) PROVIDE FOR A METHOD OF CALCULATION FOR DISTANCE SEPARATION REQUIREMENTS BETWEEN MEDICAL CANNABIS TREATMENT CENTERS AND PRIVATE OR PUBLIC ELEMENTARY, MIDDLE OR SECONDARY SCHOOLS; AND (2) CREATE A DISTANCE SEPARATION REQUIREMENT BETWEEN MEDICAL CANNABIS TREATMENT CENTERS AND BETWEEN PHARMACIES; AMENDING CHAPTER 130 OF THE CITY CODE, ENTITLED "OFF-STREET PARKING," ARTICLE VI, ENTITLED "PARKING CREDIT SYSTEM," SECTION 130-161, ENTITLED "REGULATIONS," TO CLARIFY PARKING REQUIREMENTS FOR SUCH USES AND PRECLUDE USE OF THE PARKING CREDIT SYSTEM; AMENDING SECTION 142-1502 OF THE CITY CODE ENTITLED "ZONING DISTRICTS ALLOWING MEDICAL CANNABIS TREATMENT CENTERS, PHARMACY STORES, AND RELATED USES, PROHIBITED LOCATIONS, AND NONCONFORMING USES," TO CORRECT THE ZONING DESIGNATION FROM "TC-1" "TC-2" AND "TC-3(C)" TO "TC-1" AND "TC-C" FOR A MAJORITY OF THE BOUNDARY OF AREA 4, DUE TO THE ADOPTION OF THE "NORTH BEACH TOWN CENTER - CENTER CORE" REGULATIONS PURSUANT TO ORDINANCE NO. 2018-4224; AND TO CORRECT A SCRIVENER'S ERROR TO REPLACE HARDING AVENUE WITH BONITA AVENUE, AS THE WESTERN BOUNDARY OF AREA 4; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**5:01 p.m. Second Reading Public Hearing**

Planning/Office of the City Attorney

Commissioner John Elizabeth Alemán

First Reading PH on January 16, 2019 - R5 F

**ACTION: Ordinance [2019-4247](#) adopted as amended.** Title of the Ordinance read into

the record. Public Hearing held. See motions below.

**MOTION 1:**

Motion made by Commissioner Malakoff to remove the applicability clause within the Ordinance; seconded by Mayor Gelber. Ballot vote: 4-3; Opposed: Vice-Mayor Góngora and Commissioners Arriola and Samuelian.

**MOTION 2:**

Commissioner Alemán moved the distance separation at 1,200 feet; seconded by Commissioner Malakoff; Ballot vote: 7-0. Motion passes.

**AMENDMENTS**

\*Remove the applicability clause within the Ordinance

\*Increase distance separation between dispensaries to 1,200 feet

**FEBRUARY 13, 2019**

R5 L 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 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES; EXCEPTIONS," BY AMENDING SUBSECTION 106-55 (B)(11), ENTITLED "P71 - 46TH STREET AND COLLINS AVENUE MUNICIPAL PARKING LOT," BY CREATING A MONTHLY PARKING PERMIT RATE OF \$100.00; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

1:55 p.m. Second Reading Public Hearing

Parking

Mayor Dan Gelber

First Reading on January 16, 2019 - R5 G

**ACTION: Ordinance [2019-4246](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Góngora to approve the Ordinance; seconded by Mayor Gelber; Ballot vote: 5-2; Opposed: Commissioners Alemán and Arriola.

**FEBRUARY 13, 2019**

R5 K AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "TAXATION," BY AMENDING ARTICLE V, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTION 102-387 THEREOF, ENTITLED "HOSTING PLATFORMS' RESPONSIBILITIES REGARDING LEGALLY PERMISSIBLE TRANSIENT RENTAL AND OCCUPANCY (SHORT TERM) OF RESIDENTIAL PROPERTY," BY CLARIFYING THAT HOSTING PLATFORMS THAT INTEGRATE GEOFENCING OR GEOCODING WITHIN THEIR ONLINE PLATFORMS MUST STILL COMPLY WITH THE PROVISIONS IN SUBSECTION 102-387(A); AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

1:50 p.m. Second Reading Public Hearing

Office of the City Attorney

Mayor Dan Gelber

First Reading on January 16, 2019 - R5 S

**ACTION: Ordinance [2019-4245](#) adopted.** Title of the Ordinance read into the record.

Public Hearing held. Motion made by Commissioner Malakoff to approve the Ordinance; seconded by Commissioner Alemán; Ballot vote: 7-0.

## **FEBRUARY 13, 2019**

R5 J CD-2 HEIGHT AND EXISTING NONCONFORMING BUILDINGS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED, "LAND DEVELOPMENT REGULATIONS," CHAPTER 142, ENTITLED, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED, "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM-INTENSITY DISTRICT," AT SECTION 142-306, ENTITLED "DEVELOPMENT REGULATIONS," BY AMENDING THE MAXIMUM PERMITTED HEIGHT FOR SITES WITH PREVIOUSLY EXISTING NONCONFORMING BUILDINGS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

1:45 p.m. Second Reading Public Hearing

Planning

Commissioner John Elizabeth Alemán

First Reading on January 16, 2019 - R5 M

**ACTION: Ordinance [2019-4244](#) adopted.** Title of the Ordinance read into the record.

Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Commissioner Arriola; Ballot vote: 6-1; Opposed: Commissioner Samuelian.

## **FEBRUARY 13, 2019**

R5 I 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 SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," BY AMENDING DIVISION 13, ENTITLED "MXE MIXED USE ENTERTAINMENT DISTRICT," BY AMENDING SECTION 142-546 THEREOF, ENTITLED "ADDITIONAL RESTRICTIONS FOR LOTS FRONTING ON OCEAN DRIVE, OCEAN TERRACE AND COLLINS AVENUE," TO CLARIFY EXISTING PROVISIONS, AND TO ESTABLISH PENALTY AND ENFORCEMENT PROVISIONS APPLICABLE TO VIOLATIONS OF SECTION 142-546(B), PERTAINING TO SPEAKER REGULATIONS FOR LOTS FRONTING ON OCEAN DRIVE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

1:40 p.m. Second Reading Public Hearing

Planning/Office of the City Attorney

Commissioner Ricky Arriola

First Reading on January 16, 2019 - R5 L

**ACTION: Ordinance [2019-4243](#) adopted.** Title of the Ordinance read into the record.

Public Hearing held. Motion made by Commissioner Arriola to approve the Ordinance; seconded by Commissioner Alemán; Ballot vote: 7-0.

## **FEBRUARY 13, 2019**

R5 H ENCLOSED SEATING AREAS - OFF-STREET PARKING REGULATIONS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED, "LAND



DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 130, ENTITLED, "OFF-STREET PARKING," ARTICLE V, ENTITLED, "FEE IN LIEU OF PARKING PROGRAM," BY AMENDING STANDARDS AND PROCEDURES FOR OFF-STREET PARKING REQUIREMENTS IN THE ARCHITECTURAL DISTRICT; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

1:35 p.m. Second Reading Public Hearing

Planning

Commissioner John Elizabeth Alemán

First Reading on January 16, 2019 - R5 K

**ACTION: Ordinance [2019-4242](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Vice-Mayor Góngora; Ballot vote: 7-0.

## FEBRUARY 13, 2019

R5 G SINGLE FAMILY FRONT AND STREET SIDE SETBACK REGULATIONS RAISED STREET HARMONIZATION

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," BY AMENDING CHAPTER 142, ENTITLED, "ZONING DISTRICTS AND REGULATIONS," DIVISION 2, ENTITLED, "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," AT SECTION 142-106, ENTITLED, "SETBACK REQUIREMENTS FOR A SINGLE-FAMILY DETACHED DWELLING" BY MODIFYING FRONT AND STREET SIDE SETBACK REQUIREMENTS FOR PROPERTIES THAT SEEK TO HARMONIZE EXISTING YARD ELEVATIONS WITH CITY STREET RAISING PROJECTS; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

1:30 p.m. Second Reading Public Hearing

Planning

Commissioner John Elizabeth Alemán

First Reading on January 16, 2019 - R5 J

**ACTION: Ordinance [2019-4241](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Vice-Mayor Góngora; Ballot vote: 7-0.

## FEBRUARY 13, 2019

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE TO AMEND THE CITY'S SOLID WASTE FEE SCHEDULE, AND AMENDING APPENDIX "A" TO THE CITY CODE OF THE CITY OF MIAMI BEACH, ENTITLED "FEE SCHEDULE," IN ORDER TO MODIFY THE RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL FEE CHARGED PURSUANT TO CHAPTER 90 OF THE CITY CODE, ENTITLED "SOLID WASTE"; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

10:25 a.m. Second Reading Public Hearing

Public Works

Commissioners Ricky Arriola, Mark Samuelian, & John Elizabeth Alemán

First Reading on January 16, 2019 - R5 Q

**ACTION: Ordinance [2019-4240](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance;

seconded by Vice-Mayor Góngora; Ballot vote: 7-0.

## **FEBRUARY 13, 2019**

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE IV, ENTITLED "OFFICERS AND EMPLOYEES," BY CREATING DIVISION 5, ENTITLED "OFFICE OF INSPECTOR GENERAL," TO CREATE THE CITY OF MIAMI BEACH OFFICE OF INSPECTOR GENERAL; ESTABLISH THE MINIMUM QUALIFICATIONS, APPOINTMENT, AND TERM OF OFFICE; ESTABLISH AN AD HOC INSPECTOR GENERAL SELECTION COMMITTEE; PROVIDE FOR A CONTRACT OF EMPLOYMENT; DEFINE THE FUNCTIONS, AUTHORITY, AND POWERS OF THE OFFICE; PROVIDE THAT THE INSPECTOR GENERAL SHALL SERVE AS THE CITY'S INTERNAL AUDITOR; PROVIDE FOR PHYSICAL FACILITIES AND STAFFING; ESTABLISH A PROCEDURE FOR ISSUANCE OF REPORTS AND RECOMMENDATIONS; PROVIDE FOR AN ANNUAL BUDGET; ESTABLISH REPORTING REQUIREMENTS; PROVIDE FOR REMOVAL OF THE INSPECTOR GENERAL; PROVIDE FOR THE AMENDMENT OR REPEALER OF THIS ORDINANCE; AND PROVIDE FOR ABOLITION OF THE OFFICE; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

Office of the City Attorney

Mayor and Commission

First Reading on January 16, 2019 - R5 R

**ACTION: Ordinance [2019-4239](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## **FEBRUARY 13, 2019**

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE II, ENTITLED "CITY COMMISSION," BY AMENDING SECTION 2-12, ENTITLED "MEETING PROCEDURES AND AGENDAS," BY REPEALING PROVISIONS IN SUBSECTION (B), ENTITLED "ORDINANCE AND CHARTER AMENDMENT SPONSORS AND CO-SPONSORS," TO ELIMINATE THE REQUIREMENTS AND PROCEDURES RELATIVE TO CO-SPONSORS, AND BY RELETTERING AND AMENDING SUBSECTION (C)(1) TO CORRECT THE SUB-HEADING ENTITLED "SUBMISSION OF AGENDAS"; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Office of the City Attorney

Mayor Dan Gelber

First Reading on January 16, 2019 - R5 H

**ACTION: Ordinance [2019-4238](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Vice-Mayor Góngora; Ballot vote: 7-0.

## **FEBRUARY 13, 2019**

#### R5 C CD-2 MINIMUM HOTEL UNIT SIZE - FORMER HD ZONE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED, "ZONING DISTRICTS AND REGULATIONS", ARTICLE II "DISTRICT REGULATIONS," DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY," SECTION 142-306, ENTITLED "DEVELOPMENT REGULATIONS," TO ESTABLISH A MINIMUM HOTEL UNIT SIZE OF 250 SQUARE FEET FOR PROPERTY FORMERLY ZONED HD THAT DOES NOT EXCEED 25,000 SQUARE FEET; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing

Planning

Vice-Mayor Michael Góngora

First Reading on January 16, 2019 - R5 P

**ACTION: Ordinance [2019-4237](#) adopted.** Title of the Ordinance read into the record. Item heard with R5 A and R5 B. See comments and action with R5 A. Public Hearing held. Motion made by Vice-Mayor Góngora to approve the Ordinance; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## FEBRUARY 13, 2019

#### R5 B 550 9TH STREET - REZONING

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING DISTRICT MAP, CONSISTENT WITH THE REQUIREMENTS OF SECTION 142-72, OF THE CITY CODE, RELATING TO THE PROCESS FOR REZONING HOSPITAL DISTRICTS (HD) TO ANOTHER, COMPATIBLE ZONING DESIGNATION; AND CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL LOCATED AT 550 9TH STREET, FROM THE CURRENT ZONING CLASSIFICATION OF HD, "HOSPITAL DISTRICT," TO CD-2, "COMMERCIAL, MEDIUM INTENSITY"; AND PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

10:05 a.m. Second Reading Public Hearing

Planning

Vice-Mayor Michael Góngora

First Reading on January 16, 2019 - R5 O

**ACTION: Ordinance [2019-4236](#) adopted.** Title of the Ordinance read into the record. Item heard with R5 A and R5 C. See comments and action with Item R5 A. Public Hearing held. Motion made by Vice-Mayor Góngora to approve the Ordinance; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## FEBRUARY 13, 2019

#### R5 A 550 9TH STREET - PUBLIC FACILITY HOSPITAL (PF (HD)) COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY OF MIAMI BEACH 2025 COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE CATEGORY PURSUANT TO SECTION 118-166 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, SECTION 163.3181, FLORIDA STATUTES, AND SECTION 163.3187, FLORIDA STATUTES, BY CHANGING THE FUTURE LAND USE DESIGNATION FOR A PARCEL OF LAND LOCATED AT 550 9TH STREET, AND WHICH IS COMPRISED OF LESS THAN 10 ACRES, FROM THE CURRENT DESIGNATION OF PF-HD, "PUBLIC FACILITY - HOSPITAL," TO THE FUTURE LAND USE CATEGORY OF CD-2, "COMMERCIAL MEDIUM INTENSITY;" PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY;

AND AN EFFECTIVE DATE.

10:00 a.m. Second Reading Public Hearing  
Planning

Vice-Mayor Michael Góngora

First Reading on January 16, 2019 - R5 N

**ACTION: Ordinance [2019-4235](#) adopted.** Title of the Ordinance read into the record. Item heard with R5 B and R5 C. Public Hearing held. Motion made by Vice-Mayor Góngora to approve the Ordinance; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## JANUARY 16, 2019

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE I, ENTITLED "IN GENERAL," SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLATIONS," TO AMEND THE HOURS OF PACKAGE SALES OF ALCOHOLIC BEVERAGES (WHICH INCLUDE SALES OF ALCOHOL FOR OFF-PREMISES CONSUMPTION) IN SPECIFIED AREAS OF THE CITY; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:20 a.m. Second Reading Public Hearing

Office of the City Attorney

Vice-Mayor Michael Góngora

**ACTION: Ordinance [2019-4234](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Góngora to approve the Ordinance; seconded by Commissioner Arriola; Ballot vote: 6-0.

## JANUARY 16, 2019

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 26, AND SECTIONS 2-190.106 THROUGH 2-190.111 THEREOF, ENTITLED "RESERVED," TO ESTABLISH THE "GENERAL OBLIGATION BOND OVERSIGHT COMMITTEE," AND TO SET FORTH THE PURPOSE, POWERS AND DUTIES, COMPOSITION, KNOWLEDGE AND EXPERIENCE, AND SUPPORTING DEPARTMENTS FOR THE COMMITTEE; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Office of the City Attorney

Mayor Dan Gelber

**ACTION: Ordinance [2019-4233](#) adopted as amended.** Item heard with R9 D. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Vice-Mayor Góngora; Ballot vote: 6-0.

## JANUARY 16, 2019

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING ARTICLE II, ENTITLED "PUBLIC PLACES," BY AMENDING DIVISION 2, ENTITLED "BICYCLING, SKATEBOARDING, ROLLER SKATING, IN-LINE SKATING, MOTORIZED MEANS OF TRANSPORTATION, ELECTRIC BICYCLING, MOPEDS, MOTORCYCLES,

MOTORIZED BICYCLES, AND MOTORIZED SCOOTERS," BY AMENDING SECTION 70-70.1, ENTITLED "RESPONSIBILITIES OF PERSONS AND BUSINESS ENTITIES PROVIDING RENTALS OR LEASES OF MOPEDS, MOTORCYCLES, AND MOTORIZED BICYCLES," TO AMEND THE REGULATIONS APPLICABLE TO THE RENTAL OR LEASE OF MOPEDS, MOTORCYCLES, AND MOTORIZED BICYCLES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:10 a.m. Second Reading Public Hearing

Office of the City Attorney

Commissioner Ricky Arriola and Co-sponsored by Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2019-4232](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Commissioner Arriola; Ballot vote: 5-1; Opposed: Mayor Gelber.

## **JANUARY 16, 2019**

R5 B WASHINGTON AVENUE INTERIOR SETBACKS

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," BY AMENDING CHAPTER 142 OF THE CITY CODE ENTITLED, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED, "DISTRICT REGULATIONS," DIVISION 5, ENTITLED, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," BY AMENDING SECTION 13-309, ENTITLED, "WASHINGTON AVENUE DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO MODIFY THE DEVELOPMENT REGULATIONS PERTAINING TO INTERIOR SIDE YARDS; AND BY AMENDING CHAPTER 130, ENTITLED, "OFF-STREET PARKING," ARTICLE II, ENTITLED, "DISTRICTS; REQUIREMENTS," TO MODIFY THE PARKING REQUIREMENTS IN PARKING DISTRICT NO. 7; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

10:05 a.m. Second Reading Public Hearing

Planning

Vice-Mayor Michael Góngora

**ACTION: Ordinance [2019-4231](#) adopted.** Title of the Ordinance read into the record. Item referred to the Land Use and Development Committee and the Planning Board. Public Hearing held. Motion made by Vice-Mayor Góngora to approve the Ordinance; seconded by Commissioner Steinberg; Ballot vote: 6-0.

## **JANUARY 16, 2019**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE MIAMI BEACH CITY CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE IV, ENTITLED "OFFICERS AND EMPLOYEES," BY AMENDING DIVISION I, ENTITLED "GENERALLY," BY AMENDING SECTION 2-191, ENTITLED "ENUMERATION OF ORGANIZATIONAL UNITS," BY DIVIDING THE TOURISM, CULTURE, AND ECONOMIC DEVELOPMENT/DEPARTMENT INTO TWO SEPARATE DEPARTMENTS TO BE KNOWN AS THE TOURISM AND CULTURE DEPARTMENT AND THE ECONOMIC DEVELOPMENT DEPARTMENT; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:00 a.m. Second Reading Public Hearing

Human Resources



ACTION: Ordinance [2019-4230](#) adopted. Title of the Ordinance read into the record. Item heard in conjunction with R7 J. Public Hearing held. Motion made by Vice-Mayor Góngora to approve the Ordinance; seconded by Commissioner Alemán; Ballot vote: 6-0.

## DECEMBER 12, 2018

R5 F REZONING - 500-700 ALTON ROAD

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING DISTRICT MAP, REFERENCED IN SECTION 142-72, "DISTRICT MAP," OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO SECTION 118-162, "PETITIONS FOR CHANGES AND AMENDMENTS," BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR LOTS 8 THROUGH 14, BLOCK 2, OF THE AMENDED FLEETWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FROM THE CURRENT DESIGNATION OF "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," TO "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT"; AND FOR THE PROPERTIES BOUNDED BY 6TH STREET ON THE NORTH, ALTON ROAD ON THE EAST, 5TH STREET/MACARTHUR CAUSEWAY/STATE ROAD A1A ON THE SOUTH, AND WEST AVENUE ON THE WEST, FROM THE CURRENT DESIGNATION OF "C-PS2 GENERAL MIXED USE COMMERCIAL PERFORMANCE STANDARD DISTRICT," TO "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT"; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

**5:03 p.m. Second Reading Public Hearing** Planning Mayor Dan Gelber

**ACTION: Ordinance [2018-4229](#) adopted.** See related Item C6 A #6. **See action and comments with item R7 A.**

## DECEMBER 12, 2018

R5 E ALTON ROAD GATEWAY AREA DEVELOPMENT REGULATIONS - LDR AMENDMENTS

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, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II "DISTRICT REGULATIONS," DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY," TO CREATE SECTION 142-311, ENTITLED "ALTON ROAD GATEWAY AREA DEVELOPMENT REGULATIONS," TO ESTABLISH REGULATIONS FOR THE AREA BOUNDED BY 8TH STREET ON THE NORTH, ALTON ROAD ON THE EAST, 5TH STREET/MACARTHUR CAUSEWAY/SR A1A ON THE SOUTH, AND WEST AVENUE ON THE WEST, EXCLUDING LOTS 15 THROUGH 22, BLOCK 2, OF THE AMENDED FLEETWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; EXPANDING THE LISTING OF PROHIBITED USES; MODIFYING THE APPLICABLE SETBACKS, PROVIDING FOR CLEAR PEDESTRIAN PATHS; INCREASING THE ALLOWABLE HEIGHT LIMIT FOR MAIN USE RESIDENTIAL BUILDINGS, TO LIMIT THE MAXIMUM FLOOR PLATE SIZE OF THE TOWER PORTION OF NEW BUILDINGS; ESTABLISHING MINIMUM REQUIREMENTS FOR GREEN SPACE; AND MODIFYING DESIGN REQUIREMENTS WITHIN THE ALTON ROAD GATEWAY AREA INCLUDING, BUT NOT LIMITED TO, DESIGN REQUIREMENTS APPLICABLE TO BUILDING FLOORS CONTAINING PARKING SPACES; ALSO AMENDING CHAPTER 130 OF THE CITY CODE, ENTITLED "OFF-STREET PARKING," ARTICLE . II, "DISTRICTS; REQUIREMENTS," SECTION 130-31, "PARKING DISTRICTS ESTABLISHED," TO MODIFY THE BOUNDARIES OF PARKING DISTRICT NUMBER 6 TO INCORPORATE THE ENTIRE ALTON ROAD GATEWAY AREA; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE. **5:02 p.m. Second Reading Public Hearing**

Planning Mayor Dan Gelber

**ACTION: Ordinance [2018-4228](#) adopted.** See action and comments with item R7 A.

## DECEMBER 12, 2018

R5 D 500-700 ALTON ROAD - FLUM AND COMPREHENSIVE PLAN AMENDMENT  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE CATEGORY, PURSUANT TO SECTION 118-166 OF THE CITY CODE, AND SECTION 163.3187, FLORIDA STATUTES, FOR LOTS 8 THROUGH 14, BLOCK 2, OF THE AMENDED FLEETWOOD SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 28, PAGE 34, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, FROM THE CURRENT DESIGNATION OF "MEDIUM DENSITY MULTI FAMILY RESIDENTIAL CATEGORY (RM-2)," TO THE FUTURE LAND USE CATEGORY OF "MEDIUM INTENSITY COMMERCIAL CATEGORY (CD-2)"; AND FOR THE PROPERTIES BOUNDED BY 6TH STREET ON THE NORTH, ALTON ROAD ON THE EAST, 5TH STREET/MACARTHUR CAUSEWAY/STATE ROAD A1A ON THE SOUTH, AND WEST AVENUE ON THE WEST, FROM THE CURRENT DESIGNATION OF "GENERAL MIXED USE COMMERCIAL "PERFORMANCE STANDARD" CATEGORY (C-PS2)"; TO THE FUTURE LAND USE CATEGORY OF "MEDIUM INTENSITY COMMERCIAL CATEGORY (CD-2)"; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE. **5:01 p.m. Second Reading Public Hearing**

Planning Mayor Dan Gelber

**ACTION: Ordinance [2018-4227](#) adopted.** See also action and comments with item R7 A. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Commissioner Samuelian; Ballot vote: 7-0.

## DECEMBER 12, 2018

R5 C AN ORDINANCE OF THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 66 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MARINE STRUCTURES, FACILITIES, AND VESSELS," BY AMENDING ARTICLE II ENTITLED "RESTRICTED WAKE ZONES," BY AMENDING SECTION 66-43 ENTITLED "RESTRICTED AREAS" TO PROVIDE BOATING-RESTRICTED AREAS NEAR CITY OF MIAMI BEACH BRIDGES TO PROTECT THEM FROM SALT WATER CORROSION; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**2:30 p.m. Second Reading Public Hearing** Office of the City Attorney

Mayor Dan Gelber

**ACTION: Ordinance [2018-4226](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Commissioner Steinberg; Ballot vote: 7-0.

## DECEMBER 12, 2018

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE I, ENTITLED "IN GENERAL," SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLATIONS," TO AMEND THE HOURS OF PACKAGE SALES OF ALCOHOLIC BEVERAGES (WHICH INCLUDE SALES OF ALCOHOL FOR OFF-PREMISES CONSUMPTION) IN SPECIFIED AREAS OF THE CITY; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**2:10 p.m. Second Reading Public Hearing** Office of the City Attorney

Vice-Mayor Michael Góngora

**ACTION: Ordinance not adopted.** Item opened and continued to the January 16, 2019 Commission Meeting.

## DECEMBER 12, 2018

## **SUPPLEMENTAL MATERIAL 2: ADDITIONAL INFORMATION**

### **R5 A CD-3 ARCHITECTURAL DISTRICT PARKING GARAGE HEIGHTS**

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 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 6, "CD-3 COMMERCIAL HIGH INTENSITY DISTRICT," BY AMENDING SECTION 142-337, "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," TO AMEND THE MAXIMUM HEIGHT REQUIREMENTS FOR PARKING GARAGES WITHIN THE CD-3 ARCHITECTURAL DISTRICT FOR LOTS FRONTING ON JAMES AVENUE, BOUNDED BY 17TH STREET TO THE NORTH AND LINCOLN ROAD TO THE SOUTH; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. **2:05 p.m. Second Reading Public Hearing** Planning

Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2018-4225](#) adopted.** See related Item C6 B #10. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance as is, and have the restrictive covenant amended with a total of 25 parking spaces provided for the use of residents; seconded by Commissioner Arriola; Ballot vote: 6-1; Opposed: Commissioner Steinberg.

## **NOVEMBER 14, 2018**

### **R5 J NORTH BEACH TOWN CENTER - CENTRAL CORE LAND DEVELOPMENT REGULATIONS**

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART B - LAND DEVELOPMENT REGULATIONS OF THE CITY CODE BY AMENDING CHAPTER 114, "DEFINITIONS," TO DEFINE ARTISANAL RETAIL, CO-LIVING, NEIGHBORHOOD FULFILLMENT CENTER, LIVE- WORK, AND OTHER RELATED USES; CHAPTER 130, "OFF-STREET PARKING" TO ESTABLISH PARKING DISTRICT NO. 8, ESTABLISH PARKING REQUIREMENTS FOR APARTMENT AND TOWNHOME UNITS, CO-LIVING AND LIVE-WORK UNITS, OFFICE, AND OTHER USES WITHIN PARKING DISTRICT NO. 8, AND TO REMOVE PARCELS INCORPORATED INTO PARKING DISTRICT NO. 8 FROM PARKING DISTRICT NO. 4; AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE 11, "DISTRICT REGULATIONS," TO ESTABLISH DIVISION 21, "TOWN CENTER - CENTRAL CORE (TC-C) DISTRICT," PROVIDING FOR REGULATIONS ON PERMITTED, ACCESSORY, CONDITIONAL, AND PROHIBITED USES, ESTABLISHING SUPPLEMENTAL USE REGULATIONS, MODIFYING THRESHOLDS FOR NEIGHBORHOOD IMPACT ESTABLISHMENTS, PROVIDING LIMITS FOR FLOOR AREA RATIO, MAXIMUM HEIGHT LIMITS, MINIMUM UNIT SIZES, MINIMUM SETBACKS AND ENCROACHMENTS, TOWER REGULATIONS, REQUIREMENTS FOR CLEAR PEDESTRIAN PATHS AND EASEMENTS, MINIMUM STANDARDS FOR STREET TREES, BUILDING FRONTAGE REQUIREMENTS, REQUIREMENTS FOR THE DESIGN OF OFF-STREET PARKING FACILITIES, UTILITIES, AND LOADING, ESTABLISHING A 70TH STREET FRONTAGE, DESIGNATING STREET CLASSES, ESTABLISHING REQUIREMENTS FOR FRONTAGES ON STREET CLASS FRONTAGE TYPES, ESTABLISHING REQUIREMENTS FOR NONCONFORMING STRUCTURES; ESTABLISHING A PUBLIC BENEFITS PROGRAM, AND ESTABLISHING THE NORTH BEACH PUBLIC BENEFITS FUND; AMENDING APPENDIX A, "FEE SCHEDULE," TO ESTABLISH FEES FOR PUBLIC BENEFITS; AND MODIFYING THE ZONING DISTRICT CLASSIFICATION FOR THE PROPERTIES

GENERALLY BOUNDED BY 72ND STREET TO THE NORTH, COLLINS AVENUE TO THE EAST, 69TH STREET TO THE SOUTH, AND INDIAN CREEK DRIVE AND DICKENS AVENUE TO THE WEST FROM THE CURRENT "TOWN CENTER CORE (TC-1) DISTRICT," "TOWN CENTER MIXED-USE (TC-2) DISTRICT," "TOWN CENTER RESIDENTIAL OFFICE (TC-3) DISTRICT," AND "TOWN CENTER RESIDENTIAL OFFICE (C) (TC-3(C)) DISTRICT" TO "TOWN CENTER - CENTRAL CORE (TC-C) DISTRICT;" PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. **5:02 p.m. Second Reading Public Hearing**

Planning Commissioners John Elizabeth Alemán and Ricky Arriola

**ACTION: Ordinance [2018-4224](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Mayor Gelber to approve the Ordinance; seconded by Commissioner Arriola; Ballot vote: 6-1. Opposed: Commissioner Rosen Gonzalez.

## **NOVEMBER 14, 2018**

### **R5 I NORTH BEACH TOWN CENTER - CENTRAL CORE COMPREHENSIVE PLAN AMENDMENT**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT;" "OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS," POLICY 1.2, TO ESTABLISH THE TOWN CENTER - CENTRAL CORE CATEGORY (TC-C) PROVIDING FOR REGULATIONS ON USES, DENSITY LIMITS, AND INTENSITY LIMITS; BY AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTIES GENERALLY BOUNDED BY 72ND STREET TO THE NORTH, COLLINS AVENUE TO THE EAST, 69TH STREET TO THE SOUTH, AND INDIAN CREEK DRIVE AND DICKENS AVENUE TO THE WEST FROM THE CURRENT "TOWN CENTER CORE CATEGORY (TC-1)," "TOWN CENTER COMMERCIAL CATEGORY (TC-2)," AND "TOWN CENTER RESIDENTIAL OFFICE (TC-3)" TO "TOWN CENTER - CENTRAL CORE CATEGORY (TC-C);" PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. **5:01 p.m. Second Reading Public Hearing** Planning Commissioners John Elizabeth Alemán and Ricky Arriola

**ACTION: Ordinance [2018-4223](#) adopted.** Item heard in conjunction with item R5 J. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to approve the Ordinance; seconded by Commissioner Góngora; Ballot vote: 6-1. Opposed: Commissioner Rosen Gonzalez.

## **NOVEMBER 14, 2018**

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE V, ENTITLED "BEACHES," BY AMENDING DIVISION 2, ENTITLED "RESTRICTED AREAS," BY AMENDING THE PROVISIONS IN SECTIONS 82-466 THROUGH 82-470 REGARDING DEFINITIONS, PROHIBITING WATERCRAFT IN RESTRICTED SWIM AREAS, PROHIBITING WATERCRAFT IN CERTAIN NON-RESTRICTED SWIM AREAS, PROVIDING EXCEPTIONS FOR THE LAUNCH AND USE OF CERTAIN WATERCRAFT IN PERMITTED AREAS, PROVIDING REQUIREMENTS REGARDING CERTIFICATIONS, SAFETY EQUIPMENT, AND DISTANCE, PROVIDING

EXCEPTIONS REGARDING RESTRICTED AND NON-RESTRICTED SWIM AREAS, AND AMENDING THE PROVISIONS FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:40 a.m. Second Reading Public Hearing**

Tourism, Culture and Economic Development Commissioner Mark Samuelian

**ACTION: Ordinance [2018-4222](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to approve the Ordinance; seconded by Commissioner Samuelian; Ballot vote: 4-3. Opposed: Mayor Gelber, and Commissioners Steinberg and Rosen Gonzalez.

## **OCTOBER 17, 2018**

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 12 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ARTS, CULTURE AND ENTERTAINMENT," BY AMENDING ARTICLE III, ENTITLED "CITY SPONSORSHIP OF EVENTS," BY AMENDING SECTION 12-6, ENTITLED "DEFINITIONS," TO AMEND THE DEFINITION OF "SPONSORSHIP" AND "SPONSORSHIP CONTRACT"; AND BY AMENDING SECTION 12-9, ENTITLED "SPONSORSHIP TERMS AND CONDITIONS," TO AMEND CERTAIN PROVISIONS APPLICABLE TO CITY SPONSORSHIP OF SPECIAL EVENTS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:35 a.m. Second Reading Public Hearing**

Tourism, Culture, and Economic Development

Commissioner Ricky Arriola and Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2018-4221](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to approve the Ordinance; seconded by Vice-Mayor Samuelian; Ballot vote: 5-0; Absent: Commissioners Alemán and Rosen Gonzalez.

## **OCTOBER 17, 2018**

R5 E SEAWALL REVOCABLE PERMIT

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82, OF THE CITY CODE, ENTITLED "PUBLIC PROPERTY;" AMENDING DIVISION 2, ENTITLED "REVOCABLE PERMIT;" CREATING A NEW SECTION 82-97, ENTITLED "APPLICATION REQUIREMENTS FOR SEAWALLS ENCROACHING ON CITY SUBMERGED LANDS;" AND FURTHER AMENDING DIVISION 2 TO ENSURE CONSISTENCY AND CLEAN UP OF THE LANGUAGE OF THE CODE; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:30 a.m. Second Reading Public Hearing**

Public Works

Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2018-4220](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg to approve the Ordinance; seconded by Commissioner Góngora; Ballot vote: 5-0; Absent: Commissioners Alemán and Rosen Gonzalez.

## **OCTOBER 17, 2018**

R5 D DEMOLITION NOTICE ORDINANCE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14, ENTITLED "BUILDING REGULATIONS,"



OF THE CITY CODE BY AMENDING DIVISION 2, CREATING A NEW SECTION 14-421, ENTITLED "NOTICE OF DEMOLITION TO AFFECTED PERSONS;" IN ORDER TO PROVIDE FOR NOTICE TO AFFECTED PERSONS WHEN THE CITY ISSUES A DEMOLITION PERMIT FOR STRUCTURES THAT ARE THREE (3) OR MORE STORIES; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; APPLICABILITY; AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing** Office of the City Attorney  
Commissioner Michael Góngora and Co-sponsored by Mayor Gelber

**ACTION: Ordinance [2018-4219](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Góngora to approve the Ordinance; seconded by Commissioner Steinberg; Ballot vote: 6-0; Absent: Commissioner Rosen Gonzalez.

## **OCTOBER 17, 2018**

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MISCELLANEOUS OFFENSES," BY AMENDING SECTION 70-2, ENTITLED "SALE OF NICOTINE VAPORIZERS (E-CIGARETTES) AND LIQUID NICOTINE TO MINORS AND POSSESSION BY MINORS PROHIBITED; PENALTIES" BY AMENDING THE DEFINITIONS THEREIN; THE PROHIBITIONS REGARDING THE PHYSICAL ACCESSIBILITY OF NICOTINE VAPORIZERS AND LIQUID NICOTINE; PROVIDING SIGNAGE REQUIREMENTS FOR RETAILERS; INCLUDING PROHIBITIONS AND REQUIREMENTS REGARDING MAIL ORDERS, INTERNET, AND REMOTE SALES OF NICOTINE VAPORIZERS OR LIQUID NICOTINE; AMENDING THE PENALTIES FOR VIOLATIONS OF SECTION 70-2; AND PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing**

Office of the City Attorney Mayor Dan Gelber & Co-sponsored by Commissioner Alemán  
**ACTION: Ordinance [2018-4218](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Commissioner Steinberg. Ballot vote: 6-0; Absent: Commissioner Rosen Gonzalez.

## **OCTOBER 17, 2018**

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-157, ENTITLED "EXEMPTIONS," WHICH MODIFIES THOSE IDENTIFIED EXEMPTIONS THAT WOULD CONSTITUTE UNNECESSARY AND EXCESSIVE NOISE THAT IS PROHIBITED WITHIN SECTION 46-152; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:15 a.m. Second Reading Public Hearing**

Office of the City Attorney Mayor Dan Gelber

**ACTION: Ordinance [2018-4217](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Vice-Mayor Samuelian; Ballot vote: 6-0; Absent: Commissioner Rosen Gonzalez.

## **SEPTEMBER 26, 2018**

R5 D 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 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES; EXCEPTIONS," BY PROVIDING FOR AN ENTERTAINMENT DISTRICT PARKING ZONE AND PROVIDING PARKING METER RATES AND TIME LIMITS THEREFOR; BY AMENDING MUNICIPAL PARKING GARAGE AND PREFERRED PARKING LOT RATES AND PENALTIES, BY CREATING SUBSECTION 106-55 (B)(11), TO BE ENTITLED "P71 - 46TH STREET AND COLLINS AVENUE MUNICIPAL PARKING LOT," AND PROVIDING RATES THEREFOR; BY AMENDING THE PROVISIONS REGARDING CONSTRUCTION SPACE RENTAL FEES FOR METERED PARKING SPACES; AND, BY CREATING SUBSECTION 106-55(R), TO BE ENTITLED "HOSTEL/BED & BREAKFAST (B&B) IN RESTRICTED RESIDENTIAL ZONES," TO PROVIDE FOR DAILY PARKING PERMITS AND FEES; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

5:08 p.m. Second Reading Public Hearing

Parking

Vice-Mayor Mark Samuelian

ACTION: Ordinance [2018-4216](#) adopted. Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Samuelian to approve the Ordinance; seconded by Commissioner Arriola; Ballot vote: 6-1; Opposed: Commissioner Rosen Gonzalez.

## **SEPTEMBER 26, 2018**

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AT ITS JULY 13, 2018 BUDGET BRIEFING; AND AMENDING APPENDIX "A," ENTITLED "FEE SCHEDULE," TO THE CITY CODE, IN ORDER TO MODIFY THE FEES CHARGED PURSUANT TO SECTION 14-65, ENTITLED "MECHANICAL PERMIT FEES," IN ORDER TO MODIFY THE FEES ASSOCIATED WITH ELEVATOR INSPECTIONS; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

5:07 p.m. Second Reading Public Hearing

Public Works

Commissioner Ricky Arriola

ACTION: Ordinance [2018-4215](#) adopted. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Commissioner Arriola; Ballot vote: 7-0.

## **SEPTEMBER 26, 2018**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE FINANCE AND CITYWIDE PROJECTS COMMITTEE AT ITS JULY 13, 2018 BUDGET BRIEFING; AND AMENDING APPENDIX "A," ENTITLED "FEE SCHEDULE," TO THE CITY CODE, IN ORDER TO MODIFY THE FEE CHARGED PURSUANT TO SECTION 82-383(a), ENTITLED "PERMIT FEE; PENAL TIES FOR LATE PAYMENT; REVIEW OF FEE; EXCEPTION," IN ORDER TO MODIFY THE ANNUAL SQUARE FOOT FEE FOR SIDEWALK CAFES, INCREASING THE PER SQUARE FOOT FEE FROM \$20 TO \$25, PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE

DATE.

5:04 p.m. Second Reading Public Hearing

Public Works

Commissioner Ricky Arriola

**ACTION:** Ordinance [2018-4214](#) adopted as amended. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance with the full \$5 fee increase six months from today; seconded by Vice-Mayor Samuelian; Ballot vote: 5-2; Opposed: Commissioners Góngora and Rosen Gonzalez.

## SEPTEMBER 12, 2018

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 14, ENTITLED "RESERVED," TO CREATE A NEXT GENERATION COUNCIL AND AMENDING SECTIONS 2-176 – 2-179 THEREOF, ENTITLED "RESERVED," TO ESTABLISH AND SET FORTH THE PURPOSE, POWERS, DUTIES, COMPOSITION, AND SUPPORTING DEPARTMENT FOR THE NEXT GENERATION COUNCIL; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### 1:40 p.m. Second Reading Public Hearing

Office of the City Attorney

Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4213](#) adopted.** Motion made by Commissioner Arriola; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 7-0.

## SEPTEMBER 12, 2018

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 22, AND SECTIONS 2-190.56 THROUGH 2-190.60 THEREOF, ENTITLED "RESERVED," TO ESTABLISH THE "MIAMI BEACH ANIMAL WELFARE COMMITTEE," AND TO SET FORTH THE PURPOSE, POWERS AND DUTIES, COMPOSITION, AND SUPPORTING DEPARTMENT FOR THE COMMITTEE; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### 1:35 p.m. Second Reading Public Hearing

Office of the City Attorney

Vice-Mayor Samuelian & Co-sponsored by

Mayor Gelber and all the City Commissioners

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4212](#) adopted.** Motion made by Vice-Mayor Samuelian; seconded by Commissioner Góngora to adopt the Ordinance. Ballot vote: 7-0.

## SEPTEMBER 12, 2018

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "TAXATION," BY AMENDING ARTICLE V, ENTITLED

"LOCAL BUSINESS TAX," BY AMENDING SECTION 102-356 THEREOF, ENTITLED "CONSTRUCTION OF ARTICLE; DEFINITIONS," TO CREATE DEFINITIONS FOR "GEOFENCING," "HOSTING PLATFORM," AND "PLATFORM"; BY AMENDING SECTION 102-386 THEREOF ENTITLED "PROPERTY OWNERS' RESPONSIBILITIES REGARDING LEGALLY PERMISSIBLE TRANSIENT RENTAL AND OCCUPANCY (SHORT TERM) OF RESIDENTIAL PROPERTY," BY REQUIRING PROPERTY OWNERS TO DISPLAY THEIR BUSINESS TAX RECEIPT AND RESORT TAX CERTIFICATE NUMBERS ON ANY LISTINGS ADVERTISING THEIR PROPERTY; BY CREATING SECTION 102-387 THEREOF, TO BE ENTITLED "HOSTING PLATFORMS' RESPONSIBILITIES REGARDING LEGALLY PERMISSIBLE TRANSIENT RENTAL AND OCCUPANCY (SHORT TERM) OF RESIDENTIAL PROPERTY," BY REQUIRING HOSTING PLATFORMS TO ONLY PUBLISH LISTINGS THAT CONTAIN BUSINESS TAX RECEIPT AND RESORT TAX CERTIFICATE NUMBERS AND ESTABLISHING A PENALTY PROVISION FOR VIOLATIONS OF THIS SECTION; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:30 p.m. Second Reading Public Hearing**

Office of the City Attorney

Mayor Dan Gelber

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4211](#) adopted as amended.** Motion made by Commissioner Alemán; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 7-0.

## **SEPTEMBER 12, 2018**

R5 D AMENDING STORMWATER TIE-IN FEE SCHEDULE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14, "BUILDING REGULATIONS," ARTICLE II, "CONSTRUCTION FEES," DIVISION, "PERMIT FEES," AT SECTION 14-61, "PERMIT FEES, GENERALLY," AUTHORIZING THE WAIVER OF BUILDING PERMIT FEES (BUILDING DEPARTMENT PERMIT FEE, SANITATION SURCHARGE, AND THE TRAINING/TECHNOLOGY FEE) WHEN AN AUTHORIZED RESIDENTIAL PROPERTY TIES IN TO THE CITY'S STORMWATER SYSTEM; DEFINING AUTHORIZED RESIDENTIAL PROPERTY TO INCLUDE ONLY THOSE PROPERTIES WHERE THE FINISHED FLOOR OF THE RESIDENTIAL STRUCTURE IS BELOW THE CROWN OF THE ROAD; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing**

Public Works

Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4210](#) adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Steinberg to adopt the Ordinance. Ballot vote: 7-0.

## **JULY 25, 2018**

R5 J AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTIONS (C)(1)(A) AND (C)(2)(A) THEREOF TO

PROVIDE ADDITIONAL CRITERIA AND PROCEDURES FOR THE CO-NAMING OF STREETS, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **1:50 p.m. Second Reading Public Hearing**

Transportation

Commissioner Michael Góngora and

Co-sponsored by Vice-Mayor Mark Samuelian and Mayor Dan Gelber

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4209 adopted.** Motion made by Commissioner Góngora; seconded by Vice-Mayor Samuelian to adopt the Ordinance. Ballot vote: 7-0.

## **JULY 25, 2018**

R5 I AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE III, ENTITLED "LITTER," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 46-92 THEREOF, ENTITLED "LITTER; DEFINITIONS; PROHIBITIONS ON LITTER; PENALTIES FOR LITTER AND COMMERCIAL HANDBILL VIOLATIONS; COMMERCIAL HANDBILL REGULATIONS, FINES, AND REBUTTABLE PRESUMPTIONS; SEIZURE AND REMOVAL OF LITTER BY THE CITY; ENFORCEMENT; APPEALS; LIENS" TO PROHIBIT ANY PERSON FROM CARRYING ANY SINGLE-USE PLASTIC BEVERAGE STRAW OR SINGLE-USE PLASTIC STIRRER ONTO ANY BEACH OR PARK WITHIN THE CITY, OR ONTO ANY CITY MARINA, PIER, DOCK, OR BOAT RAMP; AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY CREATING SECTION 82-8 THEREOF, TO BE ENTITLED "PROHIBITIONS REGARDING SALE OR USE OF SINGLE-USE PLASTIC BEVERAGE STRAWS AND SINGLE-USE PLASTIC STIRRERS BY CITY CONTRACTORS AND SPECIAL EVENT PERMITTEES," TO PROHIBIT THE SALE, USE, PROVISION, AND OFFERING OF SINGLE-USE PLASTIC BEVERAGE STRAWS AND SINGLE-USE PLASTIC STIRRERS BY CITY CONTRACTORS AND SPECIAL EVENT PERMITTEES IN CITY FACILITIES AND ON CITY PROPERTY; AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFES," BY AMENDING SUBDIVISION II, ENTITLED "PERMIT," BY AMENDING SECTION 82-385 THEREOF, ENTITLED "MINIMUM STANDARDS, CRITERIA, AND CONDITIONS FOR OPERATION OF SIDEWALK CAFES," TO PROVIDE PROHIBITIONS REGARDING SINGLE-USE PLASTIC BEVERAGE STRAWS AND SINGLE-USE PLASTIC STIRRERS ON THE RIGHT-OF-WAY; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **1:45 p.m. Second Reading Public Hearing**

Environment and Sustainability

Mayor Dan Gelber and Co-sponsored by Commissioners Michael Góngora Micky Steinberg and John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4208 adopted as amended.** Motion made by Commissioner Alemán; seconded by Commissioner Góngora to adopt the Ordinance. Ballot vote: 7-0.

**AMENDMENT:**

(1) *Exception.* The provisions in subsection (c) that pertain to single-use plastic beverage straws and single-use plastic stirrers shall not apply to a person or patron with a

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disability or medical condition that impairs the consumption of beverages without a single-use plastic beverage straw or single-use plastic stirrer.

## **JULY 25, 2018**

R5 H AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 62 OF THE CITY CODE, ENTITLED "HUMAN RELATIONS," BY CREATING ARTICLE VI THEREOF, TO BE ENTITLED "PROTECTION OF HOTEL AND HOSTEL EMPLOYEES FROM ASSAULT AND SEXUAL HARASSMENT," TO PROVIDE REGULATIONS REGARDING THE PERSONAL SAFETY OF CERTAIN HOTEL AND HOSTEL EMPLOYEES; PROVIDING FOR ENFORCEMENT AND PENALTIES; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **1:40 p.m. Second Reading Public Hearing**

Office of the City Attorney/Code Compliance

Commissioner Kristen Rosen Gonzalez Co-Sponsored by Mayor Gelber

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4207 adopted as amended.** Motion made by Commissioner Rosen Gonzalez; seconded by Commissioner Góngora to adopt the Ordinance. Ballot vote: 7-0.

### **AMENDMENT:**

Beginning August 1, 2019, each hotel and hostel shall place a plainly visible sign inside of each guest room, written in a font size of no less than 14 points, that states the following: "For the protection of our employees, this establishment provides safety buttons or notification devices to its room attendants, housekeeping attendants, minibar attendants, and room service servers, in compliance with Chapter 62, article VI of the Code of the City of Miami Beach.

## **JULY 25, 2018**

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," ARTICLE VII, ENTITLED "STANDARDS OF CONDUCT," DIVISION 3, ENTITLED "LOBBYISTS," SECTION 2-482 THEREOF, ENTITLED "REGISTRATION; DISCLOSURES," TO CREATE AN EXEMPTION FROM THE CITY'S LOBBYIST REGISTRATION FEE REQUIREMENT FOR ANY PRINCIPAL OF A CORPORATION, PARTNERSHIP, OR OTHER ENTITY, WHO APPEARS AS A LOBBYIST ON BEHALF OF THAT ENTITY, WITHOUT SPECIAL COMPENSATION OR REIMBURSEMENT FOR THE APPEARANCE; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

### **1:35 p.m. Second Reading Public Hearing**

Office of the City Attorney

Commissioner Ricky Arriola & Co-sponsored by Commissioners Alemán & Góngora Co-Sponsored by Mayor Gelber and Vice-Mayor Samuelian

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4206 adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 6-0; Absent: Commissioner Góngora. Commissioner Góngora voted in favor of the item. Final Ballot vote: 7-0.

## **JULY 25, 2018**

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV,

ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFES," BY AMENDING SUBDIVISION II, ENTITLED "PERMIT," BY AMENDING SECTION 82-385, ENTITLED "MINIMUM STANDARDS, CRITERIA, AND CONDITIONS FOR OPERATION OF SIDEWALK CAFES," BY MODIFYING THE CIRCUMSTANCES UNDER WHICH SUBSECTION (Z), RELATING TO SINGLE-USE CARRY OUT PLASTIC BAGS, WOULD TAKE EFFECT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:30 p.m. Second Reading Public Hearing** Office of the City Attorney Mayor Dan Gelber and Co-Sponsored by the City Commission

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4205](#) adopted.** Motion made by Commissioner Góngora; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 7-0.

## **JULY 25, 2018**

R5 E 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 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES;" BY AMENDING MUNICIPAL PARKING GARAGE AND PREFERRED PARKING LOT RATES AND PENALTIES TO PROVIDE RATES AND PENALTIES FOR THE NEW CONVENTION CENTER GARAGE AND DELETING THE SECTION ENTITLED "PREFERRED PARKING LOT (18TH STREET AND MERIDIAN AVENUE);" PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE. **10:50 a.m. Second Reading Public Hearing** Parking Vice-Mayor Mark Samuelian

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4204](#) adopted.** Motion made by Commissioner Alemán; seconded by Vice-Mayor Samuelian to adopt the Ordinance. Ballot vote: 7-0.

## **JULY 25, 2018**

R5 C RPS OPEN SPACE REGULATIONS:

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," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," BY AMENDING DIVISION 18, ENTITLED "PS PERFORMANCE STANDARD DISTRICT," BY MODIFYING THE OPEN SPACE REQUIREMENTS PERTAINING TO PRIVATE SPACES ACCESSIBLE BY RESIDENTS OF A BUILDING; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:40 a.m. Second Reading Public Hearing** Planning Commissioner Michael Góngora

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4203](#) adopted.** Motion made by Commissioner Góngora; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 7-0.

## **JULY 25, 2018**

R5 B SINGLE FAMILY REGULATIONS - UNDERSTORY AREAS:

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 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 2, "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," BY MODIFYING, EXPANDING, AND CLARIFYING REGULATIONS FOR NON-AIR CONDITIONED AND AIR CONDITIONED 'UNDERSTORY' SPACE LOCATED BELOW ELEVATED HOMES IN THE SINGLE FAMILY RESIDENTIAL DISTRICTS, AND ALLOWING FOR ROOFTOP GARDENS OR BUILT-IN PLANTERS AS AN ALLOWABLE HEIGHT EXCEPTION FOR SINGLE FAMILY HOMES; AMENDING ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 4, "SUPPLEMENTARY YARD REGULATIONS," BY MODIFYING ALLOWABLE ENCROACHMENTS FOR ACCESS TO A BUILDING; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. **10:35 a.m. Second Reading Public Hearing**

Planning Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4202 adopted as amended.** Motion made by Commissioner Alemán; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 7-0.

## **JULY 25, 2018**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS: PROVIDING FOR THE CLASSIFICATIONS IN GROUP IV, REPRESENTED BY THE COMMUNICATIONS WORKERS OF AMERICA (CWA) LOCAL 3178, IN ACCORDANCE WITH THE IMPOSED COLLECTIVE BARGAINING AGREEMENT, EFFECTIVE UPON RATIFICATION OF THIS AGREEMENT, THERE SHALL BE AN INCREASE IN PAY GRADE FOR THE FOLLOWING CLASSIFICATIONS: CRIME ANALYST SPECIALIST FROM H26 TO H32; CODE COMPLIANCE OFFICER I FROM H26 TO H27; CODE COMPLIANCE OFFICER II FROM H28 TO H31; PARKING METER TECHNICIAN I FROM H23 TO H25; AND PARKING METER TECHNICIAN II FROM H25 TO H27; EFFECTIVE OCTOBER 1 OF 2017, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH PAY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND CODIFICATION. **10:30 a.m. Second Reading Public Hearing**

Human Resources Mayor Dan Gelber

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4201 adopted.** Motion made by Commissioner Alemán; seconded by Vice-Mayor Samuelian to adopt the Ordinance. Ballot vote: 6-0; Absent: Commissioner Góngora.

## **June 6, 2018**

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 10 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ANIMALS," BY AMENDING THE PROHIBITIONS, PENALTIES, AND ENFORCEMENT PROVISIONS REGARDING THE KEEPING, STABLING, HARBORING, OR MAINTAINING OF ANIMALS IN THE CITY; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:55 a.m. Second Reading Public Hearing**

Office of the City Attorney

Vice-Mayor Micky Steinberg and Co-sponsored by Commissioner Michael Góngora

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4200](#) adopted.** Motion made by Commissioner Góngora; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 6-0; Absent: Mayor Gelber.

## June 6, 2018

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE POLICE OFFICERS' RELIEF AND PENSION FUND TO COMPLY WITH APPLICABLE PROVISIONS OF THE INTERNAL REVENUE CODE, AND REGULATIONS THEREUNDER, BY AMENDING THE RELATED SPECIAL ACTS OF THE CITY, BY AMENDING ARTICLE VIII, ENTITLED "POLICE OFFICERS' RELIEF AND PENSION FUND," BY AMENDING SECTIONS 49 THROUGH 60 AND CREATING A NEW SECTION 61; PROVIDING FOR SEVERABILITY; REPEALER CODIFICATION; AND AN EFFECTIVE DATE.

**10:50 a.m. Second Reading Public Hearing** Human Resources Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4199](#) adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 6-0; Absent: Mayor Gelber.

## May 16, 2018

R5 M NORTH SHORE LOCAL HISTORIC DISTRICT - TATUM WATER EXPANSION: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE MIAMI BEACH CITY CODE; AMENDING SECTION 118-593, "HISTORIC PRESERVATION DESIGNATION"; AMENDING SECTION 118-593(E), "DELINEATION ON ZONING MAP"; AMENDING SECTION 118-593(E)(2), "HISTORIC PRESERVATION DISTRICTS (HPD)," BY EXPANDING THE BOUNDARIES OF THE NORTH SHORE HISTORIC DISTRICT TO ADD THE NORTH SHORE HISTORIC DISTRICT TATUM WATERWAY EXPANSION GENERALLY BOUNDED BY 77TH STREET ON THE SOUTH, HAWTHORNE AVENUE AND CRESPI BOULEVARD ON THE WEST, 87TH STREET ON THE NORTH AND TATUM WATERWAY DRIVE AND BYRON AVENUE ON THE EAST, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING THAT THE CITY'S ZONING MAP SHALL BE AMENDED TO INCLUDE THE NORTH SHORE HISTORIC DISTRICT TATUM WATERWAY EXPANSION; ADOPTING THE DESIGNATION REPORT ATTACHED HERETO AS APPENDIX "A"; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:04 p.m. Second Reading Public Hearing**

Planning Historic Preservation Board

**ACTION:** Title of the Ordinance read into the record. **Ordinance [2018-4198](#) adopted.** Motion made by Commissioner Alemán, seconded by Commissioner Góngora to adopt the Ordinance. Ballot vote: 7-0.

## May 16, 2018

R5 I NORTH BEACH GU LOTS - WAIVER OF DESIGN REVIEW BOARD PROCESS: 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, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 9, ENTITLED "GU GOVERNMENT USE DISTRICT," BY AMENDING SECTION 142-425, ENTITLED "DEVELOPMENT REGULATIONS" TO ALLOW THE CITY COMMISSION TO WAIVE THE DESIGN REVIEW PROCESS FOR TEMPORARY USES ON LOTS WITH A GU ZONING DESIGNATION FRONTING COLLINS AVENUE BETWEEN 79TH STREET AND 87TH STREET; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

**3:45 p.m. Second Reading Public Hearing**

Planning Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Refer to public comments with Item R7 B. **Ordinance [2018-4197](#) adopted.** Motion made by Commissioner Alemán, seconded by Commissioner Arriola to approve the item. Ballot vote: 7-0.

## **May 16, 2018**

R5 H AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 70 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MISCELLANEOUS OFFENSES," ARTICLE II, "PUBLIC PLACES," DIVISION II, "BICYCLING, SKATEBOARDING, ROLLER SKATING, IN-LINE SKATING, AND MOTORIZED MEANS OF TRANSPORTATION," TO CREATE DEFINITIONS FOR "ELECTRIC BICYCLE," "MOPED," "MOTORCYCLE," "MOTORIZED BICYCLE," AND "MOTORIZED SCOOTER"; ESTABLISH REGULATIONS FOR THE RENTAL OR LEASE OF ELECTRIC BICYCLES, MOPEDS, MOTORCYCLES, MOTORIZED BICYCLES, AND MOTORIZED SCOOTERS; AND PROHIBIT THE RENTAL OR LEASE OF A MOPED, MOTORCYCLE THAT IS POWERED BY A MOTOR WITH A DISPLACEMENT OF 50 CUBIC CENTIMETERS

OR LESS, OR MOTORIZED BICYCLE, DURING SPECIFIED DATES EACH YEAR; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:45 p.m. Second Reading Public Hearing**

Office of the City Attorney Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. **Ordinance [2018-4196](#) adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Samuelian to adopt the Ordinance as amended. Ballot vote: 4-3; Opposed: Commissioners Arriola, Góngora, and Rosen Gonzalez.

## **May 16, 2018**

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," ARTICLE IV, "USES IN PUBLIC RIGHTS-OF-WAY," DIVISION 5, "SIDEWALK CAFES," SUBDIVISION 1, "GENERALLY," SECTION 82-382 THEREOF, ENTITLED "APPLICATION," TO AUTHORIZE A SIDEWALK CAFE PERMIT APPLICANT LOCATED IN THE AREA NORTH OF 63RD STREET AND SOUTH OF THE CITY LIMITS ON 87TH TERRACE, PROPOSING TO OPERATE A SIDEWALK CAFE, HAVING NO MORE THAN TWO (2) TABLES AND EIGHT (8) SEATS, TO SATISFY THE SITE PLAN REQUIREMENT OF SECTION 82-382(B)(6)(I) BY APPLYING FOR AND OBTAINING A SITE PLAN DESIGNED BY THE PUBLIC WORKS DEPARTMENT; TO AUTHORIZE THE PUBLIC WORKS DEPARTMENT TO IMPOSE A FEE FOR SUCH SITE PLAN; AND TO PROVIDE THAT THE PROVISIONS OF THIS ORDINANCE SHALL ONLY APPLY TO



THE OPERATION OF SIDEWALK CAFES THROUGH AND INCLUDING SEPTEMBER 30, 2020; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:40 p.m. Second Reading Public Hearing**

Public Works Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. [Ordinance 2018-4195](#) adopted. Motion made by Commissioner Alemán; seconded by Vice-Mayor Steinberg to adopt the Ordinance. Ballot vote: 7-0.

## **May 16, 2018**

R5 F 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 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES; EXCEPTIONS," BY AMENDING SUBSECTION (N) RELATING TO "SMARTWAY VEHICLE INCENTIVES;" TO INCREASE THE NUMBER OF PERMITS ELIGIBLE TO PARTICIPATE IN THE REDUCED PARKING FEE PERMIT PROGRAM, AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**1:35 p.m. Second Reading Public Hearing**

Parking Vice-Mayor Micky Steinberg

**ACTION:** Title of the Ordinance read into the record. [Ordinance 2018-4194](#) adopted. Motion made by Vice-Mayor Steinberg; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 7-0.

## **May 16, 2018**

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FIREFIGHTERS' RELIEF AND PENSION FUND TO COMPLY WITH APPLICABLE PROVISIONS OF THE INTERNAL REVENUE CODE AND REGULATIONS THEREUNDER; AMENDING THE RELATED SPECIAL ACTS OF THE CITY BY AMENDING ARTICLE VII, ENTITLED "FIREFIGHTERS' RELIEF AND PENSION FUND," BY AMENDING SECTIONS 36, 37, 42, AND 43; PROVIDING FOR SEVERABILITY; REPEALER CODIFICATION; AND AN EFFECTIVE DATE. **1:30 p.m. Second Reading Public Hearing**

Human Resources Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. [Ordinance 2018-4193](#) adopted. Motion made by Commissioner Alemán; seconded by Vice-Mayor Steinberg to adopt the Ordinance. Ballot vote: 7-0.

## **May 16, 2018**

R5 D BUILDING PERMIT REPRIEVE PROGRAM:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14 OF THE CITY CODE, ENTITLED "BUILDING REGULATIONS," AT ARTICLE II, "CONSTRUCTION STANDARDS," TO MODIFY DIVISION IV, ENTITLED "BUILDING PERMIT REPRIEVE PROGRAM;" MODIFYING SECTIONS 14-85, AND 14-87, TO PROVIDE FOR A ONE-YEAR EXTENSION FOR THE REPRIEVE PROGRAM FOR OWNERS OF SINGLE FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, MIXED USE OR COMMERCIAL

PROPERTIES WHO HAVE FAILED TO OBTAIN A BUILDING PERMIT(S), OR HAVE EXPIRED PERMITS; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AN EFFECTIVE DATE, AND A SUNSET PROVISION.

**10:20 a.m. Second Reading Public Hearing**

Building/Office of the City Attorney Vice-Mayor Micky Steinberg

**ACTION:** Title of the Ordinance read into the record. **Ordinance [2018-4192](#) adopted.** Motion made by Vice-Mayor Micky Steinberg; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 7-0.

## **May 16, 2018**

R5 C MODIFICATIONS TO ARTISTIC MURALS AND SUPERGRAPHICS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 138, "SIGNS," ARTICLE VI, "SPECIFIC USE SIGNS," AT SECTION 138-204, "NON-COMMERCIAL GRAPHICS AND IMAGES," BY MODIFYING THE EXISTING REGULATIONS FOR NON-COMMERCIAL GRAPHICS AND IMAGES; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing**

Planning Vice-Mayor Micky Steinberg and Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. **Ordinance [2018-4191](#) adopted as amended.** Motion made by Vice-Mayor Steinberg; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 7-0. **Thomas Mooney to handle.**

**AMENDMENT:**

Section 138-204(2) second line should read: unless otherwise approved and adopted by a majority vote of the City Commission.

## **May 16, 2018**

R5 B NORTH BEACH TOWN CENTER FAR INCREASE LAND DEVELOPMENT REGULATIONS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 20, "TC NORTH BEACH TOWN CENTER DISTRICTS," AT SECTION 142-737, TO INCREASE THE MAXIMUM FLOOR AREA RATIO (FAR) FOR THE PROPERTIES BOUNDED BY 69TH STREET ON THE SOUTH, COLLINS AVENUE ON THE EAST, 72ND STREET ON THE NORTH AND INDIAN CREEK DRIVE/DICKENS AVENUE ON THE WEST, TO AN FAR OF 3.5 FROM THE CURRENT FAR OF 2.25 TO 2.75 FOR TC-1 DISTRICT, FROM 2.0 FOR THE TC-2 DISTRICT, AND FROM 1.25 FOR THE TC-3 DISTRICT, AS REQUIRED BY THE REFERENDUM APPROVED BY THE CITY'S VOTERS ON NOVEMBER 7, 2017; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:05 a.m. Second Reading Public Hearing**

Planning Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. **Ordinance [2018-4190](#) adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 7-0.

## **May 16, 2018**

R5 A NORTH BEACH TOWN CENTER REVITALIZATION OVERLAY

COMPREHENSIVE PLAN AMENDMENT:

AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, BY AMENDING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT;" "OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS," AT POLICY 1.2, TO INCREASE THE MAXIMUM FLOOR AREA RATIO (FAR) FOR THE PROPERTIES LOCATED IN THE NORTH BEACH TOWN CENTER REVITALIZATION OVERLAY, TO AN FAR OF 3.5 FROM THE CURRENT FAR OF 2.25 TO 2.75 FOR TOWN CENTER CORE CATEGORY (TC-1), FROM 2.0 FOR THE TOWN CENTER COMMERCIAL CATEGORY (TC-2), FROM 1.25 FOR THE TOWN CENTER RESIDENTIAL OFFICE (TC-3), AND FROM 2.0 FOR THE PUBLIC FACILITY: GOVERNMENTAL USES (PF) FUTURE LAND USE DESIGNATIONS; AND DESIGNATING THE NORTH BEACH TOWN CENTER REVITALIZATION OVERLAY FOR THE PROPERTIES GENERALLY LOCATED BETWEEN 72ND STREET TO THENORTH, COLLINS AVENUE TO THE EAST, 69TH STREET TO THE SOUTH, AND INDIAN CREEK DRIVE/DICKENS AVENUE TO THE WEST ON THE FUTURE LAND USE MAP; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:00 a.m. Second Reading Public Hearing**

Planning Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. **Ordinance [2018-4189](#) adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 7-0.

## **April 11, 2018**

R5 K AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," ARTICLE IV, "USES IN PUBLIC RIGHTS-OF-WAY," DIVISION 5, "SIDEWALK CAFES," TO AMEND THE DISCLOSURE REQUIREMENTS FOR SIDEWALK CAFE OPERATORS, AND TO FURTHER PROVIDE SUPPLEMENTAL PENALTY PROVISIONS FOR SPECIFIED VIOLATIONS OF THIS DIVISION; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:45 p.m. Second Reading Public Hearing**

Office of the City Attorney Commissioner Mark Samuelian

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. Ordinance [2018-4188](#) adopted as amended. Motion made by Commissioner Samuelian; seconded by Commissioner Alemán to adopt the Ordinance as amended. Ballot vote: 7-0.

## **April 11, 2018**

R5 J NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE II, "DISTRICT REGULATIONS," DIVISION 3 "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," BY AMENDING SECTION 142-155 TO REFERENCE THE REQUIREMENTS FOR THE NORTH BEACH NATIONAL REGISTER CONSERVATION OVERLAY; BY AMENDING ARTICLE III, "OVERLAY DISTRICTS," BY CREATING DIVISION 12, ENTITLED THE "NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY," WHICH DIVISION WOULD CREATE SPECIFIC DEVELOPMENT REGULATIONS FOR THE OVERLAY,

INCLUDING DEMOLITION REQUIREMENTS, LIMITATIONS ON LOT AGGREGATION, REDUCTIONS IN UNIT SIZE, MODIFICATIONS TO THE SETBACK AND HEIGHT REQUIREMENTS, ADDITIONAL REQUIREMENTS FOR ROOFTOP ADDITIONS AND ALLOWABLE HEIGHT EXCEPTIONS, AND INCLUSION OF DESIGN, RESILIENCY, AND PARKING STANDARDS; AND BY AMENDING CHAPTER 130, "OFF-STREET PARKING," DIVISION II, "DISTRICTS; REQUIREMENTS," AT SECTION 130-32, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1," BY REDUCING THE PARKING REQUIREMENTS FOR APARTMENT AND APARTMENT HOTEL BUILDINGS LOCATED IN THE NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**1:40 p.m. Second Reading Public Hearing**

Planning

Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. See Item C6 C #2. Public Hearing held. Ordinance [2018-4187](#) adopted as amended. See Motion 2. Thomas Mooney to handle.

**MOTION 1:**

Motion made by Commissioner Alemán; seconded by Commissioner Arriola to adopt the Staff Version of the Ordinance. Ballot vote: 4-3. Opposed: Vice-Mayor Steinberg and Commissioners Góngora, Rosen Gonzalez and Samuelian. Motion fails.

**MOTION 2:**

Vice-Mayor Steinberg moved the item with the three lots aggregation; seconded by Commissioner Arriola. Ballot vote: 7-0.

## **April 11, 2018**

R5 I NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY COMPREHENSIVE PLAN AMENDMENTS:

AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS IN SECTION 163.3184(3), FLORIDA STATUTES, BY DESIGNATING THE "NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY" IN THE FUTURE LAND USE MAP; BY MODIFYING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT;" "OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS," TO PROVIDE FOR INCREASED DENSITY ON PARCELS DESIGNATED "LOW DENSITY MULTI FAMILY RESIDENTIAL CATEGORY (RM-1)" LOCATED WITHIN THE "NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY"; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**1:35 p.m. Second Reading Public Hearing**

Planning

Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. Ordinance [2018-4186](#) adopted. Commissioner Alemán moved the Comprehensive Plan as is; seconded by Commissioner Rosen Gonzalez; Ballot vote: 7-0.

## **April 11, 2018**

#### R5 H PLANNING BOARD CUP APPEAL STAYS:

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 118 OF THE LAND DEVELOPMENT REGULATIONS, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING ARTICLE I, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING SECTION 118-9, ENTITLED "REHEARING AND APPEAL PROCEDURES," TO ALLOW THE ISSUANCE OF A BUILDING PERMIT TO AN APPLICANT WHOSE PLANNING BOARD CONDITIONAL USE APPROVAL APPLICATION IS ON APPEAL, ALLOWING AN EXCEPTION TO THE CITY'S RULE THAT REQUIRES FINAL RESOLUTION OF ALL ADMINISTRATIVE AND COURT PROCEEDINGS, SO LONG AS THE CERTAIN CONDITIONS CONTAINED IN 118-9 ARE COMPLIED WITH, AND PROVIDED THE APPLICANT EXECUTES A WRITTEN AGREEMENT HOLDING THE CITY HARMLESS AND INDEMNIFYING THE CITY FROM ANY LIABILITY OR LOSS SHOULD THE COURT PROCEEDINGS NOT END FAVORABLY TO THE APPLICANT; AND PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

#### **1:30 a.m. Second Reading Public Hearing**

Planning

Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. Ordinance [2018-4185](#) adopted. Motion made by Commissioner Arriola, seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 6-1; Opposed: Commissioner Samuelian.

## **April 11, 2018**

#### R5 G RM-1 RELIGIOUS INSTITUTIONS PARKING AMENDMENT:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 130, OF THE LAND DEVELOPMENT REGULATIONS, ENTITLED "OFF-STREET PARKING," ARTICLE II "DISTRICTS; REQUIREMENTS," AT SECTION 130-32, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1," TO MODIFY THE REQUIREMENTS FOR PARKING DISTRICT NO. 1, TO ALLOW THE PLANNING BOARD, THROUGH THE CONDITIONAL USE PROCESS, TO WAIVE ALL REQUIRED PARKING FOR NEW CONSTRUCTION FOR RELIGIOUS INSTITUTIONS IN THE RM-1 DISTRICT, PROVIDED THE PROPERTY IS LESS THAN 8,000 SQUARE FEET AND THE CONDITIONAL USE APPLICATION INCLUDES A TRAFFIC OPERATIONS PLAN; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

#### **10:30 a.m. Second Reading Public Hearing**

Planning

Commissioner Kristen Rosen Gonzalez

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. Ordinance [2018-4184](#) adopted. Motion made by Commissioner Rosen Gonzalez; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 6-1; Opposed: Commissioner Samuelian.

## **April 11, 2018**

#### R5 F ARTIFICIAL GRASS - CHAPTER 126 LANDSCAPE:



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," BY AMENDING CHAPTER 126, "LANDSCAPE REQUIREMENTS," SECTION 126-2, "DEFINITIONS," TO PROVIDE DEFINITIONS FOR "GRASS," AND "ARTIFICIAL GRASS"; BY AMENDING SECTION 126-6(B) BY MODIFYING THE REQUIREMENTS FOR ALLOWABLE SOD AREAS IN SINGLE FAMILY DISTRICTS, INCLUDING PROVISIONS FOR ARTIFICIAL GRASS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing**

Planning

Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. Ordinance [2018-4183](#) adopted. Motion made by Commissioner Alemán; seconded by Vice-Mayor Steinberg to adopt the Ordinance. Ballot vote: 5-1; Opposed: Commissioner Góngora. Absent: Commissioner Rosen Gonzalez.

## **April 11, 2018**

R5 E ADMINISTRATIVE REVIEW OF BALCONIES FOR LIFE SAFETY MODIFICATIONS:

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 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE VI, "DESIGN REVIEW PROCEDURES," AT SECTION 118-260, ENTITLED "ADMINISTRATIVE REVIEW PROCEDURES," TO PROVIDE AN EXCEPTION FOR ADMINISTRATIVE REVIEW OF BALCONIES; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. **10:20 a.m. Second Reading Public Hearing**

Planning

Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. Ordinance [2018-4182](#) adopted. Motion made by Commissioner Alemán to adopt the Ordinance; seconded by Vice-Mayor Steinberg. Ballot vote: 7-0.

## **April 11, 2018**

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-152, ENTITLED "NOISES; UNNECESSARY AND EXCESSIVE PROHIBITED," BY AMENDING THE HOURS PROHIBITING POWER TOOLS AND LANDSCAPING EQUIPMENT FROM BETWEEN 8:00 P.M. AND 7:00 A.M., TO BETWEEN 8:00 P.M. AND 8:00 A.M.; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing**

Office of the City Attorney Commissioner Michael Góngora

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. Ordinance [2018-4181](#) adopted. Motion made by Commissioner Góngora; seconded by Vice-Mayor Steinberg to adopt the Ordinance. Ballot vote: 6-1; Opposed: Commissioner Alemán.

## April 11, 2018

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE II, ENTITLED "CITY COMMISSION," BY AMENDING SECTION 2-12, ENTITLED "MEETING PROCEDURES AND AGENDAS," BY AMENDING THE REQUIREMENTS FOR CITY COMMISSION MEETING AGENDA ITEMS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:10 a.m. Second Reading Public Hearing**

Office of the City Attorney Commissioner Michael Góngora

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4180](#) adopted.** Motion made by Commissioner Góngora; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 7-0.

## April 11, 2018

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CITY CODE, ENTITLED "ADMINISTRATION," ARTICLE VII, "STANDARDS OF CONDUCT," DIVISION 2, "OFFICERS, EMPLOYEES, AND AGENCY MEMBERS," SECTION 2-462, "PROHIBITING MEMBERS OF CITY COMMISSION FROM HAVING CERTAIN POST-SERVICE CONTRACTS WITH CITY," TO AMEND THE PROVISIONS RELATING TO WAIVERS OF THE POST-SERVICE RESTRICTIONS APPLICABLE TO MEMBERS OF THE CITY COMMISSION, BY REQUIRING A DULY NOTICED PUBLIC HEARING IN ORDER TO GRANT SUCH A WAIVER; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:05 a.m. Second Reading Public Hearing** Office of the City Attorney

Commissioner Michael Góngora & Co-sponsored by Vice-Mayor Micky Steinberg

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. Ordinance **[2018-4179](#) adopted.** Motion made by Vice-Mayor Steinberg; seconded by Commissioner Góngora to adopt the Ordinance. Ballot vote: 7-0.

## April 11, 2018

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 18, AND SECTIONS 2-190.11 THROUGH 2-190.14 THEREOF, ENTITLED "RESERVED," TO CREATE THE "SENIOR AFFAIRS COMMITTEE," AND TO ESTABLISH AND SET FORTH THE PURPOSE, POWERS, DUTIES, COMPOSITION, AND SUPPORTING DEPARTMENT FOR THE COMMITTEE, AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:00 a.m. Second Reading Public Hearing**

Office of the City Attorney Commissioner Michael Góngora

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. See Item C6 E #27. **Ordinance [2018-4178](#) adopted as amended.** Motion made by Commissioner Góngora; seconded by Commissioner Rosen Gonzalez to adopt the Ordinance as amended. Ballot vote: 7-0.

### **AMENDMENTS:**

- Expand the Senior Affairs Committee from nine to 13 voting members;
- The additional seats will include one seat appointed by the South Florida Seniors in Action, and the other three seats to be general appointments by the majority of the City Commission;
- Include two ex officio non-voting members: one from the Hispanic Affairs Committee,

and the other from the Transportation, Parking & Bicycle-Pedestrian Facilities Committee;  
and

- Meetings will be televised via MBTV.

## March 7, 2018

R5 E FENCE HEIGHTS FOR OCEANFRONT PROPERTIES:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 4, "SUPPLEMENTARY YARD REGULATIONS," AT SECTION 142-1132, "ALLOWABLE ENCROACHMENTS WITHIN REQUIRED YARDS," TO MODIFY FENCE REGULATIONS FOR OCEAN FRONT PROPERTIES AND PROPERTIES ONED WD-2; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

### **1:30 p.m. Second Reading Public Hearing**

Planning Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4177](#) adopted.** Motion made by Commissioner Alemán to adopt the Ordinance; seconded by Vice-Mayor Steinberg. Ballot vote: 7-0.

## March 7, 2018

R5 D FEE WAIVER FOR NONPROFITS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING "APPENDIX A - FEE SCHEDULE" TO AUTHORIZE VIA RESOLUTION OF THE CITY COMMISSION THE REDUCTION OF DESIGN REVIEW BOARD OR HISTORIC PRESERVATION BOARD FEES FOR NONPROFITS PROPOSING ART IN PUBLIC PLACES AND/OR NON-COMMERCIAL ARTISTIC MURALS, GRAPHICS AND IMAGES; AND AMENDING CHAPTER 82 "PUBLIC PROPERTY," ARTICLE VII "ART IN PUBLIC PLACES" TO REQUIRE SAID MURALS OR GRAPHICS TO BE REVIEWED BY THE ART IN PUBLIC PLACES COMMITTEE PRIOR TO REVIEW OF THE APPLICABLE BOARD; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

10:15 a.m. Second Reading Public Hearing

Planning Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. Heard in conjunction R7 I. **Ordinance [2018-4176](#) adopted.** Motion made by Commissioner Góngora to adopt the Ordinance; seconded by Commissioner Arriola. Ballot vote: 6-1; Opposed: Commissioner Alemán.

## March 7, 2018

R5 C ASSISTED LIVING AND MEDICAL USE CLEAN UP:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE I, "GENERAL TO ALL ZONING DISTRICTS," TO ESTABLISH SECTION 142-2, ENTITLED "ASSISTED LIVING FACILITIES AND MEDICAL USES," TO INDICATE THAT ASSISTED LIVING FACILITIES AND MEDICAL USES ARE REGULATED BY CHAPTER 142, ARTICLE V, DIVISION 2, ENTITLED "ASSISTED LIVING AND MEDICAL USES" OF THE LAND DEVELOPMENT

REGULATIONS; AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," AT SECTIONS 142- 153, 142-213, 142-243, 142-303, 142-333, 142-455, 142-587, 142-594, AND 142-736 TO REMOVE ADULT CONGREGATE LIVING FACILITIES (ACLF), NURSING HOMES, AND RELATED USES FROM THE LISTS OF PERMITTED, CONDITIONAL, OR ACCESSORY USES AS THESE USES HAVE BEEN CONSOLIDATED AND ARE REGULATED BY CHAPTER 142, ARTICLE V, DIVISION 2, ENTITLED "ASSISTED LIVING AND MEDICAL USES" OF THE LAND DEVELOPMENT REGULATIONS AND REMOVE THE TERM ADULT CONGREGATE LIVING FACILITIES AS THIS TERM IS NOW OBSOLETE, AND ALSO ADDING A CROSS-REFERENCE TO DIVISION 2, TO IDENTIFY MEDICAL CONDITIONAL USES; AND AMENDING CHAPTER 58, ENTITLED "HOUSING," ARTICLE III, ENTITLED "PROPERTY MAINTENANCE STANDARDS," DIVISION 3, ENTITLED "MINIMUM STANDARDS," AT SECTION 58-296, ENTITLED "ADULT CONGREGATE LIVING FACILITIES," TO RENAME THE SECTION "ASSISTED LIVING FACILITIES"; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing**

Planning/Office of the City Attorney Commissioner John Elizabeth Alemán **ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4175](#) adopted.** Motion made by Commissioner Alemán to adopt the Ordinance; seconded by Commissioner Samuelian. Ballot vote: 7-0.

## **February 14, 2018**

R5 H DIGITAL SUPERGRAPHICS - SIZE LIMITS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 138, "SIGNS," ARTICLE VI, "SPECIFIC USE SIGNS," AT SECTION 138-204, "NON-COMMERCIAL GRAPHICS AND IMAGES," BY MODIFYING THE EXISTING REGULATIONS FOR ELECTRONIC GRAPHICS AND IMAGES; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**3:05 p.m. Second Reading Public Hearing** Planning

Vice-Mayor John Elizabeth Alemán and Commissioner Micky Steinberg

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4174](#) adopted as amended.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Steinberg. Ballot vote: 7-0.

## **February 14, 2018**

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY CREATING ARTICLE IX, ENTITLED "PROTECTION OF EMPLOYEES DISCLOSING SPECIFIED INFORMATION," TO PROHIBIT THE CITY FROM TAKING RETALIATORY ACTION AGAINST CITY EMPLOYEES FOR REPORTING UNLAWFUL ACTIVITY, MISFEASANCE OR MALFEASANCE BY CITY EMPLOYEES OR INDEPENDENT CONTRACTORS; PROVIDING FOR THE PURPOSE THEREOF, AND SETTING FORTH DEFINITIONS, ACTIONS PROHIBITED, THE NATURE OF INFORMATION DISCLOSED AND TO WHOM THE INFORMATION IS TO BE DISCLOSED, EMPLOYEES AND PERSONS PROTECTED, REMEDIES, RELIEF, EXISTING RIGHTS, RETROACTIVE APPLICATION, AND CONFIDENTIALITY OF CERTAIN INFORMATION AND INDIVIDUALS DISCLOSING INFORMATION; PROVIDING FOR

REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:35 p.m. Second Reading Public Hearing**

Office of the City Attorney/Commissioner Michael Góngora

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4173](#) adopted.** Motion made by Commissioner Góngora to adopt the Ordinance; seconded by Commissioner Steinberg. Ballot vote: 6-0; Absent: Mayor Gelber.

## **February 14, 2018**

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," ARTICLE VI, "PROCUREMENT," DIVISION 3, "CONTRACT PROCEDURES," BY CREATING SECTION 2-377, TO BE ENTITLED "NON-DISCRIMINATION BY CITY CONTRACTORS," TO ESTABLISH NON-DISCRIMINATION REQUIREMENTS FOR CITY CONTRACTORS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**1:30 p.m. Second Reading Public Hearing**

Office of the City Attorney/Commissioner Michael Góngora

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4172](#) adopted.** Motion made by Commissioner Góngora to adopt the Ordinance; seconded by Commissioner Steinberg. Ballot vote: 7-0.

## **February 14, 2018**

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 12 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ARTS, CULTURE AND ENTERTAINMENT," BY CREATING ARTICLE III, ENTITLED "CITY SPONSORSHIP OF EVENTS," BY CREATING SECTION 12-6, ENTITLED "DEFINITIONS;" BY CREATING SECTION 12-7, ENTITLED "REQUIREMENTS FOR CITY SPONSORSHIP OF EVENTS," TO ESTABLISH CRITERIA AND REQUIREMENTS FOR APPROVAL OF CITY SPONSORSHIP FOR CERTAIN EVENTS; BY CREATING SECTION 12-8, ENTITLED "SPONSORSHIP REQUESTS BY ADVISORY BOARDS OR ADVISORY COMMITTEES," TO ESTABLISH REQUIREMENTS FOR APPROVAL OF SPONSORSHIP REQUESTS FROM ADVISORY BOARDS OR ADVISORY COMMITTEES; BY CREATING SECTION 12-9, ENTITLED "SPONSORSHIP TERMS AND CONDITIONS," TO PROVIDE CERTAIN MINIMUM TERMS AND CONDITIONS FOR SPONSORSHIP CONTRACTS; AND BY CREATING SECTION 12-10, ENTITLED "APPLICABILITY," TO PROVIDE EXEMPTIONS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing**

Tourism, Culture, and Economic Development

Vice-Mayor John Elizabeth Alemán and Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4171](#) adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Arriola. Ballot vote: 7-0.

## **January 17, 2018**

R5 N ASSISTED LIVING FACILITY AND MEDICAL USE ZONING REGULATIONS:  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 130, "OFF-STREET PARKING," ARTICLE II,



"DISTRICT; REQUIREMENTS," TO ESTABLISH PARKING REQUIREMENTS FOR ASSISTED LIVING FACILITY, ADULT DAY CARE CENTER, MEDICAL OFFICE, AND RELATED USES; AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE V, "SPECIALIZED USE REGULATIONS," TO CREATE DIVISION 2, "ASSISTED LIVING AND MEDICAL USES," SECTIONS 142-1252 TO CREATE MEDICAL RELATED USE DEFINITIONS, INCLUDING BUT NOT LIMITED TO DEFINING ASSISTED LIVING FACILITIES, COMMUNITY RESIDENTIAL HOMES, COMPREHENSIVE OUTPATIENT REHABILITATION FACILITY, CRISIS STABILIZATION UNIT; INTENSIVE INPATIENT AND OUTPATIENT TREATMENT, AND RESIDENTIAL TREATMENT CENTERS AND FACILITIES; PROVIDING FOR CLASSES OF MEDICAL USES; AND PROVIDING FOR A ZONING USE SCHEDULE WITHIN THE VARIOUS ZONING DISTRICTS OF THE CITY, WHICH DELINEATES WHERE SAID MEDICAL RELATED USES ARE CONSIDERED PERMITTED, CONDITIONAL OR PROHIBITED USES; PROVIDING FOR MINIMUM ZONING STANDARDS, DISTANCE SEPARATIONS, HOURS OF OPERATION, AND SUPPLEMENTAL CONDITIONAL USE CRITERIA; AMENDING CHAPTER 102, "TAXATION," ARTICLE V, "LOCAL BUSINESS TAX" AT SECTION 102-379, "SCHEDULE OF TAXES, EFFECTIVE OCTOBER 1, 2016" TO PROVIDE NEW BUSINESS TAX RECEIPT FOR SAID USES; PROVIDING FOR PENALTIES, VIOLATIONS, AND APPEALS OF CITATIONS; AMENDING CHAPTER 130, RELATING TO OFF-STREET PARKING REQUIREMENTS FOR ALF AND MEDICAL USES; AMENDING CHAPTER 102, "TAXATION," ARTICLE V, "LOCAL BUSINESS TAX" AT SECTION 102-379 "SCHEDULE OF TAXES, EFFECTIVE OCTOBER 1, 2016," AS TO A CERTAIN BUSINESS TAX RECEIPT VALUATIONS; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**5:06 p.m. Second Reading Public Hearing** Continued from December 13, 2017 - R5 P Planning

Vice-Mayor John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4170 adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Arriola. Ballot vote: 7-0.

## January 17, 2018

R5 M RM-PRD ALCOHOL REGULATIONS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION III, "RM-PRD MULTIFAMILY, PLANNED RESIDENTIAL DEVELOPMENT DISTRICT," TO AMEND THE MAIN PERMITTED, PROHIBITED, AND ACCESSORY USES, IN ORDER TO AUTHORIZE THE LIMITED SALE OF ALCOHOLIC BEVERAGES AS AN ACCESSORY USE TO DINING FACILITIES WITHIN MULTIFAMILY RESIDENTIAL BUILDINGS, SUBJECT TO CERTAIN CONDITIONS; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:05 p.m. Second Reading Public Hearing** First Reading PH December 13, 2017 - R5 G Planning Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4169 adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Arriola. Ballot vote: 7-0.

## January 17, 2018

R5 L NORMANDY ISLES HISTORIC DISTRICT DESIGNATION:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI

BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE MIAMI BEACH CITY CODE; AMENDING SECTION 118-593, "HISTORIC PRESERVATION DESIGNATION;" AMENDING SECTION 118-593(e), "DELINEATION ON ZONING MAP;" AMENDING SECTION 118-593(e)(2), "HISTORIC PRESERVATION DISTRICTS (HPD)" BY DESIGNATING THE NORMANDY ISLES HISTORIC DISTRICT WITH THE NORTHERN PORTION OF THE DISTRICT LOCATED GENERALLY BETWEEN THE NORMANDY SHORES GOLF COURSE AND SOUTH SHORE DRIVE TO THE NORTH, THE SOUTH SIDE OF MARSEILLE DRIVE AND THE PROPERTY LOCATED AT 1133 NORMANDY DRIVE TO THE SOUTH, NORTH SHORE DRIVE AND BAY DRIVE TO THE EAST, AND RAY STREET AND RUE NOTRE DAME TO THE WEST, AND THE SOUTHERN PORTION OF THE DISTRICT LOCATED GENERALLY BETWEEN THE NORTHERN LOT LINE OF THE PROPERTIES ON THE NORTH SIDE OF BAY DRIVE AND 71ST STREET TO THE NORTH, BISCAYNE BAY TO THE SOUTH, INDIAN CREEK AND BISCAYNE BAY TO THE EAST, AND RUE VERSAILLES AND BAY DRIVE TO THE WEST; PROVIDING THAT THE CITY'S ZONING MAP SHALL BE AMENDED TO INCLUDE THE NORMANDY ISLES HISTORIC DISTRICT; ADOPTING THE DESIGNATION REPORT ATTACHED HERETO AS APPENDIX "A;" PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:04 p.m. Second Reading Public Hearing** First Reading PH December 13, 2017 - R5 F Planning

Applicant - Historic Preservation Board

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4168](#) adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Arriola. Ballot vote: 7-0.

## January 17, 2018

R5 K NORTH SHORE LOCAL HISTORIC DISTRICT DESIGNATION:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE MIAMI BEACH CITY CODE; AMENDING SECTION 118-593, "HISTORIC PRESERVATION DESIGNATION;" AMENDING SECTION 118-593(e), "DELINEATION ON ZONING MAP;" AMENDING SECTION 118-593(e)(2), "HISTORIC PRESERVATION DISTRICTS (HPD)" BY DESIGNATING THE NORTH SHORE HISTORIC DISTRICT LOCATED GENERALLY BETWEEN 87TH STREET ON THE NORTH, 73RD STREET ON THE SOUTH, COLLINS COURT TO THE EAST, AND DICKENS AVENUE (BETWEEN 73RD STREET AND 75TH STREET) AND THE WESTERN LOT LINE OF THE PROPERTIES ON THE WEST SIDE OF HARDING AVENUE TO THE WEST; PROVIDING THAT THE CITY'S ZONING MAP SHALL BE AMENDED TO INCLUDE THE NORTH SHORE HISTORIC DISTRICT; ADOPTING THE DESIGNATION REPORT ATTACHED HERETO AS APPENDIX "A;" PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:03 p.m. Second Reading Public Hearing** First Reading PH December 13, 2017 - R5 E Planning

Applicant - Historic Preservation Board

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4167](#) adopted.** Motion made by Commissioner Arriola to adopt the Ordinance; seconded by Vice-Mayor Alemán. Ballot vote: 7-0.

## January 17, 2018

### R5 J RM-1 RESTAURANT REGULATIONS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICT REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," TO

ALLOW A RESTAURANT SERVING ALCOHOLIC BEVERAGES WITHIN APARTMENT BUILDINGS WITH A MINIMUM OF 100 UNITS, SUBJECT TO CONDITIONAL USE APPROVAL; BY AMENDING SUBDIVISION III, "RM-PRD MULTIFAMILY, PLANNED RESIDENTIAL DEVELOPMENT DISTRICT," SUBDIVISION IIIA, "RM-PRD-2 MULTIFAMILY PLANNED RESIDENTIAL DEVELOPMENT," DIVISION 14, "RO RESIDENTIAL/OFFICE DISTRICT," SUBDIVISION I, "RO RESIDENTIAL/OFFICE," SUBDIVISION III, "RO-2 RESIDENTIAL/OFFICE LOW INTENSITY," SUBDIVISION IV, "RO-3 RESIDENTIAL/OFFICE MEDIUM INTENSITY," DIVISION 15, "TH TOWNHOME RESIDENTIAL DISTRICT," DIVISION 19, "SPE SPECIAL PUBLIC FACILITIES EDUCATIONAL DISTRICT," AND DIVISION 18, "PS PERFORMANCE STANDARD DISTRICT," BY CLARIFYING THAT ALCOHOLIC BEVERAGE ESTABLISHMENTS ARE A PROHIBITED USES UNLESS OTHERWISE NOTED; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**5:02 p.m. Second Reading Public Hearing** First Reading PH December 13, 2017 - R5 B Planning

Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4166](#) adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Steinberg. Ballot vote: 7-0.

## January 17, 2018

R5 I PROVISIONAL PARKING LOT AMENDMENT:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 130, OF THE LAND DEVELOPMENT REGULATIONS (LDRs), ENTITLED "OFF-STREET PARKING," ARTICLE III "DESIGN STANDARDS", TO MODIFY THE REQUIREMENTS FOR TEMPORARY PARKING LOTS AND DELETING THE PROVISIONS OF SECTION 130-70 IN ORDER TO REMOVE THE STANDARDS FOR PROVISIONAL PARKING LOTS FROM THE LDRs PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**5:01 p.m. Second Reading Public Hearing** First Reading PH December 13, 2017 - R5 A Planning Vice-Mayor John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4165](#) adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Góngora. Ballot vote: 7-0.

## January 17, 2018

R5 H AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, EXTENDING THE TEMPORARY MORATORIUM UNDER ORDINANCE 2017-4134, THROUGH JANUARY 31, 2018, ON THE ACCEPTANCE, REVIEW, APPROVAL, OR ISSUANCE OF ANY LAND DEVELOPMENT PERMITS (AS THE TERM IS DEFINED IN SECTION 163.3164(16), FLORIDA STATUTES), BUSINESS TAX RECEIPTS, OR ANY OTHER LICENSE OR PERMIT FOR THE ESTABLISHMENT OR OPERATION OF ADULT CONGREGATE LIVING FACILITIES, ASSISTED LIVING FACILITIES, CRISIS STABILIZATION UNITS, RESIDENTIAL DETOXIFICATION CENTERS, COMMUNITY RESIDENTIAL HOMES, AND RESIDENTIAL MEDICAL REHABILITATION CENTERS, AND ANY SIMILAR OR DERIVATIVE USES ASSOCIATED WITH SUCH USES, WITHIN THE CITY, IN ORDER TO PROVIDE THE CITY WITH AN OPPORTUNITY TO REVIEW AND ENACT DEFINITIONS AND REGULATIONS GOVERNING SAID USES; PROVIDING PENALTIES FOR ANY VIOLATION HEREOF; PROVIDING FOR SEVERABILITY; REPEALER OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR A CONTINUED EFFECTIVE DATE OF FEBRUARY 8, 2017 AND EXTENDING THE MORATORIUM THROUGH JANUARY 31, 2018; FOR ZONING IN PROGRESS PURPOSES, THIS ORDINANCE SHALL BE EFFECTIVE UPON FIRST READING OF THIS ORDINANCE.

**10:35 a.m. Second Reading Public Hearing** First Reading on December 13, 2017 - R5 AD Office of the City Attorney  
Vice-Mayor John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4164](#) adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Steinberg. Ballot vote: 7-0.

## January 17, 2018

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 3, ENTITLED "PARKS AND RECREATIONAL FACILITIES BOARD," BY AMENDING SECTION 2.171, ENTITLED "ESTABLISHED; PURPOSE; COMPOSITION" TO ADD TWO ADDITIONAL BOARD MEMBERS WITH A HIGH DEGREE OF INTEREST, PARTICIPATION, AND/OR EXPERTISE IN YOUTH RECREATIONAL PROGRAMS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:30 a.m. Second Reading Public Hearing** First Reading on December 13, 2017-R5 AC Office of the City Attorney

Vice-Mayor John Elizabeth Alemán & Co-sponsored by Commissioner Michael Góngora **ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4163](#) adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Góngora. Ballot vote: 7-0.

## January 17, 2018

R5 F UNIFIED DEVELOPMENT SITES - FAR:

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, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES" ARTICLE I "IN" GENERAL," TO CLARIFY THE MAXIMUM ALLOWABLE FLOOR AREA RATIO ("FAR") FOR UNIFIED DEVELOPMENT SITES CONTAINING BUILDINGS WITH NONCONFORMING FAR AND/OR ELEVATED OPEN-AIR BRIDGES, PASSAGEWAYS OR CONNECTIONS USED SOLELY FOR PEDESTRIAN CIRCULATION BETWEEN BUILDINGS; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing** First Reading on December 13, 2017 - R5 Y Planning Vice-Mayor John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4162](#) adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Arriola. Ballot vote: 7-0.

## January 17, 2018

### **R5 E RM-3 HOTELS - ARCHITECTURAL DISTRICT PARKING:**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 130 "OFF- STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," BY AMENDING THE OFF-STREET PARKING REQUIREMENTS FOR OCEANFRONT HOTELS ZONED RM-3 IN THE ARCHITECTURAL DISTRICT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing** First Reading on December 13, 2017- R5 W Planning Vice-Mayor John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2018-4161](#) adopted as amended.** Motion made by Vice-Mayor Alemán to adopt the Ordinance as amended; seconded by Commissioner Arriola. Ballot vote: 6-1. Against: Commissioner Rosen Gonzalez.

## January 17, 2018

R5 D BELOW GRADE PARKING - MINIMUM REQUIREMENTS AND CRITERIA:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 130, "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," BY CREATING BELOW GRADE OFF-STREET PARKING CRITERIA; BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," TO MODIFY THE MINIMUM SETBACK REQUIREMENTS FOR SUBTERRANEAN LEVELS IN CERTAIN ZONING DISTRICTS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing** First Reading on December 13, 2017 - R5 V Planning Vice-Mayor John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4160 adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Góngora. Ballot vote: 7-0.

## January 17, 2018

R5 C PARKING DISTRICTS NO. 6 & 7 - HOTEL AND APARTMENT REQUIREMENTS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 130, OF THE LAND DEVELOPMENT REGULATIONS, ENTITLED "OFF-STREET PARKING," ARTICLE II "DISTRICTS; REQUIREMENTS," TO MODIFY THE REQUIREMENTS FOR PARKING DISTRICT NO. 6; TO EXTEND THE BOUNDARIES OF PARKING DISTRICT NO. 7; AND TO MODIFY THE REQUIREMENTS FOR PARKING DISTRICT NO. 7; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing** First Reading on December 13, 2017 - R5 U Planning Vice-Mayor John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4159 adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Arriola. Ballot vote: 6-1. Against: Commissioner Rosen Gonzalez.

## January 17, 2018

**10:11:07 a.m.**

R5 B HEIGHT LIMIT MEASUREMENT - REMOVAL OF LIMITS ON STORIES: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," AT SECTION 142-155, SUBDIVISION III, "RM-PRD MULTIFAMILY, PLANNED RESIDENTIAL DEVELOPMENT DISTRICT," AT SECTION 142-185, SUBDIVISION IV, "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," AT SECTION 142-217, SUBDIVISION V. "RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY," AT SECTION 142-246, DIVISION 4. "CD-1 COMMERCIAL, LOW INTENSITY DISTRICT," AT SECTION 142-276, DIVISION 5. "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," AT SECTION 142-306, DIVISION 6. "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," AT SECTION 142-337, DIVISION 7. "CCC CIVIC AND CONVENTION CENTER DISTRICT," AT SECTION 142-365, DIVISION 11. "I-1 LIGHT INDUSTRIAL DISTRICT," AT SECTION 142-486, DIVISION 12. "MR MARINE RECREATION DISTRICT," AT SECTION 142-515, DIVISION 13. "MXE MIXED USE ENTERTAINMENT DISTRICT," AT SECTION 142-545, DIVISION 14. "RO RESIDENTIAL/OFFICE DISTRICT," AT SECTION 142-575, SUBDIVISION III, "RO-2 RESIDENTIAL/OFFICE LOW INTENSITY," AT SECTION 142-589, SUBDIVISION IV, "RO-3 RESIDENTIAL/OFFICE MEDIUM INTENSITY," AT SECTION 142-596, DIVISION 15. "TH TOWNHOME RESIDENTIAL DISTRICT," AT SECTION 142-605, DIVISION 16, "WD-1 WATERWAY DISTRICT," AT SECTION 142-635, DIVISION 17. "WD-2 WATERWAY DISTRICT," AT SECTION 142-665, DIVISION 18, "PS



PERFORMANCE STANDARD DISTRICT," AT SECTIONS 142-696, 142-698, AND 142-701, DIVISION 19. "SPE SPECIAL PUBLIC FACILITIES EDUCATIONAL DISTRICT," AT SECTION 142-733, DIVISION 20, "TC NORTH BEACH TOWN CENTER DISTRICTS," AT SECTION 142-737, ARTICLE III. "OVERLAY DISTRICTS," DIVISION 9, "ALTON ROAD – HISTORIC DISTRICT BUFFER OVERLAY," AT SECTION 142-864, DIVISION 11. "OCEAN TERRACE OVERLAY," AT SECTION 142-870.1, TO MODIFY THE BUILDING HEIGHT REQUIREMENTS BY REMOVING LIMITS ON NUMBERS OF STORIES IN THESE ZONING DISTRICTS AND OVERLAY DISTRICTS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:05 a.m. Second Reading Public Hearing** First Reading on December 13, 2017 - R5 T Planning Vice-Mayor John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4158 adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; Seconded by Commissioner Arriola. Ballot vote: 5-2. Against: Commissioners Rosen Gonzalez and Góngora.

## January 17, 2018

R5 A WASHER AND DRYER ENCROACHMENTS - RM-1 DISTRICT:

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 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 4, "SUPPLEMENTARY YARD REGULATIONS," AT SECTION 142-1132, ENTITLED "ALLOWABLE ENCROACHMENTS WITHIN REQUIRED YARDS," TO ALLOW ENCROACHMENTS BY WASHERS AND DRYERS IN SIDE YARD SETBACKS WITHIN THE RM-1 ZONING DISTRICT; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:00 a.m. Second Reading Public Hearing** First Reading on December 13, 2017 - R5 S Planning Vice-Mayor John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2018-4157 adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Góngora. Ballot vote: 7-0.

## December 13, 2017

R5 OTATUM WATERWAY CONSERVATION DISTRICT DEMOLITION MORATORIUM – EXTENSION:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, EXTENDING THE MORATORIUM THROUGH JANUARY 31, 2018, FOR PROPERTIES FRONTING ON TATUM WATERWAY AND LOCATED ON THE WEST SIDE OF TATUM WATERWAY DRIVE AND BYRON AVENUE FROM 77TH STREET TO 87TH STREET, PROPERTIES LOCATED ON THE EAST SIDE OF HAWTHORNE AVENUE FROM 77TH STREET TO CRESPI BOULEVARD, PROPERTIES LOCATED ON THE EAST SIDE OF CRESPI BOULEVARD FROM HAWTHORNE AVENUE TO 85TH STREET, AND PROPERTIES LOCATED ON THE NORTH SIDE OF 85TH STREET BETWEEN CRESPI BOULEVARD AND BYRON AVENUE; IMPOSING A TEMPORARY MORATORIUM UPON THE RECEIPT OF OR PROCESSING OF APPLICATIONS, PERMITS OR PENDING APPROVALS PERTAINING TO DEMOLITION OF STRUCTURES ON TATUM WATERWAY; FOR ZONING IN PROGRESS PURPOSES, THIS ORDINANCE SHALL BE EFFECTIVE UPON FIRST READING OF THIS ORDINANCE, AND NO APPLICATIONS FOR DEMOLITION WITHIN THE DESIGNATED AREA SHALL BE ACCEPTED BY THE CITY; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EXPIRATION DATE.

**5:09 p.m. Second Reading Public Hearing** Planning

First Reading PH on October 31, 2017 - R5 F Commissioner Ricky Arriola **ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4156 adopted.** Motion made by Commissioner Arriola to adopt the Ordinance; seconded by Commissioner Góngora.

Ballot vote: 6-0; Absent: Mayor Gelber.

## **December 13, 2017**

R5 N NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICTS DEMOLITION MORATORIUM - EXTENSION:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PERTAINING TO EXTENDING THE MORATORIUM THROUGH JANUARY 31, 2018 FOR THE FOLLOWING AREAS/PROPERTIES: PROPERTIES LOCATED BETWEEN TATUM WATERWAY DRIVE/BYRON AVENUE ON THE WEST AND THE EASTERN LOT LINES OF LOTS FRONTING ABBOTT AVENUE ON THE EAST BETWEEN 77TH STREET ON THE SOUTH AND 86TH STREET ON THE NORTH; THE PROPERTIES LOCATED BETWEEN THE TATUM WATERWAY ON THE WEST AND THE EASTERN LOT LINES OF LOTS FRONTING ABBOTT AVENUE ON THE EAST BETWEEN 75TH STREET ON THE SOUTH AND 77TH STREET ON THE NORTH; THE PROPERTIES LOCATED AT 8519, 8525, AND 8527 CRESPI BOULEVARD; THE PROPERTIES FRONTING NORMANDY DRIVE FROM RUE NOTRE DAME ON THE WEST TO BAY DRIVE ON THE EAST; THE PROPERTIES FRONTING 71ST STREET FROM RUE NOTRE DAME ON THE WEST TO BAY DRIVE ON THE EAST; THE PROPERTIES FRONTING THE EAST SIDE OF RUE VERSAILLES FROM 71ST STREET TO BIARRITZ DRIVE; THE PROPERTIES FRONTING BIARRITZ DRIVE FROM RUE VERSAILLES ON THE WEST TO RUE VENDOME ON THE EAST; THE PROPERTIES FRONTING RUE VENDOME FROM 71ST STREET ON THE NORTH TO BREST ESPLANADE ON THE SOUTH; THE PROPERTIES FRONTING BRESTESPLANADE; THE PROPERTIES FRONTING THE WEST SIDE OF BAY DRIVE FROM BREST ESPLANADE ON THE SOUTH TO 71ST STREET ON THE NORTH; THE PROPERTIES FRONTING THE EAST SIDE OF BAY DRIVE FROM 71ST STREET ON THE SOUTH TO THE NORMANDY WATERWAY ON THE NORTH; IMPOSING A TEMPORARY MORATORIUM UPON THE RECEIPT OF OR PROCESSING OF APPLICATIONS, PERMITS OR PENDING APPROVALS PERTAINING TO DEMOLITION OF STRUCTURES WITHIN THE AFOREDESCRIBED AREAS; PROVIDING FOR AN EFFECTIVE DATE RETROACTIVE TO FIRST READING, OCTOBER 31, 2017; FOR ZONING IN PROGRESS PURPOSES, THIS ORDINANCE SHALL BE EFFECTIVE UPON FIRST READING OF THIS ORDINANCE, AND NO APPLICATIONS FOR DEMOLITION WITHIN THE DESIGNATED AREA SHALL BE ACCEPTED BY THE CITY; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EXPIRATION DATE.

**5:08 p.m. Second Reading Public Hearing** Planning

First Reading PH on October 31, 2017 - R5 E Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4155](#) adopted.** Motion made by Commissioner Arriola to adopt the Ordinance; seconded by Commissioner Steinberg. Ballot vote: 6-0; Absent: Mayor Gelber.

## **December 13, 2017**

R5 D AMENDING APPENDIX A - FEE SCHEDULE:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102, "TAXATION," ARTICLE V, "LOCAL BUSINESS TAX" AT SECTION 102-379, "SCHEDULE OF TAXES, EFFECTIVE OCTOBER 1, 2016" TO PROVIDE NEW BUSINESS TAX RECEIPT FOR SAID USES; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing** Office of the City Attorney First Reading on October 18, 2017 - R5 S Vice-Mayor John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4154](#) adopted.** Motion made by Vice-Mayor Alemán to adopt the Ordinance; seconded by Commissioner Rosen Gonzalez. Ballot vote: 7-0.

## **December 13, 2017**

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14, "ENTITLED "BUILDING REGULATIONS," DIVISION 2, "PERMIT FEES," AT SECTIONS 14-61, 14-62 RELATING TO BUILDING PERMIT FEES GENERALLY; WAIVING FEES FOR PHOTOVOLTAIC BUILDING PERMIT FEES; AND MODIFYING THE FEE SCHEDULE CONTAINED IN APPENDIX A IN ORDER TO UPDATE CERTAIN BUILDING FEES AND TO PROVIDE A PERMIT FEE REDUCTION OF 40% FOR MINOR, IN-KIND, HURRICANE REPAIRS DUE TO HURRICANE IRMA, FOR A THREE MONTH PERIOD; PROVIDING FOR RETROACTIVE APPLICATION TO FIRST READING, REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing** Building/Office of the City Attorney Deferred from October 18, 2017 - R5 G Commissioner Ricky Arriola **ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4153](#) adopted as amended.** Motion made by Commissioner Arriola to adopt the Ordinance as amended; seconded by Vice-Mayor Alemán. Ballot vote: 7-0.

## October 31, 2017

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 18 OF THE MIAMI BEACH CITY CODE, ENTITLED "BUSINESSES," BY AMENDING DIVISION 2, ENTITLED, "VALET PARKING PERMITS FOR USE OF PUBLIC PROPERTY," BY AMENDING SECTION 18-343, ENTITLED, "PENALTIES AND ENFORCEMENT; FINE SCHEDULE; RIGHT OF APPEAL"; BY MODIFYING THE FINE AMOUNTS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**9:38 a.m. Second Reading Public Hearing** Office of the City Attorney Commissioner Joy Malakoff

**ACTION: Ordinance [2017-4152](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff to adopt the Ordinance; seconded by Commissioner Alemán; Ballot vote: 5-1; Opposed: Commissioner Steinberg.

## October 31, 2017

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE I, ENTITLED "IN GENERAL," SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE/VIOLATIONS," TO AMEND THE HOURS OF PACKAGE SALES OF ALCOHOLIC BEVERAGES (WHICH INCLUDE SALES OF ALCOHOL FOR OFF-PREMISES CONSUMPTION) IN THE MXE MIXED USE ENTERTAINMENT DISTRICT, AND IN THE ADJOINING CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**9:37 a.m. Second Reading Public Hearing** Office of the City Attorney Vice-Mayor Ricky Arriola and Co-Sponsored by Mayor Philip Levine

**ACTION: Ordinance [2017-4151](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance; seconded by Commissioner Malakoff; Ballot vote: 6-0.

## October 31, 2017

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART A - GENERAL ORDINANCES, OF THE CITY CODE, BY AMENDING CHAPTER 54 "FLOODS" AT SECTIONS 54-39, ENTITLED "ESTABLISHMENT OF DEVELOPMENT PERMIT;" IN ORDER TO SPECIFICALLY ADOPT THE CITY'S STORMWATER MASTER PLAN, AS MAY BE AMENDED, AND TO REQUIRING 5/7 VOTE OF FULL CITY COMMISSION TO LESSEN ANY OF THE STORMWATER REQUIREMENTS CONTAINED IN CHAPTER 54; TO AMEND SECTION 54-45, "PERMIT PROCEDURES," TO

CORRECT THE TITLE OF THE CITY'S STORMWATER MASTER PLAN; AND BY AMENDING SUBPART B - "LAND DEVELOPMENT REGULATIONS," BY AMENDING SECTION 114-1, ENTITLED "DEFINITIONS," IN ORDER TO CORRECT THE NAME OF THE CITY'S STORMWATER MASTER PLAN; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**9:35 a.m. Second Reading Public Hearing** Public Works Commissioner John Elizabeth Alemán & Co-sponsored by Commissioner Joy Malakoff

**ACTION: Ordinance [2017-4150](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff to adopt the Ordinance; seconded by Commissioner Alemán. Ballot vote: 5-1; Opposed: Commissioner Rosen Gonzalez.

## October 18, 2017

R5 N WORKFORCE HOUSING PARKING AND UNIT SIZE REQUIREMENTS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART A - GENERAL ORDINANCES, OF THE CITY CODE, BY AMENDING CHAPTER 58 "HOUSING," BY CREATING ARTICLE VI, ENTITLED "WORKFORCE HOUSING;" SECTIONS 58-500 THROUGH 58-510; PROVIDING FOR DEFINITIONS AND INCENTIVES TO PROVIDE WORKFORCE HOUSING; ELIGIBILITY FOR TENANCY, ENFORCEMENT, AND PENALTIES; BY AMENDING CHAPTER 130, "OFF-STREET PARKING," AT SECTION 130-32, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1," AND SECTION 130-33, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, AND 7," BY ESTABLISHING PARKING REQUIREMENTS FOR WORKFORCE HOUSING UNITS; BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," SUBDIVISION IV, "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," SUBDIVISION V. "RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY," DIVISION 4, "CD-1 COMMERCIAL, LOW INTENSITY DISTRICT," DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," DIVISION 6, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," DIVISION 13, "MXE MIXED USE ENTERTAINMENT DISTRICT," DIVISION 18, "PS PERFORMANCE STANDARD DISTRICT," DIVISION 20, "TC NORTH BEACH TOWN CENTER DISTRICTS," BY CREATING NEW MINIMUM AND AVERAGE APARTMENT UNIT SIZES FOR WORKFORCE HOUSING UNITS; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. **5:04**

**p.m. Second Reading Public Hearing** Planning

Commissioner John Elizabeth Alemán and Co-Sponsored by Commissioner Joy Malakoff

**ACTION: Ordinance [2017-4149](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 5-0; Absent: Commissioners Grieco and Rosen Gonzalez.

## October 18, 2017

R5 M AFFORDABLE HOUSING UNIT SIZE AND PARKING REQUIREMENTS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS; BY AMENDING CHAPTER 58, "HOUSING," BY ESTABLISHING ARTICLE V, "HOUSING FOR LOW AND/OR MODERATE INCOME ELDERLY PERSONS"; PROVIDING CODIFICATION; BY AMENDING CHAPTER 114, "GENERAL PROVISIONS," AT SECTION 114-1, "DEFINITIONS," TO ESTABLISH BY REFERENCE TO CHAPTER 58, "HOUSING" DEFINITIONS FOR NON-ELDERLY AND ELDERLY LOW AND MODERATE INCOME HOUSING; BY AMENDING CHAPTER 130, "OFF-STREET PARKING," AT SECTION 130-32, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1," AND SECTION 130-33, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, AND 7," BY AMENDING THE PARKING REQUIREMENTS FOR LOW AND/OR MODERATE INCOME NON-ELDERLY AND ELDERLY PERSONS; BY AMENDING CHAPTER 142, "ZONING DISTRICTS

AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," SUBDIVISION IV, "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," SUBDIVISION V, "RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY," DIVISION 4, "CD-1 COMMERCIAL, LOW INTENSITY DISTRICT," DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," DIVISION 6, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," DIVISION 13, "MXE MIXED USE ENTERTAINMENT DISTRICT," DIVISION 18, "PS PERFORMANCE STANDARD DISTRICT," DIVISION 20, "TCNORTH BEACH TOWN CENTER DISTRICTS," BY STRIKING ALL REFERENCE TO SECTION 142-1183 ENTITLED "UNIT SIZE" AND CREATING NEW MINIMUM AND AVERAGE APARTMENT UNIT SIZES FOR NON-ELDERLY AND ELDERLY LOW AND MODERATE INCOME HOUSING; BY AMENDING ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," BY AMENDING DIVISION 6, "HOUSING FOR LOW AND/OR MODERATE INCOME ELDERLY PERSONS," BY STRIKING THIS DIVISION; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. **5:03 p.m.**

**Second Reading Public Hearing** Planning Commissioner John Elizabeth Alemán & Co-Sponsored by Commissioner Joy Malakoff

**ACTION: Ordinance 2017-4148 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Malakoff to adopt the Ordinance. Ballot vote: 5-0; Absent: Commissioners Grieco and Rosen Gonzalez.

## **October 18, 2017**

R5 L WORKFORCE AND AFFORDABLE HOUSING - COMPREHENSIVE PLAN AMENDMENTS:

AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, BY AMENDING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT;" "OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS," TO ALLOW FOR INCREASED DENSITY WITHIN CERTAIN FUTURE LAND USE CATEGORIES FOR THE LIMITED PURPOSES OF PROVIDING AFFORDABLE HOUSING AND WORKFORCE HOUSING PURPOSES AND TO ALLOW FOR RESIDENTIAL USES IN THE "PARKING (P)" FUTURE LAND USE CATEGORY; AMENDING CHAPTER 3, ENTITLED "HOUSING ELEMENT," TO PROVIDE INCENTIVES FOR DEVELOPING WORKFORCE AND AFFORDABLE HOUSING; CLARIFY POLICIES RELATED TO WORKFORCE AND AFFORDABLE HOUSING; AMENDING CHAPTER 6, ENTITLED "CONSERVATION/ COASTAL ZONE MANAGEMENT ELEMENT," TO ALLOW FOR DENSITY INCREASES IN ORDER TO INCENTIVIZE WORKFORCE AND AFFORDABLE HOUSING PROJECTS/CONSTRUCTION; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER;

SEVERABILITY; AND AN EFFECTIVE DATE. **5:02 p.m. Second Reading Public Hearing Planning**

**Commissioner John Elizabeth Alemán & Co-Sponsored by Commissioner Joy Malakoff**

**ACTION: Ordinance 2017-4147 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 4-0; Absent: Mayor Levine and Commissioners Grieco and Rosen Gonzalez.

## **October 18, 2017**

R5 K HOSTEL, HOTEL, APARTMENT HOTEL, AND SUITE HOTEL REGULATIONS:

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," BY AMENDING CHAPTER 114, "GENERAL PROVISIONS," SECTION 114-1, "DEFINITIONS," TO MODIFY THE DEFINITION OF "APARTMENT HOTEL," "HOSTEL," "HOTEL," AND "SUITE HOTEL"; BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," TO MODIFY MAIN, PERMITTED, AND PROHIBITED USES PERTAINING TO APARTMENT HOTEL, HOTEL, SUITE HOTEL, AND HOSTEL IN



CERTAIN ZONING DISTRICTS; BY AMENDING ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," BY AMENDING DIVISION 3, ENTITLED "SUPPLEMENTARY USE REGULATIONS," BY AMENDING SECTION 142-1105, ENTITLED "SUITE HOTELS," BY CREATING CRITERIA, STANDARDS, ALLOWABLE AND PROHIBITED DISTRICTS AND OCCUPANT LIMITS FOR APARTMENT HOTELS, SUITE HOTELS, HOTELS AND HOSTELS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**5:01 p.m. Second Reading Public Hearing** Planning Commissioner Joy Malakoff

**ACTION: Ordinance [2017-4146](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 5-0; Absent: Commissioners Grieco and Rosen Gonzalez.

## **October 18, 2017**

R5 J AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ARTICLE IV - FEES, CHARGES, RATES AND BILLING PROCEDURE; DIVISION 1 - GENERALLY; SEC. 110-171 - RATE INDEXING; AND "APPENDIX A - FEE SCHEDULE" TO AMEND THE STORMWATER FEE SCHEDULE TO INCLUDE AN ADJUSTMENT FOR CONSUMER PRICE INDEX (CPI); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:45 a.m. Second Reading Public Hearing** Public Works

Vice-Mayor Ricky Arriola and Co-sponsored by Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2017-4145](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Arriola; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 6-0; Opposed: Commissioner Rosen Gonzalez.

## **October 18, 2017**

R5 IAN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CITY CODE, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, "USES IN PUBLIC RIGHTS-OF-WAY," DIVISION 5, "SIDEWALK CAFES," SUBDIVISION II, "PERMIT," SECTION 82-383 THEREOF, ENTITLED "PERMIT FEE; PENALTIES FOR LATE PAYMENT; REVIEW OF FEE; EXCEPTION," TO ABATE SIDEWALK CAFE FEES FOR BUSINESSES LOCATED NORTH OF 63RD STREET, FROM THE EFFECTIVE DATE OF THIS ORDINANCE THROUGH AND INCLUDING SEPTEMBER 30, 2019; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. **10:40 a.m. Second Reading Public Hearing** Public Works Vice-

Mayor Ricky Arriola

**ACTION: Ordinance [2017-4144](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg; seconded by Vice-Mayor Arriola to adopt the Ordinance. Ballot vote: 6-0; Absent: Commissioner Grieco.

## **October 18, 2017**

R5 H AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CITY OF MIAMI BEACH CODE, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE VI, ENTITLED "PROCUREMENT," BY AMENDING DIVISION 6, ENTITLED "LIVING WAGE REQUIREMENTS FOR SERVICE CONTRACTS AND CITY EMPLOYEES," BY AMENDING SECTION 2-408, ENTITLED "LIVING WAGE," BY INCREASING THE CURRENT LIVING WAGE RATE OF \$11.62 PER HOUR WITH HEALTH CARE BENEFITS OF AT LEAST \$1.69 PER HOUR, OR NO LESS THAN \$13.31 PER HOUR WITHOUT HEALTH CARE BENEFITS, IN A "PHASE-IN" APPROACH COMMENCING ON JANUARY 1, 2018 AND ENDING ON DECEMBER 31, 2020 AS FOLLOWS: 1) A LIVING WAGE OF NO LESS THAN \$11.62 PER HOUR WITH HEALTH CARE BENEFITS OF AT LEAST \$2.26 PER HOUR, OR A LIVING WAGE RATE OF NO LESS THAN \$13.88 PER HOUR WITHOUT HEALTH CARE BENEFITS, COMMENCING JANUARY 1, 2018, 2) A LIVING WAGE

RATE OF NO LESS THAN \$11.70 PER HOUR WITH HEALTH CARE BENEFITS OF AT LEAST \$2.74 PER HOUR, OR A LIVING WAGE RATE OF NO LESS THAN \$14.44 PER HOUR WITHOUT HEALTH CARE BENEFITS, COMMENCING ON JANUARY 1, 2019, AND 3) A LIVING WAGE RATE OF NO LESS THAN \$11.78 PER HOUR WITH HEALTH CARE BENEFITS OF AT LEAST \$3.22 PER HOUR, OR A LIVING WAGE RATE OF \$15.00 PER HOUR WITHOUT HEALTH CARE BENEFITS, COMMENCING ON JANUARY 1, 2020 AND ENDING ON DECEMBER 31, 2020; BY REQUIRING THAT COMMENCING ON JANUARY 1, 2021, AND EACH YEAR THEREAFTER, ANY INCREASE TO THE SUPPLEMENTAL HEALTH CARE BENEFITS RATE, AS APPROVED BY COMMISSION, BE CALCULATED USING THE MIAMI CONSUMER PRICE INDEX EXCLUSIVELY FOR "MEDICAL CARE" FOR ALL URBAN CONSUMERS (CPI-U) IN THE MIAMI/FT. LAUDERDALE AREA; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:35 a.m.**

**Second Reading Public Hearing** Procurement. Vice-Mayor Ricky Arriola

**ACTION: Ordinance 2017-4143 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Arriola; seconded by Commissioner Steinberg to adopt the Ordinance. Ballot vote: 7-0.

## **October 18, 2017**

R5 FAN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82, ENTITLED "PUBLIC PROPERTY," ARTICLE III, "USE OF PUBLIC PROPERTY," DIVISION 1, "GENERALLY," TO CREATE SECTION 82-71, ENTITLED "CITY MUNICIPAL PARKING GARAGE ADVERTISING," TO AUTHORIZE THE INSTALLATION OF ADVERTISING SIGNS OR AN ADVERTISING SIGN PROGRAM IN CITY MUNICIPAL PARKING GARAGE FACILITIES, AND TO PROVIDE FOR EXCEPTIONS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing**

**ACTION: Ordinance 2017-4142 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Vice-Mayor Arriola to adopt the Ordinance. Ballot vote: 5-2; Opposed: Commissioners Malakoff and Steinberg.

## **October 18, 2017**

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL," BY AMENDING SECTION 82-2, ENTITLED "CLOSING PUBLIC PARKS, BEACHES, GOLF COURSES DURING CERTAIN HOURS," BY AMENDING THE CLOSING HOURS FOR PUBLIC BEACHES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing**

Office of the City Attorney/Miami Beach Police Department Commissioner Kristen Rosen Gonzalez

**ACTION: Ordinance 2017-4141 adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Rosen Gonzalez; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 7-0.

## **October 18, 2017**

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 10 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ANIMALS," BY AMENDING SECTION 10-13, ENTITLED "REMOVAL OF ANIMAL DEFECATION," TO ALSO REQUIRE THE REMOVAL OF WASTE ASSOCIATED WITH ANIMAL FEEDING AND PROHIBITING THE USE OF POLYSTYRENE SERVING ITEMS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:15 a.m. Second Reading Public Hearing** Office of the City Attorney/Code Compliance Commissioner John Elizabeth Alemán

**ACTION: Ordinance 2017-4140 adopted.** Title of the Ordinance read into the record. Public

Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Malakoff to adopt the Ordinance. Ballot vote: 7-0.

## October 18, 2017

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 10 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ANIMALS," BY CREATING SECTION 10-19, TO BE ENTITLED "CRUELTY TO ANIMALS"; AND BY AMENDING SECTION 10-2, ENTITLED "FINES FOR VIOLATIONS OF ANIMAL CONTROL ORDINANCES; UNPAID FINES TO CONSTITUTE LIEN AND BASIS FOR REVOCATION OF CITY PARKING PERMITS/DECALS," TO CROSS-REFERENCE THE NEW PROVISIONS IN SECTION 10-19; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:10 am. Second Reading**

### **Public Hearing**

Office of the City Attorney Mayor Philip Levine

**ACTION: Ordinance [2017-4139](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Vice-Mayor Arriola to adopt the Ordinance. Ballot vote: 7-0.

## October 18, 2017

R5 A ALTERNATIVE PARKING REQUIREMENTS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE, BY AMENDING CHAPTER 114, "GENERAL PROVISION," BY AMENDING SECTION 114-1, "DEFINITIONS," AND CREATING SECTION 130-40 "ALTERNATIVE PARKING INCENTIVES" TO CREATE INCENTIVES AND ACTIONS THAT COULD REDUCE MINIMUM OFF STREET PARKING REQUIREMENTS; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. **10:00 a.m.**

### **Second Reading Public Hearing** Planning Commissioner Joy Malakoff

**ACTION: Ordinance [2017-4138](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 6-1; Opposed: Commissioner Rosen Gonzalez.

## September 13, 2017/September 25, 2017

### **September 25, 2017**

R5 X ART DECO/MIMO COMMERCIAL CHARACTER AND FORMULA COMMERCIAL OVERLAY DISTRICT:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 114 OF THE CITY CODE, ENTITLED "GENERAL PROVISIONS," TO PROVIDE FOR DEFINITIONS FOR "CHECK CASHING STORE," "CONVENIENCE STORE," "FORMULA RESTAURANT," "FORMULA COMMERCIAL ESTABLISHMENTS," "MARIJUANA DISPENSARY," "CANNABIS DISPENSARY," "OCCULT SCIENCE ESTABLISHMENT," "PHARMACY," "SOUVENIR AND T-SHIRT SHOP," "TATTOO STUDIO," "MASSAGE THERAPY CENTER," AND RELATED DEFINITIONS; AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," AT ARTICLE III, ENTITLED "OVERLAY DISTRICTS," TO ESTABLISH DIVISION 12, ENTITLED "ART DECO / MIMO COMMERCIAL CHARACTER OVERLAY DISTRICT," TO PROVIDE ADDITIONAL REGULATIONS FOR THE AFOREMENTIONED USES, INCLUDING DISTANCE SEPARATION REQUIREMENTS, LIMITATIONS ON NUMBER OF ESTABLISHMENTS, AND PROHIBITIONS UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

Continued from July 26, 2017 - R5 Q

**5:14 p.m. Second Reading Public Hearing** Planning Vice-Mayor Ricky Arriola

**ACTION: Ordinance [2017-4137](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to limit the number of formula retail establishments to 75 and five (5) in operation in Miami Beach; seconded by Commissioner

Malakoff. Ballot vote: 6-1; Opposed: Commissioner Grieco.

## **September 13, 2017/September 25, 2017**

R5 W BELLE ISLE - LDR AMENDMENTS:

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 BY AMENDING CHAPTER 118 OF THE CITY CODE, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING ARTICLE IX, ENTITLED "NON-CONFORMANCES," BY AMENDING SECTION 118-395, ENTITLED "REPAIR AND/OR REHABILITATION OF NONCONFORMING BUILDINGS AND USES," TO ALLOW THE RECONSTRUCTION OF UP TO FIFTY PERCENT OF THE FLOOR AREA OF NON-CONFORMING BUILDINGS CONTAINING NON-CONFORMING HOTEL, USES LOCATED ON THE NORTH SIDE OF BELLE ISLE; PROVIDING FOR INCLUSION IN THE CITY CODE; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. Continued from July 26, 2017 - R5 X

**5:13 p.m. Second Reading Public Hearing** Planning Vice-Mayor Ricky Arriola

**ACTION: Ordinance [2017-4136](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Heard in conjunction with R5 V. Motion made by Commissioner Malakoff to approve the item; seconded by Commissioner Alemán. Ballot vote: 6-0; Absent: Mayor Levine.

## **September 13, 2017/September 25, 2017**

R5 V BELLE ISLE - COMPREHENSIVE PLAN AMENDMENTS:

AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, BY AMENDING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT;" "OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS," AT POLICY 1.2, "LOW DENSITY MULTI FAMILY RESIDENTIAL CATEGORY (RM-1)," TO MODIFY THE ALLOWABLE USES TO ALLOW FOR NON-CONFORMING HOTEL USES IN NON-CONFORMING BUILDINGS ON THE NORTH SIDE OF BELLE ISLE; AND "OBJECTIVE 7: INCONSISTENT USES," AT POLICY 7.1, EXPANSION OR REPLACEMENT OF LAND USES; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. Continued from July 26, 2017 - R5 W

**5:12 p.m. Second Reading Public Hearing** Planning Vice-Mayor Ricky Arriola

**ACTION: Ordinance [2017-4135](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Heard in conjunction with R5 W. Motion made by Commissioner Malakoff to approve the item; seconded by Commissioner Alemán. Ballot vote: 6-0; Absent: Mayor Levine.

## **September 13, 2017/September 25, 2017**

R5 R AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, EXTENDING THE TEMPORARY MORATORIUM UNDER ORDINANCE 2017-4073, THROUGH DECEMBER 31, 2017, ON THE ACCEPTANCE, REVIEW, APPROVAL, OR ISSUANCE OF ANY LAND DEVELOPMENT PERMITS (AS THE TERM IS DEFINED IN SECTION 163.3164(16), FLORIDA STATUTES), BUSINESS TAX RECEIPTS, OR ANY OTHER LICENSE OR PERMIT FOR THE ESTABLISHMENT OR OPERATION OF ADULT CONGREGATE LIVING FACILITIES, ASSISTED LIVING FACILITIES, CRISIS STABILIZATION UNITS, RESIDENTIAL DETOXIFICATION CENTERS, COMMUNITY RESIDENTIAL HOMES, AND RESIDENTIAL MEDICAL REHABILITATION CENTERS, AND ANY SIMILAR OR DERIVATIVE USES ASSOCIATED WITH SUCH USES, WITHIN THE CITY, IN ORDER TO PROVIDE THE CITY WITH AN OPPORTUNITY TO REVIEW AND ENACT DEFINITIONS AND REGULATIONS GOVERNING SAID USES; PROVIDING PENALTIES FOR ANY VIOLATION HEREOF; PROVIDING FOR SEVERABILITY; REPEALER OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR A CONTINUED EFFECTIVE DATE OF FEBRUARY 8, 2017 AND EXTENDING THE MORATORIUM THROUGH DECEMBER 31, 2017; FOR ZONING IN PROGRESS PURPOSES, THIS ORDINANCE SHALL BE EFFECTIVE

UPON FIRST READING OF THIS ORDINANCE.

**5:08 p.m. Second Reading Public Hearing** First Reading PH on July 26, 2017 - R5 R Planning/Office of the City Attorney Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2017-4134](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff to approve the item; seconded by Commissioner Alemán. Ballot vote: 6-0; Absent: Mayor Levine.

## **September 13, 2017/September 25, 2017**

R5 N MEDICAL CANNABIS TREATMENT CENTERS AND PHARMACY STORE - LAND USE REGULATIONS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 114 OF THE CITY CODE, ENTITLED "GENERAL PROVISIONS," TO DEFINE THE FOLLOWING DEFINITIONS: CANNABIS, MEDICAL CANNABIS TREATMENT CENTER, DISPENSING ORGANIZATION, PHARMACY STORE, AND TERMS RELATING TO MEDICAL CANNABIS, MEDICAL CANNABIS TREATMENT CENTERS, CONVENIENCE STORES, AND PHARMACY STORES; AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE IX, ENTITLED "NONCONFORMANCES," AT SECTION 118-393 TO ESTABLISH REFERENCES TO ADDITIONAL NONCONFORMING REGULATIONS WITHIN CHAPTER 142, DIVISION 10, FOR MEDICAL CANNABIS TREATMENT CENTERS AND PHARMACY STORES, IDENTIFYING PROHIBITED USES; AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ESTABLISHING MINIMUM PARKING REQUIREMENTS FOR "MEDICAL CANNABIS TREATMENT CENTERS" AND "PHARMACY STORES" AND PROHIBITING PARTICIPATION IN THE FEE IN LIEU OF PARKING PROGRAM; AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY CREATING DIVISION 10, ENTITLED "CANNABIS AND PHARMACY STORE REGULATIONS AND USE," AND AMENDING SECTIONS 142-1501 TO 142-1505, RELATING TO APPLICABILITY, DEFINING MEDICAL USE OF CANNABIS, DESIGNATING AREAS FOR THE USE, NONCONFORMING USE REGULATIONS RELATING TO THE USE, ZONING REQUIREMENTS RELATING TO THE USE, AND PROHIBITING CULTIVATION, PRODUCTION OR POSSESSION OF CANNABIS PLANTS; PROVIDING FOR PENALTIES, ENFORCEMENT AND APPEALS; AMENDING CHAPTER 102, "TAXATION," ARTICLE V, "LOCAL BUSINESS TAX" AT SECTION 102-379, "SCHEDULE OF TAXES, EFFECTIVE OCTOBER 1, 2016" TO PROVIDE NEW BUSINESS TAX RECEIPT FOR SAID USES; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**5:04 p.m. Second Reading Public Hearing** Planning Sponsored by Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2017-4133](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the item; seconded by Commissioner Rosen Gonzalez. Ballot vote: 5-1; Absent: Mayor Levine. Opposed: Commissioner Malakoff.

## **September 13, 2017/September 25, 2017**

R5 M AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING SECTION 2-22, ENTITLED "GENERAL REQUIREMENTS," TO PROVIDE THAT, WHENEVER A MAYOR'S BOARD OR COMMITTEE IS CREATED TO STUDY A DEFINED GEOGRAPHIC AREA OF THE CITY, THE MAYOR SHALL MAKE A REASONABLE EFFORT TO APPOINT AT LEAST ONE INDIVIDUAL WHO HAS RESIDED IN THE AREA TO BE STUDIED FOR A MINIMUM OF SIX (6) MONTHS, OR WHO DEMONSTRATES OWNERSHIP/INTEREST FOR A MINIMUM OF SIX (6) MONTHS IN A BUSINESS ESTABLISHED IN THE AREA FOR A MINIMUM OF SIX (6) MONTHS; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

**11:00 a.m. Second Reading Public Hearing** Office of the City Attorney



First Reading on July 26, 2017 - R5 AI Commissioner Kristen Rosen Gonzalez

**ACTION: Ordinance [2017-4132](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Arriola to approve the item; seconded by Commissioner Alemán. Ballot vote: 7-0.

## **September 13, 2017/September 25, 2017**

R5 L AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE I, ENTITLED "IN GENERAL," SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE," TO CHANGE THE HOURS OF PACKAGE LIQUOR SALES AT RETAIL STORES (INCLUDING PACKAGE, GROCERY, CONVENIENCE, AND ANY OTHER RETAIL STORES, AS WELL AS GASOLINE STATIONS/SERVICE STATIONS) AND ALCOHOLIC BEVERAGE ESTABLISHMENTS WITHIN THE CD-2, COMMERCIAL DISTRICT ON WASHINGTON AVENUE AND PENNSYLVANIA AVENUE, BETWEEN 5TH AND 15TH STREET; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:55 a.m. Second Reading Public Hearing** Office of the City Attorney First Reading on July 26, 2017 - R5 AD Commissioner Micky Steinberg

**ACTION: Ordinance [2017-4131](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Arriola to approve the item; seconded by Commissioner Steinberg. Ballot vote: 7-0.

## **September 13, 2017/September 25, 2017**

R5 K LAND DEVELOPMENT AND PERMITTING FEES - RENEWABLE ENERGY

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SECTION 118-7 "FEES FOR THE ADMINISTRATION OF LAND DEVELOPMENT REGULATIONS" AND "APPENDIX A - FEE SCHEDULE" TO WAIVE FEES CHARGED RELATED TO LAND USE BOARD APPROVAL OF SUSTAINABLE ROOFING SYSTEMS AND RENEWABLE ENERGY SYSTEMS; BY AMENDING CHAPTER 114, "GENERAL PROVISIONS," BY AMENDING SECTION 114-1, "DEFINITIONS," TO PROVIDE A DEFINITION FOR "RENEWABLE ENERGY SYSTEMS"; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:50 a.m. Second Reading Public Hearing** Planning

First Reading on July 26, 2017 - R5 AG Commissioner Kristen Rosen Gonzalez

**ACTION: Ordinance [2017-4130](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Rosen Gonzalez to approve the item; seconded by Commissioner Steinberg. Ballot vote: 7-0.

## **September 13, 2017/September 25, 2017**

R5 J WASHINGTON AVENUE OFFICE INCENTIVES - PARKING:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE, BY AMENDING CHAPTER 130, "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," AT SECTION 130-33, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, AND 7," TO AMEND THE REGULATIONS FOR PARKING DISTRICT NO. 7 TO MODIFY THE PARKING REQUIREMENTS FOR OFFICE USES ON PROPERTIES FRONTING WASHINGTON AVENUE BETWEEN 6TH STREET AND LINCOLN ROAD; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. First Reading on July 26, 2017 - R5 AF. **10:45 a.m. Second Reading**

**Public Hearing** Planning Commissioner Michael Grieco

**ACTION: Ordinance [2017-4129](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco to approve the item; seconded by Commissioner Steinberg. Ballot vote: 7-0.

## **September 13, 2017/September 25, 2017**

R5 I COLLINS AVENUE GU LOTS – CONCURRENCY EXEMPTION AND DEVELOPMENT WAIVER LDR AMENDMENTS:

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, BY AMENDING CHAPTER 122, ENTITLED "CONCURRENCY MANAGEMENT," SECTION 122-5, ENTITLED "EXEMPTIONS FROM CONCURRENCY" TO ALLOW THE CITY COMMISSION TO WAIVE USES ON LOTS WITH A GU ZONING DESIGNATION FRONTING COLLINS AVENUE BETWEEN 79TH STREET AND 87TH STREET FROM CONCURRENCY REQUIREMENTS BY RESOLUTION; BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS", ARTICLE II, ENTITLED "DISTRICT REGULATIONS", DIVISION 9, ENTITLED "GU GOVERNMENT USE DISTRICT," IN ORDER TO ALLOW THE CITY COMMISSION TO WAIVE DEVELOPMENT REGULATIONS FOR PRIVATE USES APPROVED BY THE CITY COMMISSION FOR A PERIOD OF 10 YEARS OR LESS ON GU LOTS; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE. First Reading PH on July 26,

2017 - R5 AA **10:40 a.m. Second Reading Public Hearing**

Planning Vice-Mayor Ricky Arriola

**ACTION: Ordinance [2017-4128](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff to adopt the Ordinance with the amendment limiting the scope to the West lots; seconded by Vice-Mayor Arriola. Ballot vote: 7-0.

## **September 13, 2017/September 25, 2017**

R5 H COLLINS AVENUE GU LOTS - COMPREHENSIVE PLAN AMENDMENT:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING POLICY 1.2 OF THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN PURSUANT TO THE PROCEDURES IN SECTION 163.3184(3), FLORIDA STATUTES, BY MODIFYING THE PUBLIC FACILITIES: GOVERNMENTAL USES (PF) CATEGORY IN ORDER TO ALLOW FOR COMMERCIAL USES AS MAIN PERMITTED USES; AND AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTIES LOCATED IN THE AREA BOUNDED BY COLLINS AVENUE ON THE EAST, 87TH STREET ON THE NORTH, COLLINS COURT ON THE WEST, AND 79TH STREET ON THE SOUTH FROM "LOW DENSITY MULTI FAMILY RESIDENTIAL CATEGORY (RM-1)" TO "PUBLIC FACILITY: GOVERNMENTAL USES (PF);" PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:35 a.m. Second Reading Public Hearing** Planning

First Reading PH on July 26, 2017 - R5 Z Vice-Mayor Ricky Arriola

**ACTION: Ordinance [2017-4127](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the item; seconded by Vice-Mayor Arriola. Ballot vote: 7-0.

## **July 26, 2017**

### **SUPPLEMENTAL MATERIAL 1: LETTER OF SUPPORT FROM AKOYA**

R5 Y RM-3 ACCESSORY USES:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142 "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV "SUPPLEMENTARY DISTRICT REGULATIONS," TO MODIFY THE ACCESSORY USE REQUIREMENTS FOR APARTMENTS IN THE RM-3 ZONING DISTRICT BY ALLOWING LIMITED ACCESSORY USES AT AN AMENITY LEVEL FOR BUILDING RESIDENTS; PROVIDING FOR REPEALER; SEVERABILITY;

CODIFICATION; AND AN EFFECTIVE DATE.

**5:06 p.m. Second Reading Public Hearing**

First Reading PH on June 7, 2017 - R5 P Planning Commissioner John Elizabeth Alemán  
**ACTION: Ordinance [2017-4126](#) adopted.** Title of the Ordinance read into the record.  
Public Hearing held. Motion made by Commissioner Alemán to adopt the Ordinance;  
Seconded by Commissioner Malakoff. Ballot vote: 6-0. Absent: Mayor Levine.

**July 26, 2017**

R5 V AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, BY AMENDING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT;" "OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS," TO PROHIBIT ANY FORM OF GAMBLING AND CASINO USES AS DELINEATED IN CHAPTERS 550 AND 551, FLORIDA STATUTES; PROVIDING FOR CERTAIN EXEMPTIONS; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**5:01 p.m. Second Reading Public Hearing** Planning First Reading PH on 5/12/2017 - R5 A

Commissioner Joy Malakoff and Co-Sponsored by Vice-Mayor Ricky Arriola & Commissioner Michael Grieco

**ACTION: Ordinance [2017-4125](#) adopted.** Title of the Ordinance read into the record.  
Public Hearing held. Motion made by Commissioner Alemán to adopt the Ordinance;  
Seconded by Commissioner Grieco. Ballot vote: 5-0; Absent: Mayor Levine and Vice-Mayor Arriola.

**July 26, 2017**

R5 P COMMERCIAL HEIGHT STANDARDS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE, BY AMENDING CHAPTER 114, "GENERAL PROVISIONS," BY AMENDING SECTION 114-1, "DEFINITIONS," AND BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," BY AMENDING DIVISION 4, "CD-1, COMMERCIAL, LOW-INTENSITY DISTRICT," SECTION 142-276, "DEVELOPMENT REGULATIONS, AND DIVISION 5, "CD-2, COMMERCIAL, MEDIUM-INTENSITY DISTRICT," SECTION 142-306, "DEVELOPMENT REGULATIONS," AND DIVISION 6, "CD-3, COMMERCIAL, HIGH-INTENSITY DISTRICT," "SECTION 142-336, "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," AND DIVISION 13, "MXE, MIXED USE ENTERTAINMENT DISTRICT," SECTION 142-545, "DEVELOPMENT REGULATIONS," AND DIVISION 18, "PS, PERFORMANCE STANDARD DISTRICT," SECTION 142-698, "COMMERCIAL PERFORMANCE STANDARD AREA REQUIREMENTS," AND DIVISION 20, "TC NORTH BEACH TOWN CENTER DISTRICTS," SECTION 142-737, "DEVELOPMENT REGULATIONS," TO MODIFY ALLOWABLE HEIGHTS FOR THE PURPOSE OF SEA-LEVEL RISE MITIGATION; AND BY AMENDING ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 5, "HEIGHT REGULATIONS," SECTION 142-1161, "HEIGHT REGULATION EXCEPTIONS," TO ALLOW FOR SOLAR PANELS, WIND TURBINE AND SUSTAINABLE ROOFING SYSTEMS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY, AND AN EFFECTIVE DATE.

**10:55 am. Second Reading Public Hearing**

First Reading on June 7, 2017 - R5 R Planning Commissioners John Elizabeth Alemán

and Joy Malakoff

**ACTION: Ordinance [2017-4124](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg to adopt the Ordinance; Seconded by Commissioner Malakoff. Ballot vote: 7-0.

## July 26, 2017

R5 O SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," AT ARTICLE III, "AMENDMENT PROCEDURE," ARTICLE IV, "CONDITIONAL USE PROCEDURE," ARTICLE VI, "DESIGN REVIEW PROCEDURES," ARTICLE VII, "DIVISION OF LAND/LOT SPLIT," ARTICLE VIII, "PROCEDURE FOR VARIANCES AND ADMINISTRATIVE APPEALS," AND ARTICLE X, "HISTORIC PRESERVATION," TO PROVIDE REFERENCES TO SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA FOR CONSIDERATION BY LAND USE BOARDS WHEN DECIDING ISSUES WITHIN THEIR JURISDICTION; BY AMENDING CHAPTER 133, "SUSTAINABILITY AND RESILIENCY," TO ESTABLISH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

### **10:50 a.m. Second Reading Public Hearing**

First Reading on June 7, 2017 - R5 Q (Title changed / Returns as 1st Reading) Planning Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2017-4123](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Malakoff to adopt the Ordinance. Ballot vote: 7-0.

## July 26, 2017

R5 N MULTI-FAMILY RESIDENTIAL PARKING:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE, BY AMENDING CHAPTER 130, "OFF-STREET PARKING," DIVISION II, "DISTRICTS; REQUIREMENTS," AT SECTION 130-32, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1," BY ELIMINATING THE PARKING REQUIREMENTS FOR APARTMENT BUILDINGS ON LOTS THAT ARE 65 FEET IN WIDTH OR LESS, AND BY REDUCING THE PARKING REQUIREMENTS FOR APARTMENT BUILDINGS ON LOTS WIDER THAN 65 FEET; AND BY AMENDING SECTION 130-38, "MECHANICAL AND ROBOTIC PARKING SYSTEMS," BY ESTABLISHING CONDITIONS UNDER WHICH MECHANICAL PARKING IN APARTMENT BUILDINGS AND SINGLE FAMILY HOMES MAY BE REVIEWED AND APPROVED BY THE DESIGN REVIEW BOARD OR HISTORIC PRESERVATION BOARD AS APPLICABLE; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

### **10:45 a.m. Second Reading Public Hearing**

First Reading on June 7, 2017 - R5 V Planning Commissioners John Elizabeth Alemán and Joy Malakoff

**ACTION: Ordinance [2017-4122](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 6-1. Opposed: Commissioner Rosen Gonzalez.

## July 26, 2017

#### R5 M RM-1 AND RM-2 DEVELOPMENT REGULATIONS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE, BY AMENDING CHAPTER 114, "GENERAL PROVISIONS," AT SECTION 114-1, "DEFINITIONS," BY AMENDING THE DEFINITION FOR LOT COVERAGE; BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," AT SECTION 142-55, "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," BY ESTABLISHING MINIMUM AND MAXIMUM YARD ELEVATION, STORMWATER RETENTION, YARD SLOPE, RETAINING WALL, LOT COVERAGE, GROUND FLOOR REQUIREMENTS, LIMITATIONS ON LOT AGGREGATION, AND BY INCREASING THE BUILDING HEIGHT TO 55 FEET FOR PROPERTIES NOT LOCATED WITHIN AN HISTORIC DISTRICT; BY AMENDING SECTION 145-56, "SETBACK REQUIREMENTS," BY INCREASING THE PARKING, SUBTERRANEAN, PEDESTAL, AND TOWER SETBACK REQUIREMENTS; BY AMENDING SUBDIVISION IV, "RM-2 RESIDENTIAL MULTIFAMILY MEDIUM INTENSITY," AT SECTION 142-216, "DEVELOPMENT REGULATIONS," BY ESTABLISHING MINIMUM AND MAXIMUM YARD ELEVATION, STORMWATER RETENTION, YARD SLOPE, RETAINING WALL, AND GROUND FLOOR HEIGHT REQUIREMENTS; BY AMENDING SECTION 142-217, "AREA REQUIREMENTS," BY INCREASING THE BUILDING HEIGHT TO 65 FEET FOR PROPERTIES NOT LOCATED WITHIN AN HISTORIC DISTRICT, OR OTHERWISE MORE SPECIFICALLY DELINEATED WITHIN OTHER DEFINED DISTRICTS OR WITHIN HISTORIC DISTRICTS; AND BY AMENDING SECTION 145-218, "SETBACK REQUIREMENTS," BY INCREASING THE PARKING, SUBTERRANEAN, PEDESTAL, AND TOWER SETBACK REQUIREMENTS; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

#### **10:40 a.m. Second Reading Public Hearing**

First Reading on June 7, 2017 - R5 U Planning Commissioners John Elizabeth Alemán and Joy Malakoff

**ACTION: Ordinance [2017-4121](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to adopt the Ordinance as amended; seconded by Commissioner Malakoff. Ballot vote: 7-0.

## **July 26, 2017**

#### R5 L FAENA DISTRICT OVERLAY - WORKS OF ART AMENDMENT:

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, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS" ARTICLE III "OVERLAY DISTRICTS", DIVISION 10 "FAENA DISTRICT OVERLAY", TO ALLOW WORKS OF ART IN THE FAENA DISTRICT OVERLAY TO ENCROACH INTO THE REQUIRED YARDS SUBJECT TO COMPLIANCE WITH MINIMUM STANDARDS; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

#### **10:35 am. Second Reading Public Hearing**

First Reading on June 7, 2017 - R5 Z Planning Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2017-4120](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff to adopt the Ordinance; seconded by Commissioner Alemán. Ballot vote: 7-0.



## July 26, 2017

R5 K PARKING DISTRICT NO. 1: 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, BY AMENDING CHAPTER 130, "OFF-STREET PARKING," ARTICLE II "DISTRICTS; REQUIREMENTS", TO ALLOW OFF-STREET PARKING TO BE PROVIDED IN PARKING DISTRICT NO. 1 FOR USES THAT DO NOT HAVE REQUIRED PARKING; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

### **10:30 am. Second Reading Public Hearing**

First Reading on June 7, 2017 - R5 Y Planning Commissioner Joy Malakoff

**ACTION: Ordinance [2017-4119](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff to adopt as amended to further limit the District; Seconded by Vice-Mayor Arriola to adopt the Ordinance. Ballot vote: 7-0.

## July 26, 2017

R5 J NONCONFORMING BUILDINGS - SUSTAINABILITY 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, BY AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING ARTICLE IX, "NONCONFORMANCES," TO CLARIFY AND UPDATE CERTAIN TERMS AND DESCRIPTIONS, AND TO PROVIDE MORE DEFINED PARAMETERS FOR WHAT CONSTITUTES A NONCONFORMING STRUCTURE, AND TO ESTABLISH REVISED STANDARDS FOR NON-CONFORMING STRUCTURES; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

### **10:25 a.m. Second Reading Public Hearing**

First Reading on June 7, 2017 - R5 W Planning Commissioners John Elizabeth Alemán and Joy Malakoff

**ACTION: Ordinance [2017-4118](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Malakoff to adopt the Ordinance. Ballot vote: 7-0.

## July 26, 2017

R5 IAN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFES," BY AMENDING SUBDIVISION I, ENTITLED "GENERALLY," BY AMENDING SECTION 82-366 THEREOF, ENTITLED "DEFINITIONS," TO DEFINE THE TERM "SINGLE-USE CARRY OUT PLASTIC BAG"; BY AMENDING SUBDIVISION II, ENTITLED "PERMIT," BY AMENDING SECTION 82-385 THEREOF, ENTITLED "MINIMUM STANDARDS, CRITERIA, AND CONDITIONS FOR OPERATION OF SIDEWALK CAFES" TO PROVIDE PROVISIONS RELATING TO SINGLE-USE CARRY OUT PLASTIC BAGS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:20 a.m. Second Reading/Public Hearing**

First Reading on June 7, 2017 – R7 AH  
Office of the City Attorney & Environment and Sustainability Department Commissioner Michael Grieco &

Co-sponsored by Commissioner Kristen Rosen Gonzalez

**ACTION: Ordinance [2017-4117](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Grieco to adopt the Ordinance. Ballot vote: 7-0.

## July 26, 2017

R5 H AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 66 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MARINE STRUCTURES, FACILITIES AND VEHICLES," BY AMENDING THE CHAPTER TITLE AND BY DELETING OBSOLETE AND OUTDATED PROVISIONS AND BY AMENDING TERMINOLOGY IN ARTICLE I, ENTITLED "IN GENERAL," ARTICLE III, ENTITLED "PIERS, DOCKS AND BOAT RAMPS," ARTICLE IV, ENTITLED "VESSELS," ARTICLE V, ENTITLED "REGATTAS AND BOAT RACES," AND IN ARTICLE VI, ENTITLED "VESSELS ABANDONED ON PUBLIC AND PRIVATE PROPERTY"; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **10:15 a.m. Second Reading Public Hearing**

First Reading on June 7, 2017 - R5 AG Office of the City Attorney Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2017-4116](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Vice-Mayor Arriola to adopt the Ordinance. Ballot vote: 7-0.

## July 26, 2017

### **SUPPLEMENTAL MATERIAL: VICE-MAYOR ARRIOLA'S PROPOSED AMENDMENTS**

R5 G RESIDENTS' RIGHT TO KNOW:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE II, ENTITLED "CITY COMMISSION," BY CREATING SECTION 2-14 TO BE ENTITLED "RESIDENTS' RIGHT TO KNOW," TO CODIFY THE LEGISLATIVE INTENT OF THIS ORDINANCE, DEFINE MATTERS THAT IMPACT RESIDENTS' QUALITY OF LIFE, PROVIDE THAT THE CITY COMMISSION SHALL ADOPT A PROCESS FOR REGISTERING NEIGHBORHOOD ASSOCIATIONS AND INDIVIDUAL RESIDENTS WHO CHOOSE TO REGISTER, REQUIRE TARGETED ELECTRONIC NEIGHBORHOOD NOTICES FOR MATTERS THAT IMPACT RESIDENTS' QUALITY OF LIFE, ~~ALLOW FOR TIMELY OPPORTUNITIES FOR PUBLIC INPUT, SUPPLEMENT EXISTING PROVISIONS IN THE CITY CODE RELATING TO PROCEDURAL FAIRNESS IN QUASI JUDICIAL HEARINGS, ALLOW A REGISTERED NEIGHBORHOOD ASSOCIATION OR INDIVIDUAL RESIDENT WHO CHOOSES TO REGISTER TO REQUEST DEFERRAL OR RECONSIDERATION OF A MATTER IF SUCH MATTER IS NOT DULY NOTICED PURSUANT TO THIS ORDINANCE,~~ PROVIDE THAT ANY AMENDMENT OR REPEALER OF THIS ORDINANCE SHALL REQUIRE THE AFFIRMATIVE VOTE OF 5/7TH OF THE CITY COMMISSION,

DIRECT THE CITY MANAGER OR THE MANAGER'S DESIGNEE TO CONDUCT PERIODIC REVIEW AND PREPARE ANNUAL WRITTEN REPORTS, AND PROVIDE THAT THIS ORDINANCE SHALL BE ADMINISTERED BY THE OFFICE OF THE CITY MANAGER; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

### **10:10 am. Second Reading Public Hearing**

Office of the City Attorney First Reading on May 17, 2017 - R5 V Commissioner Kristen Rosen Gonzalez and Commissioner Michael Grieco

**ACTION: Ordinance [2017-4115](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Arriola; seconded by Commissioner Alemán to adopt the Ordinance as amended. See amendments below. Ballot vote: 7-0.

## July 26, 2017

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE IV, ENTITLED "NOISE," BY AMENDING SECTION 46-157, ENTITLED "EXEMPTIONS," WHICH MODIFIES THOSE IDENTIFIED EXEMPTIONS THAT WOULD CONSTITUTE UNNECESSARY AND EXCESSIVE NOISE THAT IS PROHIBITED WITHIN SECTION 46-152; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:05 a.m. Second Reading Public Hearing** First Reading on June 7, 2017 - R5 T Office of the City Attorney Mayor Philip Levine

**ACTION: Ordinance [2017-4114](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Vice-Mayor Arriola to adopt the Ordinance as amended below. Ballot vote: 7-0.

## July 26, 2017

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 18 OF THE MIAMI BEACH CITY CODE, ENTITLED "BUSINESSES," BY AMENDING ARTICLE I, ENTITLED "IN GENERAL"; BY CREATING A NEW SECTION 18-3, TO BE ENTITLED, "HUMAN TRAFFICKING PUBLIC AWARENESS SIGNS," WHICH ESTABLISHES THE REQUIREMENT FOR THE PLACEMENT OF HUMAN TRAFFICKING PUBLIC AWARENESS SIGNS IN THOSE DESIGNATED ESTABLISHMENTS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:00 a.m. Second Reading Public Hearing**

First Reading on June 7, 2017 - R5 S Office of the City Attorney Commissioners Micky Steinberg and John Elizabeth Alemán

**ACTION: Ordinance [2017-4113](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Steinberg to adopt the Ordinance. Ballot vote: 7-0.

## July 26, 2017

### **SUPPLEMENTAL MATERIAL 4: DECLARATIONS (HANDOUTS) JOHN BABCOCK, JOSE GONZALEZ & MARIA RUIZ**

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 18, "PS PERFORMANCE STANDARD DISTRICT," SECTION 142-693, "PERMITTED USES," TO CLARIFY THAT ENTERTAINMENT IS NOT PERMITTED IN THE CITY'S PERFORMANCE STANDARD DISTRICTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**9:55 a.m. Second Reading Public Hearing**

First Reading PH on June 28, 2017 - R5 H Planning/Office of the City Attorney Commissioner Michael Grieco

**ACTION: Ordinance [2017-4112](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco; seconded by Commissioner Malakoff to adopt the Ordinance. Ballot vote: 7-0.

## July 26, 2017

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING MIAMI BEACH CITY CODE CHAPTER 2, ARTICLE VII, DIVISION 3 ENTITLED "LOBBYISTS," SECTION 2-482 THEREOF ENTITLED "REGISTRATION; DISCLOSURES", BY CONFORMING THIS CODE SECTION'S LOBBYIST REGISTRATION REQUIREMENT TO THE PROSCRIPTION SET FORTH IN CODE SECTION 2-491 PROHIBITING CAMPAIGN CONSULTANTS AND CERTAIN AFFILIATED PERSONS OR ENTITIES FROM LOBBYING CITY COMMISSION FOR 12 MONTHS SUBSEQUENT TO SWEARING IN OF SUBJECT ELECTED OFFICIAL(S); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **9:50 a.m. Second Reading Public Hearing**

First Reading on June 28, 2017 - R5 J Office of the City Attorney Commissioner Joy Malakoff

**ACTION: Ordinance [2017-4111](#) adopted.** Title of the Ordinance read into the record. Public hearing held. Motion made by Commissioner Malakoff; seconded by Vice-Mayor Arriola. Ballot vote: 6-1; Opposed; Commissioner Alemán. See also discussion with item R9 AF.

## June 28, 2017

R5 IAN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING MIAMI BEACH CITY CODE CHAPTER 2, ARTICLE VII, DIVISION 5 ENTITLED "CAMPAIGN FINANCE REFORM," BY ADDING THERETO SECTION 2-491 ENTITLED "PROHIBITED LOBBYING BY CAMPAIGN CONSULTANTS, "PROHIBITING CAMPAIGN CONSULTANTS AND CERTAIN AFFILIATED PERSONS OR ENTITIES FROM LOBBYING CITY COMMISSION FOR 12 MONTHS SUBSEQUENT TO SWEARING IN OF SUBJECT ELECTED OFFICIAL(S), ESTABLISHING DEFINITIONS, AND LIMITED EXEMPTION; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

### **5:09 p.m. Second Reading Public Hearing**

First Reading on 6/7/2017 - R5 AJ Office of the City Attorney

Commissioner Joy Malakoff & Co-sponsored by Vice-Mayor Rosen Gonzalez

**ACTION: Ordinance [2017-4110](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola to adopt the Ordinance; seconded by Commissioner Malakoff. Ballot vote: 6-0; Absent: Commissioner Alemán.

## June 28, 2017

R5 BNORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICTS DEMOLITION MORATORIUM; AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PERTAINING TO EXTENDING THE MORATORIUM THROUGH OCTOBER 31, 2017 FOR THE FOLLOWING AREAS/PROPERTIES: PROPERTIES LOCATED BETWEEN TATUM WATERWAY DRIVE/BYRON AVENUE ON THE WEST AND THE EASTERN LOT LINES OF LOTS FRONTING ABBOTT AVENUE ON THE EAST BETWEEN 77TH STREET ON THE SOUTH AND 86TH STREET ON THE NORTH; THE PROPERTIES LOCATED BETWEEN THE TATUM WATERWAY ON THE WEST AND THE EASTERN LOT LINES OF LOTS FRONTING ABBOTT AVENUE ON THE EAST BETWEEN 75TH STREET ON THE SOUTH AND 77TH STREET ON THE NORTH; THE PROPERTIES LOCATED AT 8519, 8525, AND 8527 CRESPI BOULEVARD; THE PROPERTIES FRONTING NORMANDY DRIVE FROM RUE

NOTRE DAME ON THE WEST TO BAY DRIVE ON THE EAST; THE PROPERTIES FRONTING 71ST STREET FROM RUE NOTRE DAME ON THE WEST TO BAY DRIVE ON THE EAST; THE PROPERTIES FRONTING THE EAST SIDE OF RUE VERSAILLES FROM 71ST STREET TO BIARRITZ DRIVE; THE PROPERTIES FRONTING BIARRITZ DRIVE FROM RUE VERSAILLES ON THE WEST TO RUE VENDOME ON THE EAST; THE PROPERTIES FRONTING RUE VENDOME FROM 71ST STREET ON THE NORTH TO BREST ESPLANADE ON THE SOUTH; THE PROPERTIES FRONTING BREST ESPLANADE; THE PROPERTIES FRONTING THE WEST SIDE OF BAY DRIVE FROM BREST ESPLANADE ON THE SOUTH TO 71ST STREET ON THE NORTH; THE PROPERTIES FRONTING THE EAST SIDE OF BAY DRIVE FROM 71ST STREET ON THE SOUTH TO THE NORMANDY WATERWAY ON THE NORTH; IMPOSING A TEMPORARY MORATORIUM UPON THE RECEIPT OF OR PROCESSING OF APPLICATIONS, PERMITS OR PENDING APPROVALS PERTAINING TO DEMOLITION OF STRUCTURES ON TATUM WATERWAY; PROVIDING FOR AN EFFECTIVE DATE RETROACTIVE TO FIRST READING, FEBRUARY 8, 2017; FOR ZONING IN PROGRESS PURPOSES, THIS ORDINANCE SHALL BE EFFECTIVE UPON FIRST READING OF THIS ORDINANCE, AND NO APPLICATIONS FOR DEMOLITION WITHIN THE DESIGNATED AREA SHALL BE ACCEPTED BY THE CITY; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EXPIRATION DATE.

**5:02 p.m. Second Reading Public Hearing**

First Reading PH on June 7, 2017 - R5 B Planning Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4109 adopted.** Motion made by Commissioner Malakoff to adopt the Ordinance; seconded by Commissioner Arriola: 6-0; Absent: Commissioner Alemán.

## **June 28, 2017**

R5 A NORTH BEACH TATUM WATERWAY CONSERVATION DISTRICT DEMOLITION MORATORIUM:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, EXTENDING THE MORATORIUM THROUGH OCTOBER 31, 2017, FOR PROPERTIES FRONTING ON TATUM WATERWAY AND LOCATED ON THE WEST SIDE OF TATUM WATERWAY DRIVE AND BYRON AVENUE FROM 77TH STREET TO 87TH STREET, PROPERTIES LOCATED ON THE EAST SIDE OF HAWTHORNE AVENUE FROM 77TH STREET TO CRESPI BOULEVARD, PROPERTIES LOCATED ON THE EAST SIDE OF CRESPI BOULEVARD FROM HAWTHORNE AVENUE TO 85TH STREET, AND PROPERTIES LOCATED ON THE NORTH SIDE OF 85TH STREET BETWEEN CRESPI BOULEVARD AND BYRON AVENUE; IMPOSING A TEMPORARY MORATORIUM UPON THE RECEIPT OF OR PROCESSING OF APPLICATIONS, PERMITS OR PENDING APPROVALS PERTAINING TO DEMOLITION OF STRUCTURES ON TATUM WATERWAY; FOR ZONING IN PROGRESS PURPOSES, THIS ORDINANCE SHALL BE EFFECTIVE UPON FIRST READING OF THIS ORDINANCE, AND NO APPLICATIONS FOR DEMOLITION WITHIN THE DESIGNATED AREA SHALL BE ACCEPTED BY THE CITY; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EXPIRATION DATE.

**5:01 p.m. Second Reading Public Hearing** First Reading PH on June 7, 2017 - R5 A Planning Department

Commissioner Ricky Arriola

**ACTION: Ordinance 2017-4108 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff to adopt the Ordinance; seconded by Commissioner Arriola. Ballot vote: 5-0; Absent: Commissioners Alemán and Grieco.



## June 7, 2017

R5 AF MODIFICATIONS TO THE WEST AVENUE BAY FRONT OVERLAY:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 114, "GENERAL PROVISIONS," SECTION 114-1, "DEFINITIONS," TO DEFINE "HOSTEL" AND TO AMEND THE DEFINITION OF "RESTAURANT"; AND AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, "OVERLAY DISTRICTS," DIVISION 5, "WEST AVENUE BAY FRONT OVERLAY," SECTION 142-845, "SUITE HOTEL AND BED AND BREAKFAST INN OVERLAY," TO AMEND THE CRITERIA FOR SUITE HOTEL UNITS AND ACCESSORY DINING ROOMS, AND TO PROHIBIT HOSTELS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN

EFFECTIVE DATE. **5:06 p.m. Second Reading Public Hearing** Planning First Reading PH on May 17, 2017 - R5 K Commissioner Joy Malakoff

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4107 adopted as amended.** Motion made by Commissioner Malakoff to approve the Ordinance as amended to include the modification to Section 114-1, which reads, "The transient resident occupancy of a hostel, within a residential zoning district, shall not exceed the following limits per individual unit..." seconded by Commissioner Alemán. Ballot vote: 6-0; Absent: Commissioner Grieco.

## June 7, 2017

R5 AEPACKAGE LIQUOR STORE DISTANCE SEPARATION:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6, "ALCOHOLIC BEVERAGES", ARTICLE I, "IN GENERAL", SECTION 6-4, "LOCATION AND USE RESTRICTIONS", TO AMEND AND INCREASE THE DISTANCE SEPARATION BETWEEN RETAIL STORES FOR OFF-PREMISES CONSUMPTION FROM 300 FEET TO 1500 FEET, AND TO AUTHORIZE THE PLANNING BOARD TO GRANT A CONDITIONAL USE PERMIT TO OPERATE A RETAIL STORE FOR OFF-PREMISES CONSUMPTION AT A LESSER DISTANCE, PROVIDED THAT IN NO EVENT SHALL SUCH A STORE OPERATE AT A DISTANCE LESS THAN 700 FEET FROM AN EXISTING STORE; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**5:05 p.m. Second Reading Public Hearing** First Reading PH on May 17, 2017 - R5 G Planning Commissioner Joy Malakoff and Co-Sponsored by Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4106 adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 7-0.

## June 7, 2017

R5 AD AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 18, "BUSINESSES," AT ARTICLE V, "CARDROOMS" TO BE ENTITLED "RESERVED;" AMENDING SECTIONS 18-171 THROUGH 18-179, TO BE ENTITLED "RESERVED" DELETING ALL REFERENCE TO CARDROOMS IN CHAPTER 18; CHAPTER 102 "TAXATION," ARTICLE V, "LOCAL BUSINESS TAX," AT SECTION 102-356 ENTITLED "CONSTRUCTION OF ARTICLE; DEFINITIONS" BY REMOVING THE DEFINITION

OF "CARDROOMS"; AND SECTION 102-379, ENTITLED "SCHEDULE OF TAXES, EFFECTIVE OCTOBER 1, 2016" TO REMOVE THE BUSINESS TAX FEE FOR "CARDROOMS;" PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. **5:04 p.m. Second Reading Public Hearing**

First Reading on May 12, 2017 - R5 C Office of the City Attorney Commissioners Michael Grieco & Joy Malakoff

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4105 adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 7-0.

## **June 7, 2017**

R5 AC AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142 "ZONING DISTRICT REGULATIONS;" AMENDING ARTICLE 1, "IN GENERAL" TO BE ENTITLED "GENERAL TO ALL ZONING DISTRICTS;" AT SECTION 142-1 TO BE ENTITLED: "GAMBLING AND CASINOS USES ARE PROHIBITED IN THE CITY OF MIAMI BEACH;" PROHIBITING MAIN, CONDITIONAL AND ACCESSORY USES RELATING TO GAMBLING AND CASINOS; PROVIDING FOR EXEMPTIONS UNDER STATE LAW; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. **5:03 p.m. Second Reading Public Hearing**

First Reading PH on May 12, 2017 - R5 B Planning Commissioner Joy Malakoff

and Co-Sponsored by Commissioners Ricky Arriola & Michael Grieco

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4104 adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 7-0.

## **June 7, 2017**

R5 L 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 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES"; BY AMENDING METERED PARKING SPACE RENTALS FOR PRODUCTIONS AND FILM; ESTABLISHING A PRODUCTION COMPANY RECREATIONAL VEHICLES (PCRV) PARKING PERMIT PROGRAM AND RELATED FEES; PROVIDING FOR CREW PARKING AT MUNICIPAL PARKING GARAGES AND RELATED DAILY FEES; AND, PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:40 a.m. Second Reading Public Hearing** First Reading on May 17, 2017 - R5 U Parking

Commissioner Michael Grieco & Co-Sponsored by Mayor Philip Levine

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4103 adopted.** Motion made by Commissioner Grieco to adopt the Ordinance; seconded by Commissioner Alemán. Ballot vote: 7-0.

## **June 7, 2017**

R5 K SUSTAINABLE ROOFING:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE, BY AMENDING CHAPTER 114, "GENERAL PROVISIONS," BY AMENDING SECTION 114-1, "DEFINITIONS," AND BY

AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," BY AMENDING DIVISION 1, "GENERALLY," SECTION 142-875, "ROOF REPLACEMENTS AND NEW ROOFS," PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY, AND A N EFFECTIVE DATE. **10:30 am. Second Reading Public Hearing**

First Reading on May 17, 2017 - R5 S Planning Commissioners John Elizabeth Alemán and Joy Malakoff

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4102 adopted.** Motion made by Commissioner Malakoff to adopt the Ordinance; seconded by Commissioner Alemán. Ballot vote: 7-0.

## **June 7, 2017**

R5 G ALCOHOLIC BEVERAGES:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE I, ENTITLED "IN GENERAL," SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE," TO PROHIBIT PACKAGE LIQUOR SALES BEFORE 8:00 A.M. EACH DAY AT RETAIL STORES

(INCLUDING PACKAGE, GROCERY, CONVENIENCE, AND ANY OTHER RETAIL STORES, AS WELL AS GASOLINE STATIONS/SERVICE STATIONS) AND ALCOHOLIC BEVERAGE ESTABLISHMENTS AND, AS APPLICABLE TO THE MXE MIXED USE ENTERTAINMENT DISTRICT, TO AUTHORIZE PACKAGE LIQUOR SALES AT SUCH ESTABLISHMENTS BETWEEN THE HOURS OF 10:00 A.M. AND 10:00 P.M. ONLY; AND PROVIDING FOR REPEALER, SEVERABILITY,

CODIFICATION, AND AN EFFECTIVE DATE. **10:15 a.m. Second Reading Public Hearing** First Reading on May 17, 2017 - R5 R Office of the City Attorney Commissioners Joy Malakoff and Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4101 adopted.** Motion made by Commissioner Arriola to adopt the Ordinance as-is; seconded by Commissioner Alemán. Ballot vote: 7-0.

## **May 17, 2017**

R5 M AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," ARTICLE IV, "USES IN PUBLIC RIGHTS-OF-WAY, DIVISION 5, "SIDEWALK CAFES," SUBDIVISION I, "GENERALLY," SECTION 82370, "NOTICE OF VIOLATION," TO REMOVE THE 24- HOUR WARNING REQUIREMENT FOR NON-LIFE SAFETY VIOLATIONS, AND TO AMEND THE PROVISIONS RELATING TO NOTICES OF VIOLATION; AMENDING SECTION 82-371, "CIVIL FINES AND PENALTIES; DENIAL OF FUTURE PERMITS TO REPEAT VIOLATORS; ENHANCED PENALTIES," TO INCREASE PENALTIES FOR VIOLATIONS OF THE CITY'S SIDEWALK CAFE ORDINANCE AND TO PROVIDE FOR ENHANCED PENALTIES; AND AMENDING SECTIONS 82-372, "RIGHTS; PAYMENT OF FINE; RIGHT TO APPEAL; FAILURE TO PAY CIVIL FINE OR TO APPEAL," AND 82-373, "RECOVERY OF UNPAID FINES; UNPAID FINES TO CONSTITUTE A LIEN; FORECLOSURE," TO AMEND THE PROVISIONS RELATING TO ENFORCEMENT, PENALTIES, APPEALS, AND LIENS; AND AMENDING SUBDIVISION II, "PERMIT," SECTION 82-382, "APPLICATION," TO, PROVIDE THAT A PERMITTEE WHO HAS BEEN ISSUED MORE THAN FOUR VIOLATIONS PURSUANT TO THIS ARTICLE SHALL BE PROHIBITED FROM APPLYING FOR AND OBTAINING A SIDEWALK CAFE PERMIT FOR THE FOLLOWING TWO

CONSECUTIVE PERMIT YEARS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**11:00 a.m. Second Reading Public Hearing**

First Reading on April 26, 2017 – R5 Y Office of the City Attorney/Code Compliance

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4100](#) adopted.** Motion made by Commissioner Arriola; seconded by Commissioner Malakoff to adopt the Ordinance. Ballot vote: 7-0.

**May 17, 2017**

R5 LAN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 42 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "EMERGENCY SERVICES," OF ARTICLE II, ENTITLED "ALARM SYSTEMS," BY AMENDING DIVISION 3, ENTITLED "BURGLAR

ALARMS," BY CREATING SECTION 42-92, THEREOF TO BE ENTITLED "SECURITY CAMERA VOLUNTARY REGISTRATION PROGRAM," BY PROVIDING INCENTIVES TO PRIVATE PROPERTY OWNERS THAT INSTALL AND REGISTER SECURITY CAMERAS WITH THE CITY, AND FURTHER INCENTIVIZING THOSE PRIVATE PROPERTY OWNERS THAT DIRECTS A SECURITY CAMERA TOWARDS THE PUBLIC RIGHT-OF-WAY; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

**10:55 a.m. Second Reading Public Hearing** Office of the City Attorney First Reading on April 26, 2017 - R5 X Commissioner Micky Steinberg

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4099](#) adopted.** Motion made by Commissioner Steinberg; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 7-0.

**May 17, 2017**

R5 J OCEAN TERRACE OVERLAY- BALCONY PROJECTIONS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," OF THE LAND DEVELOPMENT REGULATIONS, AT ARTICLE III "OVERLAY DISTRICTS", DIVISION 11 "OCEAN TERRACE OVERLAY," AT SECTION 142870.1, ENTITLED "COMPLIANCE WITH REGULATIONS," TO ALLOW EXTERIOR UNENCLOSED PRIVATE BALCONIES FOR BUILDINGS SITUATED ON PROPERTIES WITH AN UNDERLYING DESIGNATION OF MXE TO ENCROACH TEN (10) FEET INTO THE FRONT YARD SETBACK; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**10:45 am. Second Reading Public Hearing** Planning First Reading on April 26, 2017 - R5 V Commissioner Joy Malakoff

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4098](#) adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 7-0.

**May 17, 2017**

R5 I PARKING DISTRICT NO. 4 AMENDMENTS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 130, OF THE LAND DEVELOPMENT REGULATIONS, ENTITLED "OFF-STREET PARKING," ARTICLE II "DISTRICTS; REQUIREMENTS," TO ALLOW OFF-STREET PARKING TO BE PROVIDED IN PARKING DISTRICT NO. 4 FOR USES THAT DO NOT HAVE REQUIRED PARKING, WHICH ADDITIONAL PARKING SHALL NOT COUNT TOWARDS THE CALCULATION OF FLOOR AREA RATIO FOR A STRUCTURE WITH SUCH USES; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**10:40 am. Second Reading Public Hearing** Planning

First Reading on April 26, 2017 - R5 U Commissioner Joy Malakoff **ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4097](#) adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 7-0.

## **May 17, 2017**

R5 H LINCOLN ROAD - INTERIOR AND EXTERIOR SPEAKER LOCATIONS:  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 6, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," BY AMENDING SECTION 142-336 THEREOF, ENTITLED "LINCOLN ROAD REQUIREMENTS," TO CREATE REGULATIONS PERTAINING TO INTERIOR AND EXTERIOR SPEAKERS ON LOTS FRONTING LINCOLN ROAD; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:35 a.m. Second Reading Public Hearing** Planning First Reading on April 26, 2017 - R5 T Commissioner Joy Malakoff

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4096](#) adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 7-0.

## **May 17, 2017**

R5 F LDR REZONING -6881 INDIAN CREEK DRIVE:  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE OFFICIAL ZONING DISTRICT MAP, REFERENCED IN SECTION 142-72 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL 6881 INDIAN CREEK DRIVE, FROM THE CURRENT ZONING CLASSIFICATION OF RM-1, "RESIDENTIAL MULTIFAMILY, LOW INTENSITY", TO THE PROPOSED ZONING CLASSIFICATION OF TC-3, "NORTH BEACH TOWN CENTER RESIDENTIAL/OFFICE"; AND PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing** Planning

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. See Action with Item R5 E. **Ordinance [2017-4095](#) adopted.** Motion made by Commissioner Arriola; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 6-1; Opposed: Commissioner Grieco.

## **May 17, 2017**

R5 E COMPREHENSIVE PLAN AMENDMENT 6881 INDIAN CREEK DRIVE:  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PURSUANT TO THE PROCEDURES IN SECTION 163.3184(3), FLORIDA STATUTES, TO AMEND THE FUTURE LAND USE MAP OF THE MIAMI BEACH COMPREHENSIVE PLAN, BY CHANGING THE DESIGNATION FOR THE PARCEL LOCATED AT 6881 INDIAN CREEK DRIVE, FROM THE CURRENT DESIGNATION OF RM-1, "RESIDENTIAL MULTIFAMILY, LOW INTENSITY," TO THE PROPOSED DESIGNATION OF TC-3, "NORTH BEACH TOWN CENTER RESIDENTIAL/OFFICE"; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing** Planning

First Reading PH on April 26, 2017 - R5 K Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. See related Item R5 F. **Ordinance [2017-4094](#) adopted.** Motion made by Commissioner Arriola; seconded by Commissioner Malakoff to approve the Ordinance. Ballot vote: 6-1; Opposed: Commissioner Grieco.

## **May 17, 2017**

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1605, THE UNCLASSIFIED



EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS: CORRECTING SCRIVENER'S ERRORS TO THE PAY RANGES FOR THE CLASSIFICATIONS OF CITY MANAGER AND CITY ATTORNEY; AMENDING THE GRADES FOR THE FOLLOWING POSITIONS: ASSISTANT DIVISION DIRECTOR PROPERTY MANAGEMENT, CHIEF ACCOUNTANT, CHIEF FINANCIAL OFFICER, ENVIRONMENTAL RESOURCES MANAGER, EXECUTIVE OFFICE ASSOCIATE II, GRANTS AND OPERATIONS ADMINISTRATOR, INFORMATION TECHNOLOGY SPECIALIST II, PARALEGAL, PLANNER, AND PROCUREMENT CONTRACTING ANALYST; DELETING THE FOLLOWING CLASSIFICATIONS WHICH WILL BE ADDED TO THE CLASSIFIED EMPLOYEES SALARY ORDINANCE NO. 789 UNDER GROUP V REPRESENTED BY THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA (GSAF): CODE COMPLIANCE SUPERVISOR, FIRE INSPECTION SUPERVISOR, POLICE RECORDS SUPERVISOR, PROPERTY/EVIDENCE SUPERVISOR, PUBLIC SAFETY PAYROLL ADMINISTRATOR, SECURITY SPECIALIST, UTILITY BILLING SUPERVISOR, AND VICTIM'S ADVOCATE; DELETING THE FOLLOWING OBSOLETE CLASSIFICATIONS: CAPITAL IMPROVEMENTS ADMINISTRATIVE-FINANCE, CHIEF ACCESSIBILITY INSPECTOR, CODE COMPLIANCE DIVISION DIRECTOR, CULTURAL AFFAIRS AND TOURISM DEVELOPMENT DIRECTOR, CURATOR OF COLLECTIONS, CURATOR OF EDUCATION, DEPARTMENTAL ADA COORDINATOR, PART-TIME, DEPUTY BUILDING DIRECTOR, DEPUTY CITY MANAGER, ENTERTAINMENT INDUSTRY LIAISON, HOUSING COMMUNITY AND ECONOMIC DEVELOPMENT DIVISION DIRECTOR, LABOR RELATIONS DIRECTOR, LABOR RELATIONS MANAGER, LOG CABIN EDUCATION COORDINATOR, LOG CABIN EMPLOYMENT SPECIALIST/JOB COORDINATOR, LOG CABIN INSTRUCTOR, LOG CABIN PROGRAM ADMINISTRATOR, MANAGEMENT AND BUDGET ANALYST I, MARKETING AND TOURISM MANAGER, NEIGHBORHOOD SERVICES DIRECTOR, PLANNING AND ZONING INSPECTOR, PROCUREMENT DIVISION DIRECTOR, PUBLIC SAFETY SPECIAL PROJECTS COORDINATOR, QUALITY ASSURANCE COORDINATOR, REGISTRAR, SERVICE DELIVERY MANAGER, AND STREETS/STORMWATER SUPERINTENDENT; DELETING A DUPLICATE CLASSIFICATION FOR CODE COMPLIANCE DIRECTOR; ADDING THE FOLLOWING CLASSIFICATIONS AND ASSIGNING GRADES THERETO: ASSISTANT DIRECTOR - PARKS AND RECREATION, ATHLETIC MANAGER, CHIEF FIRE PROTECTION ANALYST, CHIEF OF COMMUNITY PLANNING AND SUSTAINABILITY, CHIEF OF HISTORIC PRESERVATION, CHIEF OF PLANNING AND ZONING, CHIEF OF URBAN DESIGN, CLIENT SERVICES SPECIALIST, CONTROLLER, CUSTOMER SERVICES MANAGER, DEPUTY RESILIENCY OFFICER, DIVISION DIRECTOR RISK MANAGEMENT AND BENEFITS, ENGINEER, ENVIRONMENT AND SUSTAINABILITY DIRECTOR, FACILITIES ZONE MANAGER, GRANTS MANAGER, HOME/SHIP PROJECTS COORDINATOR, HOMELESS OUTREACH SPECIALIST, HUMAN RESOURCES RISK AND BENEFITS ANALYST, INCLUSIONARY AIDE, PARK RANGER SUPERVISOR, PARKS SUPERINTENDENT, POLICE INFORMATION RESOURCE SPECIALIST, PROCUREMENT CONTRACTING ANALYST II, PROCUREMENT CONTRACTING OFFICER II, PROCUREMENT CONTRACTING OFFICER III, PROCUREMENT COORDINATOR, PUBLIC RELATIONS MANAGER, RECORDS MANAGEMENT SPECIALIST, RECREATION PROGRAM ASSISTANT MANAGER, RECREATION PROGRAM MANAGER, SANITATION BUSINESS MANAGER, TENANT SERVICES COORDINATOR, TRANSPORTATION DEPUTY DIRECTOR, AND VISUAL COMMUNICATIONS MANAGER; AMENDING THE ABBREVIATION FOR "UNCLASSIFIED" FROM "UNC" TO "UNCL"; AMENDING AND READOPTING ALL CLASSIFICATIONS AND GRADES IN ALPHABETICAL ORDER; AND PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**9:55 a.m. Second Reading Public Hearing** Human Resources

First Reading on April 26, 2017 - R5 W Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4093 adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Malakoff to adopt the Ordinance. Ballot vote: 7-0.

**May 17, 2017**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, "SIDEWALK CAFES," BY AMENDING SUBDIVISION II, "PERMIT," BY AMENDING SECTION 82-385, ENTITLED "MINIMUM STANDARDS, CRITERIA, AND CONDITIONS FOR OPERATION OF SIDEWALK CAFES," TO REQUIRE MANAGERS AND SIDEWALK CAFE EMPLOYEES OF SIDEWALK CAFE PERMITTEES ON OCEAN DRIVE BETWEEN 5<sup>TH</sup> STREET AND 15<sup>TH</sup> STREET TO SUCCESSFULLY COMPLETE A HOSPITALITY TRAINING PROGRAM THAT HAS BEEN PREVIOUSLY APPROVED BY RESOLUTION OF THE MAYOR AND CITY COMMISSION; AND AMENDING SECTION 82-382, ENTITLED "APPLICATION," TO REQUIRE APPLICANTS AND PERMITTEES FOR SIDEWALK CAFES ON OCEAN DRIVE BETWEEN 5<sup>TH</sup> STREET AND 15<sup>TH</sup> STREET TO SUBMIT, ON AN ANNUAL BASIS, AN AFFIDAVIT OF SATISFACTORY COMPLETION OF THE HOSPITALITY TRAINING REQUIREMENT SET FORTH HEREIN; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

**9:50 a.m. Second Reading Public Hearing** Office of the City Attorney Continued from April 26, 2017 - R5 B Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4092 adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 7-0.

## April 26, 2017

R5 O AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH RELATING TO THE PROCEDURES TO PROVIDE A VENDOR PREFERENCE IN THE AWARD OF CONTRACTS FOR GOODS AND CONTRACTUAL SERVICES, TO SMALL BUSINESSES OWNED AND CONTROLLED BY VETERANS OR STATE-CERTIFIED SERVICE-DISABLED VETERAN BUSINESS ENTERPRISES, BY AMENDING CHAPTER 2, ENTITLED, "ADMINISTRATION," BY AMENDING ARTICLE VI, ENTITLED, "PROCUREMENT," BY AMENDING DIVISION 3, ENTITLED, "CONTRACT PROCEDURES," BY AMENDING SECTION 2-374, ENTITLED, "PROCEDURE TO PROVIDE PREFERENCE TO VETERANS IN CONTRACTS FOR GOODS AND CONTRACTUAL SERVICES," BY CREATING A SUBSECTION 4 THEREOF, TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO WAIVE THE REQUIREMENTS OF SECTION 2-374 IF THE CITY MANAGER FINDS SUCH A WAIVER TO BE REQUIRED FOR FEDERAL, STATE OR MIAMI-DADE COUNTY FUNDING ELIGIBILITY PURPOSES; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**2:10 p.m. Second Reading Public Hearing** Procurement

First Reading on March 22, 2017 - R5 C Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4091 adopted.** Motion made by Commissioner Alemán to adopt the Ordinance; seconded by Commissioner Arriola. Ballot vote: 5-0; Absent: Mayor Levine and Commissioner Grieco.

## April 26, 2017

R5 J AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS: ADDING THE FOLLOWING CLASSIFICATIONS TO GROUP VI BEING ALL OTHER

CLASSIFICATIONS IN THE CLASSIFIED SERVICE NOT COVERED BY A BARGAINING UNIT (COMMONLY REFERRED TO AS "OTHERS"): BUILDING CODE COMPLIANCE OFFICER, ENVIRONMENTAL TECHNICIAN, EXCELLENCE PROGRAM ASSESSOR, FIRE INSPECTOR I, FORESTRY FIELD INSPECTOR, PARK RANGER, QUARTERMASTER, RECREATION AIDE, SCHOOL LIAISON OFFICER, SEASONAL RECREATIONAL AIDE, SOUND ENGINEER, STOREKEEPER III, STORMWATER OPERATOR A, STORMWATER

OPERATOR B, STORMWATER OPERATOR C, STORMWATER OPERATOR D, TRADESWORKER II (FACILITIES MAINTENANCE TRADESPERSON), TRADESWORKER I (FACILITIES MAINTENANCE WORKER) TRAFFIC CONGESTION FIELD SPECIALIST, WASTE WATER COLLECTION OPERATOR A, WASTE WATER COLLECTION OPERATOR C, WASTE WATER COLLECTION OPERATOR D, WASTEWATER COLLECTION SYSTEM OPERATOR B, WATER DISTRIBUTION SYSTEM OPERATOR A, WATER DISTRIBUTION SYSTEM OPERATOR B, WATER DISTRIBUTION SYSTEM OPERATOR C, WATER DISTRIBUTION SYSTEM OPERATOR D, WATER METER TECHNICIAN A, WATER METER TECHNICIAN B, AND WATER METER TECHNICIAN C; DELETING THE FOLLOWING CLASSIFICATIONS: ARTS, CULTURAL & ENTERTAINMENT DIRECTOR, AND COMMUNITY/ECONOMIC DEVELOPMENT DIRECTOR; DELETING A DUPLICATE CLASSIFICATION FOR A SEASONAL POOL GUARD; AMENDING AND READOPTING ALL CLASSIFICATIONS AND GRADES IN ALPHABETICAL ORDER; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:45 a.m. Second Reading Public Hearing** Human Resources First Reading on March 1, 2017 - R5 Z Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4090](#) adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Malakoff to adopt the Ordinance. Ballot vote: 6-0; Absent: Mayor Levine. **Michael Smith to handle.**

## April 26, 2017

R5 I IN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, BY ADDING THE FOLLOWING CLASSIFICATIONS TO GROUP V REPRESENTED BY THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA (GSAF): CODE COMPLIANCE SUPERVISOR, COMMUNICATIONS SUPERVISOR, PROPERTY/EVIDENCE SUPERVISOR, PUBLIC SAFETY PAYROLL ADMINISTRATOR, SECURITY SPECIALIST, AND UTILITY BILLING SUPERVISOR, ALL OF WHICH WERE PREVIOUSLY CLASSIFIED AS UNCLASSIFIED EMPLOYEES IN ORDINANCE NO. 1605, THE UNCLASSIFIED EMPLOYEES ORDINANCE; AMENDING AND READOPTING ALL CLASSIFICATIONS AND GRADES IN ALPHABETICAL ORDER; RENUMBERING ALL SALARY GRADES; DELETING THE CLASSIFICATION OF WATER SERVICE REPRESENTATIVE; AND; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:40 a.m. Second Reading Public Hearing** Human Resources First Reading on March 1, 2017 - R5 Y Commissioner John Elizabeth Alemán **ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4089](#) adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Steinberg to adopt the Ordinance. Ballot vote: 6-0; Absent: Mayor Levine. **Michael Smith to handle.**

## April 26, 2017

R5 H BUILDING PERMIT REPRIEVE PROGRAM:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 14 OF THE CITY CODE, ENTITLED "BUILDING

REGULATIONS," AT ARTICLE 11, "CONSTRUCTION STANDARDS," TO CREATE DIVISION 3, ENTITLED "BUILDING PERMIT REPRIEVE PROGRAM"; CREATING SECTIONS 14-85 THROUGH 14-87, TO PROVIDE FOR A ONE-YEAR REPRIEVE PROGRAM FOR OWNERS OF SINGLE FAMILY RESIDENTIAL, MULTIFAMILY RESIDENTIAL, MIXED USE OR COMMERCIAL PROPERTIES WHO HAVE FAILED TO OBTAIN A BUILDING PERMIT(S), OR HAVE EXPIRED PERMITS; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AN EFFECTIVE DATE, AND A SUNSET PROVISION.

**10:35 a.m. Second Reading Public Hearing** Office of the City Attorney/Building First Reading on March 1, 2017 - R5 V Commissioner Micky Steinberg **ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4088](#) adopted.** Motion made by

Commissioner Steinberg; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 6-0; Absent: Mayor Levine **Mariano Fernandez to handle.**

## **April 26, 2017**

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING MIAMI BEACH CITY CODE CHAPTER 38 ENTITLED "ELECTIONS," SECTION 38-7 THEREOF ENTITLED "PETITIONS," CONFIRMING CONDITIONS FOR/DISQUALIFICATION OF PETITION SIGNATURES, AND DELETING CITY'S "CIRCULATOR STATEMENT"; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

### **10:30 a.m. Second Reading Public Hearing**

First Reading on March 1, 2017 - R5 U

Office of the City Attorney/Office of the City Clerk Commissioner Joy Malakoff

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4087](#) adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Steinberg to adopt the Ordinance. Ballot vote: 6-0; Absent: Mayor Levine. **Office of the City Attorney and Rafael E. Granado to handle.**

## **April 26, 2017**

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 13, ENTITLED "PARKS AND RECREATIONAL FACILITIES BOARD," BY AMENDING SECTION 2171(C), ENTITLED "COMPOSITION" TO REDUCE THE NUMBER OF VOTING MEMBERS FROM 13 TO 9; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing** Parks and Recreation First Reading on March 1, 2017 - R5 T Commissioners John Elizabeth Alemán, Joy Malakoff & Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4086](#) adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 6-0; Absent: Mayor Levine. **John Rebar to handle.**

## **April 26, 2017**

R5 E OCEAN DRIVE - EXTERIOR SPEAKER LOCATIONS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 13, "MXE - MIXED USE

ENTERTAINMENT DISTRICT," BY AMENDING SECTION 142-546 THEREOF, ENTITLED "ADDITIONAL RESTRICTIONS FOR LOTS FRONTING ON OCEAN DRIVE, OCEAN TERRACE AND COLLINS AVENUE," TO CREATE REGULATIONS PERTAINING TO EXTERIOR SPEAKERS ON LOTS FRONTING OCEAN DRIVE; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing** Planning First Reading on March 1, 2017 - R5 S Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4085](#) adopted.** Motion made by Commissioner Arriola; seconded by Commissioner Malakoff to adopt the Ordinance. Ballot vote: 6-0; Absent: Mayor Levine **Thomas Mooney and Hernan Cardeno to handle.**

## **April 26, 2017**

R5 D LIQUOR STORE EXTERIOR APPEARANCE — MINIMUM DESIGN STANDARDS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE



IV, "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 3, "SUPPLEMENTARY USE REGULATIONS," BY CREATING SECTION 1421112, "PACKAGE LIQUOR STORE DESIGN STANDARDS"; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing** Planning First Reading on March 1, 2017 - R5 R Commissioner Joy Malakoff & Co-sponsored by Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4084](#) adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 6-0; Absent: Mayor Levine **Thomas Mooney to handle.**

## **April 26, 2017**

R5 C REHEARING AND APPEAL PROCEDURES:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SECTION 118-9, ENTITLED "APPEAL AND REHEARING PROCEDURES"; IN ORDER TO REMOVE ANY CONFLICTS WITH ARTICLE I, SECTION 2 OF THE RELATED SPECIAL ACTS BY STRIKING CONFLICTING LANGUAGE FROM THE LAND DEVELOPMENT CODE AUTHORIZING ADMINISTRATIVE APPEALS BEFORE ANY BOARDS OTHER THAN THE BOARD OF ADJUSTMENT; AND CLARIFYING THE STANDARD OF REVIEW OF ADMINISTRATIVE APPEALS; AMENDING SECTIONS 118-395, 118-397, 118-563, 118-609, 142-108 AND 142875 TO ENSURE ALL ADMINISTRATIVE APPEALS ARE BEFORE THE BOARD OF ADJUSTMENT; DEFINING THE STANDARD FOR REVIEW OF AN ADMINISTRATIVE APPEAL; CLARIFYING THAT AN ADMINISTRATIVE APPEAL IS OF THE PLANNING DIRECTOR, OR HIS DESIGNEE; AND PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing**

First Reading on March 1, 2017 - R5 Q Planning/Office of the City Attorney Commissioner Joy Malakoff

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4083](#) adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 6-0; Absent: Mayor Levine

## **March 1, 2017**

R5 L AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, ENTITLED "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, ENTITLED "SIDEWALK CAFÉS," BY AMENDING SUBDIVISION II, ENTITLED PERMIT," BY AMENDING SECTION 82-381, ENTITLED "PERMITTED AREAS; CONDITIONAL PERMIT; CITY MANAGER'S RIGHT TO REMOVE SIDEWALK CAFÉS," BY AMENDING THE REQUIREMENTS FOR THE SEPARATE ITEMIZATION AND DISCLOSURE OF GRATUITIES, SERVICE CHARGES, AND TAXES ON CUSTOMERS' BILLS AND RECEIPTS; BY AMENDING SECTION 82-382, ENTITLED "APPLICATION," BY AMENDING THE APPLICATION REQUIREMENTS TO INCLUDE AN AFFIDAVIT STATEMENT OF COMPLIANCE WITH THE ITEMIZATION AND DISCLOSURE REQUIREMENTS REGARDING GRATUITIES, SERVICE CHARGES, AND TAXES; BY AMENDING SECTION 82-385, ENTITLED "MINIMUM STANDARDS, CRITERIA, AND CONDITIONS FOR OPERATION OF SIDEWALK CAFÉS," BY AMENDING THE CONDITIONS FOR THE OPERATION OF SIDEWALK CAFÉS TO INCLUDE THE ITEMIZATION AND DISCLOSURE OF GRATUITIES, SERVICE CHARGES, AND TAXES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. First Reading on February 8, 2017 -R5 P

**10:50 a.m. Second Reading Public Hearing** Office of the City Attorney Commissioner



Michael Grieco

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4082](#) adopted.** Motion made by Commissioner Grieco to adopt the Ordinance; seconded by Commissioner Arriola. Ballot vote: 6-0; Absent: Mayor Levine.

## March 1, 2017

R5 K AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS AND COMMITTEES," BY AMENDING DIVISION 32, ENTITLED "LGBT ADVISORY COMMITTEE," TO CHANGE THE NAME OF THE COMMITTEE TO THE "LGBTQ ADVISORY COMMITTEE," DELETING OUTDATED LANGUAGE REGARDING THE COMMITTEE'S INITIAL COMPOSITION, AND CORRECTING SCRIVENER'S ERRORS TO PROVIDE CONSISTENCY IN CAPITALIZATION THROUGHOUT DIVISION 32; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:45 a.m. Second Reading Public Hearing** Office of the City Attorney First Reading on February 8, 2017 - R5 O

Commissioners John Elizabeth Alemán and Joy Malakoff Co-sponsored by Commissioner Micky Steinberg

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4081](#) adopted.** Motion made by Commissioner Malakoff to adopt the Ordinance; seconded by Commissioner Alemán. Ballot vote: 6-0; Absent: Mayor Levine.

## March 1, 2017

R5 J AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING MIAMI BEACH CITY CODE CHAPTER 38 ENTITLED "ELECTIONS": SECTION 38-3 REGARDING NOTICE OF RESOLUTION, CALLING ELECTIONS AND POLLING PLACES; SECTION 38-4 CLARIFYING APPLICABILITY OF CODE PROVISIONS GOVERNING INSTALLATION OF OFFICERS TO SPECIAL ELECTIONS AS WELL AS GENERAL ELECTIONS; AND CREATING SECTION 38-8 "CANVASSING BOARD"; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. First Reading on February 8, 2017 - R5 N

February 8, 2017 - R5 N

**10:40 a.m. Second Reading Public Hearing** Office of the City Attorney/Office of the City Clerk Commissioner Joy Malakoff

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4080](#) adopted.** Motion made by Commissioner Alemán to adopt the Ordinance; seconded by Commissioner Steinberg. Ballot vote: 6-0; Absent: Mayor Levine.

## March 1, 2017

R5 I OCEAN DRIVE ACCESSORY RETAIL MODIFICATIONS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 13, "MXE - MIXED USE ENTERTAINMENT DISTRICT," BY AMENDING SECTION 142-546 THEREOF, ENTITLED "ADDITIONAL RESTRICTIONS FOR LOTS FRONTING ON OCEAN DRIVE, OCEAN TERRACE AND COLLINS AVENUE," TO MODIFY REGULATIONS PERTAINING TO RETAIL USES ON LOTS FRONTING OCEAN

DRIVE, AND BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 2, "ACCESSORY USES," BY AMENDING SECTION 142-904 THEREOF, ENTITLED "ADDITIONAL MIXED USE ENTERTAINMENT DISTRICT REGULATIONS" TO MODIFY REGULATIONS PERTAINING TO RETAIL USES ON LOTS FRONTING OCEAN DRIVE AND PRECLUDING VARIANCES OF THE PROVISION; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:35 a.m. Second Reading Public Hearing** Planning First Reading PH on February 8, 2017 - R5 K Commissioner Ricky Arriola **ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4079](#) adopted.** Motion made by Commissioner Arriola to adopt the Ordinance; seconded by Commissioner Grieco. Ballot vote: 6-0; Absent: Mayor Levine.

## **March 1, 2017**

R5 H LINCOLN ROAD PROHIBITED USE AMENDMENT:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 114 OF THE CITY CODE, ENTITLED "GENERAL PROVISIONS," TO PROVIDE FOR DEFINITIONS FOR "CHECK CASHING STORE," "CONVENIENCE STORE," "OCCULT SCIENCE ESTABLISHMENT," "PHARMACY STORES," "SOUVENIR AND T-SHIRT SHOP," "TATTOO STUDIO," AND RELATED DEFINITIONS; AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," AT DIVISION 6, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," SECTION 142-335, "PROHIBITED USES"; TO CREATE CERTAIN PROHIBITED USES ON LINCOLN ROAD BETWEEN COLLINS AVENUE AND ALTON ROAD; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:30 a.m. Second Reading Public Hearing** Planning First Reading PH on February 8, 2017 - R5 J Commissioner Michael Grieco **ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4078](#) adopted.** Motion made by Commissioner Malakoff to adopt the Ordinance; seconded by Commissioner Alemán. Ballot vote: 6-0; Absent: Mayor Levine.

## **March 1, 2017**

R5 G SHORT TERM RENTALS IN THE COLLINS WATERFRONT LOCAL HISTORIC DISTRICT:

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 ARTICLE IV, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," BY AMENDING DIVISION 3, ENTITLED "SUPPLEMENTARY USE REGULATIONS," BY AMENDING SECTION 142-1111(b)(3), ENTITLED "ELIGIBILITY WITHIN THE COLLINS WATERFRONT LOCAL HISTORIC DISTRICT," BY MODIFYING THE USE LIMITATIONS WITHIN A BUILDING BASED UPON OWNERSHIP; BY AMENDING SECTION 142-1111(b)(4), ENTITLED "SHORT-TERM RENTAL OF APARTMENT UNITS OR TOWNHOMES," BY ESTABLISHING A NEW TIME PERIOD FOR OWNERS OF PROPERTY IN THE COLLINS WATERFRONT LOCAL HISTORIC DISTRICT TO APPLY FOR APPROVAL OF A CERTIFICATE OF USE THAT PERMITS SHORT-TERM RENTAL OF

APARTMENT AND TOWNHOME RESIDENTIAL UNITS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing** Planning First Reading PH on February 8, 2017 - R5 I Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4077](#) adopted.** Motion made by Commissioner Alemán to adopt the Ordinance; seconded by Commissioner Arriola. Ballot vote: 5-0; Absent: Mayor Levine. Abstained: Commissioner Steinberg.

## **March 1, 2017**

R5 F DISCONTINUANCE OF NONCONFORMING USES:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES", ARTICLE IX., "NONCONFORMANCES," TO ADD SECTION 118-390 "PURPOSE/APPLICABILITY," AND AMEND SECTION 118-394, "DISCONTINUANCE

OF NONCONFORMING USES" TO DEFINE THE PROCESS FOR RETAINING LEGAL NON-CONFORMING USES AND ESTABLISH GUIDELINES FOR DETERMINING WHETHER THERE HAS BEEN AN INTENTIONAL AND VOLUNTARY ABANDONMENT OF A NONCONFORMING USE; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing** Planning First Reading PH on February 8, 2017 - R5 H Commissioner Michael Grieco **ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance [2017-4076](#) adopted.** Motion made by Commissioner Malakoff to adopt the Ordinance; seconded by Commissioner Alemán. Ballot vote: 6-0; Absent: Mayor Levine.

R5 C NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICTS DEMOLITION MORATORIUM:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PERTAINING TO THE SUBJECT OF A SIX (6) MONTH MORATORIUM FOR THE FOLLOWING AREAS/PROPERTIES: PROPERTIES LOCATED BETWEEN TATUM WATERWAY DRIVE/BYRON AVENUE ON THE WEST AND THE EASTERN LOT LINES OF LOTS FRONTING ABBOTT AVENUE ON THE EAST BETWEEN 77TH STREET ON THE SOUTH AND 86TH STREET ON THE NORTH; THE PROPERTIES LOCATED BETWEEN THE TATUM WATERWAY ON THE WEST AND THE EASTERN LOT LINES OF LOTS FRONTING ABBOT AVENUE ON THE EAST BETWEEN 75TH STREET ON THE SOUTH AND 77TH STREET ON THE NORTH; THE PROPERTIES LOCATED AT 8519, 8525, AND 8527 CRESPI BOULEVARD; THE PROPERTIES FRONTING NORMANDY DRIVE FROM RUE NOTRE DAME ON THE WEST TO BAY DRIVE ON THE EAST; THE PROPERTIES FRONTING 71ST STREET FROM RUE NOTRE DAME ON THE WEST TO BAY DRIVE ON THE EAST; THE PROPERTIES FRONTING THE EAST SIDE OF RUE VERSAILLES FROM 71ST STREET TO BIARRITZ DRIVE; THE PROPERTIES FRONTING BIARRITZ DRIVE FROM RUE VERSAILLES ON THE WEST TO RUE VENDOME ON THE EAST; THE PROPERTIES FRONTING RUE VENDOME FROM 71ST STREET ON THE NORTH TO BREST ESPLANADE ON THE SOUTH; THE PROPERTIES FRONTING BREST ESPLANADE; THE PROPERTIES FRONTING THE WEST SIDE OF BAY DRIVE FROM BREST ESPLANADE ON THE SOUTH TO 71ST STREET ON THE NORTH; THE PROPERTIES FRONTING THE EAST SIDE OF BAY DRIVE FROM 71ST STREET ON THE SOUTH TO THE NORMANDY WATERWAY

ON THE NORTH; IMPOSING A TEMPORARY MORATORIUM UPON THE RECEIPT OF OR PROCESSING OF APPLICATIONS, PERMITS OR PENDING APPROVALS PERTAINING TO DEMOLITION OF STRUCTURES ON TATUM WATERWAY; PROVIDING FOR AN EFFECTIVE DATE RETROACTIVE TO FIRST READING, FEBRUARY 8, 2017; FOR ZONING IN PROGRESS PURPOSES, THIS ORDINANCE SHALL BE EFFECTIVE UPON FIRST READING OF THIS ORDINANCE, AND NO APPLICATIONS FOR DEMOLITION WITHIN THE DESIGNATED AREA SHALL BE ACCEPTED BY THE CITY; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EXPIRATION DATE.

**10:10 a.m. Second Reading Public Hearing** Planning/Office of the City Attorney

First Reading PH on February 8, 2017 - R5 G Commissioner Joy Malakoff **ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance** [2017-4075](#) **adopted.** Motion made by Commissioner Steinberg to adopt the Ordinance; seconded by Commissioner Alemán. Ballot vote: 6-0; Absent: Mayor Levine.

## **March 1, 2017**

R5 B COMPREHENSIVE PLAN – TRANSIT MASTER PLAN AND CONCURRENCY:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MIAMI BEACH, FLORIDA, BY ~~OBJECTIVE 1,~~ ENTITLED ~~“LAND DEVELOPMENT REGULATIONS,” TO ALLOW “TRANSIT INTERMODAL FACILITIES” AS A PERMITTED USE WITH IN THE FOLLOWING LAND USE CATEGORIES: P LOW INTENSITY COMMERCIAL CATEGORY (CD 1), MEDIUM INTENSITY COMMERCIAL CATEGORY (CD 2), HIGH INTENSITY COMMERCIAL CATEGORY (CD 3) PUBLIC FACILITY HOSPITAL PF (PF HD), PUBLIC FACILITY: GOVERNMENTAL USES (PF), PARKING (P), GENERAL MIXED USE COMMERCIAL “PERFORMANCE STANDARD” CATEGORY (CPS 2), TOWN CENTER CORE CATEGORY (TC 1), AND TOWN CENTER COMMERCIAL CATEGORY (TC 2);~~ AMENDING THE FUTURE LAND USE MAP TO MODIFY THE DESIGNATION “RECREATION OPEN SPACE” (ROS) ALONG THE JULIA TUTTLE TO “PUBLIC FACILITY” (PF); ~~AMENDING THE PARKING (P) LAND USE CATEGORY TO ALLOW THOSE USES PERMITTED IN SURROUNDING LAND USE CATEGORIES, INCLUDING, BUT NOT LIMITED TO, RESIDENTIAL USES WHEN ASSOCIATED WITH A TRANSIT INTERMODAL FACILITY OR PARKING FACILITY;~~ AMENDING AND UPDATING THE GOALS, OBJECTIVES, AND RELATED POLICIES OF THE TRANSPORTATION ELEMENT AS FOLLOWS: OBJECTIVE 1, ENTITLED “LEVEL OF SERVICE,” TO REFLECT THE CITY’S ADOPTED MODE OF TRANSPORTATION HIERARCHY; OBJECTIVE 2, ENTITLED “COORDINATION WITH LAND USE,” TO DETAIL THE NEEDS FOR TRANSIT INTERMODAL FACILITIES; OBJECTIVE 3, ENTITLED “ROADWAY PLANNING, DESIGN AND CONSTRUCTION,” TO INCORPORATE ADDITIONAL MULTIMODAL TRANSPORTATION OPTIONS; OBJECTIVE 4, ENTITLED “MASS TRANSIT,” TO ENCOURAGE MASS TRANSIT OPTIONS THROUGH THE 2015 TRANSPORTATION MASTER PLAN; OBJECTIVE 5A, ENTITLED “TRANSIT MODE” TO DETAIL OPTIONS FOR TRANSPORTATION INFRASTRUCTURE; OBJECTIVE 6, ENTITLED “MULTI-MODAL TRANSPORTATION AND MOBILITY OPTIONS,” TO CLARIFY STRATEGIES TO IMPLEMENT MULTI-MODAL TRANSPORTATION OPTIONS; OBJECTIVE 7, ENTITLED “ENHANCE, PROTECT, AND PRESERVE THE CITY’S NEIGHBORHOODS,” TO CLARIFY COORDINATING AGENCIES AND STRATEGIES; OBJECTIVE 8, ENTITLED “PARKING,” TO ENCOURAGE SMART PARKING SYSTEMS; OBJECTIVE 10, ENTITLED “TRANSPORTATION COORDINATION WITH OTHER JURISDICTIONS,” TO REQUIRE COORDINATION RELATING TO “TRANSIT INTERMODAL FACILITIES;” THE GLOSSARY OF TERMS TO INCLUDE THE TERM “TRANSIT INTERMODAL FACILITY” AND RELATED DEFINITIONS; AMENDING AND UPDATING THE POLICIES WITHIN THE INTERGOVERNMENTAL COORDINATION ELEMENT TO INCLUDE COORDINATION RELATING TRANSIT INTERMODAL FACILITIES;

PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:05 a.m. Second Reading Public Hearing** Planning First Reading PH on February 8, 2017 - R5 F Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4074 adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 6-0; Absent: Mayor Levine.

## **March 1, 2017**

R5 A TEMPORARY MORATORIUM ON ACLF & RELATED FACILITIES:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM FOR 180 DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE ON THE ACCEPTANCE, REVIEW, APPROVAL, OR ISSUANCE OF ANY LAND DEVELOPMENT PERMITS (AS THE TERM IS DEFINED IN SECTION 163.3164(16), FLORIDA STATUTES), BUSINESS TAX RECEIPTS, OR ANY OTHER LICENSE OR PERMIT FOR THE ESTABLISHMENT OR OPERATION OF ADULT CONGREGATE LIVING FACILITIES, ASSISTED LIVING FACILITIES, CRISIS STABILIZATION UNITS, RESIDENTIAL DETOXIFICATION CENTERS, COMMUNITY RESIDENTIAL HOMES, AND RESIDENTIAL MEDICAL REHABILITATION CENTERS, AND ANY SIMILAR OR DERIVATIVE USES ASSOCIATED WITH SUCH USES, WITHIN THE CITY, IN ORDER TO PROVIDE THE CITY WITH AN OPPORTUNITY TO REVIEW AND ENACT DEFINITIONS AND REGULATIONS GOVERNING SAID USES; PROVIDING PENALTIES FOR ANY VIOLATION HEREOF; PROVIDING FOR SEVERABILITY; REPEALER OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE RETROACTIVE TO FEBRUARY 8, 2017; FOR ZONING IN PROGRESS PURPOSES, THIS ORDINANCE SHALL BE EFFECTIVE UPON FIRST READING OF THIS ORDINANCE.

**10:00 a.m. Second Reading Public Hearing** Planning and City Attorney First Reading PH on February 8, 2017 - R5 B

Commissioner John Alemán & Co-Sponsored by Commissioner Michael Grieco

**ACTION:** Title of the Ordinance read into the record. Public Hearing held. **Ordinance 2017-4073 adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Grieco to adopt the Ordinance. Ballot vote: 6-0; Absent: Mayor Levine.

## **February 8, 2017**

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 66 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "MARINE STRUCTURES, FACILITIES AND VEHICLES," BY AMENDING ARTICLE IV, ENTITLED "VESSELS," BY CREATING SECTION 66-155 THEREOF TO BE ENTITLED "PROHIBITION OF ADVERTISING SIGNS ON VESSELS," WHICH PROHIBITS THE OPERATION OF AN ADVERTISING VESSEL UPON THE TERRITORIAL JURISDICTIONAL WATERS OF THE CITY; BY ESTABLISHING PENALTIES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing** Office of the City Attorney First Reading on January 11, 2017 - R5 I Commissioner Michael Grieco **ACTION:** Title of the Ordinance read into the record. Public hearing held. **Ordinance 2017-4072 adopted.** Motion made by Commissioner Grieco; seconded by Commissioner Alemán to adopt the Ordinance. Ballot vote: 7-0.

## **February 8, 2017**

R5 D DEMOLITION MORATORIUM FOR PROPERTIES FRONTING TATUM WATERWAY: AN



ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PERTAINING TO THE SUBJECT OF A SIX (6) MONTH MORATORIUM FOR PROPERTIES FRONTING ON TATUM WATERWAY AND LOCATED ON THE WEST SIDE OF TATUM WATERWAY DRIVE AND BYRON AVENUE FROM 77TH STREET TO 87TH STREET, PROPERTIES LOCATED ON THE EAST SIDE OF HAWTHORNE AVENUE FROM 77TH STREET TO CRESPI BOULEVARD, PROPERTIES LOCATED ON THE EAST SIDE OF CRESPI BOULEVARD FROM HAWTHORNE AVENUE TO 85TH STREET, AND PROPERTIES LOCATED ON THE NORTH SIDE OF 85TH STREET BETWEEN CRESPI BOULEVARD AND BYRON AVENUE; IMPOSING A TEMPORARY MORATORIUM UPON THE RECEIPT OF OR PROCESSING OF APPLICATIONS, PERMITS OR PENDING APPROVALS PERTAINING TO DEMOLITION OF STRUCTURES ON TATUM WATERWAY; PROVIDING FOR AN EFFECTIVE DATE RETROACTIVE TO FIRST READING, JANUARY 11, 2017; FOR ZONING IN PROGRESS PURPOSES, THIS ORDINANCE SHALL BE EFFECTIVE UPON FIRST READING OF THIS ORDINANCE, AND NO APPLICATIONS FOR DEMOLITION WITHIN THE DESIGNATED AREA SHALL BE ACCEPTED BY THE CITY; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EXPIRATION DATE.

**10:15 a.m. Second Reading Public Hearing** Planning/Office of the City Attorney First Reading on January 11, 2017 - R5 A

Commissioner Ricky Arriola & Co-Sponsored by Vice-Mayor Joy Malakoff

**ACTION:** Title of the Ordinance read into the record. Public hearing held. **Ordinance 2017-4071 adopted.** Motion made by Vice-Mayor Malakoff; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 7-0.

## February 8, 2017

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82, ENTITLED "PUBLIC PROPERTY", AT DIVISION V, ENTITLED "SIDEWALK CAFES," AT SECTION 82-383, RELATING TO PERMIT FEES AND PENALTIES; TO REQUIRE PRE-PAYMENT, PRIOR PAYMENT OF THE ANNUAL SIDEWALK CAFE PERMIT FEE; AND ELIMINATING THE ABILITY TO PAY IN TWO ANNUAL INSTALLMENTS; AND TO AMEND THE PERMIT FEE, TO BE INCREASED WHEN THE CONSUMER PRICE INDEX (CPI) INCREASE IS ONE AND A HALF PERCENT (1.5%) OR MORE, RATHER THAN A CPI INCREASE OF FIVE (5) PERCENT OR MORE; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing** Public Works First Reading on January 25, 2017 - R5 B Commissioner Ricky Arriola **ACTION:** Title of the Ordinance read into the record. Public hearing held. **Ordinance 2017-4070 adopted.** Motion made by Vice-Mayor Malakoff; seconded by Commissioner Arriola to adopt the Ordinance. Ballot vote: 6-1; Opposed: Commissioner Grieco.

## January 11, 2017

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE IV, "USES IN PUBLIC RIGHTS-OF-WAY," BY AMENDING DIVISION 5, "SIDEWALK CAFES," BY AMENDING SUBDIVISION II, "PERMIT," BY AMENDING SECTION 82-385, ENTITLED "MINIMUM

STANDARDS, CRITERIA, AND CONDITIONS FOR OPERATION OF SIDEWALK CAFES" TO AMEND SIDEWALK CAFE STANDARDS AND CONDITIONS OF OPERATION FOR BUSINESSES LOCATED ON OCEAN DRIVE BETWEEN 5TH STREET AND 15TH STREET; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing** Planning Commissioner Ricky Arriola **ACTION:** Title of the Ordinance read into the record. **Public Hearing held. Ordinance 2017-4069 adopted.** Motion made by Commissioner Arriola; seconded by Commissioner Alemán. Ballot vote: 7-0.

## January 11, 2017

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "ENVIRONMENT," BY AMENDING THE TITLE OF ARTICLE VI ENTITLED "EXPANDED POLYSTYRENE SALE AND USE RESTRICTIONS," TO ADD THE WORDS "FOR FOOD SERVICE ARTICLES," AND CREATING ARTICLE VII, TO BE ENTITLED "EXPANDED POLYSTYRENE RESTRICTIONS FOR FLOATING DOCKS, FLOATING PLATFORMS, AND BUOYS," TO PROVIDE REGULATIONS THEREFORE, AND TO PROVIDE FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. **10:20 a.m. Second Reading Public Hearing** Environment and Sustainability Commissioner John Elizabeth Alemán **ACTION:** Title of the Ordinance read into the record. **Public Hearing held. Ordinance [2017- 4068](#) adopted as amended.** Motion made by Commissioner Alemán; seconded by Commissioner Steinberg. Ballot vote: 7-0.

## January 11, 2017

R5 B 17TH STREET SOUTH ALCOHOLIC BEVERAGE ESTABLISHMENT REGULATIONS: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," AT DIVISION 6, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," SECTION 142-332, "MAIN PERMITTED USES"; TO AMEND THE OPERATION, LOCATION, AND USE RESTRICTIONS FOR ENTERTAINMENT, DANCE HALL AND ALCOHOLIC BEVERAGE ESTABLISHMENTS LOCATED SOUTH OF 17TH STREET, BETWEEN LENOX AVENUE AND MERIDIAN AVENUE, AND PROPERTIES WITH A LOT LINE ADJOINING LINCOLN ROAD, FROM COLLINS AVENUE TO ALTON ROAD; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. **10:05 a.m. Second Reading Public Hearing** Planning Vice-Mayor Joy Malakoff **ACTION:** Title of the Ordinance read into the record. **Public Hearing held. Ordinance [2017- 4067](#) adopted as amended.** See motions below.

## December 14, 2016

**11:04:16 a.m.**

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH CITY CODE CHAPTER 38 ENTITLED "ELECTIONS," BY ADDING THE FOLLOWING CITY CODE SECTIONS 38-9 "ELECTRONIC REPORTING/PENALTIES," 38-10 "ELECTRONIC POSTING," AND 38-11 "TECHNICAL ASSISTANCE," TO PROVIDE FOR ELECTRONIC FILING OF CAMPAIGN FINANCE REPORTS AS AUTHORIZED PER FLORIDA ELECTION CODE; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:30 a.m. Second Reading Public Hearing** Office of the City Clerk First Reading on October 19, 2016 - R5 AA Commissioner Michael Grieco

**ACTION:** Title of the Ordinance read into the record. **Public Hearing held. Ordinance [2016- 4066](#) adopted as amended.** Motion made by Commissioner Steinberg; seconded by Commissioner Grieco. Ballot vote: 7-0.

## December 14, 2016

**11:29:08 a.m.**

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING APPENDIX A, ENTITLED "FEE SCHEDULE," TO CHAPTER 98 OF THE MIAMI BEACH CITY CODE, ENTITLED "STREETS AND SIDEWALKS," AMENDING ARTICLE III, ENTITLED "EXCAVATIONS," AMENDING DIVISION 2, ENTITLED "PERMIT," AMENDING SECTION 98-92, ENTITLED "APPLICATION; AMOUNT OF DEPOSIT;

USE OF DEPOSIT TO REPLACE SURFACE; PERMIT FEE," BY AMENDING THE FEES AND HOURS REGARDING PERMITS FOR BLOCKING OF RIGHT-OF-WAY FOR MAJOR THOROUGHFARES; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing** Transportation

First Reading on November 9, 2016 - R5 O Commissioner John Elizabeth Alemán

**ACTION:** Title of the Ordinance read into the record. **Public Hearing held. Ordinance [2016-4065](#) adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Grieco. Ballot vote: 6-1; Opposed: Commissioner Rosen Gonzalez.

## **December 14, 2016**

**11:26:39 a.m.**

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE III, ENTITLED "USE OF PUBLIC PROPERTY," BY AMENDING DIVISION 2, ENTITLED "REVOCABLE PERMIT;" BY CREATING SECTION 82-96 THEREOF TO BE ENTITLED "COMMERCIAL OUTDOOR FEE BASED ACTIVITY PERMIT, BY ESTABLISHING SUBSECTIONS THAT ARE ENTITLED "COMMERCIAL OUTDOOR FEE BASED ACTIVITY," "PERMIT APPLICATION; SUBMITTAL AND QUALIFICATIONS," "CRITERIA FOR APPLICATION REVIEW; APPROVAL OR DENIAL," "PERMIT APPLICATION; ISSUANCE," "PERMIT; REQUIRED," "GENERAL PROVISIONS," "PERMIT FEES AND OTHER CHARGES," "SUSPENSION/REVOCATION; PERMITTEE CANCELATION," "PENALTIES AND ENFORCEMENT;" PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing** Parks and Recreation

First Reading on November 9, 2016 - R5 N Commissioner Michael Grieco

**ACTION:** Title of the Ordinance read into the record. **Public Hearing held. Ordinance [2016-4064](#) adopted.** Motion made by Vice-Mayor Malakoff; seconded by Commissioner Grieco. Ballot vote: 7-0. **John Rebar to handle.**

## **December 14, 2016**

**11:05:42 a.m.**

R5 D OFF-STREET PARKING REGULATIONS:

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 130, "OFF-STREET

PARKING," ARTICLE V, "FEE IN LIEU OF PARKING PROGRAM," BY AMENDING AND CLARIFYING STANDARDS AND PROCEDURES FOR OFF-STREET PARKING REQUIREMENTS, AND PROVIDING THAT NO FEE IN LIEU OF PARKING SHALL BE REQUIRED TO REMOVE EXISTING PARKING SPACES IN A HISTORIC DISTRICT, IF A REDUCTION IN THE INTENSITY OF USES RESULTS IN A SURPLUS OF PARKING SPACES; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing** Planning

First Reading on November 9, 2016 - R5 M Commissioner Michael Grieco

**ACTION:** **Public Hearing held. Ordinance [2016-4063](#) adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Arriola. Ballot vote: 5-2; Opposed: Commissioners Rosen Gonzalez and Steinberg.

## **December 14, 2016**

**10:13:56 a.m.**

**SUPPLEMENTAL MATERIAL 2: REVISED ORDINANCE**

R5 C AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF MIAMI

BEACH, ENTITLED "TAXATION," BY AMENDING ARTICLE V, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTION 102-377 THEREOF ENTITLED "PENALTIES, ENFORCEMENT; COLLECTION OF DELINQUENT FEES AND TAXES, AND CRIMINAL PENALTIES," BY ESTABLISHING A MODIFIED PENALTY AND ENFORCEMENT PROVISION WHICH DELINEATES MONETARY FINES AND CRIMINAL PENALTIES; BY CREATING SECTION 102-386 THEREOF TO BE ENTITLED "PROPERTY OWNER'S RESPONSIBILITIES REGARDING LEGALLY PERMISSIBLE TRANSIENT RENTAL AND OCCUPANCY (SHORT TERM) OF RESIDENTIAL PROPERTY," BY PROHIBITING PROPERTY OWNERS FROM ADVERTISING THE TRANSIENT RENTAL OR OCCUPANCY OF A RESIDENTIAL PROPERTY WITHOUT THE SUBMISSION OF AN AFFIDAVIT TO THE CITY, BY REQUIRING THE AFFIDAVIT TO CONFIRM THAT THE LAND DEVELOPMENT REGULATIONS AUTHORIZE TRANSIENT RENTAL AND OCCUPANCY; AND ENSURING THAT THE PROPERTY OWNER OBTAINS COMPLIANCE WITH THOSE PROVISIONS SET FORTH WITHIN CHAPTER 102, THE AMERICAN DISABILITIES ACT, THE FLORIDA FIRE PREVENTION CODE AND THE FLORIDA BUILDING CODE; AND BY FURTHER REQUIRING WRITTEN AUTHORIZATION FROM THE CONDOMINIUM ASSOCIATION FOR THE TRANSIENT RENTAL OR OCCUPANCY OF THE RESIDENTIAL PROPERTY OR UNIT; AND REQUIRING NOTIFICATION TO PROSPECTIVE GUESTS BY PROPERTY OWNERS THAT OPERATE INDEPENDENTLY OF THE PRIMARY HOTEL OPERATOR; AND ESTABLISHING A PENALTY PROVISION FOR VIOLATIONS OF THIS SECTION; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing** Office of the City Attorney

Continued from November 9, 2016 - R5 G

Sponsored by Vice-Mayor Joy Malakoff & Commissioner John Elizabeth Alemán

& Co-Sponsored by Commissioner Michael Grieco

**ACTION:** Title of the Ordinance read into the record. **Public Hearing held. Ordinance [2016-4062](#) adopted as amended.** Motion made by Vice-Mayor Malakoff; seconded by Commissioner Grieco. Ballot vote: 6-0; Absent: Commissioner Alemán.

## **November 9, 2016**

R5 L COLLINS PARK ARTS DISTRICT OVERLAY:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, "OVERLAY DISTRICTS," DIVISION 7, "CULTURAL ARTS NEIGHBORHOOD DISTRICT OVERLAY (CANDO)," BY RENAMING THE DISTRICT AS THE "COLLINS PARK ARTS DISTRICT OVERLAY," REDUCING THE BOUNDARIES OF THE OVERLAY DISTRICT, PERMITTING OUTDOOR ENTERTAINMENT ESTABLISHMENTS AS A MAIN PERMITTED USE WITHIN AREAS WITH AN UNDERLYING CD-2 "COMMERCIAL, MEDIUM INTENSITY DISTRICT" AND CD-3 "COMMERCIAL, HIGH INTENSITY DISTRICT" ZONING DESIGNATION, PERMITTING RESTAURANTS, SIDEWALK CAFES, AND OUTDOOR ENTERTAINMENT AS ACCESSORY USES FOR HOTELS WITHIN AREAS WITH AN UNDERLYING RM-2, "RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY" ZONING DESIGNATION, AND REMOVING REGULATIONS FOR MINIMUM AND AVERAGE UNIT SIZE AND MIXED USE FLOOR AREA RATIO (FAR) INCENTIVES; AMENDING CHAPTER 122 OF THE CITY CODE, ENTITLED "CONCURRENCY MANAGEMENT," AUTHORIZING THE CITY COMMISSION TO EXEMPT TEMPORARY USES IN THE PUBLIC RIGHT OF WAY IN THE COLLINS PARK ARTS DISTRICT OVERLAY FROM CONCURRENCY REQUIREMENTS BY RESOLUTION; AMENDING CHAPTER 82 OF THE CITY CODE, "PUBLIC PROPERTY," ARTICLE IV, "USES IN PUBLIC RIGHTS-OF-WAY;" DIVISION 5, "SIDEWALK CAFES," SUBDIVISION II, ENTITLED "PERMIT," EXEMPTING SIDEWALK CAFES LOCATED IN THE COLLINS PARK ARTS DISTRICT OVERLAY FROM SQUARE FOOTAGE SIDEWALK CAFE FEES; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; APPLICABILITY; AND AN EFFECTIVE DATE.

**5:01 p.m. Second Reading Public Hearing** Planning First Reading on October 19, 2016 - R5 P

Commissioner Ricky Arriola **ACTION: Ordinance [2016-4061](#) adopted as amended.** Public Hearing held. Motion made by Commissioner Arriola; seconded by Commissioner Rosen Gonzalez; Ballot vote: 7-0.

## November 9, 2016

**12:00:07 a.m.**

R5 K AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 106 OF THE MIAMI BEACH CITY CODE, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION I, ENTITLED "GENERALLY," BY AMENDING SECTION 106-46, ENTITLED "INDIVIDUAL PARKING SPACE; METHOD OF PARKING"; BY CREATING SUBSECTION (C), SCOOTER, MOPED, MOTORCYCLE DESIGNATED PARKING SPACES AND PROHIBITIONS; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**11:20 a.m. Second Reading Public Hearing** Parking First Reading on October 27, 2016 - R5 A Commissioner John Elizabeth Alemán **ACTION: Ordinance [2016-4060](#) adopted.** Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Steinberg; Ballot vote: 6-0; Absent: Mayor Levine.

## November 9, 2016

**11:27:57 a.m.**

R5 J AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS: IN ACCORDANCE WITH THE NEGOTIATED COLLECTIVE BARGAINING AGREEMENT, PROVIDING FOR QUALIFYING INCUMBENTS IN THE CLASSIFICATIONS IN GROUP I,

REPRESENTED BY THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, (AFSCME), LOCAL NO. 1554, AS FOLLOWS: EFFECTIVE THE FIRST PAY PERIOD ENDING IN APRIL OF 2016, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); EFFECTIVE THE FIRST PAY PERIOD ENDING IN JULY OF 2017, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); EFFECTIVE THE FIRST PAY PERIOD ENDING IN JULY OF 2018, THERE SHALL BE AN ACROSS THE BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); ADDING RECREATION ATTENDANT CLASSIFICATION INTO BARGAINING UNIT; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND CODIFICATION.

**10:45 a.m. Second Reading Public Hearing** Human Resources

First Reading on October 26, 2016 - R5 B Mayor Philip Levine **ACTION: Ordinance [2016-4059](#) adopted.** Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Steinberg; Ballot vote: 6-0; Absent: Mayor Levine.

## November 9, 2016

**2:17:12 p.m.**

R5 I CHAPTER 6 - ALCOHOLIC BEVERAGES:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 6 OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, ENTITLED "ALCOHOLIC BEVERAGES," ARTICLE I, ENTITLED "IN GENERAL," SECTION 6-3 THEREOF, ENTITLED "HOURS OF SALE," TO PROHIBIT PACKAGE LIQUOR SALES AT RETAIL STORES (INCLUDING PACKAGE, GROCERY, CONVENIENCE, AND



ANY OTHER RETAIL STORES, AS WELL AS GASOLINE STATIONS/SERVICE STATIONS) AND ALCOHOLIC BEVERAGE ESTABLISHMENTS BEFORE 10:00 A.M. EACH DAY; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:40 a.m. Second Reading Public Hearing** Housing and Community Services

First Reading on October 19, 2016 - R5 AB Vice-Mayor Joy Malakoff Co-Sponsored by Commissioner Michael Grieco

**ACTION: Ordinance 2016-4058 adopted.** Public Hearing held. Motion made by Commissioner Grieco; seconded by Vice-Mayor Malakoff; Ballot vote: 5-2; Opposed: Commissioners Alemán and Rosen Gonzalez.

## **November 9, 2016**

**2:10:19 p.m.**

R5 H AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 82 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PUBLIC PROPERTY," BY AMENDING ARTICLE VI, ENTITLED "NAMING OF PUBLIC FACILITIES AND ESTABLISHMENT OF MONUMENTS OR MEMORIALS," BY AMENDING SECTION 82-503 THEREOF, ENTITLED "NAMING OF PUBLIC FACILITIES; CO-NAMING AND RE-NAMING OF STREETS," BY AMENDING SUBSECTIONS (C)(1)(A) AND (C) (2)(A) TO PROVIDE ADDITIONAL CRITERIA AND PROCEDURES FOR THE CO-NAMING OF STREETS, PROVIDING SUNSET PROVISIONS THEREFORE, AND CORRECTING MINOR SCRIVENER'S ERRORS IN SUBSECTIONS (C)(1) AND (C)(2); PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:35 a.m. Second Reading Public Hearing** Transportation First Reading on October 19, 2016 - R5 X Mayor Philip Levine **ACTION: Ordinance 2016-4057 adopted.** See related Item R7 R. Public Hearing held. Motion made by Vice-Mayor Malakoff; seconded by Commissioner Alemán; Ballot vote: 7-0.

## **November 9, 2016**

**10:52:43 a.m.**

R5 F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 102 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "TAXATION," BY AMENDING ARTICLE V, ENTITLED "LOCAL BUSINESS TAX," BY AMENDING SECTION 102-379, "SCHEDULE OF TAXES," BY CREATING THE BUSINESS TAX CATEGORY OF "SHORT TERM RENTALS," AND UPDATING THE "SCHEDULE OF TAXES;" PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing** Finance First Reading on October 19, 2016 - R5 V Commissioners John Elizabeth Alemán and Michael Grieco

**ACTION: Ordinance 2016-4056 adopted.** Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Grieco; Ballot vote: 6-0; Absent: Mayor Levine.

## **November 9, 2016**

**10:46:42 a.m.**

R5 E AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 46 OF THE MIAMI BEACH CITY CODE, ENTITLED "ENVIRONMENT," BY AMENDING ARTICLE II, ENTITLED "CARE AND MAINTENANCE OF TREES AND PLANTS," BY AMENDING DIVISION 2, ENTITLED "TREE PRESERVATION AND PROTECTION"; BY AMENDING THE DEFINITIONS IN SECTION 46-56, BY AMENDING THE PROVISIONS IN SECTION 46-58 REGARDING TREE REMOVAL REQUIREMENTS, BY AMENDING THE PROVISIONS IN SECTION 46-59 TO PROVIDE AN APPEAL PROCEDURE FOR TREE WORK PERMIT DENIALS, BY AMENDING PROVISIONS IN SECTION 46-61 REGARDING THE REPLACEMENT OF REMOVED PROHIBITED SPECIES AND THE CITY'S TREE PRESERVATION TRUST FUND, BY AMENDING TREE PROTECTION SPECIFICATIONS, TREE PRUNING REGULATIONS, AND THE EXCEPTIONS

IN SECTION 46-62, BY AMENDING REGULATIONS REGARDING HERITAGE TREES IN SECTION 46-63, BY AMENDING PROVISIONS REGARDING ENFORCEMENT AND PENALTIES IN SECTION 46-67, AND BY REPLACING ALL REFERENCES TO THE PUBLIC WORKS DEPARTMENT, OR DIRECTOR, THROUGHOUT DIVISION 2 WITH ENVIRONMENT AND SUSTAINABILITY DEPARTMENT, OR DIRECTOR, OR HIS OR HER DESIGNEE, THE URBAN FORESTER, AS MORE SPECIFICALLY SET FORTH THEREIN; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:20 a.m. Second Reading Public Hearing** Environment and Sustainability Continued from October 19, 2016 - R5 Q Vice-Mayor Joy Malakoff and Commissioner John Elizabeth Alemán **ACTION: Ordinance [2016-4055](#) adopted.** Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Rosen Gonzalez; Ballot vote: 6-0; Absent: Mayor Levine.

## November 9, 2016

**1:55:38 p.m.**

R5 D SOUTH OF FIFTH ALCOHOLIC BEVERAGE ESTABLISHMENT OPERATIONAL REGULATIONS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS", ARTICLE II, "DISTRICT REGULATIONS," DIVISION 18, "PS PERFORMANCE STANDARD DISTRICT," SECTION 142-693, "PERMITTED USES," TO AMEND THE HOURS OF OPERATION, LOCATION AND USE RESTRICTIONS FOR PROPERTIES SOUTH OF FIFTH STREET; PROVIDING THAT EXISTING ALCOHOLIC BEVERAGE ESTABLISHMENTS SHALL BE DEEMED LEGAL CONFORMING USES; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:15 a.m. Second Reading Public Hearing** Planning Continued from October 19, 2016 - R5 F Commissioner Michael Grieco **ACTION: Ordinance [2016-4054](#) adopted.** Public Hearing held. Motion made by Commissioner Grieco to go with Option B; seconded by Vice-Mayor Malakoff; Ballot vote: 7-0.

## November 9, 2016

**10:39:37 a.m.**

R5 C CONCURRENCY EXEMPTION — GU & CCC DISTRICTS:

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 EXEMPT USES AT THE FOLLOWING CITY-OWNED FACILITIES FROM THE CITY'S CONCURRENCY REQUIREMENTS: THE NORTH SHORE BANDSHELL, THE RONALD W. SHANE WATERSPORTS CENTER, AND THE MIAMI BEACH BOTANICAL GARDEN; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:10 a.m. Second Reading Public Hearing** Planning Continued from October 19, 2016 - R5 C Commissioner Michael Grieco **ACTION: Ordinance [2016-4053](#) adopted as amended.** Public Hearing held. Motion made by Commissioner Grieco to approve with the amendment that waivers are to be approved "by Resolution of the City Commission"; seconded by Commissioner Alemán; Ballot vote: 6-0; Absent: Mayor Levine.

## November 9, 2016

**10:36:59 a.m.**

R5 B 41ST STREET CD-1 AND CD-3 DISTRICTS ALCOHOLIC BEVERAGE ESTABLISHMENT REGULATIONS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142 OF THE CITY CODE, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," (1) AT DIVISION 4, "CD-1 COMMERCIAL LOW INTENSITY DISTRICT," SECTION 142-272, "MAIN PERMITTED USES;"

SECTION 142-273, "CONDITIONAL USES;" SECTION 142-274, "ACCESSORY USES;" AND SECTION 142-279 "SPECIAL REGULATIONS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS;" AND (2) AT DIVISION 6, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," SECTION 142-332, "MAIN PERMITTED USES;" SECTION 142-333, "CONDITIONAL USES;" SECTION 142-334, "ACCESSORY USES;" AND SECTION 142-340, "SPECIAL REGULATIONS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS;" TO AMEND THE HOURS OF OPERATION, LOCATION, AND USE RESTRICTIONS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS IN THE 41ST STREET CORRIDOR, WHICH IS GENERALLY BOUNDED BY 40TH STREET TO THE SOUTH AND 42ND STREET TO THE NORTH, BETWEEN ALTON ROAD AND INDIAN CREEK; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:05 a.m. Second Reading Public Hearing** Planning First Reading on October 19, 2016 - R5 K Commissioner John Elizabeth Alemán **ACTION: Ordinance [2016-4052](#) adopted.** Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Arriola; Ballot vote: 6-0; Absent: Mayor Levine.

## November 9, 2016

**10:09:57 a.m.**

R5 A AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, PERTAINING TO ESTABLISHING A TEMPORARY MORATORIUM FOR A PERIOD OF 180 DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE ON THE ACCEPTANCE, REVIEW, APPROVAL OR ISSUANCE OF ANY LAND DEVELOPMENT PERMITS AS THE TERM IS DEFINED IN FLORIDA STATUTES SECTION 163.3164(16), BUSINESS TAX RECEIPTS OR ANY OTHER LICENSE OR PERMIT FOR THE ESTABLISHMENT OR OPERATION OF DISPENSING FACILITIES WITHIN THE CITY ENGAGED IN THE ON-SITE DISTRIBUTION, SALE, DELIVERY OR RETAIL OF LOW-THC CANNABIS, MEDICAL CANNABIS OR CANNABIS DELIVERY DEVICES PURSUANT TO SECTIONS 381.986 AND 499.0295 OF THE FLORIDA STATUTES, IN ORDER TO PROVIDE THE CITY WITH AN OPPORTUNITY TO REVIEW AND ENACT REGULATIONS GOVERNING THE ESTABLISHMENT AND OPERATION OF DISPENSING FACILITIES; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR SEVERABILITY; REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE RETROACTIVE TO OCTOBER 19, 2016; FOR ZONING IN PROGRESS PURPOSES, THIS ORDINANCE SHALL BE EFFECTIVE UPON FIRST READING OF THIS ORDINANCE, AND NO APPLICATIONS FOR DEMOLITION WITHIN THE DESIGNATED AREA SHALL BE ACCEPTED BY THE CITY.

**10:00 a.m. Second Reading Public Hearing** Planning

First Reading PH on October 19, 2016 - R5 U Commissioner Ricky Arriola **ACTION: Ordinance [2016-4051](#) adopted as amended (effective on First Reading).** Public Hearing held. Motion made by Commissioner Alemán for a five-month moratorium; seconded by Commissioner Arriola; Ballot vote: 5-1; Opposed: Commissioner Grieco; Absent: Mayor Levine.

## October 19, 2016

**3:20:27 p.m.**

R5 T AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, IN ACCORDANCE WITH THE NEGOTIATED COLLECTIVE BARGAINING AGREEMENT, PROVIDING FOR QUALIFYING INCUMBENTS IN THE CLASSIFICATIONS IN GROUP V, REPRESENTED BY THE GOVERNMENT SUPERVISORS ASSOCIATION OF FLORIDA (GSAF), OPEIU, LOCAL 100, AS FOLLOWS: EFFECTIVE THE FIRST PAY PERIOD ENDING IN APRIL OF 2016, THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); EFFECTIVE

THE FIRST PAY PERIOD ENDING IN JULY OF 2017, THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); EFFECTIVE THE FIRST PAY PERIOD ENDING IN JULY OF 2018,

THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**11:35 am. Second Reading Public Hearing** Human Resources

First Reading on September 27, 2016 - R5 E Mayor Philip Levine **ACTION:** Title of the Ordinance read into the record. **Public Hearing held. Ordinance [2016-4050](#) adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Malakoff. Ballot vote: 7-0.

## October 19, 2016

**3:15:33 p.m.**

R5 S AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1613, THE UNCLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS IN SECTION 10, ENTITLED "OTHER LEAVES WITH COMPENSATION" TO PROVIDE FOR PAID PARENTAL LEAVE; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**11:30 a.m. Second Reading Public Hearing** Human Resources First Reading on September 27, 2016 - R5 M Commissioner Kristen Rosen Gonzalez

**ACTION:** Title of the Ordinance read into the record. Item heard in conjunction with item R5 R. **Public Hearing held. Ordinance [2016-4049](#) adopted.** Motion made by Commissioner Rosen Gonzalez; seconded by Commissioner Steinberg. Ballot vote: 7-0.

## October 19, 2016

**3:15:33 p.m.**

R5 R AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1335, THE CLASSIFIED EMPLOYEES' LEAVE ORDINANCE, BY AMENDING THE PROVISIONS IN SECTION 12, ENTITLED "OTHER LEAVES WITH COMPENSATION" TO PROVIDE FOR PAID PARENTAL LEAVE, AND, BY AMENDING THE PROVISIONS IN SECTION 16, ENTITLED "COLLECTIVE BARGAINING CONTINGENCY," TO PROVIDE PAID PARENTAL LEAVE BENEFITS SUBJECT TO COLLECTIVE BARGAINING AND UNION APPROVAL FOR EMPLOYEES IN CLASSIFICATIONS GOVERNED BY UNION CONTRACTS; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**11:25 am. Second Reading Public Hearing** Human Resources First Reading on September 27, 2016 - R5 L Commissioner Kristen Rosen Gonzalez **ACTION:** Title of the Ordinance read into the record. Heard in conjunction with R5 S. **Public Hearing held. Ordinance [2016-4048](#) adopted.** Motion made by Commissioner Rosen Gonzalez; seconded by Commissioner Steinberg. Ballot vote: 7-0.

## October 19, 2016

**1:39:35 p.m.**

R5 O MXE PACKAGE STORE PROHIBITION:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 114 OF THE CITY CODE, ENTITLED "GENERAL PROVISIONS," SECTION 114-1, "DEFINITIONS," TO DEFINE PACKAGE STORES; AND AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 13, "MXE - MIXED USE ENTERTAINMENT DISTRICT," BY AMENDING SECTION 142-544 THEREOF, ENTITLED "PROHIBITED USES,"

TO PROHIBIT PACKAGE STORES, PACKAGE SALES OF ALCOHOLIC BEVERAGES, AND ENTERTAINMENT USES IN PACKAGE STORES IN THE MXE DISTRICT; AND PROVIDING

FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**11:10 a.m. Second Reading Public Hearing** Planning

First Reading PH September 14, 2016 - R5 R Commissioner Ricky Arriola and Co-Sponsored by Commissioner Joy Malakoff

**ACTION:** Title of the Ordinance read into the record. **Public Hearing held. Ordinance [2016-4047](#) adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Alemán. Ballot vote: 7-0.

## October 19, 2016

**2:58:08 p.m.**

R5 M SUNSET HARBOUR ALCOHOLIC BEVERAGE ESTABLISHMENT REGULATIONS: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," (1) AT DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-302, "MAIN PERMITTED USES," SECTION 142-303, "CONDITIONAL USES," SECTION 142-304, "ACCESSORY USES," AND SECTION 142-310, "SPECIAL REGULATIONS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS"; AND (2) AT DIVISION 11, "1-1 LIGHT INDUSTRIAL DISTRICT," SECTION 142-482, "MAIN PERMITTED USES," SECTION 142-483, "CONDITIONAL USES," SECTION 142-484, "ACCESSORY USES," AND SECTION 142-488, "SPECIAL REGULATIONS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS," TO CLARIFY PROHIBITED ENTERTAINMENT USES, AND AMEND THE HOURS OF OPERATION, LOCATION AND USE RESTRICTIONS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS IN THE SUNSET HARBOUR NEIGHBORHOOD, GENERALLY BOUNDED BY PURDY AVENUE, 20TH STREET, ALTON ROAD, AND DADE BOULEVARD; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**11:00 am. Second Reading Public Hearing** Planning

First Reading PH September 14, 2016 - R5 O Vice-Mayor Michael Grieco

**ACTION:** Title of the Ordinance read into the record. **Public Hearing held. Ordinance [2016-4046](#) adopted.** Motion made by Commissioner Alemán; seconded by Commissioner Steinberg. Ballot vote: 7-0.

## October 19, 2016

**2:44:45 p.m.**

R5 L SIGNAGE ORDINANCE:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE, BY STRIKING IN ITS ENTIRETY CHAPTER 138, "SIGNS;" AND REPLACING IT WITH A NEW CHAPTER 138, "SIGNS," AMENDING AND MODIFYING ALL EXISTING REGULATIONS FOR ALL SIGNS IN ALL DISTRICTS, INCLUDING GENERAL REQUIREMENTS, EXEMPT SIGNS, PROHIBITED SIGNS, PERMITTED SIGNS, NONCONFORMING SIGNS, SPECIFIC DISTRICT SIGNS, SPECIFIC CONDITION SIGNS, TEMPORARY SIGNS, AND ARTISTIC OR SUPER GRAPHICS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:55 a.m. Second Reading Public Hearing** Planning

First Reading on September 27, 2016 - R5 P Commissioner Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. **Public Hearing held. Ordinance [2016-4045](#) adopted as amended.** Motion made by Commissioner Arriola; seconded by Commissioner Alemán. Ballot vote: 6-1; Opposed: Commissioner Steinberg.

## October 19, 2016

**2:03:32 p.m.**

R5 H SINGLE FAMILY HOME – NON-ARCHITECTURALLY SIGNIFICANT – DEMOLITION PROCEDURES:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH,



FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS (LDR's) OF THE CITY CODE, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 2, "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," SECTION 142-108, "PROVISIONS FOR THE DEMOLITION OF SINGLE-FAMILY HOMES LOCATED OUTSIDE OF HISTORIC DISTRICTS;" BY AMENDING THE REQUIREMENTS AND PROCEDURES FOR THE ISSUANCE OF A DEMOLITION PERMIT FOR SINGLE FAMILY HOMES THAT ARE NOT ARCHITECTURALLY SIGNIFICANT; CREATING SUBSECTION (J), ENTITLED ISSUANCE OF DEMOLITION PERMITS FOR SINGLE FAMILY HOMES THAT ARE NOT ARCHITECTURALLY SIGNIFICANT; PROVIDING FOR FINES, APPEALS AND ENFORCEMENT; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:35 am. Second Reading Public Hearing** Planning

First Reading on September 14, 2016 - R5 W Commissioner Joy Malakoff **ACTION:** Title of the Ordinance read into the record. **Public Hearing held. Ordinance [2016-4044](#) adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Alemán. Ballot vote: 7-0.

## October 19, 2016

**10:52:45 a.m.**

R5 G SHORT-TERM RENTALS ON HARDING AVENUE NORTH BEACH:

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 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 CREATING A NEW SUBSECTION (D), WHICH ESTABLISHES ELIGIBILITY REQUIREMENTS FOR SHORT-TERM RENTAL OF APARTMENT AND TOWNHOME RESIDENTIAL UNITS IN NORTH BEACH; LIMITING THE ELIGIBILITY TO THOSE PROPERTIES FRONTING HARDING AVENUE FROM THE SOUTH SIDE OF 73RD STREET TO THE NORTHERN BOUNDARY OF THE CITY; BY ESTABLISHING CONDITIONS PRECEDENT BEFORE A PROPERTY OWNER IS LEGALLY AUTHORIZED TO ENGAGE IN SHORT-TERM RENTALS; AND REQUIRE THE PROPERTY TO BE FULLY RENOVATED AND RESTORED IN ACCORDANCE WITH THOSE DELINEATED STANDARDS SET FORTH IN SUBSECTION (D)(1), WHICH MUST BE ACCOMPLISHED PRIOR TO THE ISSUANCE OF THE BUSINESS TAX RECEIPT PERMITTING SHORT-TERM RENTALS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:30 a.m. Second Reading Public Hearing** Planning Continued from September 14, 2016 - R5 G Vice-Mayor Michael Grieco and

Co-Sponsored by Commissioners John Elizabeth Alemán & Ricky Arriola

**ACTION:** Title of the Ordinance read into the record. **Public Hearing held. Ordinance [2016-4043](#) adopted as amended.** Motion made by Commissioner Arriola; seconded by Vice-Mayor Grieco and Commissioner Alemán. Ballot vote: 5-2; Opposed: Commissioners Rosen Gonzalez and Steinberg.

## October 19, 2016

**10:49:52 a.m.**

R5 E CHAPTER 126 - LANDSCAPE ORDINANCE:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS (LDR'S) OF THE CITY CODE, BY AMENDING CHAPTER 126, "LANDSCAPING," BY EXPANDING THE APPLICABILITY, SUBMITTAL REQUIREMENTS FOR LANDSCAPE PLANS, EXPANDING MINIMUM LANDSCAPE STANDARDS, DETAILING MAINTENANCE REQUIREMENTS FOR

REQUIRED LANDSCAPING, AND PROVIDING FOR THE DEPOSIT OF FUNDS TO THE CITY OF MIAMI BEACH TREE PRESERVATION TRUST FUND FOR NOT COMPLYING WITH LANDSCAPE REQUIREMENTS; BY AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE III, ENTITLED "DESIGN STANDARDS," TO INCORPORATE LANDSCAPE STANDARDS FOR TEMPORARY AND PROVISIONAL PARKING LOTS INTO THE CITY OF MIAMI BEACH LANDSCAPE ORDINANCE; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:20 am. Second Reading Public Hearing** Planning

First Reading on September 14, 2016 - R5 T Commissioner Joy Malakoff **ACTION:** Title of the Ordinance read into the record. **Public Hearing held.** Heard in conjunction with R5 D. **Ordinance 2016-4042 adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Alemán. Ballot vote: 7-0.

## **October 19, 2016**

**10:48:50 a.m.**

R5 D CHAPTER 46 - NON-SPECIMEN TREES:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS (LDR'S) OF THE CITY CODE, BY AMENDING CHAPTER 46, "ENVIRONMENT", ARTICLE II, "CARE AND MAINTENANCE OF TREES AND PLANTS", DIVISION 2, "TREE PRESERVATION AND PROTECTION," TO MODIFY THE DIAMETER AT BREAST HEIGHT OF NON-SPECIMEN TREES; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

**10:15 am. Second Reading Public Hearing** Planning First Reading on September 14, 2016 - R5 S Commissioner Joy Malakoff **ACTION:** Title of the Ordinance read into the record. **Public Hearing held.** Heard with Item R5

E. **Ordinance 2016-4041 adopted.** Motion made by Commissioner Malakoff; seconded by Commissioner Alemán. Ballot vote: 7-0.

## **September 27, 2016**

R5 J SCHEDULE A MODIFICATION TO STORMWATER UTILITY ORDINANCE:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 110 OF THE MIAMI BEACH CITY CODE, ENTITLED "UTILITIES"; AMENDING ARTICLE III THEREOF, ENTITLED "STORMWATER UTILITY," AMENDING SECTION 110-109 THEREOF ENTITLED "STORMWATER UTILITY

FEES," BY AMENDING APPENDIX A THERETO ENTITLED "FEE SCHEDULE," TO INCREASE THE STORMWATER UTILITY SERVICE CHARGE IMPOSED BY THE CITY AS OF OCTOBER 1, 2016; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:11 p.m. Second Reading Public Hearing** Public Works

First Reading on September 14, 2016 - R5 AC Mayor Philip Levine **ACTION: Ordinance 2016-4040 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Grieco to approve the Ordinance; seconded by Commissioner Arriola; Ballot vote: 6-1; Opposed: Commissioner Rosen Gonzalez.

## **September 27, 2016**

R5 I AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 110 OF THE CODE OF THE CITY OF MIAMI BEACH ENTITLED "UTILITIES," ARTICLE IV, ENTITLED "FEES, CHARGES, RATES AND BILLING PROCEDURE," AT SECTION 110-166, ENTITLED "SCHEDULE OF WATER RATES AND TAPPING CHARGES;" AT SECTION 110-168, ENTITLED "SANITARY SEWER SERVICE CHARGE" ARE TO BE AMENDED; AND CREATING SECTION 110-171, ENTITLED "RATE INDEXING," IN ORDER TO ADJUST AND MODIFY HOW WATER AND SANITARY SEWER RATES ARE CALCULATED AND APPLIED; AND ALSO AMENDING APPENDIX A

TO CHAPTER 110, ENTITLED "FEE SCHEDULE" TO INCREASE AND RESTRUCTURE THE WATER RATES AND SANITARY SEWER SERVICE CHARGES IMPOSED BY THE CITY PURSUANT TO SECTIONS 110-166, 110-168, AND 110-171; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**5:10 p.m. Second Reading Public Hearing** Public Works First Reading on September 14, 2016 - R5 AB Commissioner Ricky Arriola

**ACTION: Ordinance [2016-4039](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Grieco to approve the Ordinance; seconded by Commissioner Arriola; Ballot vote: 7-0.

## **September 27, 2016**

R5 G AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS: PROVIDING FOR COST-OF-LIVING ADJUSTMENTS FOR THE CLASSIFICATIONS IN GROUP VI, BEING ALL OTHER CLASSIFICATIONS IN THE CLASSIFIED SERVICE NOT COVERED BY A BARGAINING UNIT; EFFECTIVE THE FIRST PAY PERIOD ENDING IN APRIL OF 2016, THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); EFFECTIVE THE FIRST PAY PERIOD ENDING IN JULY OF 2017, THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); EFFECTIVE THE FIRST PAY PERIOD ENDING IN JULY OF 2018, THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:08 p.m. Second Reading Public Hearing** Human Resources  
First Reading on September 14, 2016 - R5 AH Mayor Philip Levine

**ACTION: Ordinance [2016-4038](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Commissioner Rosen Gonzalez; Ballot vote: 7-0.

## **September 27, 2016**

R5F AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 1605, THE UNCLASSIFIED EMPLOYEES SALARY ORDINANCE; PROVIDING FOR COST-OF-LIVING ADJUSTMENTS (COLA) FOR ALL UNCLASSIFIED EMPLOYEES; REVISING THE SALARY RANGE FOR THE CITY MANAGER AND THE CITY ATTORNEY TO REFLECT THE COST-OF-LIVING ADJUSTMENTS; EFFECTIVE THE FIRST PAY PERIOD ENDING IN APRIL OF 2016, THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); EFFECTIVE THE FIRST PAY PERIOD ENDING IN JULY OF 2017, THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); EFFECTIVE THE FIRST PAY PERIOD ENDING IN JULY OF 2018, THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**5:07 p.m. Second Reading Public Hearing** Human Resources

First Reading on September 14, 2016 - R5 AG Mayor Philip Levine **ACTION: Ordinance [2016-4037](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Vice-Mayor Grieco; Ballot vote: 7-0.

## September 27, 2016

R5 D AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, IN ACCORDANCE WITH THE NEGOTIATED COLLECTIVE BARGAINING AGREEMENT, PROVIDING FOR QUALIFYING INCUMBENTS IN THE CLASSIFICATIONS IN GROUP II, REPRESENTED BY THE FRATERNAL ORDER OF POLICE (FOP) WILLIAM NICHOLS LODGE NO. 8., AS FOLLOWS: EFFECTIVE THE FIRST PAY PERIOD ENDING IN APRIL OF 2016, THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH BI-WEEKLY SALARY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); EFFECTIVE THE FIRST PAY PERIOD ENDING IN JULY OF 2017, THERE SHALL BE AN ACROSS-THE-BOARD COST- OF-LIVING ADJUSTMENT (COLA) OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH BI-WEEKLY SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); EFFECTIVE THE FIRST PAY PERIOD ENDING IN JULY OF 2018, THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH BI-WEEKLY SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); EFFECTIVE OCTOBER 1, 2015, ADDING ONE ADDITIONAL STEP, STEP (I), TO THE PAY RANGE FOR THE CLASSIFICATION OF DETENTION OFFICER; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE.

### **5:05 p.m. Second Reading Public Hearing** Human Resources

First Reading on September 14, 2016 - R5 U Commissioner Joy Malakoff **ACTION: Ordinance [2016-4036](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff to approve the Ordinance; seconded by Vice-Mayor Grieco; Ballot vote: 7-0.

## September 27, 2016

R5 C PENSION FUND FOR FIREFIGHTERS AND POLICE OFFICERS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING PART I, SUBPART B, ARTICLE IX, RELATED SPECIAL ACTS, OF THE MIAMI BEACH CITY CODE ENTITLED "PENSION SYSTEM FOR DISABILITY AND RETIREMENT OF MEMBERS OF POLICE AND FIRE DEPARTMENTS"; AMENDING THE PENSION SYSTEM TO IMPLEMENT THE COLLECTIVE BARGAINING AGREEMENT WITH THE FIRE FIGHTERS OF MIAMI BEACH, IAFF LOCAL 1510, FOR THE PERIOD OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2018, AND THE COLLECTIVE BARGAINING AGREEMENT WITH THE POLICE OFFICERS OF MIAMI BEACH, FOP WILLIAM NICHOLS LODGE NUMBER 8, FOR THE PERIOD OCTOBER 1, 2015 THROUGH SEPTEMBER 30, 2018; AMENDING SECTION 62, ENTITLED "DEFINITIONS"; AMENDING SECTION 65, ENTITLED "COMPUTATION OF CREDITABLE SERVICE; SERVICE RECORD"; AMENDING SECTION 66, ENTITLED SERVICE AND DISABILITY BENEFITS GENERALLY; AMENDING SECTION 79, ENTITLED "DEFERRED RETIREMENT OPTION PLAN"; AMENDING SECTION 82, ENTITLED "MILITARY SERVICE"; AMENDING SECTION 87, ENTITLED "BENEFITS FOR MEMBERS HIRED ON OR AFTER JULY 14, 2010"; AMENDING SECTION 88, ENTITLED BENEFITS FOR MEMBERS HIRED ON OR AFTER SEPTEMBER 30, 2013; CREATING A NEW SECTION 89, ENTITLED "BENEFITS FOR MEMBERS HIRED ON OR AFTER [DATE OF RATIFICATION OF COLLECTIVE BARGAINING AGREEMENT]"; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

**5:04 p.m. Second Reading Public Hearing** Human Resources

First Reading on September 14, 2016 - R5 AE Commissioner Joy Malakoff **ACTION: Ordinance 2016-4035 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff to approve the Ordinance; seconded by Vice-Mayor Grieco; Ballot vote: 7-0.

## **September 27, 2016**

R5 B AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH HUMAN RIGHTS ORDINANCE (ORDINANCE NO. 2010-3669), BY AMENDING CHAPTER 62, ENTITLED "HUMAN RELATIONS," BY AMENDING ARTICLE II, ENTITLED "DISCRIMINATION," BY AMENDING DIVISIONS 1-4, ENTITLED "GENERALLY," "ADMINISTRATION," "REGULATIONS," AND "EXCEPTIONS," BY AMENDING SECTIONS 62-31, ENTITLED "DEFINITIONS;" 62-33, ENTITLED "PURPOSE; DECLARATION OF POLICY;" 62-37, ENTITLED "DUTIES AND POWERS;" 62-59, ENTITLED "INFORMATION ON COMPLAINT;" 62-86, ENTITLED "DISCRIMINATION IN EMPLOYMENT;" 62-87, ENTITLED "DISCRIMINATION IN PUBLIC ACCOMMODATIONS;" 62-88, ENTITLED "DISCRIMINATION IN HOUSING;" 62-88.1, ENTITLED "DISCRIMINATION IN PUBLIC SERVICES;" 62-90, ENTITLED "MUNICIPAL FACILITIES;" 62-91, ENTITLED "MUNICIPAL FUNDS;" 62-111, ENTITLED EMPLOYMENT;" AND 62-112, ENTITLED "HOUSING;" TO AMEND THE PROTECTED CLASSES WITHIN THE ORDINANCE TO INCLUDE THE FOLLOWING CATEGORIES: ANCESTRY, HEIGHT, WEIGHT, DOMESTIC PARTNER STATUS, LABOR ORGANIZATION MEMBERSHIP, FAMILIAL SITUATION, AND POLITICAL AFFILIATION; AND BY AMENDING THOSE SAME SECTIONS TO PROVIDE THAT THE HUMAN RIGHTS ORDINANCE SHALL APPLY TO ACTUAL AND PERCEIVED MEMBERSHIP IN A PROTECTED CLASS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**4:02 p.m. Second Reading Public Hearing** Office of the City Attorney Deferred from September 14, 2016 - R5 AK Commissioner John Elizabeth Aleman

**ACTION: Ordinance 2016-4034 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán to approve the Ordinance; seconded by Commissioner Rosen Gonzalez; Ballot vote: 7-0.

## **September 27, 2016**

R5 A OFF-STREET PARKING REGULATIONS:

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 130, "OFF-STREET PARKING," ARTICLE I, "IN GENERAL," ARTICLE III, "DESIGN STANDARDS," ARTICLE V, "FEE IN LIEU OF PARKING PROGRAM," ARTICLE VI, "PARKING CREDIT SYSTEM," ARTICLE VII, "SURPLUS AND UNDER-UTILIZED PARKING SPACES," AND ARTICLE IX, VALET AND TANDEM PARKING", BY AMENDING AND CLARIFYING STANDARDS AND PROCEDURES FOR OFF-STREET PARKING REQUIREMENTS; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**4:01 p.m. Second Reading Public Hearing** Planning Deferred from September 14, 2016 - R5D Vice-Mayor Michael Grieco

**ACTION: Ordinance 2016-4033 adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Item referred to the Land Use and Development Committee. Motion made by Commissioner Malakoff to approve as amended; seconded by Vice-Mayor Grieco; Ballot vote: 7-0.

## **September 14, 2016**

R5 Q AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING CHAPTER 2 OF THE CODE OF THE CITY OF MIAMI BEACH,



ENTITLED "ADMINISTRATION," BY AMENDING ARTICLE III, ENTITLED "AGENCIES, BOARDS, AND COMMITTEES," BY AMENDING DIVISION 15, ENTITLED "MIAMI BEACH SISTER CITIES PROGRAM" AND DIVISION 16, ENTITLED "MIAMI BEACH YOUTH COMMISSION" TO REMOVE "MIAMI BEACH" FROM THE NAME OF THE SISTER CITIES PROGRAM AND THE YOUTH COMMISSION; AND, FURTHER AMENDING CHAPTER 62, ENTITLED "HUMAN RELATIONS," BY AMENDING ARTICLE II, ENTITLED "DISCRIMINATION," BY AMENDING DIVISION I, ENTITLED "GENERALLY", BY AMENDING SECTION 62-34 THEREOF, ENTITLED "CITY OF MIAMI BEACH HUMAN RIGHTS COMMITTEE ESTABLISHED," TO REMOVE "CITY OF MIAMI BEACH" FROM THE NAME OF THE COMMITTEE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**3:05 p.m. Second Reading Public Hearing** Office of the City Attorney First Reading July 13, 2016 - R5Q Commissioner John Elizabeth Alemán

**ACTION: Ordinance 2016-4032 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Arriola; Ballot-vote: 5-0; Absent: Mayor Levine and Commissioner Malakoff.

## **September 14, 2016**

R5 K AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING ORDINANCE NO. 789, THE CLASSIFIED EMPLOYEES SALARY ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, IN ACCORDANCE WITH THE NEGOTIATED COLLECTIVE BARGAINING AGREEMENT, PROVIDING FOR QUALIFYING INCUMBENTS IN THE CLASSIFICATIONS IN GROUP III, REPRESENTED BY THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF), LOCAL 1510, AS FOLLOWS: EFFECTIVE THE FIRST PAY PERIOD ENDING IN APRIL OF 2016, THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF ONE PERCENT (1%), AND THE MINIMUM AND MAXIMUM OF EACH BI-WEEKLY SALARY RANGE WILL ALSO BE INCREASED BY ONE PERCENT (1%); EFFECTIVE THE FIRST PAY PERIOD ENDING IN JULY OF 2017, THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH BI-WEEKLY SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); EFFECTIVE THE FIRST PAY PERIOD ENDING IN JULY OF 2018, THERE SHALL BE AN ACROSS-THE-BOARD COST-OF-LIVING ADJUSTMENT (COLA) OF THREE PERCENT (3%), AND THE MINIMUM AND MAXIMUM OF EACH BI-WEEKLY SALARY RANGE WILL ALSO BE INCREASED BY THREE PERCENT (3%); PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

**10:50 am. Second Reading Public Hearing** Human Resources First Reading July 13, 2016 - R5 O Commissioner Joy Malakoff

**ACTION: Ordinance 2016-4031 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Arriola; Ballot-vote: 5-0; Absent: Mayor Levine and Commissioner Malakoff.

## **September 14, 2016**

R5 J AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING CHAPTER 31 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "PURCHASING," BY CREATING ARTICLE III, TO BE ENTITLED "LOCAL WORKFORCE PARTICIPATION PROGRAM FOR CITY CONSTRUCTION CONTRACTS," TO ESTABLISH WORKFORCE PARTICIPATION GOALS AND REPORTING REQUIREMENTS FOR CITY CONSTRUCTION CONTRACTS IN EXCESS OF \$1,000,000 FOR THE CONSTRUCTION, DEMOLITION, ALTERATION AND/OR REPAIR OF CITY BUILDINGS, CITY PUBLIC WORKS, AND BUILDINGS OR IMPROVEMENTS LOCATED ON CITY-OWNED LAND; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

**10:45 am. Second Reading Public Hearing** Procurement/City Attorney First Reading July 13, 2016 - R5P Commissioner Micky Steinberg

**ACTION: Ordinance [2016-4030](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg; seconded by Commissioner Alemán; Ballot-vote: 5-0; Absent: Mayor Levine and Commissioner Malakoff.

## September 14, 2016

R5 I BELOW GRADE FLOOR AREA— CONTRIBUTING BUILDINGS:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 114, "GENERAL PROVISIONS," BY AMENDING THE DEFINITION OF FLOOR AREA; WHICH DEFINITION IS CONSISTENT WITH THE DEFINITION OF FLOOR AREA RATIO (FAR) AS EXISTED ON NOVEMBER 7, 2001, THUS ENSURING COMPLIANCE

WITH SECTION 1.03(C) OF THE CHARTER; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

**10:40 am. Second Reading Public Hearing** Planning First Reading July 13, 2016 - R5M Commissioner John Elizabeth Alemán **ACTION: Ordinance [2016-4029](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Arriola; Ballot-vote: 5-0; Absent: Mayor Levine and Commissioner Malakoff.

## September 14, 2016

R5 H TC NORTH BEACH TOWN CENTER DISTRICTS:

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, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS" ARTICLE II "DISTRICT REGULATIONS", DIVISION 20 "TC NORTH BEACH TOWN CENTER DISTRICTS", TO INCREASE THE ALLOWABLE HEIGHT FOR BUILDINGS IN THE TC-1 TOWN CENTER CORE DISTRICT TO 125 FEET AND TO MODIFY SETBACK REQUIREMENTS; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

**10:35 am. Second Reading Public Hearing** Planning First Reading July 13, 2016 - R5L Commissioner John Elizabeth Alemán

**ACTION: Ordinance [2016-4028](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Rosen Gonzalez; Ballot-vote: 7-0.

## September 14, 2016

R5 F COMPREHENSIVE PLAN — PERIL OF FLOOD:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN PURSUANT TO THE PROCEDURES IN SECTION 163.3184(3), FLORIDA STATUTES, BY MODIFYING CHAPTER 1, FUTURE LAND USE ELEMENT, TO ENCOURAGE THE USE OF LANDSCAPING TECHNIQUES THAT ENHANCE STORMWATER MANAGEMENT AND TO MODIFY THE LEVEL OF SERVICE FOR STORM SEWER CAPACITY; CHAPTER 5, INFRASTRUCTURE ELEMENT, TO REQUIRE THAT THE LAND DEVELOPMENT REGULATIONS INCLUDE A FREEBOARD REQUIREMENT FOR NEW CONSTRUCTION, TO MODIFY THE LEVEL OF SERVICE FOR DRAINAGE FACILITIES DESIGN STORM STANDARD, AND TO INCORPORATE THE USE OF STORMWATER STORAGE AND INFILTRATION IN INFRASTRUCTURE REPLACEMENT ACTIVITIES; CHAPTER 6, CONSERVATION/COASTAL ZONE MANAGEMENT ELEMENT TO ENCOURAGE THE USE OF HIGHLY WATER- ABSORBENT NATIVE PLANTS AND TO DESIGNATE THE CITY OF MIAMI BEACH AS AN ADAPTATION ACTION AREA (AAA) PURSUANT TO SECTION 163.3177(6)(G)(10), FLORIDA STATUTES; CHAPTER 8, INTERGOVERNMENTAL COORDINATION ELEMENT, TO REQUIRE COORDINATION BETWEEN AGENCIES ADDRESSING ISSUES RELATED TO SEA LEVEL RISE AND CLIMATE CHANGE; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN;

TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**10:25 a.m. Second Reading Public Hearing** Planning First Reading PH July 13, 2016 - R5J  
Commissioner Joy Malakoff

**ACTION: Ordinance 2016-4027 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Arriola; Ballot-vote: 6-0; Absent: Commissioner Malakoff.

## July 13, 2016

R5E An Ordinance Pertaining To The Subject Of A Six (6) Month Moratorium For The Two National Register Historic Districts Contained Within The North Beach Master Plan Study Area With The Following General Boundaries: (1) The "North Shore National Register District," Generally Bounded By 73<sup>rd</sup> Street To The South, Dickens Avenue, Hawthorne Avenue And Crespi Boulevard To The West, 87<sup>th</sup> Street To The North, And Collins Court To The East; And (2) "Normandy Isles National Register District:" Generally Bounded By Biscayne Bay To The South, Ray Street, Rue Notre Dame And Rue Versailles To The West, Normandy Shores Golf Course To The North, And The Western Bulkhead Of Indian Creek To The East; Imposing A Temporary Moratorium Upon The Receipt Of Or Processing Of Applications, Permits Or Pending Approvals Pertaining To Demolition Of Contributing Structures Within The Two National Register Historic Districts Within The North Beach Master Plan Study Area; Providing For An Effective Date Retroactive To June 8, 2016; For Zoning In Progress Purposes, This Ordinance Shall Be Effective Upon First Reading Of This Ordinance, And No Applications For Demolition Within The Designated Area Shall Be Accepted By The City; Providing For Exceptions; Providing For Severability; Repeal Of Conflicting Ordinance Provisions; And Providing For An Expiration Date. **5:01 p.m. Second Reading Public Hearing** (Sponsored by Commissioner Ricky Arriola & Co-sponsored by Commissioner Joy Malakoff) (Planning) (First Reading Public Hearing June 8, 2016 - R5G)

**ACTION: Ordinance 2016-4026 adopted** as amended with the effective date. Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Arriola; Ballot-vote: 7-0.

*Per email from Planning Department Director, Thomas Mooney, on 10.16.18, "My understanding is that this ordinance is now moot, as we are well past the 6 month period commencing on June 8, 2016. Tom."*

## July 13, 2016

R5D Miami Beach Panel Of Architects

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, Chapter 118, "Administration And Review Procedures," Article II, "Boards," By Creating Section 118-33 To Establish The Miami Beach Panel Of Architects ("MBPOA"); And By Amending The Criteria And Procedural Thresholds For The Review And Approval Of New Single-Family Residential Construction By Authorizing The MBPOA To Conduct Certain Reviews; Creating Division 6, Entitled "Miami Beach Panel Of Architects," At Sections 118-139 Through 118-156, Providing For Purpose, Composition Of Board, Membership, Qualifications, Quorum, Meeting Procedures, Powers And Duties, Fees And Applications; Amending Section 118-8, Entitled "Notice Procedures For Quasi-Judicial, Public Hearing Quasi-Judicial Land Use Board Actions" To Include Notice Procedures For Proceedings Before The MBPOA; And Amending Section 118-9, Entitled "Rehearing And Appeal Procedures," To Provide Procedures For Appeals From The MBPOA; Providing For Codification; Repealer; Severability; And An Effective Date. **10:15:00 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Joy Malakoff) (Legislative Tracking: Planning) (First Reading on June 8, 2016 - R5M)

**ACTION: Ordinance 2016-4025 adopted.** Title of the Ordinance read into the record. Item heard in conjunction with R7AA. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Alemán; Ballot-vote: 6-1. Opposed: Commissioner Steinberg.

## July 13, 2016

R5C An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 3 Entitled "Lobbyists," Section 2-482(a)(4) Thereof, By Requiring A Lobbyist Who Has Within The

Past Election Cycle Provided Campaign Consulting Services To An Incumbent Member Of The City Commission To Disclose Such Particular Service On His/Her Lobbyist Registration Form And To Disclose Such Particular Service Orally Before Lobbying The City Commission At A Public Meeting, Providing Definitions, And Providing For Repealer, Severability, Codification, And An Effective Date. **10:10 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Kristen Rosen Gonzalez) (Legislative Tracking: Office of the City Attorney) (First Reading on June 8, 2016 - R5J1)

**ACTION: Ordinance 2016-4024 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Rosen Gonzalez; seconded by Commissioner Arriola; Ballot-vote: 7-0.

## July 13, 2016

R5B Hall For Hire Use In Museum Historic District

An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 3, "Residential Multifamily Districts," Subdivision IV, "RM-2 Residential Multifamily, Medium Intensity," To Amend Section 142-213, "Conditional Uses," To Include Requirements Pertaining To Hall For Hire Uses For Properties Located Within The Locally Designated Museum Historic Preservation District; Providing For Repealer; Severability; Codification; And An Effective Date.

**10:05:00 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Joy Malakoff) (Legislative Tracking: Planning) (First Reading on June 8, 2016 - R5I)

**ACTION: Ordinance 2016-4023 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Alemán; Ballot-vote: 7-0.

## July 13, 2016

R5 A An Ordinance Amending Chapter 82 Of The Code Of The City Of Miami Beach, Entitled "Public Property," By Amending Article I, Entitled "In General"; By Amending Section 82-1, Entitled "Conducting Business On Streets, Parks Or Other Public Property; Enforcement; Penalties; Unpaid Fines To Constitute Liens," By Creating Subsection (b) Which Expressly Prohibits Commercial Transactions, Activities Or Operations At Any Park, Boat Ramp, Beach, Structure Building Or Other Property Or Place Owned, Maintained Or Operated By The City; By Prohibiting Any Portion Of The Commercial Transaction, Activity Or Operation To Directly Or Indirectly Occur At Any Park, Boat Ramp, Beach, Structure Building Or Other Property Or Place Owned, Maintained Or Operated By The City; By Modifying Subsection (c), Which Amends The Existing Exemption Authority Of The City Manager For The Rendering Of Service To The Public; And Creating An Additional Exemption To The Prohibitions Set Forth In Section 82-1(a) And (b), That Would Require The City Commission To Approve A Concession Agreement Authorizing Commercial Activities Or Operations; And By Creating Subsection (d), Which Is A New Enforcement And Penalty Provision For Violations, Limiting The Authority Of The Special Master, And Increasing The Monetary Fines; Providing For Repealer, Severability, Codification, And An Effective Date. **10:00 a.m. Second Reading Public Hearing** (Sponsored by Vice-Mayor Michael Grieco) (Legislative Tracking: Parks & Recreation) (First Reading on May 11, 2016 - R5N)

**ACTION: Ordinance 2016-4022 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Vice-Mayor Grieco; Ballot-vote: 7-0.

## June 8, 2016



#### R5H Ocean Terrace Overlay - LDR Amendments

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations," Article III "Overlay Districts," Creating Division 10 "Ocean Terrace Overlay", To Modify The Applicable Setbacks And Allowable Encroachments, Increase The Allowable Height To 235 Feet For Residential Uses And 125 Feet For Hotel Uses, To Limit The Maximum Floorplate Of The Tower Portion Of New Buildings, To Provide A Minimum Building Separation For The Tower Portion Of New Buildings, To Modify The Allowable Main, Conditional, Accessory And Prohibited Uses; Providing For Repealer; Severability; Codification; And An Effective Date. **5:01 p.m. Second Reading Public Hearing** (Sponsored by Commissioner Joy Malakoff) (Legislative Tracking: Planning) (First Reading on May 11, 2016 - R5D)

**ACTION: Ordinance 2016-4021 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Arriola; Ballot-vote: 6-1; Opposed: Commissioner Rosen Gonzalez.

### June 8, 2016

R5F An Ordinance Amending Chapter 18 Of The City Code, Entitled "Businesses," By Adding Article XVII, Entitled "City Minimum Living Wage," To Provide For Implementation Of A City-Wide Minimum Hourly Wage; And Amending Chapter 102 Of The City Code, Entitled "Taxation," By Amending Section 102-371, Entitled "Application Procedures[.]" By Adding A Subsection Entitled "(j) Compliance With City Minimum Living Wage" And Providing For Repealer, Severability, Codification, And An Effective Date. **10:25 a.m. Second Reading Public Hearing** (Sponsored by Mayor Philip Levine & Co-Sponsored by all the Members of the City Commission) (Legislative Tracking: Office of the City Attorney) (First Reading May 11, 2016 - R5P)

**ACTION: Ordinance 2016-4020 adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Arriola; seconded by Commissioner Malakoff; Ballot-vote: 7-0.

### June 8, 2016

R5E An Ordinance Amending Chapter 82 Of The Code Of The City Of Miami Beach, Entitled "Public Property," By Amending Article V, Entitled "Beaches," By Amending Division 1, Entitled "Generally," By Creating A New Section 82-443, Entitled "High Impact Events On Beach Property," To Provide The City Manager With The Authority To Impose Certain Immediate Measures For The Protection Of Beach Property During High Impact Events In The City; Providing For Notification Of High Impact Event Measures, Enforcement, And Penalties; Providing For Repealer, Severability, Codification, And An Effective Date. **10:20 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Michael Grieco &

Co-Sponsored by all the Members of the City Commission) (Legislative Tracking: Office of the City Attorney/Tourism, Culture & Economic Development) (First Reading May 11, 2016 - R5O)

**ACTION: Ordinance 2016-4019 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco; seconded by Commissioner Alemán; Ballot-vote: 7-0.

### June 8, 2016

R5D An Ordinance Amending Chapter 70 Of The Code Of The City Of Miami Beach, Entitled "Miscellaneous Offenses," By Creating Article VII, To Be Entitled "Sexual Orientation Or Gender Identity Change Efforts," To Prohibit Licensed Professionals From Engaging In Counseling

Efforts, Practices, Or Treatments With The Goal To Change A Minor's Sexual Orientation Or Gender Identity; Providing For Repealer, Severability, Codification, And An Effective Date.

**10:15 a.m. Second Reading Public Hearing**

(Sponsored by Commissioner John Elizabeth Alemán & Co-Sponsored by all the Members of the City Commission) (Office of the City Attorney) (First Reading May 11, 2016 - R5L)



**ACTION: Ordinance [2016-4018](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Malakoff; Ballot-vote: 7-0. Office of the City Attorney and Hernan Cardeno to handle.

## June 8, 2016

R5C An Ordinance Amending Chapter 2 Of The Code Of The City Of Miami Beach, Entitled "Administration," By Amending Article III, Entitled "Agencies, Boards, And Committees," By Amending Division 16, Entitled "Reserved," To Create A Miami Beach Youth Commission, And Amending Sections 2-186 - 2-189 Thereof, Entitled "Reserved," To Establish And Set Forth The Purpose, Powers, Duties, Composition, And Supporting Department For The Youth Commission And Providing For Repealer, Severability, Codification, And An Effective Date. **10:10 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Kristen Rosen Gonzalez) (Legislative Tracking: Office of the City Attorney) (First Reading May 11, 2016 - R5J)

**ACTION: Ordinance [2016-4017](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Rosen Gonzalez; seconded by Vice-Mayor Steinberg; Ballot-vote: 7-0.

## June 8, 2016

R5B Beach And Sand Quality

An Ordinance Amending Chapter 82, "Public Property," Article V, "Beaches," Creating Division 3, "Beach And Sand Quality," At Sections 82-472 Through 82-478, Ensuring The Preservation And Enhancement Of The Quality Of The City's Beaches By Requiring Testing Of Sand Or Fill Placed East Of The Coastal Construction Control Line (CCCL), Consistent With The Requirements Of Section 161.053, Florida Statutes And Rule 62B-33, Florida Administrative Code; Providing For Final Approval From The City Prior To The Placement Of Any Sand Or Fill East Of The Coastal Construction Control Line And Including Provision That The City's Approval Shall Be Contingent On The Applicant Obtaining A Letter Of No Objection From Miami-Dade County Division Of Environmental Resources Management (DERM), And Providing For Cost Recovery From The Applicant; Providing For Codification; Repealer; Severability, And An Effective Date. **10:05 a.m. Second Reading Public Hearing**

(Sponsored By Commissioner Michael Grieco) (Legislative Tracking: Environment & Sustainability) (First Reading May 11, 2016 - R5H)

**ACTION: Ordinance [2016-4016](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco; seconded by Commissioners Alemán and Malakoff (simultaneous); Ballot-vote: 7-0.

## June 8, 2016

R5A 1700 Alton Road - Historic Site Designation

An Ordinance Amending The Land Development Regulations Of The Miami Beach City Code; By Amending Section 118-593(e), Entitled "Delineation On Zoning Map" By Designating One Or More Buildings At 1700 Alton Road As An Historic Site To Be Known As "1700 Alton Road Historic Site," As More Particularly Described In The Ordinance; Providing That The City's

Zoning Map Shall Be Amended To Include 1700 Alton Road As An Historic Site; Adopting The Designation Report Attached To The Staff Report As Appendix "A"; Providing For Inclusion In The Land Development Regulations Of The City Code; For Repealer; Severability; And An Effective Date. **10:00 a.m. Second Reading Public Hearing**

(Sponsored by AC 1700 Alton Owner LLC, as the Private Applicant) (Legislative Tracking: Planning) (First Reading on May 11, 2015 - R5G)

**ACTION: Ordinance [2016-4015](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Vice-Mayor Steinberg; Ballot-vote: 7-0.

## May 11, 2016

R5F Alton Road West And 17<sup>th</sup> Street South Alcoholic Beverage Establishment Regulations An Ordinance Amending Chapter 142, "Zoning Districts And Regulations", Article II, "District Regulations," (1) At Division 4, "CD-1 Commercial Medium Intensity District," Section 142-272, "Main Permitted Uses;" (2) Section 142-273, "Conditional Uses;" (3) Section 142-274, "Accessory Uses;" (4) Section 142-279, "Additional Regulations For Alcoholic Beverage Establishments;" (5) At Division 5, "CD-2 Commercial Medium Intensity District," Section 142-302, "Main Permitted Uses;" (6) Section 142-303, "Conditional Uses;" (7) Section 142-304, "Accessory Uses;" (8) Section 142-310, "Additional Regulations For Alcoholic Beverage Establishments;" And (9) At Division 6, "CD-3 Commercial Medium Intensity District," Section 142-332, "Main Permitted Uses;" (10) Section 142-333, "Conditional Uses;" (11) Section 142-334, "Accessory Uses;" And (12) Section 142-340, "Additional Regulations For Alcoholic Beverage Establishments;" To Amend The Hours Of Operation, Location And Use Restrictions For (A) Properties On The West Side Of Alton Road And East Of Alton Court, From 6<sup>th</sup> Street To Collins Canal, (B) Properties On The East Side Of West Avenue From Lincoln Road To 17<sup>th</sup> Street, And (C) Properties Within 100 Feet To The South Of 17<sup>th</sup> Street, Between Lenox Avenue And Meridian Avenue; Providing For Codification; Repealer; Severability; And An Effective Date.

**5:01 p.m. Second Reading Public Hearing** (Sponsored by Commissioner Joy Malakoff) (Legislative Tracking: Planning) (First Reading on April 13, 2016 - R5F)

**ACTION: Ordinance [2016-4014](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff to move the Alton Road portion, removing the one block between Alton Road & West Avenue on Lincoln Road; and recommending that the 17<sup>th</sup> Street area go to the Land Use & Development Committee again for discussion; seconded by Commissioner Grieco. Ballot-vote: 6-0; Absent: Commissioner Rosen Gonzalez.

## May 11, 2016

R5E An Ordinance Amending Miami Beach City Code Chapter 2, Article VII, Division 2 Entitled "Officers, Employees And Agency Members", Adding Thereto Section 2-461 Entitled "Disclosure By City Commission Members Of Solicitation On Behalf Of Nonprofit Organization," Requiring City Commission Members Who Solicit Gifts On Behalf Of A Nonprofit Organization From A Vendor, Lobbyist On A Procurement Issue, Real Estate Developer And/Or Lobbyist On A Real Estate Development Issue, To Disclose The Date Of Solicitation And Name Of Individual Solicited, Disclosure To Be Filed In City Clerk's Office; Providing For Repealer, Severability, Codification, And An Effective Date. **11:00 a.m. Second Reading Public Hearing**

(Sponsored by Commissioner Kristen Rosen Gonzalez) (Legislative Tracking: Office of the City Attorney) (First Reading April 27, 2016 - R5A)

**ACTION: Ordinance [2016-4013](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Rosen Gonzalez; seconded by Vice-Mayor Steinberg; Ballot-vote: 7-0.

## May 11, 2016

R5C An Ordinance Amending Chapter 2 Of The Code Of The City Of Miami Beach, Entitled "Administration," Article VI, "Procurement," Division 3, "Contract Procedures," By Creating Section 2-376, Entitled "Fair Chance Requirement For City Contractors," And Amending Chapter 62, "Human Relations," By Creating Article V, To Be Entitled The "Fair Chance Ordinance," To Provide Regulations Regarding The Consideration By The City And By City Contractors Of The Criminal History Of Applicants For Employment, And To Provide Limiting Provisions; And Providing For Repealer, Severability, Codification, And An Effective Date. **10:15**

**a.m. Second Reading Public Hearing** (Sponsored By Commissioner Michael Grieco) (Legislative Tracking: Office of the City Attorney/Human Resources/Procurement) (First Reading on April 13, 2016 - R5G)

**ACTION: Ordinance [2016-4012](#) adopted as amended.** Title of the Ordinance read into the

record. Public Hearing held. Motion made by Commissioner Grieco; seconded by Vice-Mayor Steinberg; Ballot-vote: 6-0; Absent: Commissioner Alemán.

## May 11, 2016

R5B Unified Development Sites And FAR Distribution

An Ordinance Amending Chapter 118, Entitled "Administration And Review Procedures," Article I Entitled "In General" At Section 118-5, Entitled "Unity Of Title; Covenant In Lieu Thereof;" Chapter 114, Entitled "General Provisions," At Section 114-4, Entitled "Compliance With Regulations Required;" And Chapter 142, Entitled "Zoning Districts And Regulations," Article II Entitled "District Regulations," Division 1, Entitled "Generally," At Section 142-73, Entitled "Interpretation Of District Boundaries;" In Order To Clarify Procedures For The Movement Of FAR Within Unified Development Sites With Differing Zoning Districts; Providing For Enforcement And Penalties; And Providing For Repealer, Codification, Severability, And An Effective Date. **10:10 a.m. Second Reading Public Hearing**

(Sponsored By Commissioner Michael Grieco) (Legislative Tracking: Planning) (First Reading on April 13, 2016 - R5E)

**ACTION: Ordinance 2016-4011 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco; seconded by Commissioner Alemán; Ballot-vote: 6-0; Absent: Vice-Mayor Steinberg.

## May 11, 2016

R5A2. An Ordinance Amending The City's Land Development Regulations, By Amending Chapter 114, "General Provisions," At Section 114-1, "Definitions," By Amending The Definitions For Grade, Future Adjusted Grade, And Building Height, And To Establish By Reference To Chapter 54-35 Definitions For Base Flood Elevation, Crown Of Road, Future Crown Of Road, Freeboard, Minimum Freeboard, Maximum Freeboard, Green Infrastructure, Future Adjusted Grade, And Surface Stormwater Shallow Conveyance; 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 Providing A Minimum Elevation Requirement For New Construction, And Amending How Maximum Building Height Is Calculated; Providing Codification; Repealer; Severability; And An Effective Date. **10:06 a.m. Second Reading Public Hearing**

(Sponsored By Commissioner Joy Malakoff) (Legislative Tracking: Planning) (First Reading on April 13, 2016 - R5D2)

**ACTION: Ordinance 2016-4010 adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. See action and comments with R5A-1. Motion made by Commissioner Malakoff; seconded by Commissioner Rosen Gonzalez; Ballot-vote: 7-0.

## May 11, 2016

R5A Freeboard And Development Regulations - Grade Elevations And Height

1. An Ordinance Amending Subpart A - General Ordinances, Of The City Code, By Amending Chapter 54 "Floods" At Section 54-35, "Definitions," By Amending The Definitions For Base Flood Elevation, Crown Of Road, And Freeboard, And By Creating Definitions For Centerline Of Roadway, Critical Facility, Future Crown Of Road, Minimum Freeboard, Maximum Freeboard, Green Infrastructure, Low Impact Development (LID), And Surface Stormwater Shallow Conveyance; By Amending Section 54-45, "Permit Procedures," To Require A Stormwater Management Plan; By Amending Section 54-47, "General Standards," To Prohibit Septic Sewage Systems, And Include Requirements For Storage Of Hazardous Materials; By Amending Section 54-48, "Specific Standards," To Clarify The Minimum Elevation Of The Lowest Finished Floor For Residential And Non-Residential Construction, And Requiring A Minimum Elevation For Garage Entrances; By Amending Section 54-51, "Standards For Coastal High Hazard Areas (V-Zones)," To Clarify The Minimum Elevation Of The Lowest Floor Of All New Construction And Substantial Improvements; Providing Codification; Repealer;

Severability; And An Effective Date. **10:05 a.m. Second Reading Public Hearing** (Sponsored By Commissioner Joy Malakoff) (Legislative Tracking: Planning) (First Reading on April 13, 2016 - R5D1)

**ACTION: Ordinance 2016-4009 adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Alemán; Ballot-vote: 7-0.

## **April 13, 2016**

R5C An Ordinance Amending Chapter 82 Of The Code Of The City Of Miami Beach, Entitled "Public Property," By Amending Article IV, "Uses In Public Rights-Of-Way," By Amending Division 5, "Sidewalk Cafes," By Amending Subdivision II, "Permit," By Amending Section 82-382, Entitled "Application," And Section 82-383, Entitled "Permit Fee; Penalties For Late Payment; Review Of Fee; Exception," To Abate Sidewalk Cafe Permit Fees, Including Annual Permit Application Fees And Square Footage Fees, For Businesses On Washington Avenue From 6<sup>th</sup> Street To Lincoln Road, Until September 30, 2019; And Providing For Repealer, Codification, Severability, And An Effective Date. **10:10 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Michael Grieco) (Legislative Tracking: Planning) (First Reading on March 9, 2016 - R5I)

**ACTION: Ordinance 2016-4008 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco; seconded by Commissioner Malakoff; Ballot-vote: 7-0.

## **April 13, 2016**

R5B Minimum Unit Sizes for Historic Hotels

An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, By Amending Chapter 142, "Zoning Districts And Regulations," By Amending Article II, "District Regulations," By Amending Division 3, "Residential Multifamily Districts," By

Amending Section 142-155 To Modify The Requirements For Minimum Hotel Room Size And Maximum Hotel Room Occupancy For Historic Hotels Within The RM-1 District; By Amending Section 142-217 To Modify The Requirements For Minimum Hotel Room Size And Maximum Hotel Room Occupancy For Historic Hotels Within The RM-2 District; By Amending Section 142-246 To Modify The Requirements For Minimum Hotel Room Size And Maximum Hotel Room Occupancy For Historic Hotels Within The RM-3 District; By Amending Chapter 142, "Zoning Districts And Regulations", Article II, "District Regulations", Section 142-306, "Development Regulations" To Modify The Requirements For Minimum Hotel Room Size And Maximum Hotel Room Occupancy For Historic Hotels Within The CD-2 District; And By Amending Section 142-337, "Development Regulations And Area Requirements" To Modify The Requirements For Minimum Hotel Room Size And Maximum Hotel Room Occupancy For Historic Hotels Within The CD-3 District; Providing For Codification; Repealer; Severability; And An Effective Date. **10:05 a.m. Second Reading Public Hearing**

(Sponsored by Commissioner Michael Grieco) (Legislative Tracking: Planning) (First Reading on March 9, 2016 - R5H)

**ACTION: Ordinance 2016-4007 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco; seconded by Commissioner Alemán; Ballot-vote: 7-0.

## **April 13, 2016**

R5A Vacant Storefront Covers

An Ordinance Amending Chapter 138 Of The Miami Beach City Code, Entitled "Signs," Article IV Entitled "Temporary Signs," At Section 138-140 Entitled "Vacant Storefront Covers And Signs" To Mandate That All Vacant Storefront Windows And Doors Be Wrapped In Non-Commercial Paper Designs; Providing For Enforcement And Penalties; And Providing For Repealer, Codification, Severability, And An Effective Date. **10:00 a.m. Second Reading Public**



**Hearing** (Sponsored by Commissioner Michael Grieco) (Legislative Tracking: Planning) (First Reading on March 9, 2016 - R5G)

**ACTION: Ordinance [2016-4006](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held.

## March 9, 2016

### 2. Chapter 142 - Zoning Districts And Alcoholic Beverages

An Ordinance Amending Chapter 142 "Zoning Districts And Regulations;" Article II, "District Regulations," Division 3, "Residential Multifamily Districts" Division 4, "CD-1 Commercial, Low Intensity District" Division 5, "CD-2 Commercial, Medium Intensity District" Division 6, "CD-3 Commercial, High Intensity District" Division 7, "CCC Civic And Convention Center District" Division 8, "GC Golf Course District" Division 9, "GU Government Use District" Division 10, "HD Hospital District" Division 11, "I-1 Light Industrial District" Division 12, "MR Marine Recreation District;" Division 13, "MXE Mixed Use Entertainment District;" Division 16, "WD-1 Waterway District" Division 17, "WD-2 Waterway District" Division 18, "PS Performance Standard District," Division 20 "TC North Beach Town Center Districts," To Delineate All Alcoholic Beverage Establishments As Related Main Permitted, Conditional, And Prohibited Uses By Zoning District; Modifying Chapter 142, Article V, "Specialized Use Regulations," To Delete Division 4, And Section 143-1301, Entitled "Permitted Districts; Striking Alcohol Regulations Relating To Hours Of Operation, Minimum Seat And Hotel Rooms From Chapter 142 "Zoning Districts And Regulations," Article II "District Regulations;" And Modifying Chapter 142, Article V "Special Use Regulations," At Division 4 "Alcoholic Beverages," By Striking Sections 142-1302 And 142-1303; Providing For Repealer; Severability; Codification; Exceptions; And An Effective Date. **5:02 p.m.**

**Second Reading Public Hearing** (Sponsored by Commissioner Joy Malakoff) (Legislative Tracking: Planning) (First Reading Public Hearing on February 10, 2016 - R5F2)

**ACTION: Ordinance [2016-4005](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Alemán; Ballot-vote: 6-0; Absent: Mayor Levine.

## March 9, 2016

R5F Amend Ch. 6 - Alcoholic Beverages; And Ch. 142 - Zoning Districts And Alcoholic Beverages 1. Chapter 6 - Alcoholic Beverages

An Ordinance Amending Subpart A - General Ordinances, Chapter 6 "Alcoholic Beverages" Of The Code Of The City Of Miami Beach, By Amending Article I, "General Provisions", To Consolidate All Provisions Relating To Alcohol Regulation In One Chapter Of The City Code By Relocating Certain Alcoholic Beverage Establishment Regulations From Chapter 142 And Placing Those Provisions In Chapter 6; Providing For Hours Of Operation; Location And Use Restrictions; Patron Age Restrictions; Minimum Seats And Hotel Rooms Requirements; By Amending Article II, "Conduct," By Modifying And Creating Definitions; Providing For Repealer; Severability; Codification; Exceptions; And An Effective Date. **5:01 p.m. Second Reading Public Hearing** (Sponsored by Commissioner Joy Malakoff) (Legislative Tracking: Planning) (First Reading Public Hearing on February 10, 2016 - R5F1)

**ACTION: Ordinance [2016-4004](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Alemán; Ballot-vote: 6-0; Absent: Mayor Levine.

## March 9, 2016

R5E An Ordinance Amending Chapter 82 Of The Code Of The City Of Miami Beach, Entitled "Public Property," By Amending Article IV, "Uses In Public Rights-Of-Way," By Amending Division 5, "Sidewalk Cafes," By Amending Subdivision II, "Permit," By Amending Section 82-382, Entitled "Application," And Section 82-383, Entitled "Permit Fee; Penalties For Late Payment; Review Of Fee; Exception," To Abate Sidewalk Cafe Permit Fees, Including Annual Permit Application Fees And Square Footage Fees, For Businesses Participating In The City's



Washington Avenue Pilot Parklet Program, Which Program Shall Terminate On March 31, 2017; And Providing For Repealer, Codification, Severability, And An Effective Date. **10:25 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Joy Malakoff) (Legislative Tracking: Office of the City Attorney/Transportation) (First Reading on January 13, 2016 - R5Q) **ACTION: Ordinance 2016-4003 adopted as amended.** Title of the Ordinance read into the record. Item heard with R5I. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Malakoff; Ballot-vote: 7-0.

## March 9, 2016

2. An Ordinance 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. **10:20 a.m. Second Reading Public Hearing** (Sponsored by Mayor Philip Levine & Co-Sponsored by Commissioner John Elizabeth Alemán) (Legislative Tracking: Office of the City Attorney) (First Reading on February 10, 2016 - R5J)

**ACTION: Ordinance 2016-4002 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Malakoff; Ballot-vote: 7-0.

## March 9, 2016

R5D Accessory Uses In Single Family Homes And Short Term Rental Of Apartments Or Townhomes; Commercial Use Of Single Family Homes Prohibited

1. An Ordinance 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. **10:15 a.m. Second Reading Public Hearing**

(Sponsored by Mayor Philip Levine & Co-Sponsored by Commissioner John Elizabeth Alemán) (Legislative Tracking: Office of the City Attorney) (First Reading on February 10, 2016 - R5G)

**ACTION: Ordinance 2016-4001 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Arriola to

approve with the policy direction; Ballot-vote: 7-0.

## March 9, 2016

R5C Concurrency Exemption An Ordinance Amending The City Code, By Amending Chapter 122, "Concurrency Management," By Amending Section 122-5, "Exemptions From Concurrency," To Authorize The City Commission 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, Codification, Severability, And An Effective Date. **10:10 a.m. Second Reading Public Hearing** (Legislative Tracking: Planning) (Sponsored by Commissioner Joy Malakoff) (First Reading on January 13, 2016 - R5R) (First Reading on February 10, 2016 - R5H)

**ACTION: Ordinance 2016-4000 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Vice-Mayor Steinberg; Ballot-vote: 6-0; Absent: Commissioner Arriola.

## March 9, 2016

R5B Consolidation Of Notification Procedures For Single Family Home Determination Of Architectural Significance

An Ordinance Striking The Remaining Notice Provisions Contained Within Chapter 142, Entitled "Zoning Districts And Regulations", At Section 142-108, Entitled "Provisions For The Demolition Of Single-Family Homes Located Outside Of Historic Districts" In Order To Ensure Consolidation Of All Notice Provisions In New Section 118-8 Entitled "Notification Procedures;" By Amending Section 142-108 To Cross-Reference With Section 118-8; And By Amending Section 118-8 To Include Notice Requirements For Administrative Decisions Requiring Review; Providing For Repealer; Severability; Codification; And An Effective Date. **10:05 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Michael Grieco) (Legislative Tracking: Planning) (First Reading on February 10, 2016 - R5H)

**ACTION: Ordinance 2016-3999 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco; seconded by Commissioner Alemán; Ballot-vote: 6-0; Absent: Commissioner Rosen Gonzalez.

## March 9, 2016

R5A An Ordinance Amending Chapter 2 Of The Code Of The City Of Miami Beach, Entitled "Administration," By Amending Article III, Entitled "Agencies, Boards And Committees," By Amending Division 11, Entitled "Committee On The Homeless," By Amending And Updating The Provisions Regarding The Composition, Knowledge, And Experience Of Board Members, And City Departmental Support; And Providing For Repealer, Severability, Codification, And An Effective Date. **10:00 a.m. Second Reading Public Hearing** (Sponsored by Commissioner John Elizabeth Alemán) (Legislative Tracking: Housing & Community Services) (First Reading on February 10, 2016 - R5I)

**ACTION: Ordinance 2016-3998 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Alemán; seconded by Commissioner Arriola; Ballot-vote: 7-0.

## February 10, 2016

R5E An Ordinance Amending Chapter 2 Of The Miami Beach City Code Entitled "Administration," By Amending Article IV, Entitled "Officers And Employees," By Amending Division I, Entitled "Generally," By Amending Section 2-191 Entitled "Enumeration Of Organizational Units," By Creating The Environment And Sustainability Department; And Providing For Repealer, Severability, Codification, And An Effective Date. **10:20 a.m. Second Reading Public Hearing** (Sponsored by Vice-Mayor John Elizabeth Alemán) (Legislative Tracking: Human Resources) (First Reading on January 13, 2016 - R5P)

**ACTION: Ordinance 2016-3997 adopted.** Title of the Ordinance read into the record. Public

Hearing held. Motion made by Vice-Mayor Alemán; seconded by Commissioner Malakoff; Ballot-vote: 7-0.

## February 10, 2016

R5D An Ordinance Amending Chapter 78 Of The Code Of The City Of Miami Beach, Entitled "Personnel," By Amending Article I, Entitled "In General," By Amending Section 78-2, Entitled "Reserved," To Codify Requirements For Criminal History Record Checks For Certain Municipal Employees, Appointees, Contractors, Employees Of Contractors, And Vendors, In Accordance With State Law; Providing For Repealer, Severability, Codification, And An Effective Date. **10:15:00 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Michael Grieco) (Legislative Tracking: Human Resources) (First Reading on January 13, 2016 - R5O)

**ACTION: Ordinance 2016-3996 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Vice-Mayor Alemán; seconded by Commissioner Grieco; Ballot-vote: 7-0.

## February 10, 2016

R5C An Ordinance Amending Chapter 30 Of The Miami Beach City Code, Entitled "Code Enforcement," By Amending Article II, Entitled "Special Master," By Amending Section 30-37, Entitled "Terms Of Office; Compensation"; By Amending The Compensation Of The Special Master(s); Providing For Codification, Repealer, Severability, And An Effective Date. **10:10 a.m. Second Reading Public Hearing** (Sponsored by Michael Grieco) (Legislative Tracking: Office of the City Attorney) (First Reading on January 13, 2016 - R5N)

**ACTION: Ordinance 2016-3995 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Grieco; seconded by Vice-Mayor Alemán; Ballot-vote: 7-0.

## February 10, 2016

R5B Required Off Street Loading Spaces An Ordinance Amending Chapter 130 "Off Street Parking," Article IV, "Off-Street Loading," By Modifying The Requirements For Calculating And Providing Required Loading Spaces For Existing Buildings, Changes In Use And New Construction, Including Enclosed Structures Used For The Storage And Parking Of Vehicles; Providing For Repealer; Severability; Codification; And An Effective Date. **10:05:00 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Joy Malakoff) (Legislative Tracking: Planning) (First Reading on January 13, 2016 - R5L)

**ACTION: Ordinance 2016-3994 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Grieco; Ballot-vote: 6-1; Opposed: Commissioner Rosen Gonzalez.

## February 10, 2016

R5A Sustainability And Resiliency

An Ordinance Amending The Land Development Regulations (LDRs) Of The City Code, By Establishing Chapter 133, Entitled "Sustainability And Resiliency;" Establishing Requirements For Green Building Certification As A Requirement During Zoning Review Of New Projects Over A Certain Size ("Eligible Project(s)"); Establishing A Sustainability Fee Program For Projects That Do Not Achieve The Required Green Building Certification Level; Authorizing Property Owners And Developers To Pay A Sustainability Fee, Or, In The Alternative, Post A Bond, In The Amount Of Five Percent (5%) Of The Total Construction Cost For The Eligible Project(s), Into The City's Sustainability Fund, Which Bond Or Funds Are Reimbursable To The Property Owner Or Developer Pursuant To The Level Of Green Building Compliance Achieved By The "Eligible Project"; Establishing A Sustainability And Resiliency Fund For The Deposit Of The Sustainability Fees Generated Through The Sustainability Fee Program, And Providing The Uses For Which The Fees Deposited In The Sustainability And Resiliency Fund Can Be Used;

And Repealing Chapter 100, Entitled "Sustainability" As Duplicative And Contradictory To The Sustainability And Resiliency Revisions Of Chapter 133; Providing For Review; Applicability;

Codification; Repealer; Severability; And An Effective Date. **10:00 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Micky Steinberg) (Legislative Tracking: Planning) (First Reading on January 13, 2016 - R5K)

**ACTION: Ordinance 2016-3993 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg; seconded by Commissioner Malakoff; Ballot-vote: 7-0.

## January 27, 2016

R5A CD-2 Height For Mixed-Use On Alton Road

An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 142 "Zoning Districts And Regulations," Article II "District Regulations," Division 5, "CD-2, Commercial, Medium-Intensity District," At Section 142-306, "Development Regulations," By Increasing The Maximum Permitted Height For Properties On The West Side Of Alton Road From 6<sup>th</sup> Street To Collins Canal Providing For Codification; Repealer; Severability; And An Effective Date. **5:01 p.m. Second Reading Public Hearing** (Sponsored by Commissioner Joy Malakoff) (Legislative Tracking: Planning) (First Reading on January 13, 2016 - R5M)

**ACTION: Ordinance 2016-3992 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Arriola; Ballot-vote: 7-0.

## January 13, 2016

R5G An Ordinance Amending Miami Beach City Code Chapter 2 "Administration," Article VII "Standards Of Conduct," Division 5 "Campaign Finance Reform," Encompassing City Code Sections 2-487 "Prohibited Campaign Contributions By Vendors," City Code Section 2-488 "Prohibited Campaign Contributions By Lobbyists On Procurement Issues," City Code Section 2-489 "Prohibited Campaign Contributions By Real Estate Developers," And City Code Section 2-490 "Prohibited Campaign Contributions By Lobbyists On Real Estate Development Issues," By Providing That, Commencing On March 1, 2016, Members Of The City Commission Or Candidates For Said Offices Shall Be Prohibited From Either Directly Or Indirectly Soliciting, Accepting Or Depositing Any Campaign Contribution Regarding City Elected Office From A Vendor, Lobbyist On A Procurement Issue, Real Estate Developer, Or Lobbyist On A Real Estate Development Issue; Providing For Repealer, Severability, Codification, And An Effective Date. **10:30 a.m. Second Reading Public Hearing** (Sponsored by Commissioners Micky Steinberg & Michael Grieco Co-Sponsored by Mayor Levine, Vice-Mayor Alemán & Commissioners Arriola, Malakoff and Rosen Gonzalez) (Legislative Tracking: Office of the City Attorney) (Continued from December 9, 2015 - R5G)

**ACTION: Ordinance 2016-3991 adopted as amended.** Title of the Ordinance read into the record. Item co-sponsored by the remainder of the City Commission. Public Hearing held. Motion made by Commissioner Grieco; seconded by Commissioner Steinberg; Ballot-vote: 7-0.

## January 13, 2016

R5F An Ordinance Amending Chapter 2 Of The Code Of The City Of Miami Beach, Entitled "Administration," By Amending Article VI, Entitled "Procurement," By Amending Division 3, Entitled "Contract Procedures," By Amending Section 2-375, To Be Entitled "Non-Discrimination; Contract Requirements; Waiver," To Provide That The City Shall Not Procure Goods Or Services From, Or Otherwise Contract With, A Business Which Engages In The Boycott Of A Nation Or Country, Or A Business Which Blacklists Or Otherwise Refuses To Deal With A Person Or Entity Based On Race, Color, National Origin, Religion, Sex, Intersexuality, Gender Identity, Sexual Orientation, Marital Or Familial Status, Age, Or Disability, And Providing

Definitions, Requirements For City Contracts, And Waiver Provisions; Providing For Repealer, Codification, Severability, And An Effective Date. **10:25 a.m. Second Reading Public Hearing**



(Sponsored by Mayor Philip Levine & Co-Sponsored by Commissioner Kristen Rosen Gonzalez) (Legislative Tracking: Office of the City Attorney) (First Reading on December 9, 2015 - R5O)

**ACTION: Ordinance [2016-3990](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Rosen Gonzalez; seconded by Commissioner Arriola; Ballot-vote: 7-0.

## January 13, 2016

R5E An Ordinance Granting To Peoples Gas System, A Division Of Tampa Electric Company, Its Successors And Assigns, A Non-Exclusive Natural Gas Franchise Agreement To Use The Public Rights-Of-Way Of The City Of Miami Beach, Florida, And Prescribing The Provisions And Conditions Under Which Said Franchise Shall Be Exercised; Providing For Monthly Payments To The City; Providing An Effective Date; And Repealing Prior Ordinance. **10:20 a.m. Second Reading Public Hearing** (Public Works) (This Franchise Agreement is not a true "Ordinance" that falls within the sponsorship requirements set forth within Section 2-12 of the Miami Beach City Code.) (First Reading on December 9, 2015 - R5N)

**ACTION: Ordinance [2016-3989](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Grieco; Ballot-vote: 7-0.

## January 13, 2016

R5D Electric Vehicle Parking

An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 130, "Off-Street Parking," Article II, "Districts; Requirements," By Creating Section 130-39, Entitled "Electric Vehicle Parking Requirements," To Provide Minimum Requirements For Electric Vehicle Parking Spaces And Charging Stations; Amending Article III, "Design Standards," By Creating Section 130-72, Entitled "Electric Vehicle Parking Space Standards," To Establish Design Standards For Electric Vehicle Parking Spaces; And Amending Article V, "Fee In Lieu Of Parking Program," Section 130-132, Entitled "Fee Calculation," To Establish An Additional Fee In Lieu Of Parking For Electric Vehicle Parking Spaces, And Section 130-134, Entitled "Deposit Of Funds; Account," To Provide That Funds Generated By The Additional Fee In Lieu Of Parking For Electric Vehicle Parking Spaces Shall Be Deposited In The City's Sustainability And Resiliency Fund; Providing For Codification, Repealer, Severability And An Effective Date. **10:15 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Micky Steinberg) (Legislative Tracking: Planning) (First Reading on December 9, 2015 - R5L)

**ACTION: Ordinance [2016-3988](#) adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg; seconded by Commissioner Malakoff; Ballot-vote: 7-0.

## January 13, 2016

R5C Single Family Regulations - Lot Coverage, Unit Size, Height, Setbacks, And Courtyards An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, By Amending Chapter 142, "Zoning Districts And Regulations," Division 2, "RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts," At Sections 142-105, 142-106, And 142-108, By Modifying, Simplifying, And Clarifying How Lot Coverage, Unit Size, Roof Deck, Height, Setback, And Courtyard Requirements Are Applied In The Single Family Residential Districts; Eliminating Certain Design Review Waivers For Second Floor Volume And

Side Elevation Requirements; Providing Codification; Repealer; Severability; And An Effective Date. **10:10 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Joy Malakoff) (Legislative Tracking: Planning) (First Reading on December 9, 2015 - R5K)

**ACTION: Ordinance [2016-3987](#) adopted as amended.** Title of the Ordinance read into the record. Public Hearing held. Commissioner Malakoff made a motion to adopt the setbacks portion, which is in the Planning Board version of the Ordinance, and the portion about reducing lot size and lot coverage will not come in front of the City Commission for at least six months,



seconded by Vice-Mayor Alemán. Ballot-vote: 7-0.

## January 13, 2016

### R5B Traffic Study Requirements

An Ordinance Amending The Land Development Regulations Of The City Code, By Amending Chapter 118, "Administration And Review Procedures," Article VI, "Design Review Procedures," At Section 118-253, By Including Application Requirements For Design Review Board Applications, To Include Threshold Requirements For The Submission Of Traffic Studies, And By Amending Chapter 118, "Administration And Review Procedures," Article X, "Historic Preservation," Division 3, "Issuance Of Certificate Of Appropriateness To Dig/Certificate Of Appropriateness For Demolition," At Section 118-562, By Including Threshold Requirements For The Submission Of Traffic Studies For Historic Preservation Board Applications; Providing For Codification; Repealer; Severability; And An Effective Date. **10:05 a.m. Second Reading Public Hearing**

(Sponsored by Commissioner Micky Steinberg) (Legislative Tracking: Planning) (First Reading on December 9, 2015 - R5J)

**ACTION: Ordinance 2016-3986 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Steinberg; seconded by Commissioner Malakoff; Ballot-vote: 7-0.

## January 13, 2016

### R5A Art In Public Places Review Process

An Ordinance Amending The City Code, By Amending Chapter 82, "Public Property," Article VII, "Art In Public Places," Division 4, "Procedures," At Section 82-612, "Selection Of Artists And Works Of Art," In Order To Amend The Procedures For Selecting Artists; Providing For Codification; Repealer; Severability, And An Effective Date. **10:00 a.m. Second Reading Public Hearing** (Sponsored by Commissioner Joy Malakoff) (Legislative Tracking: Tourism, Culture & Economic Development) (First Reading on December 9, 2015 - R5I)

**ACTION: Ordinance 2016-3985 adopted.** Title of the Ordinance read into the record. Public Hearing held. Motion made by Commissioner Malakoff; seconded by Commissioner Grieco; Ballot-vote: 7-0.