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We advocate for Residents of Miami Beach! Click [here to join us!](#)

City Commission Meeting

**The May 4th 2022 Commission Meeting
will be held in a hybrid format - [click here](#) for more info.**

To join the virtual commission meeting via Zoom:

Please click this link to join the webinar: <https://miamibeachfl.gov.zoom.us/j/81392857671>

Access ID 81392857671#

To join via phone:

US: +1. 301.715.8592 or 1.888.475.4499 (Toll Free)

Webinar ID: 81392857671#

It will also be streamed live on MBTV Channel 660 on Atlantic Broadband or 99 on AT&T U-Verse, on the City's website, and on Facebook Live at facebook.com/cityofmiamibeach.

IF YOU WISH TO SPEAK ON AN ITEM DURING THE MEETING:

Via Zoom, please click the "raise hand" button on the screen to raise your hand as soon as the item is called. This will pull you to the top of the list and make it easier for the team to find you in the list of attendees. Or via phone, press *9 to raise a hand to be placed in queue to speak.

Want to read the proposed Commission agenda items and get info about the Commission meeting on Wednesday? Click [here](#).

Want to contact your elected officials directly? Click [here](#).

Commission Meeting May 4, 2022

These are Miami Beach United's Resolutions:

EXPANSION OF ART DECO/MIMO OVERLAY DISTRICT

R5 F - SECOND READING

Executive Summary:

An over-abundance of so-called "nuisance businesses" clustered in small areas can contribute to undesirable behavior and devaluing the affected neighborhoods.

Why It Matters:

Miami Beach United **SUPPORTS** this resolution which aims to limit in number or prohibit several nuisance uses.

- This item proposes to expand the Art Deco/MiMo Commercial Character Overlay District to include properties along Washington Avenue and Collins Avenue, from 5th Street to 23rd Street. This expansion would pertain primarily to prohibited uses and uses with a distance separation requirement.
- These include check cashing stores, convenience stores, occult science establishments, package stores, souvenir and t-shirt shops, tattoo studios, grocery stores, and tobacco/vape dealers.
- it should further elevate the image of the Collins Park and Washington Avenue areas and help elevate the overall image of Miami Beach by reducing the number and clustering of these nuisance businesses.

Read the Commission documents by clicking [HERE](#).

TO AMEND THE AGENDA REQUIREMENTS AND RULES OF PROCEDURE

APPLICABLE TO MEETINGS OF THE CITY COMMISSION AND THE CITY

COMMISSION COMMITTEES

R5 M - FIRST READING

Executive Summary:

Commission and other key City Committee meetings have become unwieldy in their scope, length, and unpredictability, making it extremely difficult for residents to stay engaged and be able to participate in the process on items which matter to them. These modifications seek to ameliorate that situation in order to:

1. Make permanent the ability of members of the public to attend and provide public comment via telephone or video conferencing software.
2. Improve transparency to the public by amending the schedule for submission of items to the Mayor and City Administration to allow for more time for the public to review agenda items.
3. Improve meeting productivity by limiting the number of discussion, ordinance and resolution items to be submitted by each commissioner by encouraging referral to committee so as not to overly extend the meeting time.
4. Improve time management by starting meetings at 8:30 AM and adjourning no later than 7:00 PM, with two (2) one (1) hour extensions permissible by majority vote.

5. Improve prioritization of topics.
6. Improve public participation by encouraging the Mayor and Commission to adhere to “times certain” for agenda items.

Please note: the amendments as submitted to Commission as of this writing ALSO include modifications the the MBU initiative Residents Right To Know, (RRTK) signed in to law in 2017. We have requested that any amendments pertaining to RRTK be removed from this item to be handled as a separate matter, for which MBU will be proposing modifications at a later time.

Why It Matters:

Miami Beach United **WOULD SUPPORT** this ordinance **ONLY** if the exceptions noted below are made:

1. DELETE **any** change to the Residents Right to Know. Miami Beach United will be proposing changes to the Residents Right to Know section and we would like the opportunity to present our proposed amendments at a Commission Committee meeting.
2. Any agenda item that has not been heard after three (3) regularly scheduled meetings or three (3) deferrals shall be automatically withdrawn.
3. All agenda items shall be posted on the city website seven (7) days prior to the scheduled commission meeting.
4. There be no more than two (2) hour extensions of any Commission meeting in order for the public to participate.
5. All materials and supplemental items must be submitted at the time the item is placed on the agenda so that there is ample time for the items to be reviewed in advance of the meeting.

Read the Commission documents by clicking [HERE](#).

**EQUITABLE ESTOPPEL AND NONCONFORMANCE PROVISIONS –
ALCOHOL HOURS OF SALE
R5 R - FIRST READING**

Executive Summary:

The ballot question asking Miami Beach voters whether they would "support changing this [alcohol consumption] 5:00 a.m. termination time to 2:00 a.m. throughout the City, with specific locations and related restrictions and exceptions, to be determined by City Commission by Ordinance?" by over 56% of voters. Seeking to find balance between our nightlife/tourism industries and residents' quality of life issues is a tough task. This ordinance seeks to clarify one of the tools available to the City to do so.

Why It Matters:

Miami Beach United **SUPPORTS** this ordinance which amends and clarifies the equitable estoppel provisions of the existing Land Development Regulations, consistent with Florida law.

- Florida state law expressly grants the City the authority to establish its own regulations for the time for sale of alcoholic or intoxicating beverages.
- These amendments confirm and clarify that existing alcoholic beverage establishments do not have vested rights as to alcohol hours of sale and shall be required to comply with any new ordinance amending alcohol hours of sale.

Read the Commission documents by clicking [HERE](#).

ALCOHOL HOURS OF SALE - 2:00 A.M. OUTDOORS WEST AVE & ALTON RD AND OUTDOORS CITYWIDE R5 S AND R5 T - FIRST READING

Executive Summary:

The ballot question asking Miami Beach voters whether they would "support changing this [alcohol consumption] 5:00 A.M. termination time to 2:00 A.M. throughout the City, with specific locations and related restrictions and exceptions, to be determined by City Commission by Ordinance?" by over 56% of voters. Seeking to find balance between our nightlife/tourism industries and residents' quality of life issues is a tough task. We believe these ordinances may be additional steps to do so.

Why It Matters:

Miami Beach United **SUPPORTS** both proposals which would limit sale and consumption of alcohol outdoors, especially outdoors near a residential neighborhood.

- Miami Beach residents have suffered for too long from the noise, rowdiness, and traffic congestion created by late-night bars and clubs.
- We are aware that S is a subset of T, and we would prefer T, but either of these proposals would be a good step in the right direction.
- **R5 S** limits alcohol outdoors as follows: Midnight on private property and public sidewalk cafes on West Avenue and Alton Road, including side streets from 5th Street to Collins Canal.
- **R5 T** limits alcohol outdoors as follows: 2AM citywide on private property and midnight at public sidewalk cafes and private property on West Avenue between 5th Street and Lincoln Road

Read the Commission documents by clicking [HERE](#) and [HERE](#).

SELLING CITY PROPERTIES R7 i

Executive Summary:

The city is, once again, proposing to sell city properties, in this instance 6175 Pine Tree Drive at 63rd, and wishes to ask the electorate to approve the sale in a city-wide referendum.

Why It Matters:

Miami Beach United **OPPOSES** the sale of this city owned property.

- Once land is sold, we can never get it back.
- City property should be viewed as a rainy day emergency fund, and treated accordingly.
- City property should **never** be sold unless there is a truly compelling reason, which is unfounded in this case, despite both identified beneficiaries of the sale proceeds, Miami New Drama Cultural Facility at Collins Park Garage and the Byron Carlyle Theater, being worthy endeavors.

Read the Commission documents by clicking [HERE](#).

VOTER APPROVAL NEEDED FOR INCREASE IN FLOOR AREA (DENSITY)

R7 R

Executive Summary:

This would be a ballot question for the November 2022 election asking voters to clarify the original intent of Section 1.03(c) of the City Charter by requiring voter approval for increases in the maximum floor area of any abutting parcels arising from vacating, deeding, selling or conveying all or a portion of any street, alley, right-of-way, or any publicly owned property.

Miami Beach United has consistently advocated for clarity in order to close what we believe is a loophole which gives powers to the Commission which otherwise should be reserved for the electorate. This loophole has allowed the Commission to grant additional density to development projects throughout the City by vacating streets, WITHOUT getting voter approval as specified in the Charter.

Why It Matters:

Miami Beach United **SUPPORTS** the draft ordinance provided that the following important changes are made:

1. Change the title of the proposed ballot question by adding the words “Public” and “Publicly Owned” so it reads When Vacating Public Streets/Conveying Other Publicly Owned Property
2. Change the second paragraph of the proposed ballot question to say the following, since the City version doesn’t accurately convey the effect of the current charter language: “While this Charter section includes language requiring voter approval for increases of floor area ratio “by any other means”, it does not explicitly require voter approval to increase the maximum floor area of abutting property, arising from vacating all or a portion of a street, or from a sale or conveyance of public property.”
3. Change language in the draft ordinance, Section 1.03(c) charter language:
 - Change “City-owned property” back to “publicly owned property” as originally proposed by MBU.

Using the words “City-owned property” would mean the charter amendment would not apply to property owned by the RDA, or other City-related agencies, and would not apply to State or County agencies. Regardless of which public entity is vacating, selling or conveying their property, none of those conveyances should have the effect of increasing the maximum floor area on any abutting parcel, unless approved by the voters.

- Do NOT add the word “unified” to “abutting parcels” in the proposed new language.

In this context, “unified” has a particular meaning that would omit many transfers of floor area from being subject to a vote of the electors, if the parcels were not deemed unified, or are not, as a practical matter, unified.

Single-parcel owners (rather than unified parcel owners) do not deserve special evasion of process under our charter.

After making the changes in 3a and 3b above, the language to be added to Section 1.03(c) of the charter would read:

“...all or a portion of any street, alley, right-of-way, or any publicly owned property, may not be vacated, deeded, sold or conveyed, if it has the effect of increasing the maximum floor area on any abutting parcels, unless such increase in floor area is first approved by a vote of the electors of the City of Miami Beach.”

Read the Commission documents by clicking [HERE](#).



Our Mission Dedicated to improving the quality of life for Miami Beach residents, managed and measured growth of our city, and ethical leadership of government – for a vibrant city rooted in history, its people, resources and neighborhoods, with focus on the future – by



providing educational and analytical focus on the organization, structure, policies and performance of Miami Beach government. We share our newsletters with over 8000 subscribers, 75% of whom are registered Miami Beach voters.