

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, EXTENDING THE PERMIT APPLICATION DEADLINE FOR THE FY2021-2022 PERMIT YEAR FOR SIDEWALK CAFÉ AND PARKLET PROGRAMS THROUGH SEPTEMBER 30, 2022, AND RATIFYING PRIOR GRACE EXTENSIONS PREVIOUSLY GRANTED BY THE CITY MANAGER, SUBJECT TO IMMEDIATE PAYMENT OF PERMIT FEES BY THE SIDEWALK CAFÉ AND PARKLET OPERATORS IN ORDER TO BE ELIGIBLE FOR THIS EXTENSION.

WHEREAS, a parklet is a small park, plaza, or creative public space that is physically installed or constructed in an on-street parking space; and

WHEREAS, on May 13, 2020, the City Commission adopted Resolution No. 2020-31276, establishing the Restaurant Recovery Outdoor Seating Pilot Program (the "Pilot Program") in furtherance of the City's economic recovery efforts during the COVID-19 pandemic; and

WHEREAS, the Pilot Program allowed restaurants to expand sidewalk café seating areas onto public rights-of-way, or other outdoor seating areas on private property, subject to the Administration's review and approval of a proposed site plan for the expanded area(s) to ensure all public safety and public access issues are appropriately addressed, and further subject to the restaurant operator's compliance with applicable provisions of the Sidewalk Café Ordinance (set forth in Chapter 82, Article IV, Division 5 of the City Code); and

WHEREAS, the Pilot Program expired on January 30, 2022; and

WHEREAS, at the July 28, 2021 City Commission Meeting, the Mayor and City Commission adopted Ordinance No. 2021-4427, permitting sidewalk cafes to operate in parklets on City rights-of-ways in select neighborhoods; and

WHEREAS, in addition, during the COVID-19 pandemic, the City extended FY 2019 permits of sidewalk café operators, suspended sidewalk café fees, and provided the sidewalk café operators other benefits all in an effort to promote business operation and economic recovery; and

WHEREAS, due to various COVID-19 extensions, many sidewalk café and parklet operators are not up to date on their permitting applications for the current FY 2021-2022 permit year; and

WHEREAS, the City Manager granted a month-to-month grace period extensions for permit application submittals; and

WHEREAS, on May 4, 2022, the Mayor and City Commission adopted Resolution No. 2022-32169, extending the permit application deadline for the FY2021-2022 permit year for sidewalk café and parklet programs through July 1, 2022, and ratifying all prior month-to-month grace extensions previously granted by the City Manager; and

WHEREAS, unfortunately, many sidewalk cafes and parklet operators still have not completed the permit application process and have requested an additional extension of the permit application deadline; and

WHEREAS, as such, the City Manager extended the permit application deadline for the FY2021/22 permit year until next regularly scheduled City Commission meeting on July 20, 2022; and

WHEREAS, the Mayor and City Commission would like to ratify the prior grace extensions granted by the City Manager, and further, extend the permit application deadline for the FY2021-2022 permit year for sidewalk café and parklet operators through September 30, 2022, in order to allow them ample time to comply with all permit application requirements; and

WHEREAS, however, since sidewalk café and parklet operators are currently occupying the public right-of-way, immediate payment of permit fees will be required in order to be eligible for this extension.

NOW, THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby extend the permit application deadline for the FY2021-2022 permit year for sidewalk café and parklet programs through September 30, 2022, and ratify prior grace extensions previously granted by the City Manager, subject to immediate payment of permit fees by the sidewalk café and parklet operators in order to be eligible for this extension.

PASSED and ADOPTED this _____ day of _____, 2022.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney RA

7-6-22

Date