

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE OCEAN DRIVE SIDEWALK CAFE DESIGN GUIDELINES TO REQUIRE THAT ALL FURNITURE AND OTHER ELEMENTS ASSOCIATED WITH SIDEWALK CAFES LOCATED ON OCEAN DRIVE BETWEEN 5TH AND 15TH STREETS BE MOVED TO THE WEST PART OF THE SIDEWALK.

WHEREAS, Ocean Drive is a unique, historic, and highly significant promenade containing hotels, restaurants, and retail establishments, which serve tourists and residents alike; and

WHEREAS, on September 27, 2016, and pursuant to Resolution No. 2016-29590, the Mayor and City Commission adopted the Ten Point Plan for Ocean Drive between 5th and 15th Streets (the "Ten Point Plan"); and

WHEREAS, on October 14, 2016, the Mayor and City Commission adopted Resolution No. 2016-29606, adopting the City of Miami Beach Ocean Drive Sidewalk Cafe Design Guidelines ("Design Guidelines") for sidewalk cafes located on Ocean Drive between 5th and 15th Streets; and

WHEREAS, the Design Guidelines establish design standards intended to ensure the compatibility between sidewalk café furnishings and Ocean Drive's historic architecture; and

WHEREAS, the Design Guidelines require that, with limited exceptions, all sidewalk elements of a sidewalk cafe must be moved to the west part of the sidewalk, abutting each respective property; and

WHEREAS, specifically, the Design Guidelines contain an exception (which was recommended in the Ten Point Plan) allowing for the retention of sidewalk café furnishings on the east side of the sidewalk in limited instances, in the event that relocating furnishings to the west side of the sidewalk would not be feasible due to the layout of a particular property and/or other related factors; and

WHEREAS, the sidewalk café furnishings currently located on the east side of the sidewalk interrupt the continuous 5'-0" wide pedestrian path, and adversely impact pedestrian safety, security and ADA access; and

WHEREAS, accordingly, the Mayor and City Commission desire to amend the Design Guidelines to remove the current exception and require that all sidewalk cafe furniture and other elements associated with sidewalk cafes located on Ocean Drive be relocated to the west side of the sidewalk.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby amend the Ocean Drive Sidewalk Cafe Design Guidelines to require that all

furniture and other elements associated with sidewalk cafes located on Ocean Drive between 5th and 15th Streets be moved to the west part of the sidewalk.

PASSED and **ADOPTED** this _____ day of _____, 2017.

ATTEST:

Rafael E. Granado
City Clerk

Philip Levine
Mayor

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APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

8/29/17

Date

NK