

# MIAMI BEACH

OFFICE OF THE CITY MANAGER

NO. LTC# **067-2019**

LETTER TO COMMISSION

TO: Mayor Dan Gelber and Members of the City Commission

FROM: Jimmy L. Morales, City Manager

DATE: February 5, 2019

SUBJECT: **New Pop-Up Venue Special Event Permits**

The purpose of this LTC is to inform the Mayor and Commission that the Tourism and Culture Department is launching a new city-wide initiative for building owners with vacant spaces.

The City of Miami Beach will begin issuing "Pop-Up" Special Events Permits ("PU-SEP") to businesses interested in pressure testing the Miami Beach market for possible long-term activation. The City recognizes Pop-up Activations as temporary retail spaces that can be used to promote and sell products of all types, ranging from food and beverage, clothing, or unique gifts. The premise was initiated from the belief that a long-term lease can act as a barrier to businesses looking to see if there is any appetite for their product within a specific geographic region, or an activation with a short shelf life (new brand launch, existing brand pop up, etc.). Displays are hung up, products are stocked, neighbors begin talking, and the business opens in a much shorter time frame. The concept has the potential for low overhead, low risk, and is a great way to introduce yourself to the market, generate buzz, increase sales, and extend the reach and exposure.

Traditionally, to establish a business within the City, an operator would need to apply for an annual business tax receipt ("BTR"). This process serves to ensure that the business follows land use, building and fire regulations compliance. Although a crucial process for liability and safety, it is not currently designed to license "pop-up" uses. As we work towards providing "pop-up" licensing opportunities, through an ordinance for Commission approval, we have identified this process to implement quickly and safely.

Landlords or businesses interested in a temporary establishment "pop-up" permit in a vacant storefront, must first identify the use of the space. If the space is currently established as a restaurant, a pop-up restaurant is recommended. If the space is licensed for retail, a clothing or art retail business would be compatible. We call this "use for use" - the easiest and fastest way to get the PU-SEP.

Establishments that remain "use for use" will be assessed a onetime permit fee of \$250, payable to the City of Miami Beach. Permits can be issued for a maximum of 90 days, by the same applicant. Operators will visit [www.eventsmiamibeach.com](http://www.eventsmiamibeach.com), where they will find the Pop-Up Special Events application link. This new permit application will be available in the City's CSS (Citizens' Self Service) portal. Applicants will need to provide a letter of approval from the building owner/landlord, proof of insurance, proposed date range, a detailed description of the activation, hours of operation consistent with the intended space use, a floor plan inclusive of a safety plan for intended use which denote sq. ft., egress, exit lighting, etc. Establishments that intend to sell food and beverage will be subject to all applicable state regulatory requirements and are expected to file resort taxes with the City.

Once the application is received, it will be reviewed by special events, zoning, code compliance and fire departments for approval. Review times will be no more than ten (10) days if, as recommended, the activation is "use for use". City staff will be available to guide interested establishments who require a change of use, if required. Changing a use will add additional time and may include additional costs.

Should you have any questions, please contact Linette Nodarse at [LinetteNodarse@miamibeachfl.gov](mailto:LinetteNodarse@miamibeachfl.gov) or (305) 673-7000, x6385.

Attachment: Pop-Up Special Event Process

JM/MM/AM

Pop-up Shops through SEP – (No deposit, no late fees)

**\*Must provide signed letter of support from building owner/ landlord\***

- SEP – Requirements (only use for use)
  - Visit [www.eventsmiamibeach.com](http://www.eventsmiamibeach.com) to be directed to the application link
  - Fees include an application fee of \$250, payable to the City of Miami Beach
  - Permit can be issued for a maximum of 90 days, by the same applicant (*when applying choose a range of dates*)
  - Detailed description of activation
  - Must provide certificate of insurance
  - If activation includes the sale of food and beverage, applicant must obtain all applicable state regulatory requirements and file resort taxes with the city
  - Hours of operation must be inline with the intended use
  - Must provide a life floor plan of the space (safety plan for intended use) must denote sq. ft., egress, exit lighting, etc.
    - INTERNAL REVIEWS:
      - Zoning review: previous BTR and active CO.
      - Fire Department: review life safety and issue temp occ. Load.
      - Code: Active code violations for address
  
- SEP – Requirements (inconsistent with previous use)
  - Apply for Special Events permit at [www.eventsmiamibeach.com](http://www.eventsmiamibeach.com) to be directed to the application link
  - Fees include an application fee of \$250 and a permit fee of \$250, payable to the City of Miami Beach
  - Permit can be issued for a maximum of 90 days, by the same applicant (*when applying choose a range of dates*)
  - Detailed description of activation
  - Must provide certificate of insurance
  - If activation includes the sale of food and beverage, applicant must obtain all applicable state regulatory requirements and file resort taxes with the city
  - Hours of operation must be inline with the intended use
  - Must provide a life floor plan of the space (safety plan for intended use) must denoting sq. ft., egress, exit lighting, etc.
    - INTERNAL REVIEWS:
      - Building to verify that new use can be associated with existing CO
        - When “no” – change of CO must be completed- can be done as walkthrough, providing as is plans and new use plans
      - Zoning review: previous BTR and active CO.
      - Fire Department: review life safety and issue temp occ. Load.
      - Code: Active code violations for address