

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: March 19, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING AND APPROVING REVISIONS TO THE SPECIAL EVENTS REQUIREMENTS AND GUIDELINES; SAID REVISIONS TO (1) EXTEND THE CURRENT TERM LIMIT ON POP-UP PERMITS FROM NINETY (90) DAYS TO NINE (9) MONTHS, WITH THE POSSIBILITY FOR PERMIT HOLDERS TO FURTHER EXTEND THE TERM TO ONE (1) YEAR, TO INCENTIVIZE BUSINESSES TO ACTIVATE VACANT STOREFRONTS, (2) ALLOW POTENTIAL RESTAURANTS AND BARS ON LINCOLN ROAD TO APPLY FOR POP-UP PERMITS TO ACTIVATE VACANT STOREFRONTS AND (3) ADD A SUGGESTED \$5,000 MINIMUM DONATION TO A PUBLIC BENEFIT FUND FOR EVENTS OCCUPYING MORE THAN 40,000 SQUARE FEET OF PUBLIC SPACE AND THAT CHOOSE A DONATION AS A RESIDENT BENEFIT.

### **RECOMMENDATION**

The Administration recommends that the Mayor and City Commission adopt the Resolution amending the Special Event Guidelines, to include an amendment to the current restriction for Pop-Up Permits from 90 days to nine (9) months, amend the Pop-Up permit guidelines to allow restaurants and bars to apply to activate Lincoln Road specific vacant storefronts, and add a \$5,000 minimum suggested donation to a resident benefit fund for events that occupy more than 40,000 square feet of public space if the donation option is chosen as the resident benefit.

### **BACKGROUND/HISTORY**

The City of Miami Beach hosts a wide variety of special events that enrich the community for both visitors and residents. To mitigate the ever-increasing demands made upon City resources and infrastructure, applicants are required to present proposed special event activities to potentially impacted neighborhood associations and appropriate City Departments to ensure that these events are compatible with the surrounding neighborhoods. This process assists in evaluating and assessing the City's resources, both in terms of personnel and use of public property and rights-of-way, to adequately protect the public safety, health, and welfare of the community.

Special events in the City of Miami Beach are also subject to review and recommendation by the corresponding neighborhood or business association(s) and/or as part of a monthly Special Events Community Review.

### **ANALYSIS**

The City continues to ensure the Special Event Guidelines, most recently revised by Resolution No. 2024-33112, reflect new regulations or requirements stemming from legislative action.

The following will describe revisions within their respective sections within the Guidelines:

## **Pop-Up Permits**

There are additional permit types found in the Special Event Guidelines, including Ceremony/Teambuilding permit, Brand Promotion/Temporary Sampling, and Pop-Up Permits.

Currently, per the Special Event Guidelines, Pop-Up Permits are issued for temporary retail spaces, to promote and sell products of all types, ranging from food and beverage, clothing, or unique gifts. The Pop-Up permit is valid for a maximum of 90 days of activation.

Any activation beyond the 90 days must be pursued through a Business Tax Receipt (BTR). The Pop-Up permit application is reviewed by Code Compliance to ensure the property does not have open violations, as well as the Fire and Building departments to ensure the structural and life safety requirements of the proposed location is met.

On May 15, 2024, at the request of Commissioner Alex Fernandez, and co-sponsored by Commissioner Tanya Bhatt, the Mayor and City Commission referred a discussion item (C4 AG) to the Land Use and Sustainability Committee ("LUSC") to discuss working with property owners with vacant retail commercial spaces to facilitate Pop-Ups for local cultural institutions and local start-up businesses.

On July 9, 2024, the Administration presented to the LUSC members a history of previous storefront activation initiatives. The presentation included previous challenges faced by the program, including the number of artists incentivized, the funding for each artist, and the lack of collaboration by property owners.

Staff further explained that the City's current Commercial Lease Subsidy program is meant to attract long-term tenants, not necessarily for pop-up activations. The item was continued to the January 2025 LUSC with direction to the Administration to further develop the proposal for vacant storefronts.

In FY 2022, a total of nine (9) Pop-Up Permits were issued. In FY 2023, the number of permits increased to fifteen (15) and in FY 2024, eleven (11) pop-up permits were issued. Finally, in FY 2025, seven (7) Pop-Up Permits have been issued as of the date of this memo. The locations are throughout the City, but primarily on Lincoln Road. The activation dates take place throughout the year.

On February 20, 2025, the Administration presented to the LUSC members updated recommendations to address vacant storefronts. After discussion, LUSC members voted with a favorable recommendation to revise the current Pop-Up permit restrictions, and amend the activation limit of 90 days, to a nine (9) month period. Additionally, Pop-Up permits could be further extended to a year, should the applicant show proof of application for a Conditional Use Permit (CU) and a BTR. This change aims to incentivize businesses to activate currently vacant storefronts. In addition, the Pop-Up permit guidelines would be amended to allow restaurants and bars to apply for Pop-Up Permits and activate Lincoln Road specific vacant storefronts.

## **Resident Benefit**

All special events on public property require a resident benefit, defined as a quantitative, tangible benefit to the residents and local community. Examples of Resident Benefits may include, but is not limited to:

- Discounted tickets (Miami Beach residents, seniors, youth, military, veterans, disabled and special needs)
- Special programming or standalone public performance
- Educational and/or cultural component/ programming
- Senior benefit or food drive - in partnership with Housing and Community Services
- Monetary Donation to a City's Public Benefit Fund
- Beach cleanup or dune restoration - monetary equivalent based on footprint and impact of event

To address the impact on the community by large scale events, the Administration is recommending a suggested minimum donation of \$5,000 to a public benefit fund for events occupying more than 40,000 square feet of public space, should the event choose that option as a Resident Benefit.

### **FISCAL IMPACT STATEMENT**

N/A

### **Does this Ordinance require a Business Impact Estimate?** (FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:  
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

### **FINANCIAL INFORMATION**

### **CONCLUSION**

The Administration recommends that the Mayor and City Commission adopt the Resolution amending the Special Event Guidelines, to include an amendment to the current restriction for Pop-Up Permits from 90 days to nine (9) months, amend the Pop-Up permit guidelines to allow restaurants and bars to apply to activate Lincoln Road specific vacant storefronts, and add a minimum suggested donation to a resident benefit fund for events that occupy more than 40,000 square feet of public space if the donation option is chosen as the resident benefit.

### **Applicable Area**

Citywide

### **Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?**

No

### **Is this item related to a G.O. Bond Project?**

No

### **Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

### **Department**

Tourism and Culture

### **Sponsor(s)**

Commissioner Alex Fernandez

### **Co-sponsor(s)**

Commissioner Tanya K. Bhatt

**Condensed Title**

Approve Amended Special Event Guidelines, Include Revisions to Pop-Up Permits. (AF/TB) TC

**Previous Action (For City Clerk Use Only)**