



Town of Surfside
Special Town Commission Meeting
AGENDA
Tuesday, March 14, 2023
5:30 PM
Commission Chambers

Rule 7.05 Decorum. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the commission shall be barred from further appearance before the commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the commission members present. No clapping, applauding, heckling or verbal outbursts in support or opposition to a speaker or his or her remarks shall be permitted. Signs or placards may be disallowed in the commission chamber by the presiding officer. Persons exiting the commission chambers shall do so quietly.

Rule 6.06 (a)3 Agenda. The good and welfare portion of the agenda set for 8:15 p.m. shall be restricted to discussion on subjects not already specifically scheduled on the agenda for discussion and debate. In no event shall this portion of the agenda be allotted more than 45 minutes with each speaker to be given no more than three minutes, unless by vote of a majority of the members of the commission present, it is agreed to extend the time frames. Likewise, commission members shall be restricted to speaking three minutes each unless an extension is granted in the same manner as set forth in the prior sentence.

Any person who received compensation, remuneration or expenses for conducting lobbying activities is required to register as a lobbyist with the Town Clerk prior to engaging in lobbying activities per Town Code Sec. 2-235. "Lobbyist" specifically includes the principal, as defined in this section, as well as any agent, officer or employee of a principal, regardless of whether such lobbying activities fall within the normal scope of employment of such agent, officer or employee. The term "lobbyist" specifically excludes any person who only appears as a representative of a not-for-profit community-based organization for the purpose of requesting a grant without special compensation or reimbursement for the appearance; and any person who only appears as a representative of a neighborhood, homeowners or condominium association without compensation for the appearance, whether direct or indirect or contingent, to express support of or opposition to any item.

Per Miami Dade County Fire Marshal, the Commission Chambers has a maximum capacity of 99 people. Once this capacity has been reached, people will be asked to watch the meeting from the first floor.

1. Opening

1.A Call to Order

1.B Roll Call of Members

1.C Pledge of Allegiance

2. Mayor, Commission and Staff Communication

2.A Public Safety in Downtown Business District and Beach - Mayor Shlomo Danzinger

2.B Byron Avenue Traffic Issue - Mayor Shlomo Danzinger [byron-ave-proposal.pdf](#)

2.C Discuss Current Town Zoning and Potential Impacts of Senate Bill 102 (2023) and House Bill 627 (2023) - Commissioner Nelly Velasquez

2.D Zoning Code Correction - Garage Conversion Criteria - Vice Mayor Jeff Rose [Governing Code: Sec. 90.50-Architecture and roof decks.docx](#)

2.E Violations for Illicit Discharges and Improper Sediment and Erosion Control on Construction Sites - Commissioner Fred Landsman

3. Adjournment

Respectfully submitted,

Hector R. Gomez
Acting Town Manager

THIS MEETING IS OPEN TO THE PUBLIC. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS THAT ARE DISABLED; WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS MEETING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE TOWN CLERK AT 305-861-4863 EXT. 226 NO LATER THAN FOUR DAYS PRIOR TO SUCH PROCEEDING.

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 286.0105, FLORIDA STATUTES, ANYONE WISHING TO APPEAL ANY DECISION MADE BY THE TOWN OF SURFSIDE COMMISSION, WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD SHALL INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

AGENDA ITEMS MAY BE VIEWED AT THE OFFICE OF THE TOWN CLERK, TOWN OF SURFSIDE TOWN HALL, 9293 HARDING AVENUE. ANYONE WISHING TO OBTAIN A COPY OF ANY AGENDA ITEM SHOULD CONTACT THE TOWN CLERK AT 305-861-4863. A COMPLETE AGENDA PACKET IS ALSO AVAILABLE ON THE TOWN WEBSITE AT www.townofsufsidefl.gov.

TWO OR MORE MEMBERS OF THE TOWN COMMISSION AND/OR TOWN BOARDS MAY ATTEND THIS MEETING.

THESE MEETINGS MAY BE CONDUCTED BY MEANS OF OR IN CONJUNCTION WITH COMMUNICATIONS MEDIA TECHNOLOGY, SPECIFICALLY, A TELEPHONE CONFERENCE CALL. THE LOCATION 9293 HARDING AVENUE, SURFSIDE, FL 33154, WHICH IS OPEN TO THE PUBLIC, SHALL SERVE AS AN ACCESS POINT FOR SUCH COMMUNICATION.



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DISCUSSION ITEM MEMORANDUM

Agenda #: 2.A

Date: March 14, 2023

From: Mayor Shlomo Danzinger

Subject: Public Safety in Downtown Business District and Beach

Suggested Action: – To facilitate the recruitment of three (3) Public Safety personnel, it is recommended that the Commission approves a budget amendment and allocates funds from the Tourist Resort Fund. This will enable the Town to initiate the lengthy hiring process in a timely manner.

Background/Analysis: – The Town of Surfside is a community that receives a high volume of tourists each year. This is because it is located in Miami-Dade County which is a world renowned tourist destination. The Town encourages tourism as it brings a positive economic impact but as tourism grows, Public Safety for both business owners and visitors needs to grow as well. Our Police Department does a good job at trying to have a presence in high tourist areas such as the beach and Downtown District; but crime and other illegal activities now require a more permanent presence for the enjoyment of all.

One of the primary challenges facing Surfside is the issue of downtown congestion, particularly along Harding Avenue between 96th and 95th Streets. Although the police department has taken measures to curb parking violations such as double parking and vehicle abandonment, a full-time police presence is required to ensure public safety and facilitate the smooth flow of traffic. This has become all the more important in light of the increased volume of tourists that Surfside has witnessed in recent years.

Furthermore, Surfside's most valuable asset is its proximity to the beach, which attracts a large number of visitors and tourists. Unfortunately, the town lacks the resources to effectively monitor the beach and address the ongoing safety concerns. It is imperative that both residents and visitors feel secure when enjoying the beach in our community.

Given the potentially time-consuming nature of the hiring process, it is of utmost importance that the commission expeditiously approves a budget amendment and allocates the requisite funds to enable the Town to commence recruitment proceedings.



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DISCUSSION ITEM MEMORANDUM

Agenda #: 2.B

Date: March 14, 2023

From: Mayor Shlomo Danzinger

Subject: Byron Avenue Traffic Issue

Suggested Action: – For the commission to direct the Town Manager to implement the changes as proposed (in the attachment), opening up an additional lane on Byron Ave to better facilitate the current volume of traffic.

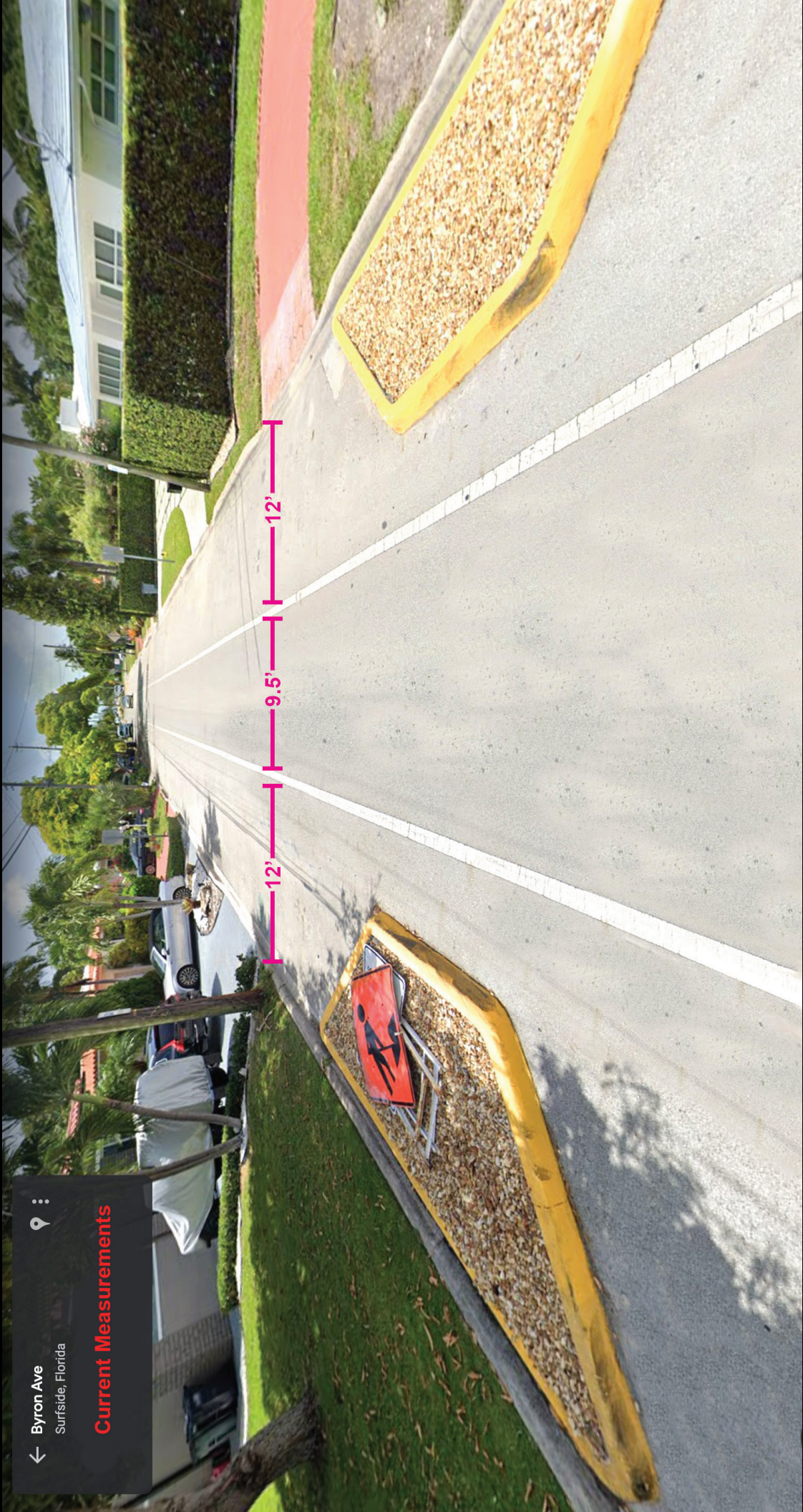
Background/Analysis: – The recent traffic management measures introduced by the town have resulted in a bottleneck along Byron Avenue, specifically between 95th Street and 96th Street. The excessive number of vehicles during peak hours has caused a long queue of cars, which is hindering the movement of right-turning vehicles. The existing street layout is inadequate to accommodate the high volume of traffic.

Upon observing that the town has allocated a substantial 12 feet of space for parking on either side of the street, a proposition has been put forward to address the issue. This involves removing the 12-foot parking on one side of the street and utilizing the space to construct a 5-foot pedestrian walkway. The parking on the other side would be reduced to a standard 8 feet, creating sufficient room for two 10-foot vehicular traffic lanes.



← Byron Ave
Surfside, Florida

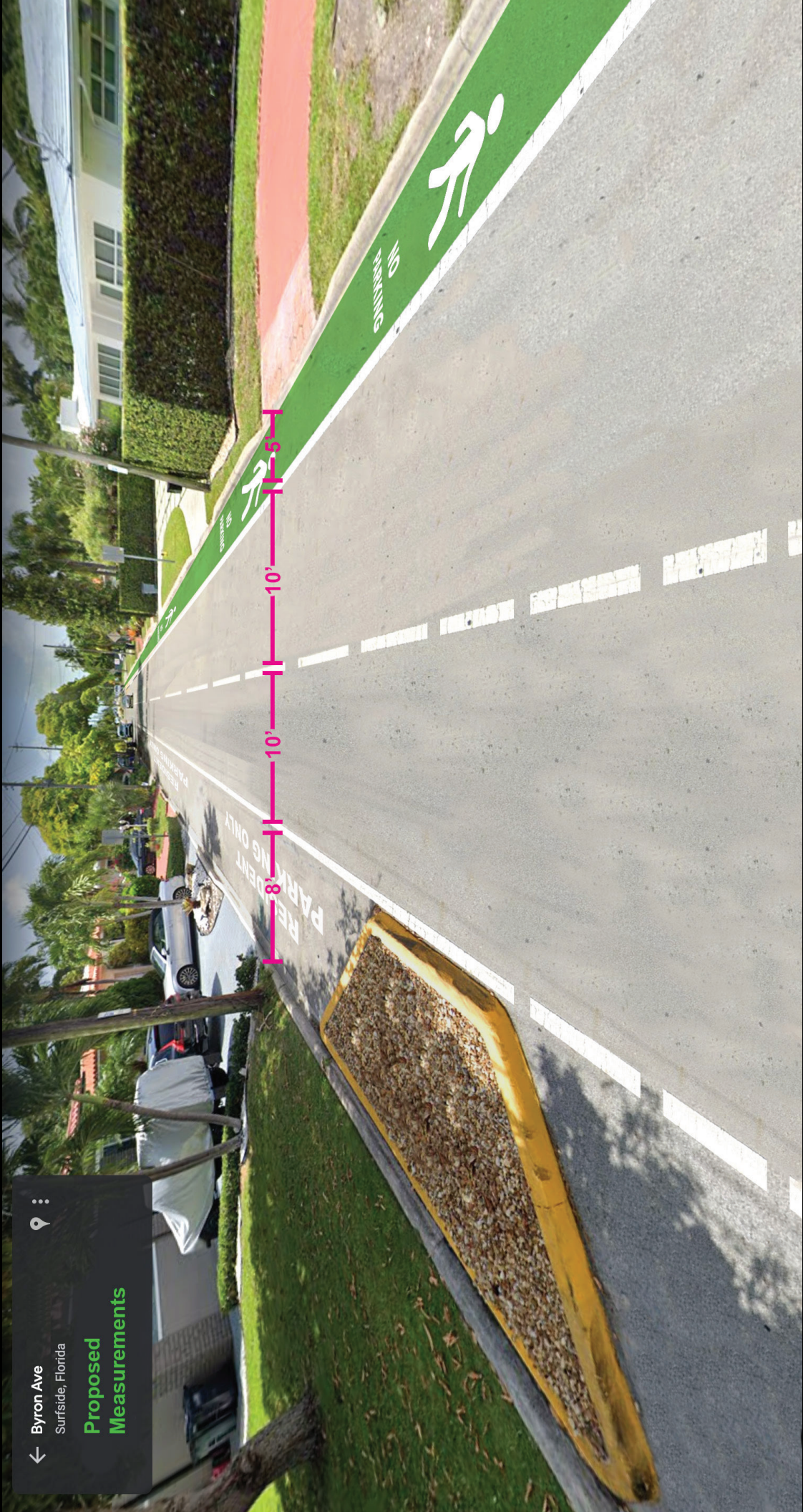
Current Measurements



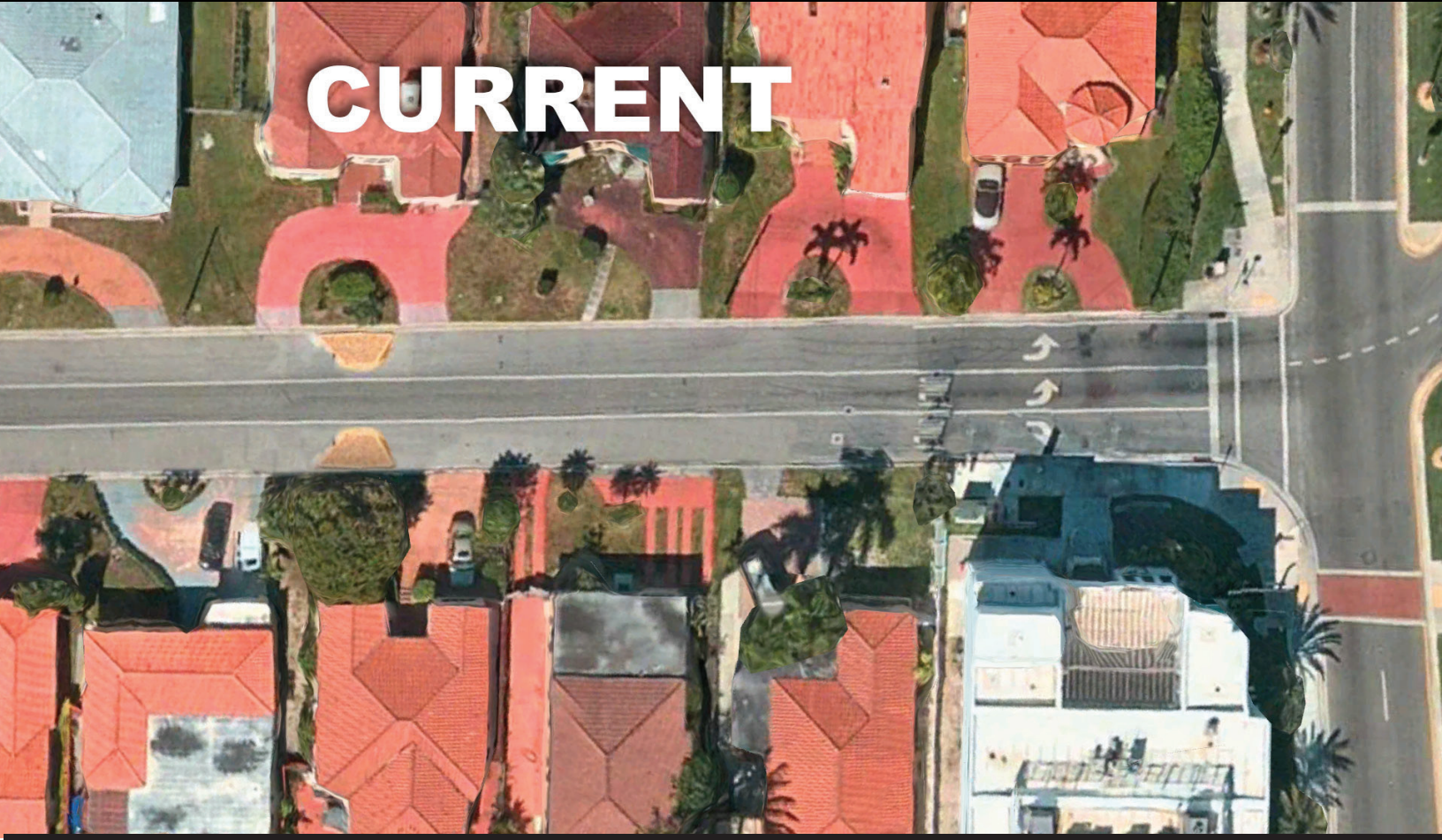


← Byron Ave
Surfside, Florida

Proposed Measurements



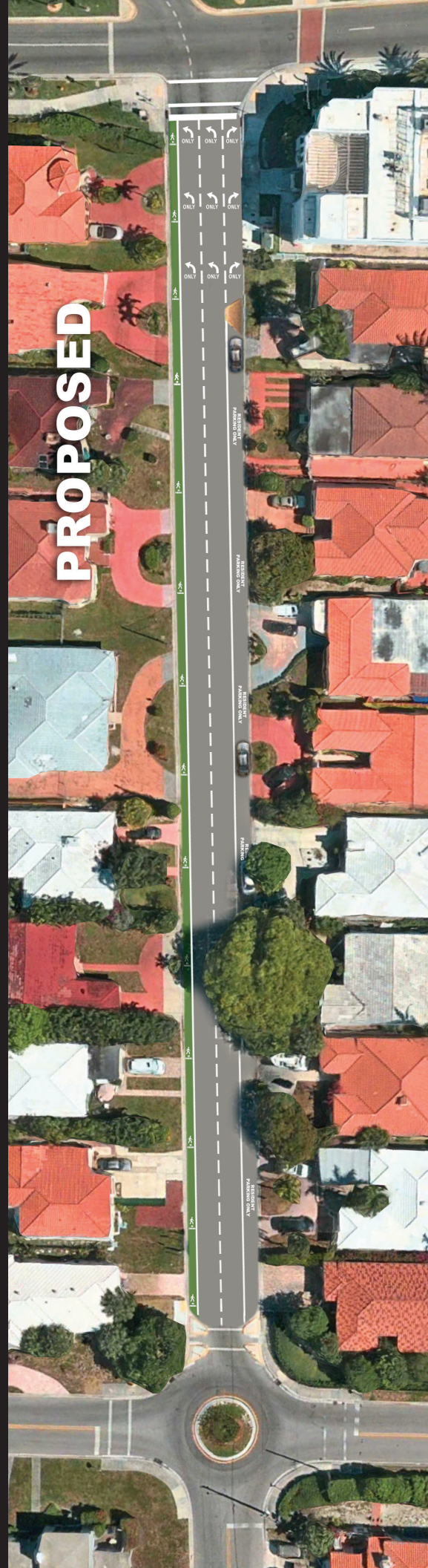
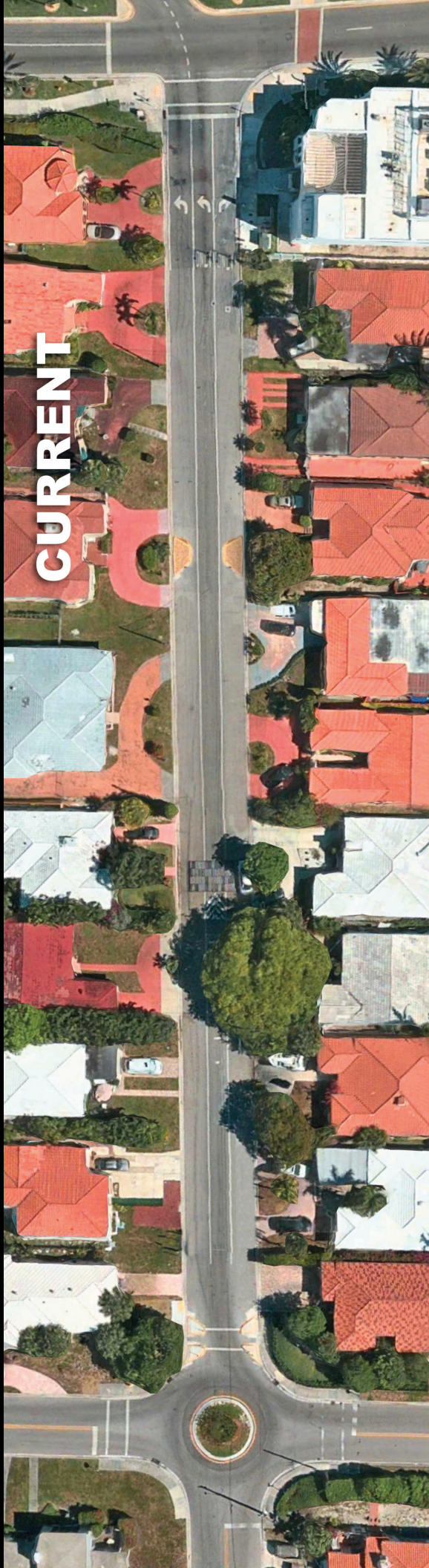
CURRENT



PROPOSED









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DISCUSSION ITEM MEMORANDUM

Agenda #: 2.C

Date: March 14, 2023

From: Commissioner Nelly Velasquez

Subject: Discuss Current Town Zoning and Potential Impacts of Senate Bill 102 (2023) and House Bill 627 (2023)

Suggested Action: – The Town Commission to discuss potential zoning changes that will safeguard various zoning and special districts that would be impacted from Senate Bill 102 (2023) and House Bill 627 (2023).

Background/Analysis: – During the February 2023 General Commission meeting, the Town Commission approved a resolution in opposition to Senate Bill 102 (2023) and House Bill 627 (2023) as it could have a negative impact to the community by allowing increased height and density for certain zoning districts. The Town Commission should consider changes to the code to block the bills impact if they become law.



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DISCUSSION ITEM MEMORANDUM

Agenda #: 2.D

Date: March 14, 2023

From: Vice Mayor Jeff Rose

Subject: Zoning Code Correction - Garage Conversion Criteria

Suggested Action: – The Town Commission should provide direction on the addition of window style and location criteria for a garage conversion in order to remove this item from the purview of the Planning and Zoning Board.

Background/Analysis: – At the Joint Town Commission and Planning and Zoning meeting on January 31st, 2023 participants expressed the desire to add garage conversion to the list of projects that do not require Planning and Zoning Board review. Converting a garage from storage to habitable living space requires only a minimal architectural change to the design of the home. At the February 23rd, 2023 Planning and Zoning Board meeting the board members recommended adding additional design criteria to give Town Staff more thorough direction for garage conversions. Board members suggested adding language to the Zoning Code that requires that the window installed on the former garage door be in line with the existing front façade windows and that the style be consistent across the full façade of the home. The appearance of consistency can be achieved by providing windows that are consistent in location and size.

The Zoning Code requires; "At least one window shall be provided.". The Planning and Zoning Board would suggest altering this language to the following: At least one window, consistent in style, dimension and placement to the other wall openings at the same façade, shall be provided.

See the highlighted section in the attached section of the Zoning code for the present language.

Sec. 90-50. Architecture and roof decks.

90-50.1 Architecture.

- (1) Elevation and facade articulation variations.
 - a. The architectural design of proposed main buildings shall create a unique elevation compared to the main buildings of the adjacent two buildings on each side of the subject property on the same side of street. If the adjacent lot is vacant then the next adjacent lot shall be utilized. A unique elevation shall be created through the modulation of at least three of the following architectural features:
 1. Length, width and massing of the structure;
 2. Number of stories;
 3. Facade materials;
 4. Porches and other similar articulation of the front facade;
 5. Number and location of doors and windows; and
 6. Roof style and pitch.
- (2) In the H30C, H40 and H120 districts: when more than one building is provided, buildings shall be designed in such a way that they are not monotonous.
- (3) All elevations for new structures and multi-story additions (additions greater than 15 feet in height) shall provide for a minimum of ten-percent wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades per story.
- (4) All elevations for single story additions to existing structures shall result in a zero percent net loss of wall openings including windows, doors or transitional spaces defined by porches, porticoes or colonnades.
- (5) Roof materials are limited as follows:
 - a. Clay tile; or
 - b. White concrete tile; or
 - c. Solid color cement tile which color is impregnated with the same color intensity throughout, provided said color is granted design review approval by the planning and zoning board;
 - d. Architecturally embellished metal; or
 - e. Other Florida Building Code approved roof material(s) if granted design review approval by the planning and zoning board.
- (6) Garage facades. Attached garages located at the front of a single family home shall not exceed 50 percent of the overall length of the facade.
- (7) **Converting single-family attached garages. When an attached garage is converted for any other use, the garage door or doors may be replaced by a solid exterior wall and access to the former garage area must be provided from the main premises, in addition to any other permitted access. At least one window shall be provided. If the garage entrance is located at the front or primary corner of the property, landscaping shall be provided along the base of the new exterior wall. When the installation of landscaping results in insufficient off-street parking, a landscaped planter shall be permitted in lieu of the required landscaping. It is intended hereby to prohibit and prevent any violation of the single-family classification and to minimize the burden upon the administrative forces of the town in policing**

and enforcing the provisions hereof. Changes to the appearance of the residence shall not constitute a change prohibited by the "home office" provision of this Code. If the exterior door of the garage conversion is no longer level with grade, stairs may be installed and the exterior door must be accordingly corrected to comply with the Florida Building Code. The stairs shall be permitted to encroach no more than 24 inches into the side or rear setbacks.

- (8) Notwithstanding the foregoing, some of the architecture provisions in this section, while specific to zoning districts H30A and H30B, may also be applicable to single family homes in other zoning districts.
- (9) Paint colors. Structures in the H30A and H30B zoning districts shall be permitted to be painted the four lightest colors for the structure's primary color on the color swatch on file in the building department. All other colors may be accent colors. A paint swatch shall be submitted to the building department for approval by the town manager or designee. The planning and zoning board shall make a design determination in cases of uncertainty.

90-50.2 Roof deck provisions.

- (1) Roof decks shall be permitted in all zoning districts.
- (2) For properties designated H30A and H30B, roof decks area limited as follows:
 - a. Exterior and interior stairs shall be permitted.
 - b. No extension of stairs shall be permitted over the 30-foot height limitation of the building.
 - c. Roof decks shall provide ten-foot setbacks on the sides and rear of the building.
- (3) For properties designated H30C, H40, H120, SD-B40 and MU, roof decks are limited to:
 - a. A maximum of seventy (70) percent of the aggregate roof area;
 - b. Shall not exceed the maximum roof height required by any abutting property's zoning designation;
 - c. Shall be setback from the roofline at least ten feet on all sides to provide for minimal visibility of roof decks from any public way, except on properties designated SD-B40; and
- (4) All roof decks added to existing buildings shall be inspected by a registered structural engineer and registered architect, who shall address in writing to the building official the following issues:
 - a. How will the existing roofing system be protected or replaced to allow for the new use;
 - b. Structural support strategies for any increase in live loads and dead loads;
 - c. Compliance with applicable ADA requirements;
 - d. Location of plumbing and mechanical vent stacks, fans and other appurtenances;
 - e. Egress design compliance per the Florida Building Code and the Florida Fire Prevention Code;
 - f. Added occupancy and servicing restroom facilities; and
 - g. All other issues applicable in the Florida Building Code.
- (5) All work performed on an existing roof deck to allow for occupancy shall be considered a change of use and shall require both a permit and a certificate of occupancy.

(Ord. No. 1514, § 2, 4-14-09; Ord. No. 1558, § 2(Exh. A), 8-10-10; Ord. No. 1605, § 2, 8-13-13; Ord. No. 1614, § 2, 2-11-14; Ord. No. 1627, § 2, 12-9-14; Ord. No. 1629, § 2, 2-10-15; Ord. No. 1637, § 2, 8-11-15 ; Ord. No. 1638, § 2, 10-3-15 ; Ord. No. 2016-1642, § 2, 1-12-16 ; Ord. No. 18-1689 , § 2, 9-12-18)



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DISCUSSION ITEM MEMORANDUM

Agenda #: 2.E

Date: March 14, 2023

From: Commissioner Fred Landsman

Subject: Violations for Illicit Discharges and Improper Sediment and Erosion Control on Construction Sites

Suggested Action: – Seeking Town Commission consensus to task the Town Manager to bring back an ordinance for first reading that addresses civil penalties for construction sites that are illegally discharging in public storm drains and are not maintaining proper sediment and erosion control.

Background/Analysis: – With increased construction in the Town and new Florida Department of Environmental Protection (FDEP) that is requiring municipalities to have ordinance to enforce illegal discharges and improper sediment and erosion control on construction sites, Town administration needs a code compliance resource to issue penalties to construction sites not complying with sediment and erosion control standards.

Illegal discharges and improper sediment and erosion control on construction sites leads to contamination of natural bodies of water, is a nuisance to neighboring properties and requires additional upkeep by the Town to clean up and follow up.