



TOWN OF CUTLER BAY NOTICE OF AMENDMENTS TO CHAPTER 3 LAND DEVELOPMENT REGULATIONS TO CHANGE THE LIST OF PERMITTED CONDITIONAL AND PROHIBITED USES

NOTICE IS HEREBY GIVEN that the Town Council of the Town of Cutler Bay, Florida, will hold a public hearing on **Wednesday, March 21, 2018 at 7:00 p.m.**, or as soon thereafter as possible, in the Town Council Chambers, 10720 Caribbean Boulevard, Cutler Bay, Florida to consider the adoption of the Ordinance described below.

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AMENDING CHAPTER 3 LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES BY AMENDING SECTION 3-58 NC, NEIGHBORHOOD CENTER DISTRICT, SECTION 3-59 TRC, TRANSIT CORRIDOR DISTRICT, AND SECTION 3-60 TC, TOWN CENTER DISTRICT TO CHANGE THE LIST OF PERMITTED CONDITIONAL AND PROHIBITED USES TO ADDRESS PHARMACIES AND MEDICAL MARIJUANA DISPENSERIES AND TO PROVIDE CERTAIN REGULATIONS FOR SUCH USES; AND BY AMENDING SECTION 3-261, DEFINITIONS, TO PROVIDE NEW DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

The Town Council may continue or defer the hearing to a new date and time certain without further notice provided the date and time of the continuance or deferral is announced at the hearing. The Ordinance in its entirety may be inspected at the Office of the Town Clerk during regular business hours.

Persons wishing to appeal any decision made by the Town Council, with respect to any matter considered at such 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 includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Any and all interested parties may appear at the above meeting and be heard with respect to the proposed items.

In accordance with the Americans with Disabilities Act of 1990 (ADA), persons needing special accommodations to participate in these proceedings should contact the Town Clerk's Office for assistance at (305) 234-4262 no later than four (4) business days prior to such proceeding.

Debra E. Eastman, MMC
Town Clerk

MIAMI BEACH

City backs off 'knee-jerk' reaction to kiteboarding

BY TARPLEY HITT
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In a unanimous vote Wednesday, the Miami Beach City Commission left most of the beach open to experienced kiteboarders, backing off what one commissioner called a “knee-jerk” reaction to restrict the sport along the waterfront.

Before a roomful of kiteboarders in blazers and tinted sunglasses, the commission set new rules: No kiteboarding south of 24th Street, or between 25th and 29th streets, where the beach is severely eroded and home to high-occupancy condos.

But a small patch at 25th Street and everything north of 29th Street will be fair

game — as long as the kites steer clear of swimming zones and are certified level-three riders.

All beginning kiteboarders will have to take their lessons at the designated learning beach on 76th Street, commissioners said, where Bouchet Brothers concessionaire has its stand, the Kite Shop, offering equipment, apparel and lessons.

The motion settled a months-long battle between boarders, local residents, and public officials. Historically, kiteboarding has not been strictly regulated on Miami Beach, but an angry complaint letter lodged in October by someone who had been hit by a kite brought the sport to the attention of the city.

After the city received the letter, Ocean Rescue installed a lifeguard tower at 26th Street, turning the kites' favorite launch spot into a swimming zone. One of the city's few restrictions on kiteboarding prohibits the activity within 400 feet of a lifeguard tower.

“There was one accident, and safety officials responded with a knee-jerk reaction,” Commissioner John Elizabeth Aleman said. “Lifeguard towers are for swimming safety, not kiteboard enforcement.”

In addition to determining where kiteboarders could legally practice their sport, the resolution included three safety regulations, proposed by the kites themselves.

● Kites must stay 200 feet

from shore at all times.

● Kites must stay 50 feet from swimmers at all times.

● Kites can use the beach only for launching and landing.

Now that regulations have been determined, city staff will draft a plan to figure out who will enforce them.

After the commission voted, two dozen boarders filed out of the room, cheering and clapping each other on the back.

The only person who voiced unhappiness was Francisco Escudero, an 18-year kitesurfer who helped found the Miami Beach Kiteboarding Foundation, the nonprofit that established the safety regulations.

Escudero runs Skybanditz Kiteboarding and said he was pleased that recreational kiteboarding would continue along Miami Beach, but that limiting lessons to the 76th street area would give The Kite Shop a monopoly on instruction.

POLITICS

Florida lawmakers to force four Miami politicians to resign to run for Congress

BY DAVID SMILEY
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State lawmakers just put five Miami congressional candidates in a pickle.

On Wednesday, the Florida House voted 87-27 in favor of a bill that would force local and state elected officials to resign their seats in order to campaign for a federal office should the new term overlap with the old. With the Florida Senate having already passed the bill, it is now headed to Gov. Rick Scott, whose office says he'll review the legislation.

If Scott signs the bill into law, he forces nearly a half-dozen local and state lawmakers to choose between holding onto the sure thing and taking the risk of run-

ning for the congressional seat that Ileana Ros-Lehtinen is giving up to retire. The bill, which seeks to reverse a loophole created years ago to help then-Republican Gov. Charlie Crist run for the U.S. Senate, requires candidates to submit a resignation no later than 10 days before the qualifying deadline to run for federal office.

For congressional candidates, that forces a drop-dead decision near the end of April. Qualifying deadline is May 4. The resignation must be effective either the day that the candidates take their new office, or when the person elected to replace them in their old job would need to be sworn in, whichever is earlier.

Anyone who qualifies to

run for federal office and doesn't resign is removed from the position they hold.

All five candidates in the race who stand to be affected told the Miami Herald in January that they intend to continue their campaigns: Miami-Dade Commissioner Bruno Barreiro on the Republican side, and State Rep. David Richardson, State Sen. José Javier Rodríguez, Miami Beach Commissioner Kristen Rosen Gonzalez and Miami Commissioner Ken Russell among Democrats.

Three of the five said Wednesday night that nothing had changed, and they'll either resign or, in Richardson's case, decline to seek reelection. Russell did not immediately respond.

“I'm in the race all the

way,” said Barreiro, the lone Republican affected by the expected change in law.

Rosen Gonzalez confirmed she intends to file a legal challenge to block the law from taking effect.

“Our campaign will challenge Tallahassee's unfair decision on behalf of all the candidates who are elected officials,” she said.

The law is ostensibly intended to save the state money by reducing the domino effect created when politicians jump from one seat to another, requiring expensive special elections. But the law will also force open Rodriguez's Senate District 37, a swing district Republicans will try to claim if he runs for Congress.

Rodriguez said he intends to campaign for the Democrat seeking to replace him while running for Congress.

“Making sure the Democrats hold 37 has been a key part of this process,” he said. “This is not taking anybody by surprise.”

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