

**CCC Civic & Convention Center District Hotel
Setback Regulations & Mechanical Parking**

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED, "DISTRICT REGULATIONS," DIVISION 7, ENTITLED "CCC CONVENTION CENTER DISTRICT," SECTION 142-366, ENTITLED "SETBACK REQUIREMENTS," TO MODIFY THE DEVELOPMENT REGULATIONS PERTAINING TO SETBACK REQUIREMENTS TO ACCOMMODATE THE DEVELOPMENT OF A CONVENTION HOTEL; BY AMENDING CHAPTER 130 OF THE CITY CODE, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-38, ENTITLED "MECHANICAL AND ROBOTIC PARKING SYSTEMS," TO CREATE AN EXEMPTION FROM PLANNING BOARD REVIEW, IN ORDER TO ALLOW MECHANICAL PARKING IN THE CCC CIVIC & CONVENTION CENTER DISTRICT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commission desire to promote economic development within the City of Miami Beach (the "City") by attracting a more robust mix of conferences and conventions to the Miami Beach Convention Center ("MBCC" or "Convention Center"), including "fly-in" conferences and conventions drawing national and international attendance, which would reduce the MBCC's reliance on "drive-in" events that primarily attract local/commuter attendance; and

WHEREAS, in support of the foregoing and in an effort to maintain the competitiveness of the Convention Center as a local and regional asset that supports the South Florida tourism economy, the City is in the process of completing the Miami Beach Convention Center Renovation and Expansion Project (the "MBCC Renovation Project"), a public construction project that includes a complete renovation of the MBCC, expansion of ballroom and auxiliary spaces, parking above portions of the MBCC, exterior landscaping and creation of a six (6) acre public park; and

WHEREAS, in addition to, and separate from, the MBCC Renovation Project, the City desires to attract more "fly-in" conferences and conventions to the MBCC through the development of a convention headquarter hotel that is (i) entirely privately-funded; (ii) sufficiently close to the Convention Center to serve as an "on-site" hotel option for conference attendees, and (iii) large enough to provide the group room blocks necessary to support and secure national and international conferences and conventions at the Convention Center; and

WHEREAS, on November 19, 2014, the Mayor and City Commission adopted Resolution No. 2014-28836, approving and authorizing the City to execute an Amended and Restated Interlocal Cooperation Agreement between the City and Miami-Dade County ("County"), pursuant to which, in recognition that a convention hotel in the proximity of the Convention Center will generate additional Convention Development Tax ("CDT") and resort tax revenues, the County agreed to provide the City with up to \$1,500,000 per year in an additional allocation of CDT revenues once a convention hotel opens, with such additional payments to the City continuing annually until 2048; and

WHEREAS, on April 13, 2016, the Mayor and City Commission established the Mayor's Ad Hoc Blue Ribbon Steering Committee on the Convention Center Hotel (the "Committee"), chaired by Commissioner Ricky Arriola and vice-chaired by Commissioner Kristen Rosen Gonzalez; and

WHEREAS, on February 14, 2018, the Mayor and City Commission considered the Committee's report regarding potential options for a Convention Center Hotel development, including options with respect to a proposed Hotel's location, size, height, and related issues such as traffic mitigation, and directed the Administration to prepare a Request for Proposals; and

WHEREAS, on May 16, 2018, the Mayor and City Commission approved Resolution No. 2018-30310, authorizing the issuance of an RFP for the Convention Center Hotel for a lease of the approximately 2.6 acre site located adjacent to the Convention Center; and

WHEREAS, on May 17, 2018, the City issued Request for Proposals No. 2018-238-KB for the Development of a Convention Headquarter Hotel Adjacent to the Miami Beach Convention Center (the "RFP"); and

WHEREAS, on July 25, 2018, the Mayor and City Commission adopted Resolution No. 2018-30425, approving a Development and Ground Lease Agreement with MB Mixed Use Investment, LLC ("Miami Beach Connect"), for the development and operation of a privately-funded convention hotel and related amenities, with a lease term of 99 years; and

WHEREAS, on November 6, 2018, the City's voters approved the convention hotel lease; and

WHEREAS, the amendments set forth herein are intended to accommodate the proposed convention hotel in the CCC Civic and Convention Center District.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Chapter 142 of the City Code, entitled "Zoning Districts and Regulations," Article II, entitled "District Regulations," Division 7, entitled "CCC Civic and Convention Center District," Florida is hereby amended as follows:

CHAPTER 142
ZONING DISTRICTS AND REGULATIONS

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**ARTICLE II
DISTRICT REGULATIONS**

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Division 7. - CCC Civic and Convention Center District

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Sec. 142-366. - Setback requirements.

(a) Other than the minimum setbacks set forth in subsections (b) and (c) below, the development regulations (setbacks, floor area ratio, signs, parking, etc.) shall be the average of the requirements contained in the surrounding zoning districts as determined by the planning and zoning director. Setback regulations for parking lots and garages when they are the main permitted use are listed in subsection 142-1132(n).

(b) The subterranean, pedestal, and tower setback requirements for a hotel use shall be as follows:

- 1) Fronting 17th Street: 10 feet at ground level; 0 feet above 15 feet in height, as measured from grade. Additionally, there shall be no permanent encroachments within this 10 foot setback at the ground level, including, but not limited to, columns, raised platforms, raised terraces, and raised porches. This prohibition on encroachments shall not apply to stairs and accessibility ramps, including associated hand rails.
- 2) Fronting Convention Center Drive: 10 feet at ground level; 0 feet above 15 feet in height, as measured from grade. Additionally, there shall be no permanent encroachments within this 10 foot setback at the ground level, including, but not limited to, columns, raised platforms, raised terraces, and raised porches. This prohibition on encroachments shall not apply to stairs and accessibility ramps, including associated hand rails.
- 3) Interior Side: five (5) feet
- 4) Rear: zero (0) feet

(c) Balcony projections setback requirement for a hotel use: zero (0) feet.

SECTION 2. Chapter 130 of the City Code, entitled "Off-Street Parking," Article II, entitled "Districts; Requirements," is hereby amended as follows:

**CHAPTER 130
OFF-STREET PARKING**

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**ARTICLE II
DISTRICTS; REQUIREMENTS**

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Sec. 130-38. - Mechanical and robotic parking systems.

(1) Definitions.

- (a) *Mechanical parking* means mechanical parking lifts, robotic parking systems, and/or vehicle elevators.
- (b) *Mechanical parking lift* means an automated mechanism that lifts vehicles to make space available to park other vehicles below it in a vertical tandem fashion.
- (c) *Robotic parking system* means a mechanical garage using elevator systems to hoist individual vehicles from receiving areas to separate auto storage areas.
- (d) *Vehicle elevator* means an elevator used for motor vehicles in lieu of ramps within a parking structure.

(2) Parking spaces to be used to satisfy accessory off-street parking requirements must conform to the provisions of article III "design standards" of this chapter, with respect to all-weather surface area, minimum parking space dimensions, drive width, interior aisle width, and required markings. Therefore, the use of mechanical parking devices, robotic parking systems and vehicle elevators to satisfy accessory off-street parking requirements shall not be permitted, except as hereinafter provided.

* * *

(3A) Mechanical parking shall be permitted for hotels within the CCC Civic & Convention Center District as an exception to the mechanical parking prohibition, subject to the applicable review criteria of section 130-38(7).

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(7) The proposed use of mechanical parking systems, including mechanical parking lifts, robotic parking systems or vehicular elevators, for any type of development or improvement, including, but not limited to, vehicle storage, whether proposed under the provisions of section 130-38, or any other section of the City Code, shall require compliance with the provisions of subsections 130-38(4) and 130-38(5), and, with the exceptions of mechanical parking used to provide parking on a property containing less than 20 units and hotels within the CCC Civic & Convention Center District, shall require the review and approval of the planning board, pursuant to the conditional use process in chapter 118, article IV of the Code.

SECTION 3. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 4. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 5. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this _____ day of _____, 2019.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

First Reading: July 17, 2019
Second Reading: September 11, 2019

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

City Attorney Date

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