

MXE Hotel Unit Size For Ground Floor Additions

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 13, ENTITLED "MXE MIXED USE ENTERTAINMENT DISTRICT," AT SECTION 142-545, ENTITLED "DEVELOPMENT REGULATIONS," TO MODIFY THE UNIT SIZE REQUIREMENTS FOR NEW HOTEL UNITS IN GROUND FLOOR ADDITIONS TO CONTRIBUTING STRUCTURES IN HISTORIC DISTRICTS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the "City") has the authority to enact laws which promote the public health, safety, and general welfare of its citizens; and

WHEREAS, City staff have determined that variances are routinely obtained from the minimum unit size requirements for hotel additions to contributing structures in historic districts; and

WHEREAS, the approval of such variances has no negative impact on surrounding areas; and

WHEREAS, the City has determined that amendments to the land development regulations to reduce the need for such variances are warranted; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

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

Section 1. Chapter 142, entitled "Zoning Districts and Regulations," Article II, entitled "District Regulations," at Division 13, entitled "MXE Mixed Use Entertainment District," is hereby amended as follows:

CHAPTER 142 - ZONING DISTRICTS AND REGULATIONS

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ARTICLE II. - DISTRICT REGULATIONS

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DIVISION 13. -MXE Mixed Use Entertainment District

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Sec. 142-545. - Development regulations.

The development regulations in the MXE mixed use entertainment district are as follows:

Maximum Floor Area Ratio	Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Unit Size (Square Feet)	Average Unit Size (Square Feet)	Maximum Building Height (Feet)
<p>All uses—2.0 Except convention hotel development (as set forth in section 142-841)—3.5</p>	<p>N/A</p>	<p>N/A</p>	<p>Existing structures: Apartment units—400 Non-elderly and elderly low and moderate income housing—400 Workforce housing—400 Hotel units—in a local historic district/site—200 Otherwise: 15%: 300—335 85%: 335+ New construction: Apartment units—550 Hotel units: 15%: 300—335 85%: 335+ . Hotel units within rooftop additions or <u>within ground level additions</u> to contributing structures in a historic district and individually designated historic buildings—200.</p>	<p>Existing structures: Apartment units—550 Hotel units—N/A New construction: Apartment units—800 Hotel units—N/A</p>	<p>Architectural district: Oceanfront—150 Non-oceanfront—50 (except as provided in section 142-1161) All other areas—75 (except as provided in section 142-1161) Notwithstanding the above, the design review board or historic preservation board, in accordance with the applicable review criteria, may allow up to an additional five feet of height, as measured from the base flood elevation plus maximum freeboard, to the top of the second floor slab.</p>

SECTION 2. Repealer.

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

SECTION 3. 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 4. Severability.

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

SECTION 5. Effective Date.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this ____ day of _____, 2020.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

Rafael E. Granado

City Attorney

1-2-20

Date

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First Reading: January 15, 2020.

Second Reading: February 12, 2020

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