

Rooftop Additions in the CD-3 District

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, FLORIDA, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 5, "HEIGHT REGULATIONS," BY AMENDING SECTION 142-1161, ENTITLED "HEIGHT REGULATION EXCEPTIONS," TO MODIFY THE REGULATIONS GOVERNING ROOFTOP ADDITIONS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commission desire to encourage innovative and compatible redevelopment of existing historic structures in the area zoned CD-3 that is bounded by Collins Avenue on the east, Drexel Avenue on the west, 16 Street on the south, and 17 Street on the north; and

WHEREAS, thoughtfully designed additions to historic structures in this area will contribute to the economic vitality of the Lincoln Road pedestrian mall and the Miami Beach Convention Center; and

WHEREAS, the Mayor and City Commission desire to incentivize the preservation of, and improvements to, historic structures in this area of the City.

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

SECTION 1. Chapter 142, "Zoning Districts and Regulations," Article IV, "Supplementary District Regulations," Division 5, "Height Regulations," Section 142-1161 is hereby amended as follows:

**CHAPTER 142
ZONING DISTRICTS AND REGULATIONS**

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ARTICLE IV. SUPPLEMENTARY DISTRICT REGULATIONS

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DIVISION 5. HEIGHT REGULATIONS

Sec. 142-1161. Height regulation exceptions.

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(d) Rooftop additions.

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(7) CD-3 zoned parcels in the area bounded by Collins Avenue on the east, Drexel Avenue on the west, 16 Street on the south, and 17 Street on the north. Notwithstanding the provisions of subsection (d)(2), the following shall be permitted for existing structures on sites zoned CD-3 in the area bounded by

Collins Avenue on the east, Drexel Avenue on the west, 16th Street on the south, and 17th Street on the north: multistory habitable rooftop additions (whether attached or detached) not to exceed the maximum permitted building height.

(7) (8) *Design and appropriateness guidelines.* In determining if existing structures are eligible for rooftop additions, the historic preservation board, in addition to any and all other applicable criteria and guidelines contained in these land development regulations, shall consider whether:

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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 _____, 2022.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION



City Attorney NK Date 6-3-22

First Reading: June 22, 2022
Second Reading: July 20, 2022

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