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Planning Board May 23, 2023

CODE AMENDMENT REGARDING RESIDENTIAL OFFICE UNITS IN THE CD-2 DISTRICT

New Code Amendment: Planning Board Agenda Item #7

Type of Referral: Dual Referral on February 1, 2023 from the City Commission to the Land Use and Sustainability Committee ("LUSC") and the Planning Board.

Sponsor: Commissioner Laura Dominguez

Status of Legislation. The item was heard by the LUSC on May 10, 2023 (with a favorable recommendation by the Planning Department) and the LUSC recommended favorably.

Purpose of Legislation: The proposed ordinance amends Section 142-307 of the Land Development Regulations of the City Code (governing the CD-2 commercial, medium intensity district) to make clear that residential office units are treated the same as other residential units in mixed use buildings for purposes of floor area ratio. The legislation further confirms that residential office units may not be used for short-term rental use. Live-work units and lifestyles are encouraged in mixed use development, and the legislation will promote the availability of modern flexible options for new office projects.

Neighbor Support: Following initial outreach and positive communication with Members of the Board of the Sunset Harbour Neighborhood Association, the proponent included the requirement of a covenant to prohibit short term rentals of the subject residential office units. The President of the Sunset Harbour Neighborhood Association testified in support of the proposed code amendment at the May 10, 2023 LUSC meeting.

Legislative Process Next Steps: Upon consideration by the Planning Board at the May 23, 2023 meeting, the Item will be referred to the City Commission.