

# MIAMI BEACH

## PLANNING DEPARTMENT

### Staff Report & Recommendation

### Planning Board

TO: Chairperson and Members  
Planning Board

DATE: July 25, 2017

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: **PB 17-0140. North Beach National Register Conservation District Overlay  
Comp Plan Amendments**

#### **REQUEST**

**PB 17-0140. NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY COMP PLAN AMENDMENTS. AN ORDINANCE** AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS IN SECTION 163.3184(3), FLORIDA STATUTES, BY DESIGNATING THE "NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY" IN THE FUTURE LAND USE MAP; BY MODIFYING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT;" "OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS," TO PROVIDE FOR INCREASED DENSITY ON PARCELS DESIGNATED "LOW DENSITY MULTI FAMILY RESIDENTIAL CATEGORY (RM-1)" LOCATED WITHIN THE "NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY;" PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

#### **RECOMMENDATION:**

Transmit the proposed amendment to the Comprehensive Plan to the City Commission with a favorable recommendation.

#### **HISTORY/ BACKGROUND**

On June 27, 2017, the Planning Board reviewed a companion ordinance pertaining to NCD development regulations.

#### **ANALYSIS**

The "Normandy Isles National Register District" was listed on the National Register of Historic Place on November 12, 2008. This district is generally bounded by Biscayne Bay to the south, Ray Street, Rue Notre Dame and Rue Versailles to the west, Normandy Shores Golf Course to the north, and the western bulkhead of Indian Creek to the east.

The "North Shore National Register District" was listed on the National Register of Historic Places on November 18, 2009. This district is generally bounded by 73rd Street to the south, Dickens Avenue, Hawthorne Avenue and Crespi Boulevard to the west, 87th Street to the north, and Collins Court to the east.

Each of these National Register Districts has a designation report, which contains detailed information and data on the history, architecture and building types in the district. Additionally, a comprehensive local historic district designation report, for the local district boundaries authorized by the City Commission, is being prepared by Planning Department staff.

On October 19, 2016, the City Commission approved the North Beach Master Plan. The Master Plan called for the establishment of a Conservation District in order to protect the existing character of the neighborhood as properties are revitalized or redeveloped.

The proposed ordinance would establish the North Beach National Register Conservation District Overlay within the Comprehensive Plan Future Land Use Map.

Additionally, the amendment allows for an increase in residential density for properties with an RM-1 future land use designation within the Overlay. Within the Land Development Regulations, the North Beach National Register Conservation District Overlay proposes to reduce the minimum average unit size to 400 square feet from 800 square feet. In order to ensure consistency between the Comprehensive Plan and the Land Development Regulations, the amendment proposes to increase the density for the aforementioned properties to 110 dwelling units per acre.

The affected area is primarily built-out with low-scale multifamily buildings which are at or near their maximum floor area ratio, and as a result many parcels will not be taking advantage of the increased density. According to the Miami-Dade Property Appraiser's data, there are approximately 3.30 acres of vacant land within the area. The vacant parcels represents an estimate of the parcels that will be taking advantage of the increased density. If these properties were to develop under current regulations, they could contain a maximum of 198 dwelling units. With the proposed increase, there could be a maximum of 363 dwelling units. It is not expected that the proposed increase will increase congestion beyond adopted levels of service (See Concurrency Analysis at the end of this report). However, an individual concurrency review will be required with each proposed development to ensure that levels of service are not exceeded and that any potential impacts are mitigated.

### **Comprehensive Plan Issues**

The total land area involved in this application is 31,375 SF (0.72 acres). Under Section 163.3187 F.S., land use map amendments of less than 10 acres in size may be considered "small-scale" amendments, which require only one public hearing before the City Commission, which shall be an adoption hearing. Upon adoption, the local government shall send a copy of the adopted small scale amendment to the State Land Planning Agency so that the Agency can maintain a complete and up-to-date copy of the City's Comprehensive Plan.

### **Interlocal Agreement for Public School Facility Planning**

The 2005 Florida Legislature adopted laws which are incorporated in the Florida Statutes, requiring each local government to adopt an intergovernmental coordination element as part of their comprehensive plan, as well as a statutory mandate to implement public school concurrency. The proposed amendment increases the maximum residential density of RM-1 properties within the North Beach National Register Conservation District Overlay from 60 to 110 dwelling units per acre.

For any increase in established residential units, final site plan approval is contingent upon meeting Public School Concurrency requirements and any applicant will be required to obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. Such Certificate will state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed prior to the issuance of a Building Permit.

**RECOMMENDATION**

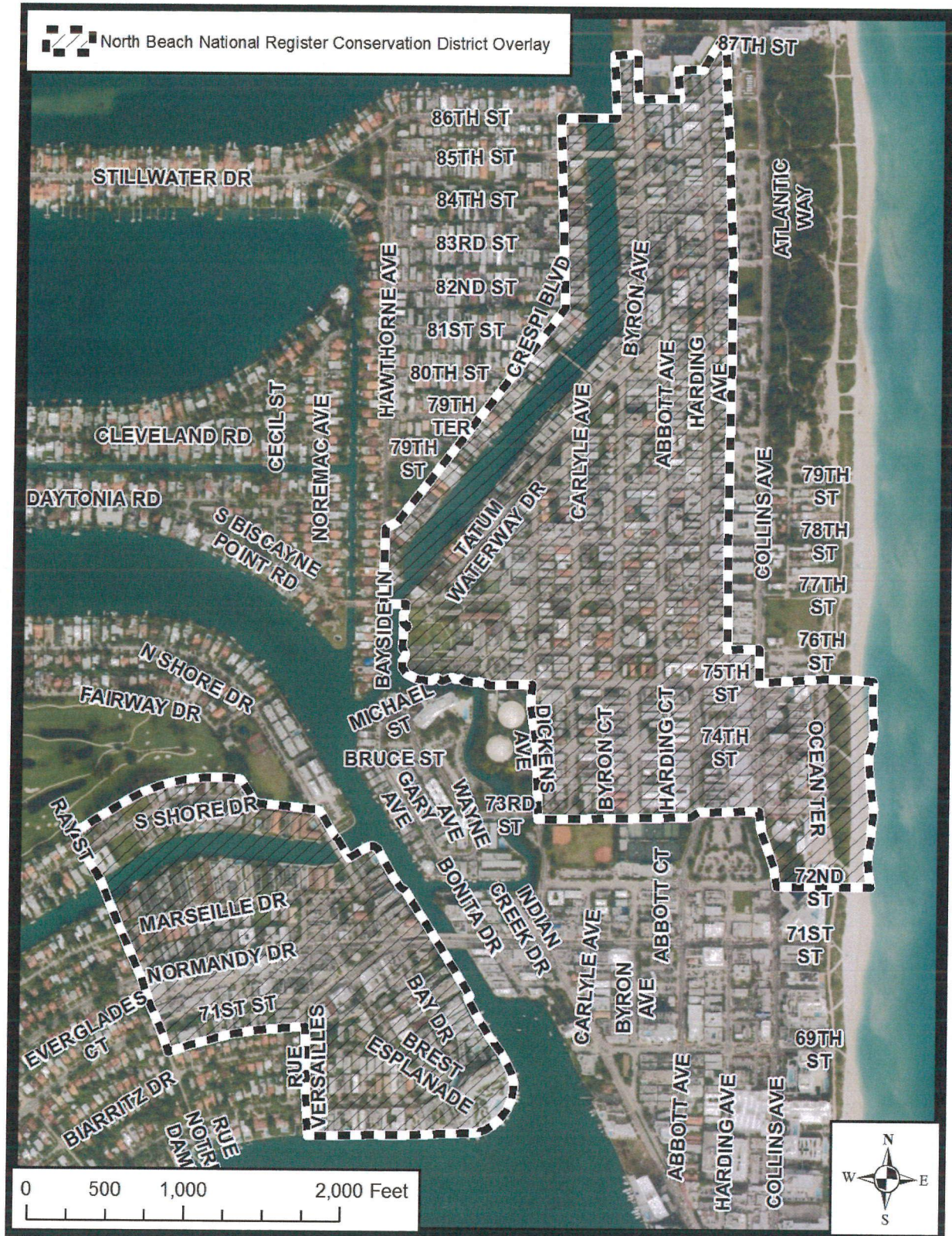
In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed amendments to the Comprehensive Plan Future Land Use Map and Land Development Regulations Zoning Atlas to the City Commission with a favorable recommendation.

TRM/MAB/RAM

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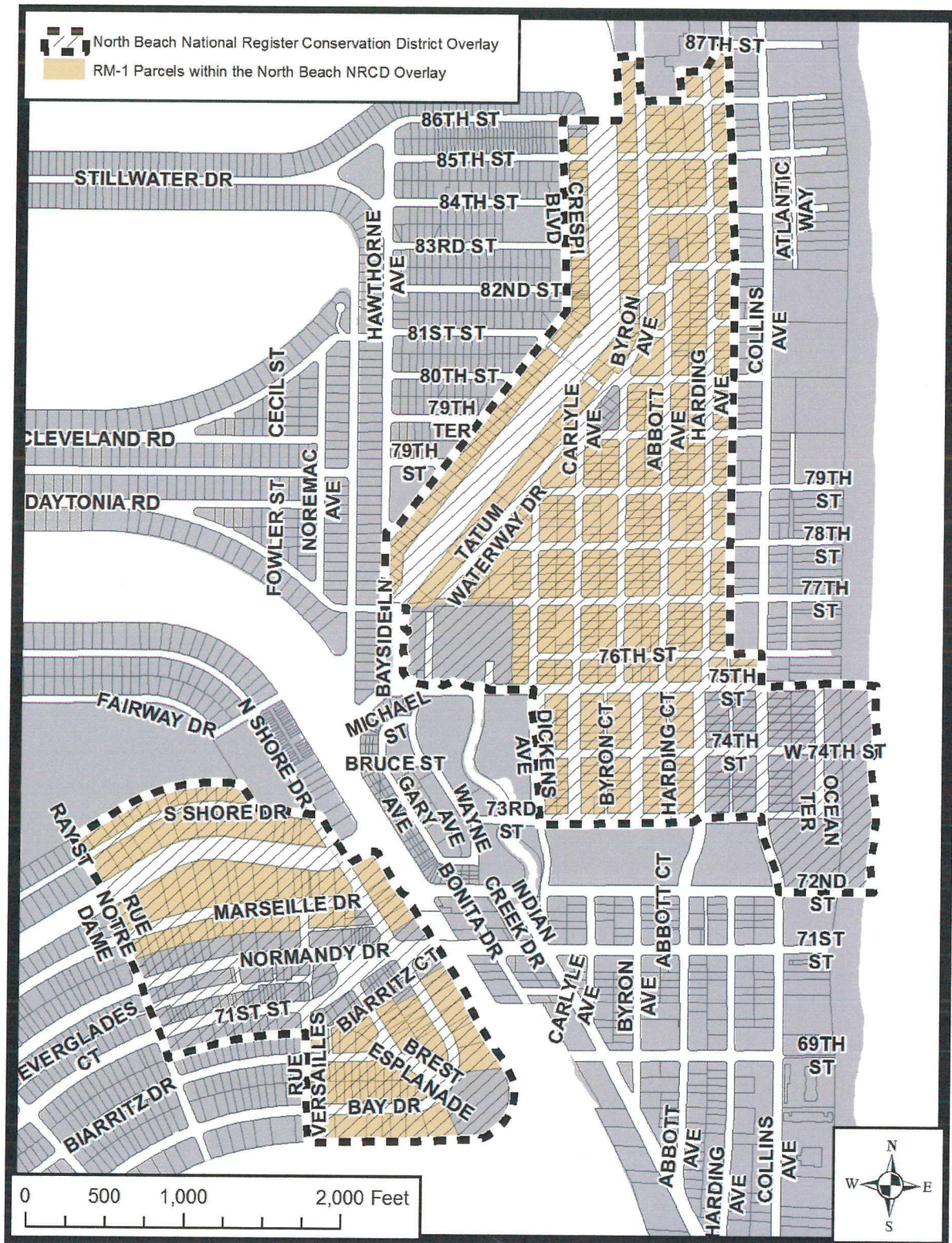


## Aerial





# RM-1 Properties within the Proposed Overlay



## MIAMI BEACH

PLANNING DEPARTMENT

## Comprehensive Plan and Zoning Amendment Concurrency Analysis

Date Prepared: 3/5/2014

Name of Project: North Beach National Register Conservation District Overlay

Address of Site: Normandy Isles Vacant Land

Concurrency Management Area: North Beach

Square Feet in the Amendment: 60,355

Acreage in the Amendment: 1.39

## Proposed FLUM Designation

Designation:

RM-1 with Overlay

Maximum Density	Maximum FAR
110	1.25

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Proposed Total
Peak Hour Trips Generated*	118.88	N/A	N/A	N/A	N/A	118.88
Residential Demand	381.0	0.0				381.0

\*Peak Hour Trips Calculated with ITE 9th Edition Trip Generation Manual Weekday PM Peak Hour factors

## Existing FLUM Designation

Designation:

RM-1

Maximum Density	Maximum FAR
60	1.25

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Existing Total
Peak Hour Trips Generated*	64.84	N/A	N/A	N/A	N/A	64.84
Residential Demand	207.8	0.0				207.8

\*Peak Hour Trips Calculated with ITE 9th Edition Trip Generation Manual Weekday PM Peak Hour factors

## Transportation Concurrency

New Trips Generated	Trip Allowances	Transit	15%
54.04 Trips		Pass-by	30%
		Mixed-use	
		Total	45%

## 71st Street/Normandy Drive Sub Area

Capacity:	3,150 Trips
Existing Trips:	2,754 Trips
Net New Trips Generated:	30 Trips
Concurrent:	YES

## Parks and Recreation Concurrency

Net New Residential Demand: 173.2 People

Parks Facility Type	Concurrent
Recreation and Open Space Acreage	YES
Recreational Facilities Acreage	YES
Swimming Pool	YES
Golf Course	YES
Basketball Court	YES
Tennis Court	YES
Multiple-Use Courts	NO
Designated Field Area	NO
Tot Lots	YES
Vita Course	YES
Boat Ramp	YES
Outdoor Amphitheater	YES
Activity Building for Multiple Uses	NO

Required Mitigation to be determined at Building Permit Application

## Potable Water Transmission Capacity

Proposed Demand:	64,012 Gallons Per Day
Existing Demand:	0 Gallons Per Day
New Demand:	64,012 Gallons

Concurrency to be determined at Building Permit Application

## Sanitary Sewer Transmission Capacity

Proposed Demand:	53,344 Gallons Per Day
Existing Demand:	29,097 Gallons Per Day
New Demand:	24,247 Gallons

Concurrency to be determined at Building Permit Application

## Solid Waste Collection Capacity

Proposed Demand:	486 Tons Per Year
Existing Demand:	265 Tons Per Year
New Demand:	221 Tons

Concurrency to be determined at Building Permit Application

## Storm Sewer capacity

Required LOS: One-in-five-year storm event:

Concurrency to be determined at Building Permit Application

## Note:

This represents a comparative analysis of concurrency with maximum development potential of the site between the existing and proposed Future Land Use designations. Actual concurrency demands, required mitigation, and required capacity reservation will be determined at the time of Building Permit Application.



## MIAMI BEACH

PLANNING DEPARTMENT

## Comprehensive Plan and Zoning Amendment Concurrency Analysis

Date Prepared: 3/5/2014

Name of Project: North Beach National Register Conservation District Overlay

Address of Site: North Shore Vacant Land

Concurrency Management Area: North Beach

Square Feet in the Amendment: 83,427

Acreage in the Amendment: 1.92

## Proposed FLUM Designation

Designation:

RM-1 with Overlay

Maximum Density	Maximum FAR
110	1.25

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Proposed Total
	211					
Peak Hour Trips Generated*	164.33	N/A	N/A	N/A	N/A	164.33
Residential Demand	526.7	0.0				526.7

\*Peak Hour Trips Calculated with ITE 9th Edition Trip Generation Manual Weekday PM Peak Hour factors

## Existing FLUM Designation

Designation:

RM-1

Maximum Density	Maximum FAR
60	1.25

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Existing Total
	115					
Peak Hour Trips Generated*	89.63	N/A	N/A	N/A	N/A	89.63
Residential Demand	287.3	0.0				287.3

\*Peak Hour Trips Calculated with ITE 9th Edition Trip Generation Manual Weekday PM Peak Hour factors

## Transportation Concurrency

New Trips Generated 74.69 Trips

Trip Allowances

Transit	15%
Pass-by	30%
Mixed-use	
<b>Total</b>	<b>45%</b>

Collins Av/Harding/Abbot/Indian Creek Sub Area

Capacity: 8,900 Trips

Existing Trips: 4,689 Trips

Net New Trips Generated: 41 Trips

Concurrent: YES

## Parks and Recreation Concurrency

Net New Residential Demand: 239.4 People

Parks Facility Type	Concurrent
Recreation and Open Space Acreage	YES
Recreational Facilities Acreage	YES
Swimming Pool	YES
Golf Course	YES
Basketball Court	YES
Tennis Court	YES
Multiple-Use Courts	NO
Designated Field Area	NO
Tot Lots	YES
Vita Course	YES
Boat Ramp	YES
Outdoor Amphitheater	YES
Activity Building for Multiple Uses	NO

Required Mitigation to be determined at Building Permit Application

## Potable Water Transmission Capacity

Proposed Demand: 88,483 Gallons Per Day

Existing Demand: 0 Gallons Per Day

New Demand: 88,483 Gallons

Concurrency to be determined at Building Permit Application

## Sanitary Sewer Transmission Capacity

Proposed Demand: 73,736 Gallons Per Day

Existing Demand: 40,220 Gallons Per Day

New Demand: 33,516 Gallons

Concurrency to be determined at Building Permit Application

## Solid Waste Collection Capacity

Proposed Demand: 672 Tons Per Year

Existing Demand: 366 Tons Per Year

New Demand: 305 Gallons

Concurrency to be determined at Building Permit Application

## Storm Sewer capacity

Required LOS: One-in-five-year storm event

Concurrency to be determined at Building Permit Application

## Note:

This represents a comparative analysis of concurrency with maximum development potential of the site between the existing and proposed Future Land Use designations. Actual concurrency demands, required mitigation, and required capacity reservation will be determined at the time of Building Permit Application.

**NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY –  
COMPREHENSIVE PLAN AMENDMENTS**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS IN SECTION 163.3184(3), FLORIDA STATUTES, BY DESIGNATING THE “NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY” IN THE FUTURE LAND USE MAP; BY MODIFYING CHAPTER 1, ENTITLED “FUTURE LAND USE ELEMENT;” “OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS,” TO PROVIDE FOR INCREASED DENSITY ON PARCELS DESIGNATED “LOW DENSITY MULTI FAMILY RESIDENTIAL CATEGORY (RM-1)” LOCATED WITHIN THE “NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY;” PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS**, the North Beach multifamily neighborhoods were largely developed between 1935 and 1963 with low scale, Mid Century Modern buildings on 50 feet lots, giving the area a cohesive and distinctive character; and

**WHEREAS**, on November 12, 2008, the Normandy Isles National Register District was placed on the National Register of Historic places by the United States Department of the Interior; and

**WHEREAS**, on November 18, 2009, the North Shore National Register District was placed on the National Register of Historic places by the United States Department of the Interior; and

**WHEREAS**, in order to ensure that new development is compatible with the as-built character of National Register Districts, amendments to the RM-1 development regulations, through the creation of a Conservation District Overlay are warranted; and

**WHEREAS**, the City desires to encourage the retention and preservation of existing ‘Contributing’ buildings in the National Register Districts, reduce parking requirements and promote walking, bicycling and public transit modes of transportation, as well as reduce the scale and massing of new development in the residential neighborhoods.

**WHEREAS**, on February 8, 2017, the City Commission engaged the North Beach Master Planner, Dover-Kohl, in a review and assistance capacity for this ordinance; 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.** The following amendment to the City's 2025 Comprehensive Plan Future Land Use Map is hereby adopted:

The North Beach National Register Conservation District Overlay shall be designated on the Future Land Use Map for the properties identified in the attached map, as Exhibit A, incorporated by reference herein.

**SECTION 2.** The following amendments to the City's 2025 Comprehensive Plan Future Land Use Element are hereby adopted:

## **CHAPTER 1 FUTURE LAND USE ELEMENT**

### **OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS**

\* \* \*

**Policy 1.2** The land development regulations which implement this Comprehensive Plan shall, at a minimum, be based on and be consistent with s. 163.3202, F.S., and shall further be based on the following standards for land use category, land use intensity and land use:

\* \* \*

#### ***Low Density Multi Family Residential Category (RM-1)***

**Purpose:** To provide development opportunities for and to enhance the desirability and quality of existing and/or new low density multi family residential areas.

**Uses which may be permitted:** Single family detached dwellings; single family attached dwellings, townhouse dwellings and multiple family dwellings, and hotels for properties fronting Harding Avenue or Collins Avenue from the City Line on the north to 73<sup>rd</sup> Street on the south.

Bed and breakfast inns are permitted in RM-1 only in the Flamingo Park Historic District and the West Avenue Bay Front Overlay District, both of which are described in the Land Development Regulations. Residential office and suite hotel uses are permitted in the West Avenue Bay Front Overlay District only.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

**Density Limits:** 60 dwellings units per acre, except for the following:

- 110 dwelling units per acre in the North Beach National Register Conservation District Overlay

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio of 1.25, except for the following:

- the west side of Collins Avenue between 76th and 79th Streets shall not exceed a floor area ratio of 1.4; and
- Public and private institutions on a lot area equal to or less than 15,000 sq. ft shall not exceed a floor area ratio of 1.25, or for a lot area greater than 15,000 sq. ft. the floor area ratio shall not exceed 1.4

**SECTION 3. REPEALER.**

All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

**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. CODIFICATION.**

It is the intention of the City Commission that this Ordinance be entered into the Comprehensive Plan, and it is hereby ordained that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word. The Exhibits to this Ordinance shall not be codified, but shall be kept on file with this Ordinance in the City Clerk's Office.

**SECTION 6. TRANSMITTAL.**

The Planning Director is hereby directed to transmit this ordinance to the appropriate state, regional and county agencies as required by applicable law.

**SECTION 7. EFFECTIVE DATE.**

This ordinance shall take effect 31 days after the state land planning agency notifies the City that the plan amendment package is complete pursuant to Section 163.3184(3), Florida Statutes.

PASSED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
Mayor Philip Levine

ATTEST:

\_\_\_\_\_  
Rafael Granado, City Clerk

APPROVED AS TO FORM  
AND LANGUAGE  
AND FOR EXECUTION  
  
\_\_\_\_\_

Raul Aguila, City Attorney  
Date

First Reading/Transmittal: June 28, 2017  
Second Reading/Adoption: September 13, 2017

Verified By: \_\_\_\_\_  
Thomas R. Mooney, AICP  
Planning Director

Underline = new language  
~~Strikethrough~~ = deleted language

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Density Increase - ORD.docx