

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

TO: Chairperson and Members
Planning Board

DATE: June 27, 2017

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **PB 17-0134. North Beach National Register Conservation District Overlay**

REQUEST

PB 17-0134. NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE II, "DISTRICT REGULATIONS," DIVISION 3 "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," BY AMENDING SECTION 142-155 TO REFERENCE THE REQUIREMENTS FOR THE NORTH BEACH NATIONAL REGISTER CONSERVATION OVERLAY; BY AMENDING ARTICLE III, "OVERLAY DISTRICTS," BY CREATING DIVISION 12, ENTITLED THE "NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY," WHICH DIVISION WOULD CREATE SPECIFIC DEVELOPMENT REGULATIONS FOR THE OVERLAY, INCLUDING DEMOLITION REQUIREMENTS, LIMITATIONS ON LOT AGGREGATION, REDUCTIONS IN UNIT SIZE, REDUCTIONS IN PARKING REQUIREMENTS, MODIFICATIONS TO THE SETBACK AND HEIGHT REQUIREMENTS, ADDITIONAL REQUIREMENTS FOR ROOFTOP ADDITIONS AND ALLOWABLE HEIGHT EXCEPTIONS, AND INCLUSION OF DESIGN, RESILIENCY, AND PARKING STANDARDS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

RECOMMENDATION:

Review the proposed Ordinance and continue the discussion to July 25, 2017.

HISTORY

On October 11, 2016, the Historic Preservation Board (HPB) reviewed preliminary evaluation reports for the proposed North Shore and Normandy Isles Local Historic Districts. The HPB recommended Historic Designation Reports be prepared in accordance with the boundaries recommended in the North Beach Master Plan.

On December 9, 2016, the Mayor and City Commission held a Special City Commission meeting and modified the boundaries of the proposed Local Historic Districts recommended by the Historic Preservation Board. Additionally, at the request of Commissioner John Elizabeth

Alemán, the City Commission referred a discussion regarding a zoning overlay and conservation districts for the North Shore and Normandy Isles National Register Districts to the Land Use and Development Committee (Item R9A).

On January 18, 2017, the Land Use and Development Committee (LUDC) discussed the first draft of the ordinance prepared by staff. The item was continued to a date certain of February 15, 2017. On February 15, 2017, the item was continued to a date certain of March 8, 2017. The LUDC also referred the item to the North Beach Master Plan Steering Committee for further discussion and a recommendation.

The North Beach Master Plan Steering Committee discussed the proposed overlay ordinance on February 24, 2017. On March 8, 2017, an update on the discussion at the Steering Committee was provided to the LUDC, and the item was continued to the April 19, 2017 LUDC meeting. On April 19, 2017, the item was continued to the May 10, 2017 LUDC meeting.

On March 10, 2017, the North Beach Master Plan Steering Committee discussed the proposal and continued the discussion to their April 6, 2017 meeting. On April 3, 2017, at the invitation of the North Beach Alliance, the Planning Director made a presentation regarding the proposed ordinance and participated in a question and answer session. On April 6, 2017, the Steering Committee discussed the conservation district briefly and, due to time limits, continued the discussion to April 27, 2017.

On April 27, 2017, the North Beach Master Plan Steering Committee RECOMMENDED APPROVAL OF THE Conservation District Overlay, as revised. On May 10, 2017, the LUDC approved by acclamation a recommendation that the City Commission refer the proposed North Beach National Register Conservation District Overlay Ordinance to the Planning Board, as recommended by the Steering Committee, including additional recommendations on parking requirement and standards.

REVIEW CRITERIA

In accordance with Section 118-163(3), when reviewing a request for an amendment to these land development regulations, the Board shall consider the following where applicable:

1. **Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

Consistent – The proposed modifications are consistent with the Goals, Objectives, and Policies of the Comprehensive Plan.

2. **Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

Consistent – The proposed conservation district is comprised of the areas that are included in the Normandy Isles National Register District and the North Shore National Register District.

3. **Whether the change suggested is out of scale with the needs of the neighborhood**

or the city.

Consistent – The proposed Ordinance is not out of scale with needs of the neighborhood.

4. **Whether the proposed change would tax the existing load on public facilities and infrastructure.**

Partially Consistent – The proposed increase in potential density may tax the existing load on public facilities and infrastructure.

5. **Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

Not Applicable – The proposed boundaries of the conservation district are consistent with the existing boundaries of the north beach National Register Districts.

6. **Whether changed or changing conditions make the passage of the proposed change necessary.**

Consistent – In order to further encourage the retention of ‘contributing’ buildings in North Beach, the proposed changes are necessary.

7. **Whether the proposed change will adversely influence living conditions in the neighborhood.**

Consistent – The proposed change should not adversely affect living conditions in the neighborhood.

8. **Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.**

Consistent – The proposed change should not substantially impact the levels of service set forth in the Comprehensive Plan.

9. **Whether the proposed change will seriously reduce light and air to adjacent areas.**

Consistent – The proposal will potentially increase light and air to adjacent properties compared to the current zoning regulations.

10. **Whether the proposed change will adversely affect property values in the adjacent area.**

Consistent – The proposed change should not adversely affect property values in the adjacent areas.

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

Consistent – The proposal should not be a deterrent to the improvement or development of adjacent property.

12. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

Not applicable.

13. Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.

Not applicable.

BACKGROUND

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 and the eastern bulkhead of the Atlantic Ocean 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, Planning Department staff is preparing a comprehensive local historic district designation report, for the local district boundaries authorized by the City Commission.

As a point of clarification, a portion of the North Shore National Register District is already designated a local historic district (Harding Townsite Historic District.) Also, a map is provided at the end of the staff report showing the locations of all the districts and subdivisions mentioned in the ordinance.

ANALYSIS

The proposed ordinance would create an overlay for the RM-1 zoning district within the North Beach National Register Districts. The proposed North beach National Register Conservation District Overlay is comprised of area specific regulations that are intended to incentivize the retention of existing ‘Contributing’ buildings, as well as ensure that new infill buildings are compatible with their surroundings. The proposed draft ordinance includes specific development regulations for:

- Demolition standards;
- Lot area and width;

- Platted lot aggregation;
- Unit size requirements;
- Off-street parking requirements;
- Building heights and roof-top additions;
- Setbacks;
- Design and resiliency standards;
- Parking design standard.

The proposal varies slightly from a traditional 'Neighborhood Conservation District' (NCD), as the same development regulations and standards that would be part of an NCD would be implemented in the form of a zoning overlay. This overlay would be applicable to the entire boundary of each National Register District that is in a RM-1 zoning district, regardless of whether the property is located inside or outside of a locally designated historic district.

The reason for this approach is to apply consistent standards for new construction within the entirety of the National Register District boundaries, including the areas being considered for local historic designation. This will ensure cohesion of future development within the larger National Register areas.

Additionally, demolition standards, as well as incentives for the retention of 'Contributing' buildings, are proposed. The following is a summary of such demolition standards and incentive proposals, which were contained within the ordinance:

- Demolition of contributing structures within the overlay district shall not be permitted for purposes of creating a vacant lot or a surface parking lot.
- For the demolition of a 'Contributing Building', a demolition permit shall not be issued prior to the review and approval for the new construction or site improvements by the Design Review Board (DRB) or Historic Preservation Board (HPB) as applicable, and until certain minimum criteria are satisfied.
- The minimum and average unit size is reduced for sites containing a 'Contributing' buildings as well as additions to 'Contributing' buildings which are substantially retained and restored.
- For existing apartment, apartment-hotel and hotel buildings, which are classified as 'Contributing' and which are being substantially retained, preserved and restored, there is not a parking requirement for the existing structure, and any new additions, whether attached or detached, regardless of the lot width and number of units.
- For properties that contain at least one 'Contributing' building, the maximum building height can be up to five stories and 60 feet for the lot depth in excess of 30 feet from the front setback, provided that at least 33% of all the existing 'Contributing' buildings, as measured from the front elevation, are substantially retained and restored.
- Up to two-story rooftop additions to existing 'Contributing' buildings may be approved at

the administrative level when the construction does not call for the demolition of original significant architectural features and a minimum of 75 percent of the front and street side building elevations are retained.

- For rooftop additions located on 'Contributing' buildings, any non-conforming interior side or rear setback may be extended to the new construction.
- For properties that contain at least one 'Contributing' building, the aggregation of 3 lots may be proposed, provided that at least 33% of all existing 'Contributing' buildings, as measured from the front elevation, are substantially retained and restored.

SUMMARY

The initial draft of the overlay ordinance presented to the Land Use and Development Committee (LUDC) on January 18, 2017 was the first step in a comprehensive process for creating tangible development regulations for the larger North Beach National Register areas. As indicated previously, and reiterated on multiple occasions, staff believes that through stakeholder input, including the North Beach Master Plan Steering Committee, residents, property owners and businesses, these regulations have been continually refined.

On January 18, 2017, the item was discussed in detail at the LUDC and substantial public input was provided. Pursuant to this discussion, and the feedback from the LUDC, the following updates were incorporated into the draft ordinance:

- The lot aggregation regulations have been further tightened to only permit the aggregation of a third lot when a contributing building is substantially retained;
- Latitude has been provided for the DRB/HPB to waive roof encroachments of stair and elevator bulkheads.

After the initial discussions at the LUDC, on February 8, 2017, the City Commission authorized the Administration to engage the North Beach Master Planner (Dover-Kohl) in a review and assistance capacity for the conservation overlay district ordinance. Staff engaged Dover-Kohl in this regard, and as part of the evaluation by the North Beach Master Plan Steering Committee. Dover-Kohl participated in staff discussions regarding the ordinance, attended meetings of the North Beach Master Plan Steering Committee, and put together a series of drawings and renderings illustrating existing conditions and the impact of the proposed conservation district regulations. These drawings and illustrations are attached.

On February 24, 2017, the North Beach Master Plan Steering Committee convened and discussed the ordinance proposal and recommended that the following issues be further addressed:

- Further study of the proposal to reduce minimum unit size requirements, particularly the allowance of 300 square feet within contributing buildings;

- Identifying different setback requirements for the various subdivisions and including view corridors for waterfront properties.

On May 10, 2017, the LUDC approved by acclamation a recommendation that the City Commission refer the proposed North Beach Conservation Overlay District Ordinance to the Planning Board, including the following recommendation on parking:

- All parking shall be located at grade; no ramps or parking above the first floor shall be permitted. However, mechanical lifts may be proposed at the first level, provided all lifts are fully screened from view and not visible from adjacent properties, the public ROW or any waterfront;
- All parking and driveway surface areas shall be composed of pervious material such as concrete or grass pavers, set in sand;
- Required wheel stops shall be low profile and not exceed 5 feet in width;
- All parking areas shall meet minimum front and rear yard setback requirements for buildings;
- A maximum of one driveway curb cut per development site may be permitted, and the maximum width of such driveway curb cut shall not exceed 10 feet;
- On waterfront lots, parking areas shall only be secured by substantially open, picket fencing within required front yards and rear waterfront yards;
- Landscaping within view corridors, with the exception of canopy trees, shall be maintained at a height not to exceed 3 feet from sidewalk elevation.

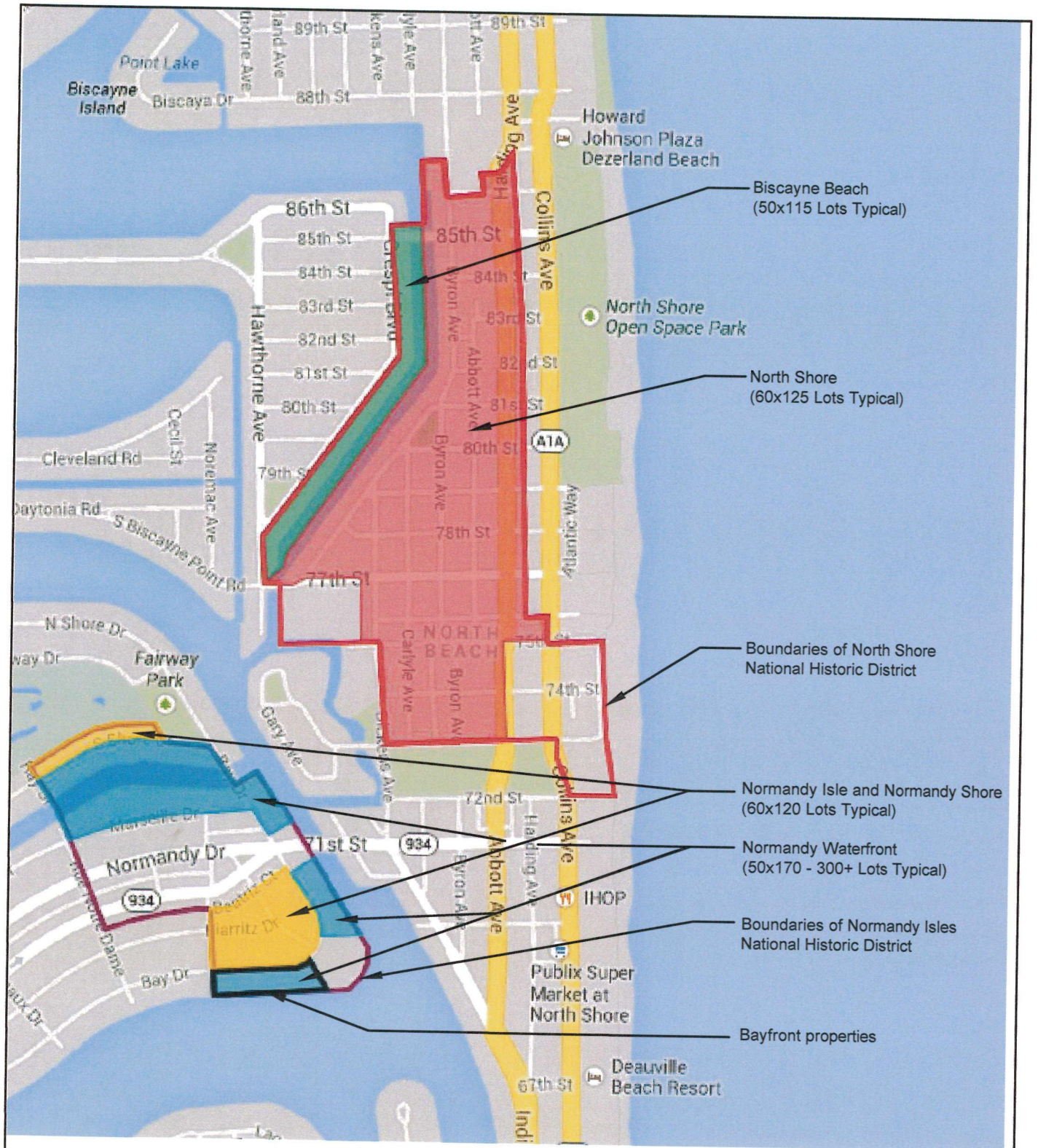
The above noted parking standards would apply regardless of whether parking is required or not.

Due to required modifications to the ordinance title, the item will be re-noticed for the July 25, 2017 Planning Board. Additionally, a corresponding Comprehensive Plan amendment, to address the proposed reductions in minimum unit size, will also be noticed for July 25, 2017.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the Planning Board review and discuss the proposed ordinance amendment and continue the discussion to the July 25, 2017 meeting. .

TRM/MAB/TUI

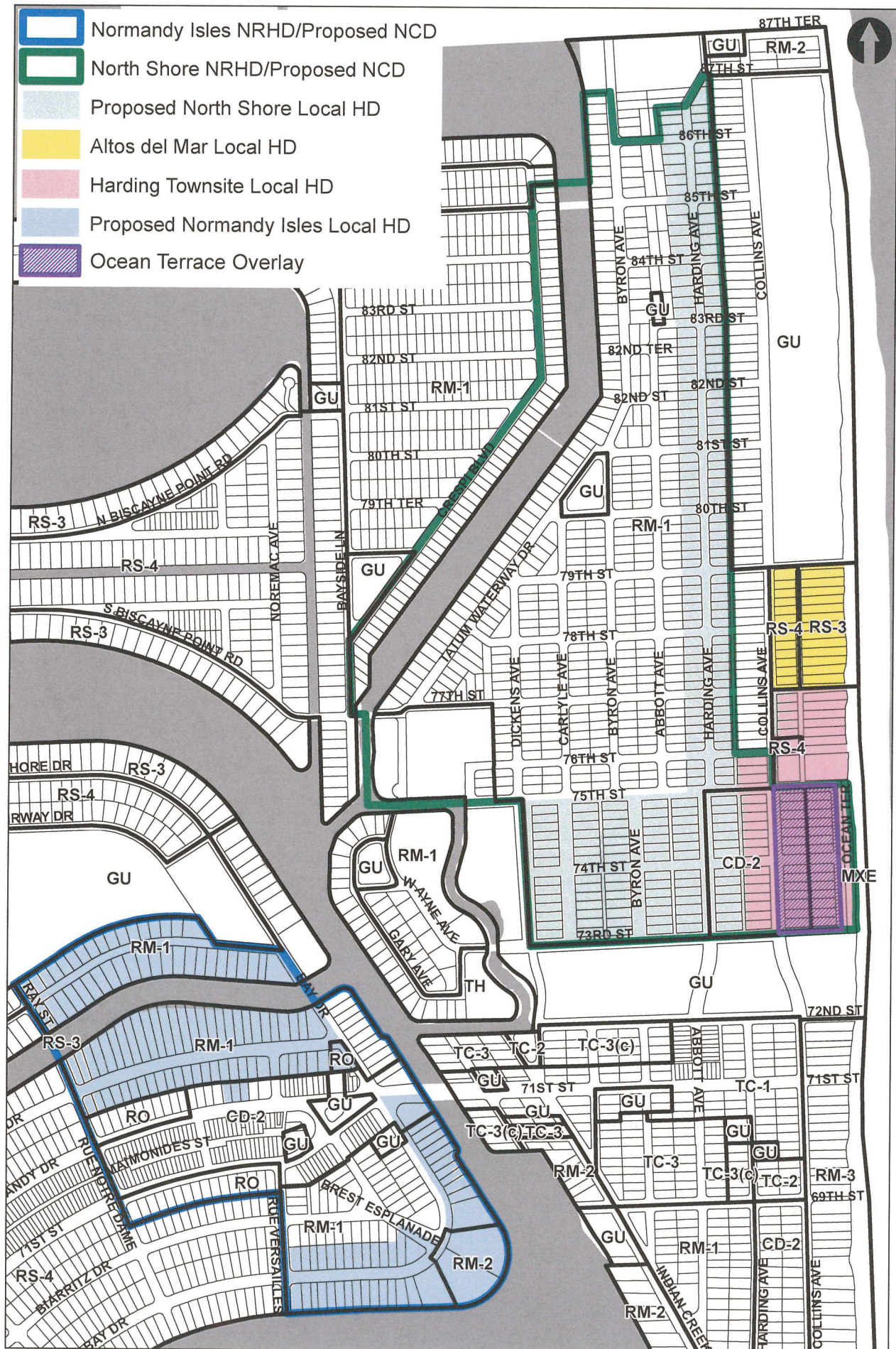


MIAMI BEACH

Planning Department

RM-1 Zoning District Amendments

Neighborhood Boundaries



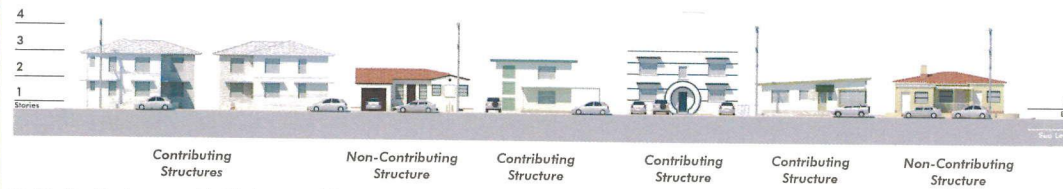
Miami Beach Conservation Design Guidelines

A Comparison of Regulations Using Potential Scenarios

Existing Conditions

(Before)

This graphic shows a hypothetical, but typical street in North Beach in the North Shore neighborhood. The graphic is composed with buildings actually found in the North Shore National Register District.



Contributing Structures were identified as part of the survey of National Historic Districts and involved rigorous architectural and historical analysis. Contributing structures demonstrate the significance of the district through architectural expression, time of construction, historic contribution, and association with people of civic and cultural importance.

Evaluation

NOBE Character

Climate Adaptation

Availability of Off-Street Parking

Current Regulations

(After)

Under the current regulations historic structures can be demolished without special approvals. Single-family homes become multi-story, multiple properties are aggregated and there is no limit to the number of lots that can be aggregated. Surface parking lots are created. Every redevelopment creates a "curb-cut" break in the sidewalk, without trees, for cars to enter the lots and park.



There are no protections against demolitions. However, the highest-quality contributing structures may remain if Floor Area Ratio and Parking requirements continue to make redevelopment financially unattractive versus conversion from rental units to condominiums.

Single-family homes become two story apartments with eight units and parking below. Units are accessed from side.

Four lots of Contributing & Non-Contributing structures are aggregated to amass the Floor Area Ratio necessary to build three stories of units on three lots. The fourth lot becomes a surface parking structure for the building. Flood elevation requirements incentivize parking on the bottom floor. Note that a similar concept was approved for Harding Avenue (lots 8011, 8017, 8021, and 8035), though that project retained one facade.

Evaluation

NOBE Character

Climate Adaptation

Availability of Off-Street Parking

Plan NoBe Recommended Regulations

(After)

Plan NoBe (adopted by City Council 10.19.16) made three recommendations for the Conservation Districts: no curb cuts, no lot aggregation, and "maintain existing scale and orientation of surrounding neighborhoods." It should be noted that Plan NoBe covered a variety of topics, it was a general plan, and a more thorough discussion of the Conservation District was anticipated. In this scenario, buildings are redeveloped with compatible heights, massing, setbacks, and building-to-street relationships.



Additional sellable or rentable units are created without aggregation or curb cuts. Buildings are lifted to comply with Resiliency requirements (sometimes 11' elevation), however, parking does not become the dominant visual image at the street level. The existing scale of buildings is maintained. Streets are reconstructed with street trees for shade and stormwater retention (for resiliency) as a requirement of development approvals. Because redevelopment is minimized, more units remain rentals or are converted to condominiums, potentially increasing home ownership in North Beach.

Evaluation

NOBE Character

Climate Adaptation

Availability of Off-Street Parking

Proposed Regulations (February 15, 2017)

(After)

Under the February 15th Proposed Regulations historic structures can be demolished after approval from DRB and HPB. Single family homes become multi-story. Multiple properties are aggregated (limited to three lots) however the front facade of one-in-three historic buildings is preserved.



A demolition permit for Contributing Structures must be obtained by the Design Review Board (DRB) and Historic Preservation Board (HPB). No formal protections exist. Parking is not required, however, parking for some units are provided because buildings must be lifted.

Single-family homes become two story apartments with eight units and parking below. Units are accessed from side.

Three lots with Contributing Structures are aggregated and one facade preserved. Width of new structures limited to 85'. Parking isn't required, but Resiliency Standards (the need to lift buildings) incentivize some parking on the 1st floor. New building face acknowledges the original platting (with a three-part building).

Single-family homes become two story apartments with eight units and parking below. Units are accessed from side.

Evaluation

NOBE Character

Climate Adaptation

Availability of Off-Street Parking

Synthesis Regulations (Combining the February 15 regs with Plan NoBe)

(After)

All the attributes of the Plan NoBe Recommended Regulations apply, however, in this scenario, multiple lots can be aggregated. Aggregation is limited to two buildings.



Additional sellable or rentable units are created without aggregation or curb cuts. Buildings are lifted to comply with Resiliency requirements (between 8'-11' elevation), however, parking does not become the dominant visual image at the street level. The existing scale of buildings is maintained. Streets are reconstructed with street trees for shade and stormwater retention (for resiliency) as a requirement of development approvals. Because redevelopment is minimized, more units remain rentals or are converted to condominiums, potentially increasing home ownership in North Beach.

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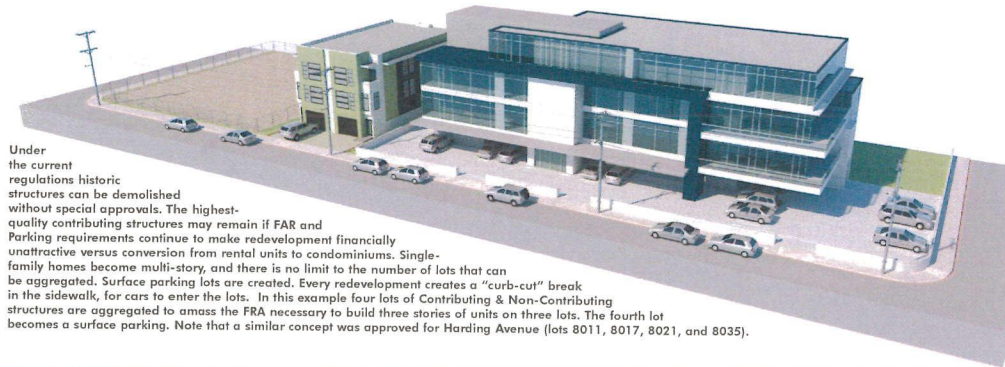
Availability of Off-Street Parking

Miami Beach Conservation Design Guidelines

A Comparison of Regulations Using Potential Scenarios

Current Regulations

(After)



Under the current regulations historic structures can be demolished without special approvals. The highest-quality contributing structures may remain if FAR and parking requirements continue to make redevelopment financially unattractive versus conversion from rental units to condominiums. Single-family homes become multi-story, and there is no limit to the number of lots that can be aggregated. Surface parking lots are created. Every redevelopment creates a "curb-cut" break in the sidewalk, for cars to enter the lots. In this example four lots of Contributing & Non-Contributing structures are aggregated to amass the FRA necessary to build three stories of units on three lots. The fourth lot becomes a surface parking. Note that a similar concept was approved for Harding Avenue (lots 8011, 8017, 8021, and 8035).

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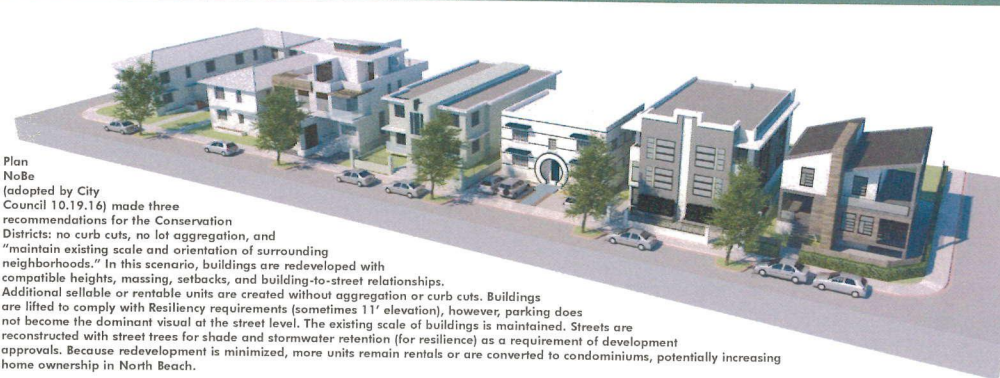
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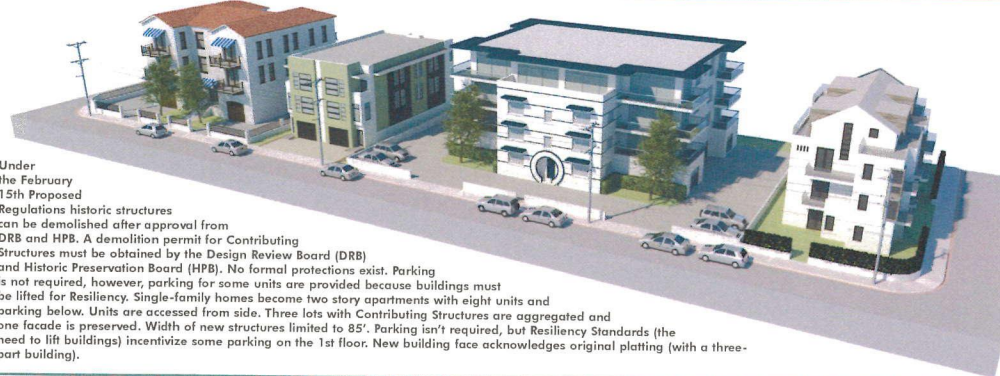
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Character






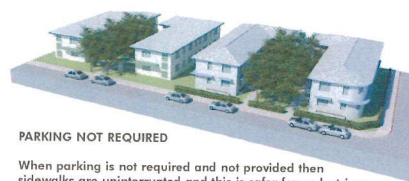
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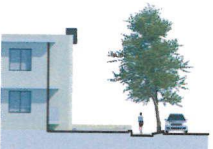



Miami Beach Conservation Design Guidelines

A Comparison of Regulations Using Potential Scenarios

How does neighborhood character change when parking is required?

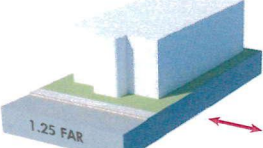


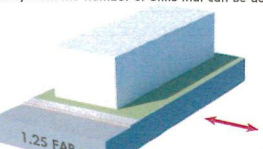


<p>SINGLE LOTS</p> <p>EXISTING CONDITIONS</p> <p>North Beach homes sometimes have off-street parking (in the form of driveways and small lots) but not always. Often on-street parking is used.</p> 	<p>REQUIRED ON-SITE PARKING</p> <p>When you require parking on-site... ... parking is typically located under the building and in front of the building.</p> <p>One-story structures are likely to become multi-story and more parking spaces will be needed. Parked cars may become a dominant visual image.</p> 	<p>PARKING NOT REQUIRED</p> <p>When you don't require parking on-site... ... site designers have more flexibility. Planted forecourts, courtyards, and front doors which address the street are more likely.</p> <p>However, note that even when the City doesn't require on-site parking it is often added anyway as an amenity for unit owners.</p> 
<p>MULTIPLE LOTS</p> <p>EXISTING CONDITIONS</p> <p>North Beach blocks sometimes have lots with curb-cuts (breaks in the sidewalk that allow cars to reach on-site parking) and sometimes have no on-site parking and uninterrupted sidewalks.</p> 	<p>REQUIRED ON-SITE PARKING</p> <p>On-site parking facilities need access and this creates curb-cuts (breaks in the sidewalks that allow cars to access on-site parking). In the example above the sidewalk is more often a driveway than not.</p> 	<p>PARKING NOT REQUIRED</p> <p>When parking is not required and not provided then sidewalks are uninterrupted and this is safer for pedestrians (especially children). However, again, not requiring parking doesn't mean it will not be provided as an amenity.</p> 

How do transitions occur between streets and front yards when streets are raised?

<p>EXISTING CONDITIONS</p> <p>Lots are often slightly higher than the streets they front.</p>  <p>Existing Conditions</p>	<p>STREETS ELEVATED</p> <p>When you elevate streets... ... topography (of a kind) is created. Height differences will vary, but when streets are lifted one or two feet transition areas involving planted strips and underground storage can be used to ameliorate the difference and absorb some of the water. Cars traverse slight rises to reach the street.</p>  <p>Raising the Street Two Feet</p>	<p>STREETS, LOTS & BUILDINGS ELEVATED</p> <p>Under the existing regulations when lots are redeveloped both the lots and the buildings rise to meet current Resilience regulations.</p>  <p>Raising the Street Two Feet</p>
		

Will the Design Requirements in the Conservation District prevent redevelopment?

No. Buildable square footage [which is measured by a Floor Area Ratio (FAR) calculation] ultimately determines the number of dwelling units that can be built on a lot and this is the prime determinant of redevelopment. The City of Miami Beach currently does not allow increases of FAR without voter approval. The design guidelines may affect the distribution of FAR and the shapes FAR may take but they will not eliminate the total amount of FAR allowed.

 <p>1.25 FAR</p>	 <p>1.25 FAR</p>	 <p>1.25 FAR</p>
<p>All of these variations express roughly the same Floor Area Ratio (FAR). FAR is defined as the total gross area of a building on any lot divided by the area of the lot. The FAR expresses the mathematical relation between the volume of buildings and the size of land.</p> <p>We are able to change allowable heights, setbacks, parking requirements, lot aggregation, building orientation, and so forth, without adding to or taking away from the number of units that can be developed.</p>  <p>1.25 FAR</p>	 <p>1.25 FAR</p>	 <p>1.25 FAR</p>

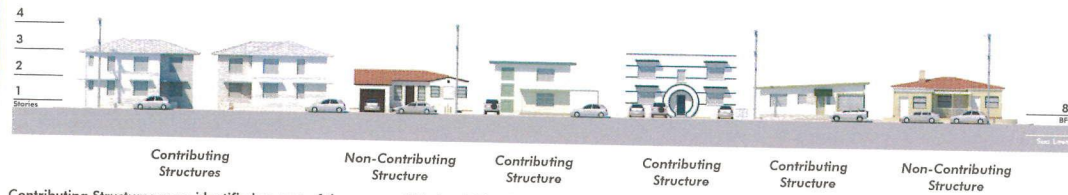
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(Before)

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There are no protections against demolitions. However, the highest-quality contributing structures may remain if Floor Area Ratio and Parking requirements continue to make redevelopment financially unattractive versus conversion from rental units to condominiums.

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(After)

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A demolition permit for Contributing Structures must be obtained by the Design Review Board (DRB) and Historic Preservation Board (HPB). No formal protections exist. Parking is not required, however, parking for some units are provided because buildings must be lifted.

Single-family homes become two story apartments with eight units and parking below. Units are accessed from side.

Three lots with Contributing Structures are aggregated and one facade preserved. Width of new structures limited to 85'. Parking isn't required, but Resiliency Standards (the need to lift buildings) incentivize some parking on the 1st floor. New building face acknowledges the original platting (with a three-part building).

Single-family homes become two story apartments with eight units and parking below. Units are accessed from side.

Evaluation

NOBE Character

Climate Adaptation

Availability of Off-Street Parking

Synthesis Regulations (Combining the February 15 regs with Plan NoBe)

(After)

All the attributes of the Plan NoBe Recommended Regulations apply, however, in this scenario, multiple lots can be aggregated. Aggregation is limited to two buildings.



Additional sellable or rentable units are created without aggregation or curb cuts. Buildings are lifted to comply with Resiliency requirements (between 8'-11' elevation), however, parking does not become the dominant visual image at the street level. The existing scale of buildings is maintained. Streets are reconstructed with street trees for shade and stormwater retention (for resilience) as a requirement of development approvals. Because redevelopment is minimized, more units remain rentals or are converted to condominiums, potentially increasing home ownership in North Beach.

Evaluation

Character

Climate Adaptation

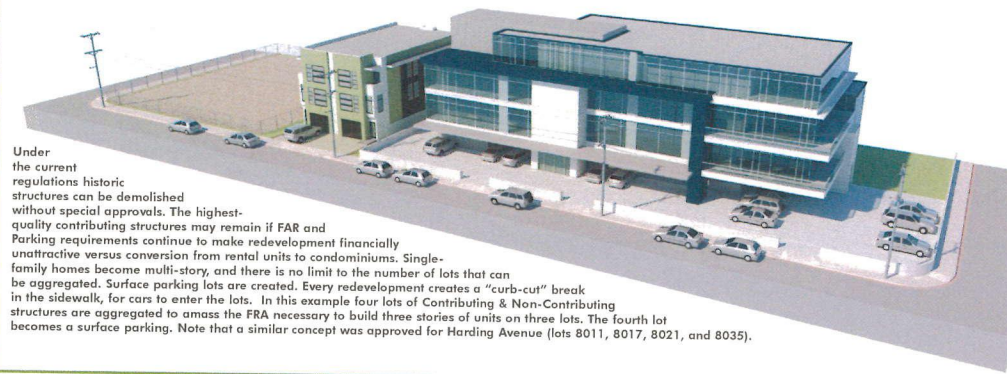
Availability of Off-Street Parking

Miami Beach Conservation Design Guidelines

A Comparison of Regulations Using Potential Scenarios

Current Regulations

(After)



Under the current regulations historic structures can be demolished without special approvals. The highest-quality contributing structures may remain if FAR and parking requirements continue to make redevelopment financially unattractive versus conversion from rental units to condominiums. Single-family homes become multi-story, and there is no limit to the number of lots that can be aggregated. Surface parking lots are created. Every redevelopment creates a "curb-cut" break in the sidewalk, for cars to enter the lots. In this example four lots of Contributing & Non-Contributing structures are aggregated to amass the FRA necessary to build three stories of units on three lots. The fourth lot becomes a surface parking. Note that a similar concept was approved for Harding Avenue (lots 8011, 8017, 8021, and 8035).

Evaluation

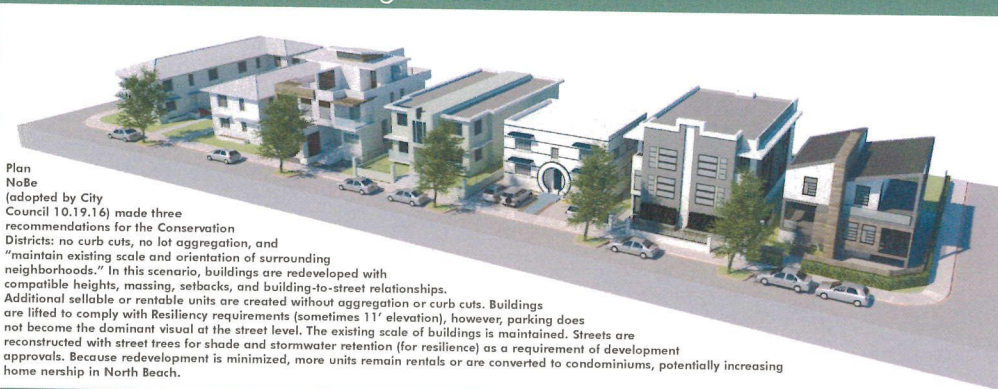
NOBE Character

Climate Adaptation

Availability of Off-Street Parking

Plan NoBe Recommended Regulations

(After)



Plan NoBe (adopted by City Council 10.19.16) made three recommendations for the Conservation Districts: no curb cuts, no lot aggregation, and "maintain existing scale and orientation of surrounding neighborhoods." In this scenario, buildings are redeveloped with compatible heights, massing, setbacks, and building-to-street relationships. Additional sellable or rentable units are created without aggregation or curb cuts. Buildings are lifted to comply with Resiliency requirements (sometimes 11' elevation), however, parking does not become the dominant visual at the street level. The existing scale of buildings is maintained. Streets are reconstructed with street trees for shade and stormwater retention (for resiliency) as a requirement of development approvals. Because redevelopment is minimized, more units remain rentals or are converted to condominiums, potentially increasing home ownership in North Beach.

Evaluation

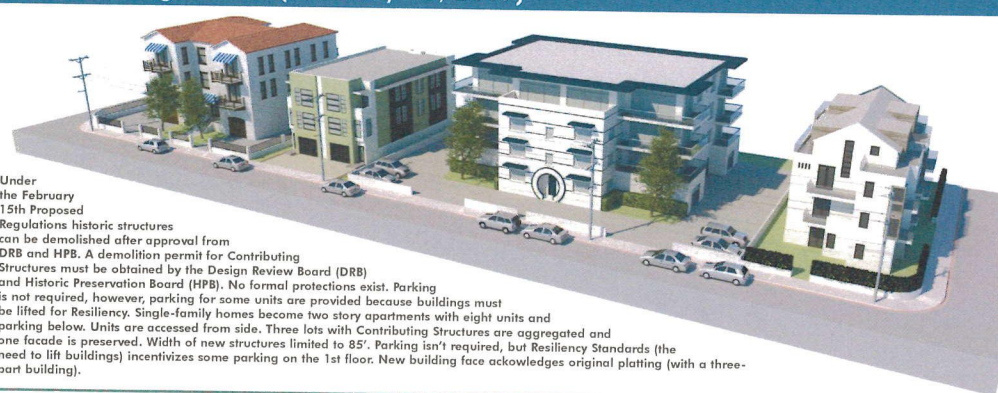
NOBE Character

Climate Adaptation

Availability of Off-Street Parking

Proposed Regulations (February 15, 2017)

(After)



Under the February 15th Proposed Regulations historic structures can be demolished after approval from DRB and HPB. A demolition permit for Contributing Structures must be obtained by the Design Review Board (DRB) and Historic Preservation Board (HPB). No formal protections exist. Parking is not required, however, parking for some units are provided because buildings must be lifted for Resiliency. Single-family homes become two story apartments with eight units and parking below. Units are accessed from side. Three lots with Contributing Structures are aggregated and one facade is preserved. Width of new structures limited to 85'. Parking isn't required, but Resiliency Standards (the need to lift buildings) incentivizes some parking on the 1st floor. New building face acknowledges original platting (with a three-part building).

Evaluation

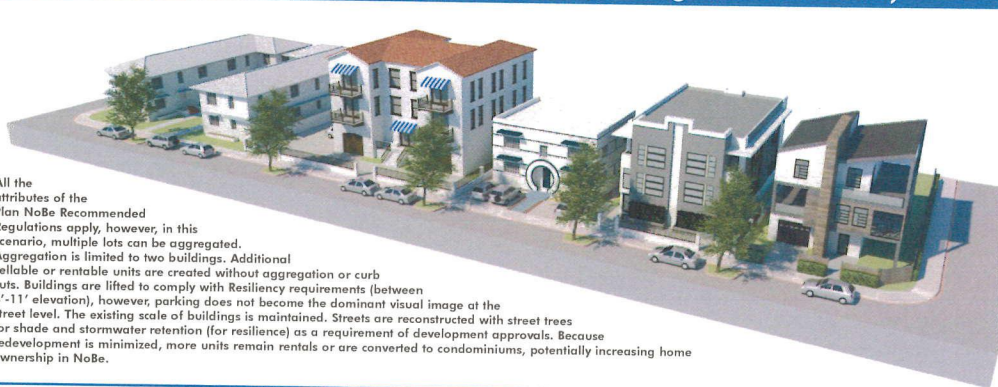
NOBE Character

Climate Adaptation

Availability of Off-Street Parking

Synthesis Regulations (Combining the February 15 regs with Plan NoBe)

(After)



All the attributes of the Plan NoBe Recommended Regulations apply, however, in this scenario, multiple lots can be aggregated. Aggregation is limited to two buildings. Additional sellable or rentable units are created without aggregation or curb cuts. Buildings are lifted to comply with Resiliency requirements (between 8'-11' elevation), however, parking does not become the dominant visual image at the street level. The existing scale of buildings is maintained. Streets are reconstructed with street trees for shade and stormwater retention (for resiliency) as a requirement of development approvals. Because redevelopment is minimized, more units remain rentals or are converted to condominiums, potentially increasing home ownership in NoBe.

Evaluation

Character

Climate Adaptation

Availability of Off-Street Parking

**NORTH BEACH NATIONAL REGISTER CONSERVATION
DISTRICT OVERLAY**

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE II, "DISTRICT REGULATIONS," DIVISION 3 "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION II, "RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY," BY AMENDING SECTION 142-155 TO REFERENCE THE REQUIREMENTS FOR THE NORTH BEACH NATIONAL REGISTER CONSERVATION OVERLAY; BY AMENDING ARTICLE III, "OVERLAY DISTRICTS," BY CREATING DIVISION 12, ENTITLED THE "NORTH BEACH NATIONAL REGISTER CONSERVATION DISTRICT OVERLAY," WHICH DIVISION WOULD CREATE SPECIFIC DEVELOPMENT REGULATIONS FOR THE OVERLAY, INCLUDING DEMOLITION REQUIREMENTS, LIMITATIONS ON LOT AGGREGATION, REDUCTIONS IN UNIT SIZE, REDUCTIONS IN PARKING REQUIREMENTS, MODIFICATIONS TO THE SETBACK AND HEIGHT REQUIREMENTS, ADDITIONAL REQUIREMENTS FOR ROOFTOP ADDITIONS AND ALLOWABLE HEIGHT EXCEPTIONS, AND INCLUSION OF DESIGN, RESILIENCY, AND PARKING STANDARDS; PROVIDING FOR CODIFICATION; 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

Sec. 142-881. Compliance with regulations.

(a) Applications for a building permit shall be reviewed and approved in accordance with all applicable development procedures specified in chapter 118.

(b) Existing structures shall be rehabilitated in general accordance with the Post-War Modern/MiMo Design Guidelines as adopted by the design review board and historic preservation board.

(c) The demolition of buildings within the North Beach National Register Overlay, not located within a local historic district or site, shall comply with the following:

1. The demolition of a 'contributing' building shall not be permitted for purposes of creating a vacant lot or a surface parking lot.
2. No demolition permit for a 'contributing' building shall be issued prior to the review and approval for the new construction or site improvements by the design review board and until all of the following criteria are satisfied:
 - i. The issuance of a building permit process number for the new construction;
 - ii. The building permit application and all required plans for the new construction shall be reviewed and approved by the Planning Department;
 - iii. All applicable fees for the new construction shall be paid, including, but not limited to, building permit and impact fees, as well as applicable concurrency and parking impact fees;
 - iv. A tree survey, if required, shall be submitted and a replacement plan, if required, shall be reviewed and approved by the Greenspace Management Division;
 - v. All debris associated with the demolition of the structure shall be recycled, in accordance with the applicable requirements of the Florida Building Code.
3. The aforementioned demolition requirements shall not supersede the regulations and requirements set forth in Chapter 118, Article X. In the event of a conflict, the regulations in Chapter 118, Article X shall control.

Sec. 142-882. Development regulations and area requirements.

The following overlay regulations shall apply to the North Beach National Register Overlay. All development regulations in the underlying RM-1 regulations shall apply, except as follows:

(a) The lot area, lot width, and lot aggregation requirements for properties zoned RM-1 within the North Beach National Register Overlay district are as follows:

(b) The unit size requirements for the North Beach National Register Overlay district are as follows:

<u>Minimum Unit Size (Square Feet)</u>	<u>Average Unit Size (Square Feet)</u>
<u>New construction—400</u>	<u>New construction—500</u>
<u>Non-elderly and elderly low and moderate income housing: See section 142-1183</u>	<u>Non-elderly and elderly low and moderate income housing: See section 142-1183</u>
<u>'Contributing' buildings which are substantially retained and restored—300</u>	<u>'Contributing' buildings which are substantially retained and restored —400</u>
<u>Additions to 'contributing' buildings which are substantially retained and restored - 300.</u>	<u>Additions to 'contributing' buildings which are substantially retained and restored - 400.</u>

(c) Notwithstanding the requirements in Chapter 130, the off-street parking requirements for the North Beach National Register Overlay district are as follows:

1. Apartment building and apartment-hotel:

- i. Buildings on lots that are 60 feet in width or less: zero (0) spaces per unit.
- ii. Buildings on lots that are greater than 60 feet in width: one (1) space per unit. In the event that the property owner can substantiate that the proposed new construction will not need to provide off-street parking, the design review board or historic preservation board, as applicable, may waive the parking requirement.
- iii. Development sites with six (6) units or less, regardless of lot width: zero (0) spaces per unit.
- iv. For existing apartment, apartment-hotel and hotel buildings, which are classified as 'contributing' and of which at least 75 percent of the front and street side elevations, and 25 percent of interior side elevations, are substantially retained, preserved and restored, there shall be no parking requirement for the existing structure, and any new additions, whether attached or detached, regardless of lot width and number of units. Any proposed addition to the existing structure shall be subject to the review and approval of the design review board or historic preservation board, whichever has jurisdiction, and shall include a renovation plan for the existing structure that is fully consistent with the Secretary of the Interior Guidelines and Standards for the Rehabilitation of Historic Buildings.

4. Rooftop additions to existing 'contributing' buildings may be reviewed and approved at the administrative level, in accordance with the following:
 - a. The roof-top addition shall not exceed one story, with a maximum floor-to-ceiling height of 10 feet.
 - b. There shall be no demolition of original significant architectural features, as determined by the Planning Director or designee.
 - c. The roof-top addition shall be setback a minimum of 20 feet from the front façade.
 - d. A minimum of 75 percent of the front and street side building elevations shall be retained.
 - e. In the event of a conflict with the requirements of chapter 118, article X, the requirements of chapter 118, article X shall control.
5. Elevator and stairwell bulkheads extending above the main roofline of a building shall be required to meet the line-of-sight requirements set forth in section 142-1161 herein and such line-of-sight requirement, unless waived by either the historic preservation board or design review board, as may be applicable.
6. Shade structures, including awnings, trellises and canopies may be permitted as an allowable height exception, provided they do not exceed 10 feet in height above the associated roof deck, and shall be subject to the review and approval of the historic preservation board or design review board, as applicable.

(e) The setback requirements for the pedestal portions of all buildings located in the RM-1 district within the North Beach National Register Overlay district are as follows:

		<u>interior side shall be 10 feet or 10 percent of lot width, whichever is greater.</u>		
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- (1) Setbacks for at-grade parking and subterranean levels, if permitted, shall be the same as set forth in Section 142-156.
- (2) Notwithstanding the above, for rooftop additions located on 'Contributing' buildings, any non-conforming interior side or rear setback may be extended to the new construction.

Sec. 142-883. Lot Aggregation Guidelines.

- (a) Where a development is proposed on two (2) lots, new construction shall acknowledge the original platting of the assembled parcels through architectural treatment within the building's façade.
- (b) Where a development is proposed on three (3) lots, there shall be at least one (1) 'contributing' structure. Additionally, the following shall be required:
 1. At least 33 percent of all existing 'contributing' buildings, as measured from the front elevation, shall be substantially retained and restored.
 2. New construction shall acknowledge the original platting of the assembled parcels through architectural treatment within the building's façade.
 3. A view corridor though the parcel, open to the sky, shall be required above the second floor of the building.
 4. The width of any new building shall not exceed 85 feet.
 5. A courtyard or semi-public outdoor area, comprised of at least 500 square feet, shall be required. Private terraces at the ground level may be included within this 500 square feet, provided individual units can be accessed directly from the exterior of the terrace.

Sec. 142-884. Design and Resiliency Standards.

- (a) All levels of an existing structure located below Base Flood Elevation plus one (1) foot (BFE +1') may be repurposed with non-habitable uses.
- (b) Subterranean levels shall only be permitted in the event that the space is purposed and designed as part of a storm water management plan, including but not limited to storm water collection and cisterns for reuse of captured water.
- (c) All dwelling units in new construction shall be designed to incorporate exposure to natural light from at least two elevations of the building volume.
- (d) New construction shall be designed to incorporate naturally landscaped areas at the ground level, in addition to the minimum setback requirements, which is equal to or greater than five (5) percent of the total lot area.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this _____ day of _____, 2017.

Philip Levine
Mayor

ATTEST:

Rafael E. Granado
City Clerk

First Reading: July 26, 2017
Second Reading: September 13, 2017

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

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