CD-2 MINIMUM HOTEL UNIT SIZE - FORMER HD ZONE

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED, "ZONING DISTRICTS AND REGULATIONS", ARTICLE II "DISTRICT REGULATIONS," DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY," SECTION 142-306, ENTITLED "DEVELOPMENT REGULATIONS," TO ESTABLISH A MINIMUM HOTEL UNIT SIZE OF 250 SQUARE FEET FOR PROPERTY FORMERLY ZONED HD THAT DOES NOT EXCEED 25,000 SQUARE FEET; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

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

WHEREAS, the number of properties zoned HD that do not exceed 25,000 square feet in size is limited; and

WHEREAS, the existing HD-zoned property that does not exceed 25,000 square feet in size is located in close proximity to the Washington Avenue corridor; and

WHEREAS, Section 142-309 of the City Code provides for minimum hotel unit sizes of 175 feet within the Washington Avenue corridor; and

WHEREAS, the City seeks to allow for adaptive reuse of existing structures; and

WHEREAS, the City has determined that the adaptive reuse of HD-zoned properties that do not exceed 25,000 square feet in size will ensure that new redevelopment and renovation of existing structures are compatible and in scale with the built environment, and is in the best interest of the City; and

WHEREAS, the amendment set forth below is 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 of the City Code, "Zoning Districts and Regulations," Article II, "District Regulations," Division 5, "CD-2 Commercial, Medium Intensity 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 5. CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT

Sec. 142-306. - Development regulations.

The development regulations in the CD-2 commercial, medium intensity district are as follows:

Maximum Floor Area Ratio	Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Apartment Unit Size (Square Feet)	Average Apartment Unit Size (Square Feet)	Maximum Building Height (Feet)
1.5	Commercial —None Residential— 7,000	Commercial —None Residential— 50	Commercial —N/A New construction —550 Rehabilitated buildings—400 Non-elderly and elderly low and moderate income housing—400 Workforce housing—400 Hotel unit: 15%: 300—335 85%: 335+ For contributing hotel structures, located within an individual historic site, a local historic district or a national register district, which are being renovated in accordance	Commercial —N/A New construction —800 Rehabilitated buildings— 550 Non-elderly and elderly low and moderate income housing—400 Workforce housing—400 Hotel units— N/A	50 (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. This provision shall not apply to existing historic districts or existing overlay districts (existing as of 7/26/2017), or

			with the Secretary of the Interior Standards and Guidelines for the Rehabilitation of Historic Structures as amended, retaining the existing room configuration shall be permitted, provided all rooms are a minimum of 200 square feet. Additionally, existing room configurations for the above described hotel structures may be modified to address applicable life-safety and accessibility regulations, provided the 200 square feet minimum unit size is maintained, and provided the maximum occupancy per hotel room does not exceed 4 persons. In addition, the minimum hotel unit size		commercial buildings immediately adjacent to residential district not separated by a street. However, an applicant may seek approval from the historic preservation board or design review board, as may be applicable, to increase height in accordance with the foregoing within any historic district or overlay district created after 7/26/2017 Self-storage warehouse - 40 feet, except that the building height shall be limited to 25 feet within 50 feet from the rear property line for lots abutting an alley; and within 60 feet from a residential district for blocks with no alley

			for a property formerly zoned HD is 250 square feet, provided that the property does not exceed 25,000 square feet as of March 23, 2019.		
					Mixed-use and commercial buildings that include structured parking for properties on the west side of Alton Road from 6th Street to Collins Canal - 60 feet.

SECTION 2. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith be and the same 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 _____, 2019.

ATTEST:

_____
Dan Gelber, Mayor

_____
Rafael E. Granado, City Clerk

First Reading: January 16, 2019
Second Reading: February 13, 2019

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

_____   12-27-18
City Attorney   Date

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

(Sponsored by Vice-Mayor Michael Góngora)