

CCC CIVIC & CONVENTION CENTER DISTRICT HOTEL REGULATIONS

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, SUBPART B, ENTITLED, "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 7, ENTITLED "CCC CONVENTION CENTER DISTRICT," SECTION 142-366, ENTITLED, "SETBACK REQUIREMENTS"; AMENDING CHAPTER 130 OF THE CITY CODE, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-32, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1," AND AMENDING ARTICLE IX, ENTITLED "VALET AND TANDEM PARKING," SECTION 130-251, ENTITLED "REQUIREMENTS," TO MODIFY THE DEVELOPMENT REGULATIONS PERTAINING TO SETBACK REQUIREMENTS AND PARKING REQUIREMENTS TO ACCOMMODATE THE DEVELOPMENT OF A CONVENTION HOTEL; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commission desire to promote economic development within the City of Miami Beach (the "City") by attracting a more robust mix of conferences and conventions to the Miami Beach Convention Center ("MBCC" or "Convention Center"), including "fly-in" conferences and conventions drawing national and international attendance, which would reduce the Convention Center's reliance on "drive-in" events that primarily attract local/commuter attendance; and

WHEREAS, in support of the foregoing and in an effort to maintain the competitiveness of the Convention Center as a local and regional asset that supports the South Florida tourism economy, the City is in the process of completing the Miami Beach Convention Center Renovation and Expansion Project (the "MBCC Renovation Project"), a public construction project that includes a complete renovation of the Convention Center, expansion of ballroom and auxiliary spaces, parking located above portions of the Convention Center, exterior landscaping, and construction of a six (6) acre public park; and

WHEREAS, in addition to, and separate from, the MBCC Renovation Project, the City desires to attract more "fly-in" conferences and conventions to the Convention Center through the development of a convention headquarter hotel that is (i) entirely privately-funded, (ii) sufficiently close to the Convention Center to serve as an "on-site" hotel option for conference attendees, and (iii) large enough to provide the group room blocks necessary to support and secure national and international conferences and conventions at the Convention Center; and

WHEREAS, on November 19, 2014, the Mayor and City Commission adopted Resolution No. 2014-28836, approving and authorizing the City to execute an Amended and Restated Interlocal Cooperation Agreement between the City and Miami-Dade County (the "County"), pursuant to which, in recognition that a convention hotel in the proximity of the Convention Center will generate additional Convention Development Tax ("CDT") and resort tax revenues, the County agreed to provide the City with up to \$1,500,000 per year in an

additional allocation of CDT revenues once a convention hotel opens, with such additional payments to the City continuing annually until 2048; and

WHEREAS, on April 13, 2016, the Mayor and City Commission established the Mayor's Ad Hoc Blue Ribbon Steering Committee on the Convention Center Hotel (the "Committee"), chaired by Commissioner Ricky Arriola and vice-chaired by Commissioner Kristen Rosen-Gonzalez; and

WHEREAS, on February 14, 2018, the Mayor and City Commission considered the Committee's report regarding potential options for a Convention Center Hotel development, including options with respect to a proposed Hotel's location, size, height, and related issues such as traffic mitigation, and the like, and directed the Administration to prepare a Request for Proposals ("RFP"); and

WHEREAS, on May 16, 2018, the Mayor and City Commission approved Resolution No. 2018-30310, authorizing the issuance of an RFP for the Convention Center Hotel for a lease of the approximately 2.6 acre site located adjacent to the Convention Center; and

WHEREAS, on May 17, 2018, the City issued Request for Proposals No. 2018-238-KB (the "RFP") for the Development of a Convention Headquarter Hotel Adjacent to the Miami Beach Convention Center; and

WHEREAS, on July 25, 2018, the Mayor and City Commission adopted Resolution No. 2018-30425, approving a Development and Ground Lease Agreement with MB Mixed Use Investment, LLC ("Miami Beach Connect"), for the development and operation of a privately-funded convention hotel and related amenities, with a lease term of 99 years; and

WHEREAS, on November 6, 2018, the City's voters approved the convention hotel lease; and

WHEREAS, the amendments set forth herein are intended to accommodate the proposed convention hotel in the CCC Civic and Convention Center District.

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 7, "CCC Civic and Convention Center 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 7. - CCC Civic and Convention Center District

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Sec. 142-366. - Setback requirements.

- (a) Other than the minimum setbacks set forth in subsections (b) and (c) below, the development regulations (setbacks, floor area ratio, signs, parking, etc.) shall be the average of the requirements contained in the surrounding zoning districts as determined by the planning and zoning director. Setback regulations for parking lots and garages when they are the main permitted use are listed in subsection 142-1132(n).
- (b) The subterranean, pedestal, and tower setback requirements for a hotel use shall be as follows:
- 1) Fronting 17th Street: 10 feet
 - 2) Fronting Convention Center Drive: 10 feet
 - 3) Interior Side: five (5) feet
 - 4) Rear: zero (0) feet
- (c) Balcony projections setback requirement for a hotel use: zero (0) feet.

SECTION 2. Chapter 130 of the City Code, entitled "Off-Street Parking," Article II, "Districts; Requirements," is hereby amended as follows:

**CHAPTER 130
OFF-STREET PARKING**

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ARTICLE II. - DISTRICTS; REQUIREMENTS

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Sec. 130-32. - Off-street parking requirements for parking district no. 1.

Except as otherwise provided in these land development regulations, when any building or structure is erected or altered in parking district no. 1, accessory off-street parking spaces shall be provided for the building, structure or additional floor area as follows:

* * *

- (25A) *CCC civic and convention center district:* The following parking regulations shall apply to structures situated in the CCC civic and convention center district. The number of off-street parking spaces required for any structure shall be determined by the primary use of the structure in accordance with the requirements as follows:
- a. Auditorium, convention hall or meeting rooms: One space per every 1,000 square feet of floor area available for seats.
 - b. Hotel, convention: 0.4 spaces per unit.
 - c. When not listed above, the parking requirement for primary uses listed in this section shall apply.
 - d. Accessory uses not listed above shall have no parking requirement.

- e. Notwithstanding the requirements of section 130-101 pertaining to off-street loading, the off-street loading requirement for hotels and accessory uses to hotels shall be four (4) spaces. However, additional loading spaces may be provided on site.

The city commission may waive the total amount of required parking for uses in the CCC district by up to 20 percent. Valet and tandem parking shall not be required to comply with the stacking limits in section 130-251(b).

SECTION 3. Chapter 130 of the City Code, entitled "Off-Street Parking," Article IX, "Valet and Tandem Parking," is hereby amended as follows:

**CHAPTER 130
OFF-STREET PARKING**

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ARTICLE IX. - VALET AND TANDEM PARKING

Sec. 130-251. - Requirements.

- (a) Commercial parking garages and lots may consist of 100 percent valet parking spaces. Required parking for commercial establishments, hotels, hotel accessory uses, multifamily residential buildings, residential accessory uses, and alcoholic beverage establishments may be satisfied by providing 100 percent valet parking spaces. If the parking spaces are located off-site, they shall comply with the requirements of section 130-36 in order to satisfy minimum parking requirements. In addition, any required parking valet spaces for a multifamily residential building shall be governed by a restrictive covenant, approved as to form by the city attorney's office and recorded in the public records of the county as a covenant running with the land, stipulating that a valet service or operator must be provided for such parking for so long as the use continues.
- (b) Dimensions for valet and tandem parking spaces shall be 8½ feet in width by 16 feet in depth. Dimensions for tandem parking spaces shall be a minimum of 8½ feet in width by 32 feet in depth, with a maximum stacking of two vehicles per space-, except as provided in section 130-32(25A).
- (c) Tandem parking spaces may be utilized for self-parking only in multifamily residential buildings and shall have a restrictive covenant, approved as to form by the city attorney's office and recorded in the public records of the county as a covenant running with the land, limiting the use of each pair of tandem parking spaces to the same unit owner.
- (d) Commercial parking garages and lots may utilize tandem parking spaces if they are operated exclusively by valet parking. A restrictive covenant, approved as to form by the city attorney's office and recorded in the public records of the county as a covenant running with the land, shall be required and shall affirm that a valet service or operator must be provided for such parking for so long as the tandem parking spaces exist.

SECTION 4. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 5. 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 6. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this ____ day of _____, 2019.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

Gal Orent 2-4-19
City Attorney Date

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First Reading: February 13, 2019

Second Reading: March 13, 2019

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