

## **COLLINS PARK NEIGHBORHOOD HOTEL & PARKING 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 130 OF THE CITY CODE ENTITLED, "OFF-STREET PARKING," ARTICLE II, ENTITLED, "DISTRICTS; REQUIREMENTS," SECTION 130-31, ENTITLED, "PARKING DISTRICTS ESTABLISHED"; AMENDING CHAPTER 130 OF THE CITY CODE ENTITLED, "OFF-STREET PARKING", ARTICLE II, ENTITLED, "DISTRICTS; REQUIREMENTS", SECTION 130-33, ENTITLED, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, AND 8"; BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED, "ZONING DISTRICTS AND REGULATIONS", ARTICLE II, ENTITLED, "DISTRICT REGULATIONS", DIVISION 3, ENTITLED, "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION IV, ENTITLED, "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," SECTION 142-217, ENTITLED, "AREA REQUIREMENTS"; SUBDIVISION V, ENTITLED, "RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY," SECTION 142-246, ENTITLED, "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS"; DIVISION 5, ENTITLED, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-306, ENTITLED, "DEVELOPMENT REGULATIONS"; DIVISION 6, ENTITLED, "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," SECTION 142-337, ENTITLED, "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS"; TO MODIFY THE DEVELOPMENT REGULATIONS PERTAINING TO PARKING REQUIREMENTS AND MINIMUM HOTEL UNIT SIZES FOR PROPERTIES LOCATED WITHIN THE NEWLY ESTABLISHED PARKING DISTRICT NO. 9, REFERRED TO AS THE "COLLINS PARK DISTRICT"; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; 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 Mayor and City Commission desire to promote economic development within the City of Miami Beach 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 that would reduce the MBCC'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 MBCC, expansion of ballroom and auxiliary spaces, parking above portions of the MBCC, exterior landscaping and creation of a six (6) acre public park; and

**WHEREAS**, the Collins Park Neighborhood is located adjacent to the east of the Convention Center and will serve as a primary area to host and entertain the visitors and activity associated with the Convention Center; and

**WHEREAS**, the Collins Park Neighborhood is identified as those properties from the erosion control line on the east to the east side of Washington Avenue on the west bounded by 23<sup>rd</sup> Street on the north and 17<sup>th</sup> Street on the south; and

**WHEREAS**, the City recognizes urban trends associated with smaller hotel unit sizes and the proliferation of ride-sharing services which compel less need for parking to serve the Collins Park Neighborhood;

**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.** Chapter 130, "Off-street Parking," at Article II, entitled "Districts; Requirements," of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

**CHAPTER 130  
OFF-STREET PARKING**

**ARTICLE II  
DISTRICTS; REQUIREMENTS**

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**Sec. 130-31. - Parking districts established.**

- (a) For the purposes of establishing off-street parking requirements, the city shall be divided into the following parking districts:

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(8) *Parking district no. 9 – Collins Park District.* Parking district no. 9 includes those properties from the erosion control line on the east to the east side of Washington Avenue on the west bounded by 23<sup>rd</sup> Street on the north and 17<sup>th</sup> Street on the south as depicted in the map below:

**SECTION 2.** Chapter 130, "Off-Street Parking," Article II, entitled "Districts; Requirements," of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

**CHAPTER 130  
OFF-STREET PARKING**

**ARTICLE II**

## DISTRICTS; REQUIREMENTS

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**Sec. 130-33. - Off-street parking requirements for parking district nos. 2, 3, 4, 5, 6, 7, and 8, and 9.**

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(e) Except as otherwise provided in these land development regulations, when any building or structure is erected or altered in parking district no. 9, off-street automobile parking spaces shall be provided for the building, structure or additional floor area as follows. For uses not listed below, the off-street parking requirement shall be the same as for parking district no. 1 in section 130-32

(1) Hotel units: No parking requirement.

(2) Restaurant, outdoor café or bar: No parking requirement for an individual establishment of less than 200 seats, provided that the restaurant, outdoor café, or bar use is within 1,200 feet of a any parking garage, whether public or private. If a restaurant, outdoor café or bar exceeds 200 seats, the parking requirement shall be one space for every four seats or bar stools or one space per 60 square feet of space not used for seating in excess of the foregoing limitation. Such parking may be satisfied by paying an annual fee in lieu of providing the required parking in an amount equal to two percent of the total amount due for all the uses within the proposed building.

(3) Retail store, or food store, or personal service establishment: There shall be no parking requirement for individual establishments of 5,000 square feet or less, whether as a primary or accessory use, provided that the use is within 1,200 feet of any parking garage, whether public or private. If the use exceeds 5,000 square feet, the parking requirement shall be one space for every 300 square feet of floor area in excess of the foregoing limitation. Such parking may be satisfied by paying an annual fee in lieu of providing the required parking in an amount equal to two percent of the total amount due for all the uses within the proposed building.

(4) Any building or structure erected in parking district no. 9 may provide required parking on site as specified in parking district no. 1. Such required parking, if provided, shall be exempt from FAR, in accordance with the regulations specified in chapter 114 of these land development regulations.

**SECTION 3.** Chapter 142, "Zoning Districts and Regulations," at Article II, entitled "District Regulations," at Division 3, entitled "Residential Multifamily Districts" of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

### CHAPTER 142 ZONING DISTRICTS AND REGULATIONS

#### ARTICLE II DISTRICT REGULATIONS

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**DIVISION 3  
RESIDENTIAL MULTIFAMILY DISTRICTS**

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**SUBDIVISION IV  
RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY**

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Sec. 142-217. - Area requirements.

The area requirements in the RM-2 residential multifamily, medium intensity district are as follows:

Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Unit Size (Square Feet)	Average Unit Size (Square Feet)	Maximum Building Height (Feet)
7,000	50	<p>New construction—550 Non-elderly and elderly low and moderate income housing—400 Workforce housing—400 Rehabilitated buildings—400 Hotel units: 15%: 300—335 85%: 335+</p> <p><u>For hotel structures located within the Collins Park District, generally bounded by the Atlantic Ocean on the east, Washington Avenue on the west, 23<sup>rd</sup> Street on the north and 17<sup>th</sup> Street on the south, hotel units shall be a minimum of 200 square feet.</u></p> <p>For contributing hotel structures, located within an individual historic site, a local historic district or a national register district, which are renovated in accordance with the Secretary of the Interior Standards and Guidelines for the Rehabilitation of Historic Structures as amended, retaining the existing room configuration and sizes of at least 200 square</p>	<p>New construction—800 Non-elderly and elderly low and moderate income housing—400 Workforce housing—400 Rehabilitated buildings—550 Hotel units—N/A</p>	<p>Historic district—50 (except as provided in section 142-1161) Area bounded by Indian Creek Dr., Collins Ave., 26th St., and 44th St.—75 Area fronting west side of Collins Ave. btwn. 76th St. and 79th St.—75 Area fronting west side of Alton Rd. between Arthur Godfrey Rd. and W. 34th St.—85 Otherwise—60 For properties outside a local historic district with a ground level consisting of non-habitable parking</p>

		feet shall be permitted. Additionally, the 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.		and/or amenity uses—65 Lots fronting Biscayne Bay less than 45,000 sq. ft.—100 Lots fronting Biscayne Bay over 45,000 sq. ft.—140 Lots fronting Atlantic Ocean over 100,000 sq. ft.—140 Lots fronting Atlantic Ocean with a property line within 250 feet of North Shore Open Space Park Boundary—200
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**SUBDIVISION V**  
**RM-3 RESIDENTIAL MULTIFAMILY, HIGH INTENSITY**

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Sec. 142-246. - Development regulations and area requirements.

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(b) The lot area, lot width, unit size and building height requirements for the RM-3 residential multifamily, high intensity district are as follows:

Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Unit Size (Square Feet)	Average Unit Size (Square Feet)	Maximum Building Height (Feet)
7,000	50	New construction—550 Non-elderly and elderly low and moderate income	New construction—800	150  Oceanfront lots—200

		<p>housing—400  Workforce housing—400  Rehabilitated buildings—400  Hotel units:  15%: 300—335  85%: 335+</p> <p><u>For hotel structures located within the Collins Park District, generally bounded by the Atlantic Ocean on the east, Washington Avenue on the west, 23<sup>rd</sup> Street on the north and 17<sup>th</sup> Street on the south, hotel units shall be a minimum of 200 square feet.</u></p> <p>For contributing hotel structures, located within an individual historic site, a local historic district or a national register district, which are renovated in accordance with the Secretary of the Interior Standards and Guidelines for the Rehabilitation of Historic Structures as amended, retaining the existing room configuration and sizes of at least 200 square feet shall be permitted. Additionally, the 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.</p>	<p>Non-elderly and elderly low and moderate income housing—400  Workforce housing—400  Rehabilitated buildings—550  Hotel units—N/A</p>	<p>Architectural dist.: New construction—120; ground floor additions (whether attached or detached) to existing structures on oceanfront lots—50 (except as provided in section 142-1161)</p>
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**SECTION 4.** Chapter 142, "Zoning Districts and Regulations," at Article II, entitled "District Regulations," at Division 3, entitled "Residential Multifamily Districts" of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

**CHAPTER 142  
ZONING DISTRICTS AND REGULATIONS**

**ARTICLE II  
DISTRICT REGULATIONS**

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**DIVISION 5  
CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT**

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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+ <u>For hotel structures located within</u>	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

			<p><u>the Collins Park District, generally bounded by the Atlantic Ocean on the east, Washington Avenue on the west, 23<sup>rd</sup> Street on the north and 17<sup>th</sup> Street on the south, hotel units shall be a minimum of 200 square feet.</u></p> <p>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 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,</p>		<p>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 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</p> <p>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</p>
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			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.		
					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.

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**DIVISION 6**  
**CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT**

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Sec. 142-337. - Development regulations and area requirements.

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- (c) The lot area, lot width, unit size and building height requirements for the CD-3 commercial, high intensity district are as follows:

Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Unit Size (Square Feet)	Average Unit Size (Square Feet)	Maximum Building Height (Feet)
Commercial—None Residential—7,000	Commercial—None Residential—50	<p>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+ <u>For hotel structures located within the Collins Park District, generally bounded by the Atlantic Ocean on the east, Washington Avenue on the west, 23<sup>rd</sup> Street on the north and 17<sup>th</sup> Street on the south, hotel units shall be a minimum of 200 square feet.</u> 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 with the Secretary of the Interior Standards and</p>	<p>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</p>	<p>75 feet. Lots within the architectural district: 50 feet. Lots fronting on 17th Street: 80 feet. City Center Area (bounded by Drexel Avenue, 16th Street, Collins Avenue and the south property line of those lots fronting on the south side of Lincoln Road): 100 feet. 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 commercial buildings immediately adjacent to</p>

		<p>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.</p>		<p>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</p> <p>Notwithstanding the foregoing requirement for City Center Area, the following additional shall apply:</p> <p>The height for lots fronting on Lincoln Road and 16th Street between Drexel Avenue and Washington Avenue are limited to 50 feet for the first 50' of lot depth.</p> <p>The height for lots fronting on Drexel Avenue is limited to 50 feet for the first 25' of lot depth (except as provided in section 142-1161).</p>
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#### **SECTION 5. 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 6. 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 7. SEVERABILITY.**

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

**SECTION 8. 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

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

First Reading: \_\_\_\_\_, 2019

Second Reading: \_\_\_\_\_, 2019

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