

## CD-3 ARCHITECTURAL DISTRICT PARKING GARAGE HEIGHTS

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

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, 'DISTRICT REGULATIONS', DIVISION 6, "CD-3 COMMERCIAL HIGH INTENSITY DISTRICT", BY AMENDING SECTION 142-337, "DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS", TO AMEND THE MAXIMUM HEIGHT REQUIREMENTS FOR PARKING GARAGES WITHIN THE CD-3 ARCHITECTURAL DISTRICT FOR LOTS FRONTING ON JAMES AVENUE, BOUNDED BY 17<sup>TH</sup> STREET TO THE NORTH AND LINCOLN ROAD TO THE SOUTH; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**WHEREAS**, the City of Miami Beach ("City") seeks to encourage and incentivize new development and the preservation and restoration of structures located within the Museum Historic District; and

**WHEREAS**, the City desires to encourage private property owners to redevelop properties to accommodate the off-street parking needs of the surrounding properties; and

**WHEREAS**, the preservation and restoration of the City's contributing buildings furthers the general welfare and is especially important to the citizens of Miami Beach; and

**WHEREAS**, the preservation and restoration of contributing structures is often aided by the construction of new buildings on the same property; and

**WHEREAS**, the City has previously implemented increased height requirements for parking garages; 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.** That Chapter 142, "Zoning Districts and Regulations," Article II, "District Regulations" Division 6, "CD-3 Commercial High Intensity District," is hereby amended as follows:

## Section 142-337. Development regulations and area requirements.

- (a) The development regulations in the CD-3 commercial, high intensity district are as follows:
- (1) Max FAR: Lot area equal to or less than 45,000 sq. ft.—2.25; Lot area greater than 45,000 sq. ft.—2.75; Oceanfront lots with lot area greater than 45,000 sq. ft.—3.0.
  - (2) Notwithstanding the above, oceanfront lots in architectural district shall have a maximum FAR of 2.0.
  - (3) Notwithstanding the above, lots located between Drexel Avenue and Collins Avenue and between 16th Street and 17th Street shall have a maximum FAR of 2.75.
  - (4) Notwithstanding the above, lots which, as of the effective date of this ordinance (November 14, 1998), are oceanfront lots with a lot area greater than 100,000 sq. ft. with an existing building, shall have a maximum FAR of 3.0; however, additional FAR shall be available for the sole purpose of providing hotel amenities as follows: the lesser of 0.15 FAR or 20,000 sq. ft.
- (b) However, the floor area ratio maximum for residential development, inclusive of hotels, in the architectural district shall be 2.50.
- (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	Commercial—N/A New construction—550 Rehabilitated buildings—400 Non-elderly and elderly low and moderate income housing: See section 142-1183 Hotel unit: 15%: 300—335 85%: 335+ For contributing hotel structures,	Commercial—N/A New construction—800 Rehabilitated buildings—550 Non-elderly and elderly low and moderate income housing: See section 142-1183 Hotel units—N/A	75 Feet.  Lots within the architectural district: 50 Feet.  <u>Notwithstanding the foregoing requirements for lots within the architectural district, for lots fronting on James Avenue, bounded by 17<sup>th</sup> Street to the North and Lincoln Road to the South, the Historic</u>

		<p>located within 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, 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</p>	<p><u>Preservation Board, in accordance with the certificate of appropriateness criteria in chapter 118, article X, shall have discretion to allow up to 75 feet in height for those properties that provide a minimum of five (5) stories of parking, of which a minimum of 250 spaces must be unencumbered by any use at the property and provided further that a minimum setback of 75 feet shall be required from Collins and Washington Avenue for any portion of a building above 50 feet in height.</u></p> <p>Lots fronting on 17th Street: 80 Feet.</p> <p>City Center Area (bounded by Drexel Avenue, 16th Street, Collins Avenue and the south</p>
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		size is maintained.		<p>property line of those lots fronting on the south side of Lincoln Road): 100 Feet.</p> <p>Notwithstanding the foregoing requirement for the City Center Area, the following additional regulations 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 2. CODIFICATION.**

It is the intention of the Mayor and City Commission of the City of Miami Beach, 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, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

## **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. EFFECTIVE DATE.**

This Ordinance shall take effect ten days following adoption.

**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

\_\_\_\_\_  
Rafael E. Granado, City Clerk

First Reading: \_\_\_\_\_, 2018

Second Reading: \_\_\_\_\_, 2018

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

Underline = New Language

~~Strikethrough~~ = Deleted Language

Underline = Language Added at First Reading

(Sponsored by Commissioner John Elizabeth Aleman)

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