

WASHER AND DRYER ENCROACHMENTS – RM1 DISTRICT

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 IV, “SUPPLEMENTARY DISTRICT REGULATIONS,” DIVISION 4, “SUPPLEMENTARY YARD REGULATIONS,” AT SECTION 142-1132, ENTITLED “ALLOWABLE ENCROACHMENTS WITHIN REQUIRED YARDS,” TO ALLOW ENCROACHMENTS BY WASHERS AND DRYERS IN SIDE YARD SETBACKS WITHIN THE RM-1 ZONING DISTRICT; PROVIDING CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, property owners are modifying and improving existing multi-family buildings within RM-1 districts city wide; and

WHEREAS, factors, such as the future raising of roads and the need to provide tangible areas for the location of washers and dryers need to be taken into consideration; and

WHEREAS, these regulations will accomplish these goals and ensure that the public health, safety and welfare will be preserved in the City’s RM-1 districts.

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 IV, “Supplementary District Regulations,” Division 4, “Supplementary Yard Regulations,” is hereby amended, as follows:

Sec. 142-1132. - Allowable encroachments within required yards.

* * *

(f) *Central air conditioners, emergency generators and other mechanical equipment.* Accessory central air conditioners, generators and any other mechanical equipment, including attached screening elements, may occupy a required side or rear yard, in single-family, townhome, or in the RM-1 residential multifamily low intensity districts, provided that:

- (1) They are not closer than five feet to a rear or interior side lot line or ten feet to a side lot line facing a street.
- (2) The maximum height of the equipment including attached screening elements, shall not exceed five feet above current flood elevation, with a maximum height not to exceed ten feet above grade, as defined in subsection 114-1, of the lot at which they are located.
- (3) If visible from the right-of-way, physical and/or landscape screening shall be required.
- (4) Any required sound buffering equipment is located outside the minimum five-foot yard area specified in subsection (f)(1) of this section.
- (5) If the central air conditioning and other mechanical equipment do not conform to subsections (1), (2), (3), and (4) above, then such equipment shall follow the setbacks of the main structure.
- (6) Washers and dryers located in the RM-1 district, which are abutting and connected to an existing building, shall comply with the following:
 - a. Washers and dryers shall be for the sole use of building residents.
 - b. Washers and dryers may be located closer than five (5) feet from a rear or interior side lot line, provided there are no adverse impacts on pedestrian circulation.
 - c. Washers and dryers shall be setback a minimum of 50 feet from the front property line, and shall not be located within any open courtyards.
 - d. Washers and dryers shall be physically screened, such that they are not visible from a public street or sidewalk.
 - e. The overall height of washers and dryers may exceed ten feet above grade, if required to be located at or above minimum flood elevation.

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 re-lettered 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: December 13, 2017

Second Reading: January ____, 2018

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

Underscore denotes new language

~~Strikethrough~~ denotes removed language