

Century Lane And Farrey Lane Overlay - LDR Regulations

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING

; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; APPLICABILITY; AND AN EFFECTIVE DATE.

WHEREAS,; and

WHEREAS,; and

WHEREAS,; and

WHEREAS,; and

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 142, "Zoning Districts And Regulations," Article II, "District Regulations," Division 3 "Residential Multifamily Districts," Subdivision II, "RM-1 Residential Multifamily Low Intensity," is hereby amended as follows:

Sec. 7.2.4.3. - Development regulations and area requirements.

(a) The development regulations in the RM-1 residential multifamily, low density district are as follows:

* * *

(6) For properties with a lot line on either Century Lane or Farrey Lane, see Chapter 142, Article III, Division 16.

SECTION 2. Chapter 142, "Zoning Districts And Regulations," Article III, "Overlay Districts," Division 16, "Century Lane and Farrey Lane Overlay" is hereby created as follows:

DIVISION 16. CENTURY LANE AND FARREY LANE OVERLAY

Sec. 142-870.31. Location and purpose.

(a) The overlay regulations of this division shall apply to all new and existing properties located in the RM-1 Residential Multifamily Low Intensity zoning district, with a lot line on Century Lane or Farrey Lane.

(b) In the event of a conflict with the regulations of the underlying RM-1 zoning district, the provisions herein shall control.

(c) The purpose of this overlay district is to:

1. To promote resilience of both existing structures and new development.
2. To ensure that the scale and massing of new development is sensitive to and compatible with the established context of the existing residential neighborhood.

Sec. 142-870.32. Uses.

(a) The main permitted uses within the overlay shall be apartment, townhome and single family dwelling.

(b) There shall be no conditional or accessory uses in the overlay.

(c) Day care facility, religious institutions, private and public institutions, schools, as well as commercial or noncommercial parking lots and garages shall be considered a prohibited use in the overlay.

Sec. 142-870.33. Lot Aggregation Guidelines.

(a) A maximum of three (3) platted lots may be combined. Where a development is proposed on three (3) lots, the following shall apply:

1. The aggregation of up to 3 lots shall be for a single family dwelling only; apartment or townhomes shall not be permitted on more than 2 aggregated lots.
2. New construction shall acknowledge the original platting of the assembled parcels through separation of buildings and appropriate architectural treatment within the building's façade.
3. The maximum building height for the entire portion of at least one of the aggregated lots shall not exceed 35 feet.
4. For unified sites containing a non-conforming hotel use, up to 3 platted lots may be aggregated and the foregoing subsections 1 to 3 shall not apply. For unified sites within the overlay that contain a non-conforming hotel use, the aggregation of up to 3 platted lots shall only be permitted if any lots fronting Farrey Lane are used for the sole purpose of providing vehicular circulation and do not contain any enclosed structures.

Sec. 142-870.34. Design and Resiliency Standards.

(a) All levels of an existing structure located below Base Flood Elevation plus one (1) foot (BFE +1') may be repurposed with non-habitable uses.

(b) Subterranean levels shall only be permitted in the event that the space is purposed and designed as part of a storm water management plan, including but not limited to storm water collection and cisterns for reuse of captured water.

(d) New construction shall be designed to incorporate naturally landscaped areas at the ground level, in addition to the minimum setback requirements, which is equal to or

greater than five (5) percent of the total lot area. In lieu of this requirement, a green roof(s) may be provided with a minimum area of 25% of the total roof area.

(f) For raised yards requiring a retaining wall, the exterior of such wall, on all sides, shall be designed and finished in a manner that result in a high-quality appearance when seen from adjoining properties.

(h) In all instances where the existing elevation of a site is modified, a site shall be designed with adequate infrastructure to retain all stormwater on site in accordance with all applicable state and local regulations.

(i) Notwithstanding the foregoing, (a) and (d) above shall not apply to lots containing a nonconforming hotel use.

SECTION 3. REPEALER.

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

SECTION 4. 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 re-numbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 5. SEVERABILITY.

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

SECTION 6. APPLICABILITY.

This Ordinance shall not apply to a project that submitted a completed Design Review Board application and was issued a Notice to Proceed by _____.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and ADOPTED _____.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

First Reading:
Second Reading:

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