

MIAMI BEACH

Land Use and Development Committee Meeting
City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
October 30, 2019 - 9:00 AM

Commissioner John Elizabeth Aleman, Chair
Commissioner Micky Steinberg, Vice-Chair
Commissioner Ricky Arriola, Member
Commissioner Michael Gongora, Alternate

Thomas Mooney, Liaison
Naima De Pinedo, Support Staff

LAND USE AND DEVELOPMENT COMMITTEE MEETING AGENDA COMMISSION CHAMBERS 1700 CONVENTION CENTER DRIVE 3RD FL. Wednesday, October 30, 2019, 9:00 AM

DISCUSSION ITEMS

1. Discussion: Limiting Big Box Formula Retail And Formula Restaurants In Sunset Harbour

Comissioner Ricky Arriola
June 5, 2019 C4 O (Continued from September 18, 2019)
2. Discussion: Establishment Of Penalties For Property Owners Engaging In Demolition By Neglect

Vice-Mayor Ricky Arriola
July 17, 2019 C4 O (Continued from September 18, 2019)
3. Discussion: Development Incentives For The Normandy Isle Commercial District.

Vice-Mayor Ricky Arriola
July 17, 2019 C4 P (Continued from September 18, 2019)
4. Discussion: Ordinance Pertaining to Adaptive Re-Use and Accessory Uses in the Tatum Waterway Areas.

Vice-Mayor Ricky Arriola
October 16, 2019 R5 E

VERBAL REPORTS

5. Discuss Limiting Big Box Formula Retail And Formula Restaurants On Lincoln Road

Commissioner Ricky Arriola
June 5, 2019 C4 R (Continued from September 18, 2019)
6. Discussion Pertaining To A Proposed Ordinance To Expand Prohibited Uses Along 71st Street And Normandy Drive For Package Stores, Vaping And Smoke Stores, Tattoo Parlors And Related Uses.

Commissioner Micky Steinberg

7. Discussion Regarding Tight Urbanism.

Commissioner Ricky Arriola

September 11, 2019 C4 Z

Updated October 25, 2019

DEFERRED ITEMS

8. A Land Use Amendment To Increase The Maximum Building Height To 200 Feet For Oceanfront Lots With A Contributing Building In The RM-3 District When the Development Site is at Least 110,000 Square Feet in Size

Vice-Mayor Ricky Arriola and Co-Sponsored by Commissioners John Elizabeth Aleman and Joy Malakoff

July 31, 2019, R5 A

Item Withdrawn

9. Development Regulations for Hotels on Lincoln Road

Vice-Mayor Ricky Arriola

September 11, 2019 R5 L



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

Item 1.
COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: October 30, 2019

TITLE: DISCUSSION: LIMITING BIG BOX FORMULA RETAIL AND FORMULA RESTAURANTS IN SUNSET HARBOUR

HISTORY:

On June 5, 2019, at the request of Commissioner Ricky Arriola, the City Commission referred the discussion item to the Land Use and Development Committee (Item C4 Q). The item was discussed at the September 18, 2019 LUDC meeting, and continued to the October 30, 2019 meeting with direction to include copies of existing formula establishment regulations for reference.

ANALYSIS:

UPDATE

As previously requested by the LUDC, attached are the current regulations for formula retail and restaurant establishments within the art deco / mimo overlay. Additionally, the item sponsor is hosting a town hall meeting on October 28, 2019, in sunset harbor, to discuss the proposal. An update of this town hall meeting will be provided on floor of the LUDC meeting.

Applicable Area

South Beach

Is this a Resident Right to Know item?

Yes

Does this item utilize G.O. Bond Funds?

No



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Item 2.
COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: October 30, 2019

**TITLE: DISCUSSION: ESTABLISHMENT OF PENALTIES FOR PROPERTY OWNERS
ENGAGING IN DEMOLITION BY NEGLECT**

HISTORY:

On July 17, 2019, at the request of Commissioner Ricky Arriola, the City Commission referred the discussion item to the Land Use and Development Committee (Item C4 O). The item was discussed at the September 18, 2019 LUDC meeting, and continued to the October 30, 2019 meeting with the following direction:

1. The administration and City Attorney's office will research and provide recommendations regarding a process for imposing proportional fines, development and use reductions, and building registrations.
2. The administration will bring a discussion item to the October 8, 2019 meeting of the Historic Preservation Board for recommendations on posting unsafe structures on the city's website.

ANALYSIS:

PLANNING AND LEGAL ANALYSIS

On October 8, 2019, the Historic Preservation Board discussed the matter and recommended that the City begin the process of posting the addresses of properties that have an active unsafe structures violation and have been referred to the Miami-Dade County Unsafe Structures Board by the Building Official on the City website. The Board also recommended that this information be available on either the Building Department or Planning Department page.

Planning staff and the City Attorney's office have researched and discussed other options to address demolition by neglect in historic districts. The following is an update and summary of these efforts:

1. Fines. The way properties are currently fined is general and not specific to the size of the building. The administration and the City Attorney's office have researched the concept of proportional fines and it appears that it is not pre-empted under State law. The administration and the City Attorney are exploring potential amendments that would result in more proportional fines for larger buildings.

2. Building Registry. The Building Department is researching and evaluating a method to establish a building registry process.

3. Amendments to chapter 118, Article X of the LDR's. A presumption clause is proposed, in the event that a contributing structure is demolished, for any reason, including, but not limited to demolition by neglect. The following is a draft amendment to section 118-503:

Sec. 118-503. - Scope, policies and exemptions.

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(b) Policies.

(1) *After-the-fact certificates of appropriateness for demolition.* In the event any demolition as described above or in subsection (b) of this section should take place prior to historic preservation board review, the demolition order shall be conditioned to require the property owner to file an "after-the-fact" application for a certificate of appropriateness for demolition to the historic preservation board, within 15 days of the issuance of the demolition order. No "after-the-fact" fee shall be assessed for such application. The board shall review the demolition and determine whether and how the demolished building, structure, landscape feature or the partially or fully demolished feature of the exterior or public interior space of a structure, shall be replaced. The property owner shall also be required, to the greatest extent possible, to retain, preserve and restore any demolished feature of a structure until such time as the board reviews and acts on the "after-the-fact" application. In the event the property owner fails to file an "after-the-fact" application for a certificate of appropriateness for demolition to the historic preservation board within 15 days of the issuance of an emergency demolition order, the city may initiate enforcement proceedings including proceedings to revoke the certificate of use, occupational license, any active building permit(s) or certificate of occupancy of the subject site, whichever is appropriate. Additionally, this article may be enforced and violations may be punished as provided in section 114-8 of this Code; or by enforcement procedures as set forth in the Charter and penalties as provided in section 1-14 of this Code.

(2) *Replacement of existing structures.* The policy of the City of Miami Beach shall be a presumption that a contributing building demolished without obtaining a certificate of appropriateness from the historic preservation board, shall only be replaced with a new structure that incorporates the same height, massing and square footage of the previous structure on site, not to exceed the FAR of the demolished structure, and not to exceed the maximum FAR and height permitted under the City Code, with no additional square footage added. This ~~policy~~ presumption shall be applicable in the event a building permit for new construction or for repair or rehabilitation is issued, and demolition occurs for any reason, including, but not limited to, an order of the building official or the county unsafe structures board. This ~~policy~~ presumption shall also be applicable to any request for an "after-the-fact" certificate of appropriateness. This ~~policy~~ presumption may be rebutted, and the historic preservation board may allow for the addition of more square footage, where appropriate, not to exceed the maximum permitted under the City Code, if it is established to the satisfaction of the historic preservation board that the following criteria have been satisfied:

- a. The proposed new structure is consistent with the context and character of the immediate area; and
- b. The property owner made a reasonable effort to regularly inspect and maintain the structure free of structural deficiencies and in compliance with the minimum maintenance standards of this Code.

(3) *Replication of demolished contributing structures.* The historic preservation board shall determine, on a case-by-case basis, whether the replication of an original, contributing structure

is warranted. For purposes of this subsection, replication shall be defined as the physical reconstruction, including all original dimensions in the original location, of a structure in totality, inclusive of the reproduction of primary facade dimensions and public area dimensions with appropriate historic materials whenever possible, original walls, window and door openings, exterior features and finishes, floor slab, floor plates, roofs and public interior spaces. The historic preservation board shall have full discretion as to the exact level of demolition and reconstruction required. If a building to be reconstructed is nonconforming, any such reconstruction shall comply with all of the requirements of chapter 118, article IX, of these land development regulations.

CONCLUSION:

The administration recommends the following:

1. The addresses of properties that have both an active unsafe structures violation and have been referred to the Miami-Dade County Unsafe Structures Board by the Building Official will be posted on the City website. This list shall be posted within the Building Department webpage, and the Planning Department webpage shall contain a direct link.
2. The LUDC recommend that the City Commission refer an amendment to section 118-503 of the LDR's, in accordance with the above described modification pertaining to 'presumptions' to the Planning Board.
3. Continue the discussion to the December LUDC meeting for a more detailed update on proportional fines and a building registry process.

Applicable Area

Citywide

Is this a Resident Right to Know item?

Yes

Does this item utilize G.O. Bond Funds?

No



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

Item 3.
COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: October 30, 2019

TITLE: DISCUSSION: DEVELOPMENT INCENTIVES FOR THE NORMANDY ISLE COMMERCIAL DISTRICT

HISTORY:

On July 17, 2019, at the request of Commissioner Ricky Arriola, the City Commission referred the discussion item to the Land Use and Development Committee (Item C4P). The item was discussed at the September 18, 2019 LUDC meeting and continued to the October 30, 2019 meeting, with the following direction:

1. The administration will provide a status update on the water tanks and fencing.
2. The administration will identify shovel ready street beautification projects for the Normandy isle commercial districts including sidewalks, street trees and lighting.

ANALYSIS:

UPDATE

The painting of water tanks at 75th Street was completed by both the Public Works operations division and the artist. Fence repairs were scheduled to commence on October 18, 2019 and be completed within two weeks.

At this time, the only funded project within the Normandy commercial district is the permanent conversion of Rue Vendome to a public plaza. The project was awarded for construction on October 16, 2019 by the City Commission and construction is scheduled to commence in March 2020.

A number of GOB projects are funded and planned for the larger Normandy Isle area. The following is a summary of these projects:

GO#33: Street Tree Master Plan Project. Dozens of new trees have already been planted in Normandy Isle. This work was completed last month.

GO#34: Above Ground Improvement Project. Normandy Isle South will be receiving \$8 million dollars of lighting, landscaping, and blue/green infrastructure improvements. This project is not

scheduled to start until Tranche 2 and lasts throughout Tranche 4.

GO#37: Sidewalk Improvements Project. Small sections of faulty sidewalk on Calais Drive, Rue Vendome and Rue Versailles Drive have been completed already in the Normandy Isle and Normandy Shores areas.

GO#38 Street Pavement Project. The re-paving of Biarritz Drive from Normandy Drive to South Shore Drive, and Miamonides Street from Rue Notre Dame to Vichy Drive has already been completed. Additionally there are a handful of other streets that are scheduled to receive street pavement work. The remainder of Biarritz Drive is slated to be done in the next couple months. Finally, the following streets will be re-paved in Tranche 1: South Shore Drive and Calais Drive, Rue Versailles Drive, Vardon Street, Shore Lane, Mitchell Street, and Sarazen Street.

GO#42: Traffic Calming Project. The Normandy Isle neighborhood will receive \$114,000 in traffic calming measures within Tranche 1, starting next year.

GO#47: License Plate Readers Project. A stationary LPR is being installed now, which will capture the license plates coming to the city via 71 Street. This project is expected to be complete by the first week of November.

GO#52: LED Lighting in Parks Project. Normandy Isle Park will be receiving new LED lighting fixtures next month, and the installation is expected to be complete by mid-December.

GO#55: Street Lighting Improvements Project. The 71st Street area will receive new street lighting. However, there is no timeline for when this project will begin.

The Public Works and CIP departments are exploring improvements to sidewalks, street trees and lighting along the commercial corridor. An update of these will be provided on the floor of the LUDC meeting.

Applicable Area

North Beach

Is this a Resident Right to Know item?

Yes

Does this item utilize G.O. Bond Funds?

Yes

Item 4.
COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: October 30, 2019

TITLE: DISCUSSION: ORDINANCE PERTAINING TO ADAPTIVE RE-USE AND ACCESSORY USES IN THE TATUM WATERWAY AREAS

HISTORY:

On October 16, 2019, at the request of Commissioner Ricky Arriola, the City Commission referred the discussion item to the Land Use and Development Committee (Item R5E). The item was approved at first reading on October 16, 2019, in accordance with the following:

1. The applicable area for non-residential accessory uses shall be limited to properties along the Tatum Waterway.
2. Hotel uses must include compliance with minimum seawall requirements and a specific timeline for allowing hotel uses shall be included.
3. The uses not requiring conditional use approval shall be clearly delineated. Permit paradigm list to know what is bypassed by Planning Board.

Second reading of the ordinance was set for December 11, 2019 and the item was referred to the October 30, 2019 Land Use and Development Committee meeting to discuss the expanded areas beyond Tatum Waterway, including conditional use for hotels.

ANALYSIS:

Attached is a draft ordinance, which reflects the action of the City Commission at first reading. In this regard, the applicable area for the legislation has been limited to properties along the Tatum Waterway, and hotel uses are required to meet minimum seawall standards, and must be operational within a two year timeframe, with the ability of the planning board to allow for up to an additional year. This two year window (up to three years with an extension) is a reasonable amount of time for a property owner to receive conditional use approval, as well as substantially complete any required seawall upgrades.

With regard to the listing of specific uses that do not require a CUP, these are included under section 142-902, Specifically, the following accessory uses may be permitted without a CUP, subject to all applicable regulations:

1. Café.
2. Retail.
3. Office.
4. Personal service uss.

Additionally, the following uses are prohibited:

1. Tobacco and vape dealers.
2. Package liquor stores.
3. Check cashing stores.
4. Occult science establishments.
5. Tattoo studios.

CONCLUSION:

The administration recommends that the LUDC discuss the revisions made to the ordinance at first reading, and provide additional recommendations, if any, for the City Commission to consider at second reading on December 11, 2019.

Applicable Area

North Beach

Is this a Resident Right to Know item?

Yes

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description

ORD - Approved First Reading

Type

Memo

Adaptive Re-use and Accessory Uses in the ~~North Shore~~ and Tatum Waterway Areas

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 OF THE CITY CODE, ENTITLED “ZONING DISTRICTS AND REGULATIONS,” ARTICLE II, ENTITLED “DISTRICT REGULATIONS,” DIVISION 3, ENTITLED “RESIDENTIAL MULTIFAMILY DISTRICTS,” SUBDIVISION II, ENTITLED “RM-1 RESIDENTIAL MULTIFAMILY LOW INTENSITY,” SECTION 142-152, ENTITLED “MAIN PERMITTED AND PROHIBITED USES,” AND SECTION 142-153, ENTITLED “CONDITIONAL USES,” TO MODIFY USE REGULATIONS AND AMEND THE LIST OF CONDITIONAL USES FOR RM-1 PROPERTIES WITHIN THE NORTH SHORE NATIONAL REGISTER HISTORIC DISTRICT, TO INCLUDE ACCESSORY ALCOHOLIC BEVERAGE ESTABLISHMENTS AND HOTEL USES; BY AMENDING ARTICLE IV, ENTITLED “SUPPLEMENTARY DISTRICT REGULATIONS,” DIVISION 2, ENTITLED “ACCESSORY USES,” SECTION 142-902, ENTITLED “PERMITTED ACCESSORY USES,” TO MODIFY THE ACCESSORY USES FOR HOTELS IN THE NORTH SHORE LOCAL HISTORIC DISTRICT AND EXPAND THE ALLOWABLE ACCESSORY USES FOR EXISTING APARTMENT BUILDINGS IN THE NORTH SHORE NATIONAL REGISTER DISTRICT TO ALLOW FOR ACCESSORY CAFÉ, OFFICE, RETAIL, PERSONAL SERVICE, AND NON-MOTORIZED WATERCRAFT RENTAL USES; AND BY AMENDING CHAPTER 130, ENTITLED “OFF-STREET PARKING,” ARTICLE II, ENTITLED “DISTRICTS; REQUIREMENTS,” SECTION 130-31, ENTITLED “PARKING DISTRICTS ESTABLISHED,” TO PROVIDE FOR AN EXCEPTION TO OFF-STREET PARKING REQUIREMENTS FOR CERTAIN ACCESSORY AND CONDITIONAL USES ON RM-1 PROPERTIES IN THE NORTH SHORE NATIONAL REGISTER HISTORIC DISTRICT; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the “City”) has the authority to enact laws which promote the public health, safety and general welfare of its citizens; and

WHEREAS, the City seeks to encourage and incentivize the retention and restoration of contributing historic waterfront structures within the North Shore National Register District in the North Beach area; and

WHEREAS, the City seeks to enhance the pedestrian-friendly allure, and promote the unique sense of place and community culture, along North Beach’s historic Tatum Waterway through low-intensity and compatible mixed-uses, while providing greater accessibility to neighborhood amenities for residents; 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:

CHAPTER 142 – ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE II. – DISTRICT REGULATIONS

* * *

DIVISION 3. – RESIDENTIAL MULTIFAMILY DISTRICTS

* * *

Subdivision II. – RM-1 Residential Multifamily, Low Intensity

* * *

Sec. 142-152. - Main permitted and prohibited uses.

- (a) Main permitted uses. The main permitted uses in the RM-1 residential multifamily, low density district are:
- (1) single-family detached dwelling;
 - (2) townhomes;
 - (3) apartments;
 - (4) hotels, for properties fronting Harding Avenue or Collins Avenue, from the City Line on the north, to 73rd Street on the south; and
 - (5) bed and breakfast inn (pursuant to article V, division 7 of this chapter).
- (b) Prohibited uses. Alcoholic beverage establishments pursuant to the regulations set forth in chapter 6, of the City Code, are prohibited uses, unless otherwise specified. Moreover, all uses not listed as a main permitted or conditional use are also prohibited.

Sec. 142-153. - Conditional uses.

- (a) The conditional uses in the RM-1 residential multifamily, low density district are
- (1) adult congregate living facility;
 - (2) day care facility;
 - (3) nursing home;
 - (4) religious institutions;
 - (5) private and public institutions;
 - (6) schools; and
 - (7) commercial or noncommercial parking lots and garages.
- (b) For properties located in the Collins Waterfront Local Historic District, which are designated as a Local Historic Site, a hall for hire use within the interior of an existing building shall require conditional use approval and shall comply with the following:
- (1) The conditional use shall only be permitted within an existing structure that is on a property designated as a "Historic Site" and such limitation shall be recorded in the Public Records;

- (2) Dance halls, entertainment establishments and neighborhood impact establishments may only be permitted as part of a hall for hire;
- (3) The hall for hire use shall close by 11:00 p.m. Sunday through Thursday, and by 12:00 a.m. Friday and Saturday;
- (4) Events at the hall for hire shall be for the exclusive use of the property owner (and its subsidiaries) and invited guests. Events at the hall shall not be for the general public, with the exception of adjacent schools and community organizations within the Collins Park and Flamingo Drive areas, which may use the hall until 9:00 p.m.;
- (5) Restaurants, stand-alone bars and alcoholic beverage establishments, not functioning as a hall-for-hire, shall be prohibited;
- (6) Outdoor dining, outdoor entertainment and open-air entertainment uses shall be prohibited;
- (7) Private or valet parking for any event at the hall shall be prohibited from using Flamingo Drive, Flamingo Place or Lake Pancoast Drive to facilitate access to the site.
- (8) There shall be no variances from the provisions of Section 142-153(b).
- (c) For apartment buildings located north of 41st Street with a minimum of 100 apartment units, a restaurant serving alcoholic beverages shall require conditional use approval and shall comply with the following:
 - (1) The restaurant shall only be open to residents of the apartment building and their invited guests. All invited guests shall be required to park on the subject property.
 - (2) The kitchen shall be limited to a maximum size of 500 square feet.
 - (3) The conditional use application for a restaurant with outdoor seating and outdoor dining areas shall specify the proposed maximum number of seats, and locations of seating in the outdoor areas, which shall be subject to Planning Board review and approval.
 - (4) A hall for hire, dance hall, open-air entertainment establishment, outdoor entertainment establishment or entertainment establishment shall be prohibited.
 - (5) There shall only be one restaurant on the subject property.
 - (6) The hours of operation of the Restaurant may be from 8 a.m. to midnight (no orders to be taken after 11 p.m.) and for any exterior areas then only until 11p.m. (no orders to be taken after 10 p.m.)
 - (7) Without limiting the foregoing, in the outdoor areas of the restaurant there shall not be any entertainment or Special Events.

~~There shall be no variances from the provisions of Section 142-153(b).~~

- (d) For existing apartment buildings located **on lots fronting the Tatum Waterway and** within the North Shore National Register Historic District and which are classified as 'contributing,' accessory restaurants serving alcoholic beverages may be permitted as a conditional use in accordance with the following provisions:
 - (1) The interior restaurant area, inclusive of all seating and back-of-house areas, shall be located at the first level of the building and shall not exceed 25 percent of the floor area of the existing structure.
 - (2) The maximum number of seats shall not exceed 40; however, the maximum number of seats may be increased to 60, subject to planning board approval.

- (3) Outdoor seating and outdoor dining shall only be permitted in buildings with internal courtyards, which are part of a unified development site under common ownership. All such outdoor seating and dining areas shall be located within the internal courtyard. The maximum number of exterior seats shall not exceed 20; however, the maximum number of seats may be increased to 40, subject to planning board approval.
 - (4) Pass-through windows shall not be permitted.
 - (5) Beer and wine may be served; however, full liquor shall not be permitted.
 - (6) A fully enclosed, air-conditioned trash room shall be required.
 - (7) The hours of operation may be from 11:00 am to 10:00 pm (no orders to be taken after 9:00 p.m.)
 - (8) A plan for loading operations shall be provided for the review and approval of the planning board and parking department. Loading shall only take place between the hours of 10:00 am and 3:00 pm.
 - (9) Exterior speakers shall be prohibited, except as may be required under the Florida Life Safety Code.
 - (10) A hall for hire, dance hall, open-air entertainment establishment, outdoor entertainment establishment, entertainment establishment, or special event shall be prohibited.
 - (11) There shall only be one restaurant on the subject property.
 - (12) The minimum distance separation between accessory restaurants serving alcoholic beverages shall be 1,000 feet. However, the planning board may approve an accessory restaurant serving alcoholic beverages at a lesser distance than 1,000 feet, but in no event shall such use be located at a distance less than 500 feet from another accessory restaurant serving alcoholic beverages. No variances from this distance separation requirement may be granted.
- (e) For existing buildings **on lots fronting the Tatum Waterway and** classified as 'contributing' within the North Shore Local Historic District, hotels may be permitted as a conditional use, **in accordance with the following provisions:**
- (1) The entire property shall be required to make all necessary improvements to comply with minimum applicable seawall standards, as specified in this Code or in the public works manual, prior to the issuance of a business tax receipt (BTR) for a hotel.
 - (2) A BTR for the hotel use shall be issued no later than two years from the effective date of this ordinance. Notwithstanding the foregoing, in the event that the construction of seawall improvements causes unforeseen delays, the planning board may grant an extension of the two-year deadline set forth in this subsection (e)(2), but in no instance shall such extension of time exceed one year.
 - (3) Accessory alcoholic beverage establishments (pursuant to article IV, division 2 of this chapter) associated with such hotel may also be permitted as a conditional use.

Sec. 142-154. - Accessory uses.

- (a) The accessory uses in the RM-1 residential multifamily, low density district are as required in article IV, division 2 of this chapter.

* * *

SECTION 2. Chapter 142, “Zoning Districts and Regulations,” Article IV “Supplementary District Regulations,” Division 2, “Accessory Uses,” is hereby amended as follows:

CHAPTER 142 – ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE IV. – SUPPLEMENTARY DISTRICT REGULATIONS

* * *

DIVISION 2. – ACCESSORY USES

* * *

Sec. 142-902. - Permitted accessory uses.

The following are permitted accessory uses:

- (1)
 - a. Hotels not located in the RM-1 or RM-2 district are permitted to have any accessory use that is customarily associated with the operation of a hotel or apartment building.
 - b. Hotels located in the RM-2 district are permitted to have any accessory use that is customarily associated with the operation of a hotel or apartment building, except for dance halls, entertainment establishments, neighborhood impact establishments, outdoor entertainment establishments or open air entertainment establishments.
 - c. Where permitted, hotels located in the RM-1 district may have accessory uses based upon the below criteria:
 1. A dining room operated solely for registered hotel visitors and their guests, located inside the building and not visible from the street, with no exterior signs, entrances or exits except as required by the South Florida Building Code.
 2. Other accessory uses customarily associated with the operation of an apartment building, as referenced in subsection 142-902(2), for the use of registered hotel visitors and their guests only.
 3. Notwithstanding the above, hotels located on lots fronting the Tatum Waterway and in the North Shore Local Historic District are permitted to have any accessory use that is customarily associated with the operation of a hotel or apartment building, except for dance halls, entertainment establishments, neighborhood impact establishments, outdoor entertainment establishments, or open air entertainment establishments.
 - d. Hotels located in the RM-1, 2 or 3 districts are permitted to have religious institutions as a matter of right up to 199 occupancy, and over that occupancy shall be a conditional use.
- (2) Apartment buildings may have accessory uses based upon the below criteria:
 - a. Mechanical support equipment and administrative offices and uses that maintain the operation of the building.
 - b. Washers and dryers shall be located inside a structure or not visible from a right-of-way.

- c. A dining room which is operated solely for the residents in the building shall be located inside the building and shall not be visible from the street with no exterior signs, entrances or exits except for those required by the South Florida Building Code. However, a dining room shall not be allowed in the RM-1 district except for those dining rooms associated with adult congregate living facilities.
- d. Public telephones and vending machines shall only be permitted to be located inside buildings; however, one public telephone may also be permitted outside, as long as it is not located in a required front yard, required side yard facing a street, or on a facade facing a street; the exact location and manner of placement of all public telephones shall be subject to design review approval. One automatic teller machine shall be permitted on the exterior walls of buildings, when associated with an accessory commercial use allowed under subsection 142-902(2)e., except in historic districts. The exact location and manner of placement for automatic teller machines shall be subject to design review approval.
- e. Buildings in the RM-3 and R-PS4 districts may have:
 - 1. Commercial, office, eating or drinking uses with access from the main lobby or from the street if they are either located on the ground floor, subterranean level or on the highest floor of a building.
 - 2. A retail store and/or a cafe with less than 30 seats (either or both of which could be open to residents and their guests) may occupy space on the amenity level of an apartment building located within an RM-3 district.
 - 3. Office space, when originally constructed on the second level of an existing building may be retained or re-introduced. When located on the ground floor, office space shall be at least 50 feet from the front property line.
- f. Solarium, sauna, exercise studio, health club or massage service for use by residents or open to the public by an individual licensed by the state or other appropriate agencies.
- g. Any accessory commercial use as permitted herein shall be located on the lobby or first floor if there are no apartment units on such levels. This provision shall not apply to home based business offices as provided for in section 142-1411.
- h. Family day care centers as defined in subsection 142-905(b)(1).
- i. One property management office for the purpose of managing residential units within the building as well as residential units located in other buildings under common beneficial ownership, as long as the total number of units does not exceed a maximum of 100 units.
- j. Buildings in the RM-2 district in the area bounded by Indian Creek Drive, Collins Avenue, 41st Street and 44th Street that face the RM-3 district may have restaurant, coffee house, sundry shops, or food market uses located in ground floor space not to exceed 70 percent of the ground floor. These uses may have direct access to the street. Dance halls, entertainment establishments, neighborhood impact establishments, outdoor entertainment establishments, or open air entertainment establishments are not permitted. Outdoor music (including background music) is prohibited. Any outdoor uses on Indian Creek Drive shall be limited to no later than 11:00 p.m. Parking requirements for accessory commercial uses in newly constructed buildings must be satisfied by providing the required parking spaces,

and may not be satisfied by paying a fee in lieu of providing parking. There shall be no variances from these provisions.

- k. Apartment buildings located in the RM-1, 2 or 3 districts are permitted to have religious institutions as a matter of right up to 199 occupancy, and over that occupancy shall be a conditional use.

- l. Existing apartment buildings **on lots fronting the Tatum Waterway located along Tatum Waterway Drive, Byron Avenue, and Crespi Boulevard**, which are also located within the North Shore National Register Historic District and which are classified as 'contributing,' may have accessory office uses and may provide for the rental of non-motorized watercraft. These accessory uses shall comply with the following regulations:

- 1. The accessory use areas shall not exceed 25 percent of the floor area of the existing structure.

- 2. The hours of operation for which the use is open to the public may be from 12:00 pm to 8:00 p.m.

- 3. No exterior speakers shall be permitted, except as may be required under the Florida Life Safety Code.

- m. For existing apartment buildings **on lots fronting the Tatum Waterway and** located within the North Shore National Register District, which are classified as 'contributing,' the following accessory uses may be permitted:

- 1. Café;
 - 2. Retail;
 - 3. Office; and
 - 4. Personal services.

Notwithstanding the foregoing, the following uses shall be prohibited: tobacco and vape dealers, package liquor stores, check cashing stores, occult science establishments and tattoo studios. Additionally, all accessory uses that may be permitted under this subsection (2)(m) shall comply with the following provisions:

- i. All uses shall be located within the interior of the premises. Outside or sidewalk seating shall be prohibited.
 - ii. The minimum distance separation between accessory uses shall be 500 feet. There shall be no variances from this distance separation requirement.
 - iii. The accessory use areas shall not exceed 25 percent of the floor area of the structure.
 - iv. The hours of operation for which the use is open to the public may be from 7:00 a.m. to 8:00 p.m. The hours of operation for any of the above noted uses may be extended to 10:00 p.m. at the discretion of the planning board.

- v. No exterior speakers shall be permitted, except as may be required under the Florida Life Safety Code.
- vi. A hall for hire, dance hall, open-air entertainment establishment, outdoor entertainment establishment, entertainment establishment, or special event permit shall be prohibited.

* * *

SECTION 3. Chapter 130, "Off-Street Parking," Article II, "Districts; Requirements" is hereby amended as follows:

CHAPTER 130 – OFF-STREET PARKING

* * *

ARTICLE II. – DISTRICTS; REQUIREMENTS

* * *

Sec. 130-31 Parking districts established.

* * *

(b) There shall be no off-street parking requirement for main or accessory uses associated with buildings that existed prior to October 1, 1993, which are:

- (1) Located within the architectural district,
- (2) A contributing building within a local historic district, or
- (3) Individually designated historic building.

This provision shall not apply to renovations and new additions to existing buildings which create or add floor area, or to new construction which has a parking requirement.

- (c) There shall be no off-street parking requirement for accessory uses associated with buildings in the RM-1 zoning district that existed prior to December 31, 2009, which are located in the North Shore National Register Historic District.

SECTION 4. 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 5. REPEALER.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

First Reading: October 16, 2019
Second Reading: December 11, 2019

Verified by: _____
 Thomas Mooney, AICP
 Planning Director

T:\Agenda\2019\10 October 16\Planning\Accessory Uses in North Shore and Tatum Waterway - First Reading
ORD.docx

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

Item 5. **COMMITTEE MEMORANDUM**

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: October 30, 2019

TITLE: **DISCUSS LIMITING BIG BOX FORMULA RETAIL AND FORMULA RESTAURANTS ON LINCOLN ROAD.**

Applicable Area

South Beach

Is this a Resident Right to Know item?

Yes

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description

□ C4 R

Type

Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Ricky Arriola
DATE: June 5, 2019

SUBJECT: REFERRAL TO THE LAND USE AND DEVELOPMENT COMMITTEE TO
DISCUSS LIMITING BIG BOX FORMULA RETAIL AND FORMULA
RESTAURANTS ON LINCOLN ROAD.

ANALYSIS

There is a proliferation of big box formula retailers and restaurants on Lincoln Road. To prevent the street from further pricing out mom and pop shops, I ask the Land Use Development Committee to discuss ways we can limit these formula establishments, retain small businesses, and attract more local flavor to the street. A complete review of currently permitted uses and desirable/ undesirable uses should be conducted in cooperation with the Lincoln Road BID.

Legislative Tracking

Planning

Sponsor

Commissioner Ricky Arriola

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

Item 6. **COMMITTEE MEMORANDUM**

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: October 30, 2019

TITLE: **Discussion Pertaining To A Proposed Ordinance To Expand Prohibited Uses Along 71st Street And Normandy Drive For Package Stores, Vaping And Smoke Stores, Tattoo Parlors And Related Uses.**

Applicable Area

North Beach

Is this a Resident Right to Know item?

Yes

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description

□ C4 X

Type

Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Jimmy L. Morales, City Manager
DATE: September 11, 2019

SUBJECT: REFERRAL TO THE LAND USE AND DEVELOPMENT COMMITTEE -
DISCUSSION PERTAINING TO A PROPOSED ORDINANCE TO EXPAND
PROHIBITED USES ALONG 71ST STREET AND NORMANDY DRIVE FOR
PACKAGE STORES, VAPING AND SMOKE STORES, TATTOO PARLORS
AND RELATED USES.

RECOMMENDATION

The Administration recommends that the City Commission refer the discussion item to the September 18, 2019 Land Use and Development Committee for review and recommendation.

ANALYSIS

Recently, legislation was adopted by the City Commission prohibiting tobacco/vape dealer uses along 41st Street and Lincoln Road. In order to preserve and enhance the retail and pedestrian character of 71st Street and Normandy Drive in the RM-3, TCC and CD-2 districts, a discussion pertaining to a similar ordinance is being proposed. In this regard, the following uses would be prohibited within the RM-3, TCC and CD-2 districts along 71st Street and Normandy Drive:

1. Tobacco and vape dealers;
2. Package liquor stores;
3. Check cashing stores;
4. Occult science establishments;
5. Tattoo studios.

CONCLUSION

The Administration recommends that the City Commission refer the discussion item to the September 18, 2019 Land Use and Development Committee for review and recommendation.

Legislative Tracking

Planning

Sponsor

Commissioner Micky Steinberg

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

Item 7. **COMMITTEE MEMORANDUM**

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: October 30, 2019

TITLE: **Discussion Regarding Tight Urbanism.**

Applicable Area

Citywide

Is this a Resident Right to Know item?

Yes

Does this item utilize G.O. Bond Funds?

No

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	C4 Z	Memo
<input type="checkbox"/>	The Space Between	Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Vice-Mayor Ricky Arriola
DATE: September 11, 2019
SUBJECT: REFERRAL TO THE LAND USE AND DEVELOPMENT COMMITTEE TO
DISCUSS TIGHT URBANISM.

ANALYSIS

KoDA, a Miami Beach-based architecture firm, submitted a proposal to our office that contemplates the exploration of Miami Beach's alleyways. The firm aims to examine ways we can adapt our alleys to be in line with the Urban Land Institute's recommendations for stormwater management while maximizing the value of alleys to better serve pedestrians and cyclists. KoDa's exploration would be guided by the tenets of "tight urbanism."

The now infamous Betsy Alleyway capitalized on an underutilized public right-of-way and transformed into an experiential destination. If Miami Beach were to develop a cohesive for all its alleyways, it could be recognized worldwide for its creative use for all public spaces. There is also a potential to partner with the University of Miami (UM) on this project since the principal of KoDA is a professor at the UM School of Architecture. Attached is KoDA's proposal with a preview of the research they've already conducted.

Applicable Area

Citywide

Is this a Resident Right to Know item?

Yes

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Vice-Mayor Ricky Arriola

ATTACHMENTS:

Description

BETWEEN

THE SPACE

Adaptation of the Alleys in Miami Beach

KoDA

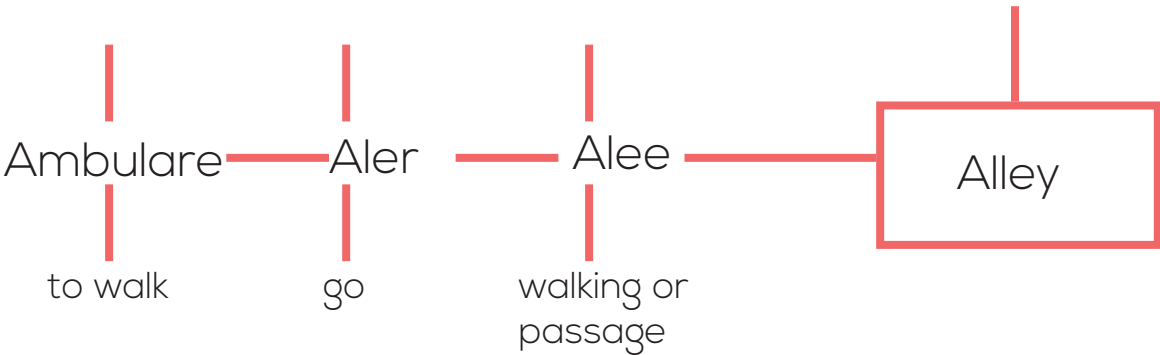
al-ley
/alē/

noun

A narrow passageway between or behind buildings.
- a path lined with trees, bushes or stones.

Origin

Latin — Old French — Late Middle English



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	Residential
	Commercial
	Cultural
	Proposal
	About us
	Credits

Since the advent of the Industrial Revolution we have been emitting carbon into our environment at disturbing rates. In fact, the majority of carbon emitted into the environment has been over the last 30 years. This is since NASA's climate scientist, James Hansen, warned the US Congress of the human cause and effect of climate change, meaning that we've done more damage to the environment knowingly than we've ever done in ignorance. In addition to the complex challenges of climate change, our environment is in peril due to the continual expansion of the world's population. Based on the average of the United Nation's projection of global population of between 9.5 and 13 billion by 2100, the world will face a large deficit of land required for future urbanization, agriculture and the preservation of our natural ecosystems. The challenges of climate change and sea level rise come as no surprise to Miami Beach and its constituents. As one of the most recognizable and significant cultural destinations in the world, the efforts of Miami Beach to combat this challenge are ever-evolving. With recent discourse on the subject at the top of the agenda for the disciplines of architecture, urban design and planning, the Kean Office for Design + Architecture (KoDA) is proud to spearhead this research-based initiative that advances meaningful ecological, infrastructural and cultural strategies. As such, this proposal investigates the potential of adapting Miami Beach's network of alleys particularly in South Beach. Through an in-depth research and analysis initiative our ambition is to identify opportunities for green infrastructure to symbiotically restore ecology and enhance the cultural identity of Miami Beach.



Miami Beach has been bold in furthering its resiliency efforts with a majority of the investment directed toward elevating roadways and the deployment of larger hydrological engineering systems. In order to address the most immediate impacts of seasonal and “sunny day” flooding, the city has dedicated multi-million dollar upgrades to its drainage infrastructure, including a new pump station and elevating the control panels for three other existing pump stations. These stations discharge stormwater through an outfall structure into Biscayne Bay. In addition, the collection system was expanded and upsized to reduce the amount of time it takes to dry the streets after rain events. While these efforts have been immediately helpful, they do not address the larger impacts of a changing climate and the hardship it puts on the future of our city. Florida is no stranger to large hydrological engineering schemes. In the past, South Florida has seen failed hydrological ambitions such as former Governor Napoleon Bonaparte Broward’s campaign to drain the everglades for the sake of conquering nature and allowing new development. A century later, the transformation of Florida south of Lake Okeechobee has been found to be an environmental disaster created by man and requiring remediation through a comprehensive Everglades restoration plan. According to the Urban Land Institute, “Miami Beach has taken care to remove trash and sediments from the pump stations. However, with the introduction of more pumps and generators, a risk exists that the quest for peak-event preparedness eclipses the need for sustainability and respectful use of natural resources.”⁽¹⁾

In contrast to ubiquitous and costly hard engineering solutions, low impact development infrastructure (LID) offers soft engineering strategies that can remediate polluted runoff through a network of treatment landscapes. Pervious surfaces play an important role in the treatment, storage and conveyance of storm water. “Despite the city’s efforts to maintain pump stations and vacuum large trash and sedimentation at a regional landfill, the city often receives frequent expressions of concern and criticism from residents who believe that drainage pumps are contaminating the bay.”² If the city were to implement a LID initiative to maximize pervious surfaces throughout the city, plants and soils would act as natural water treatment facilities while also restoring Miami Beach’s fragile local ecology.



A Call to Action: Looking Through Alleyways

The interstitial spaces defined by buildings within city blocks, more commonly known as an alley, are primarily reserved for trash collection, service and utility distribution. However, these thoroughfares can offer much more to the urban, ecological and cultural aspects of the city. Low-to-mid rise buildings throughout the city make this network of alleyways more intimate and relatable on a human scale. Within a busy urban context, alleys have the potential to strengthen community and activate new uses in addition to their existing, functional contribution to the city. This proposal arises from a critical review of the underutilization of the alleyways in Miami Beach, reconsidering their use by prioritizing culture, community and environment.

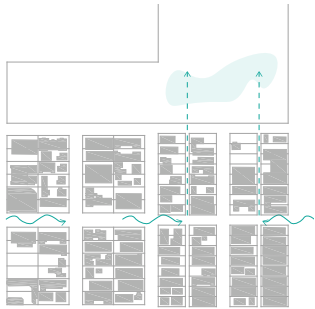
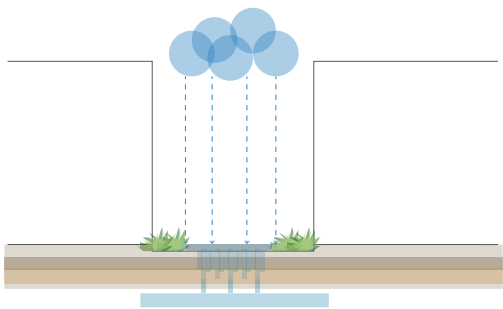
The resilient strategy set forth in the Urban Land Institute Advisory Services Panel Report analyzes the city's proposed strategy through seven principles in which this case study is based: infrastructure, physical design and typology, creative placemaking, governance, regulations and communications. Another relevant study for this proposal is, "South Florida and Sea Level: The Case of Miami Beach, from the Office of Urbanization of the Harvard University Graduate School of Design," where recommendations of how to manage climate change are proposed through the disciplines of architecture, urban and landscape design. Therefore, this proposal builds upon those recommendations in order to make the alleys a public asset that will enhance the city's mobility network and proposes new ideas for how low impact development infrastructure can further botanize the city and improve stormwater management.

The city should be commended for their bold and swift action related to the complex issues it faces. As stated in the ULI report the city has been extremely process-oriented and has taken careful steps to understand the scientific data and implement solutions. Our objective is to further the city's initiatives through the revitalization and reuse of the somewhat forgotten alley network.

INFRASTRUCTURE

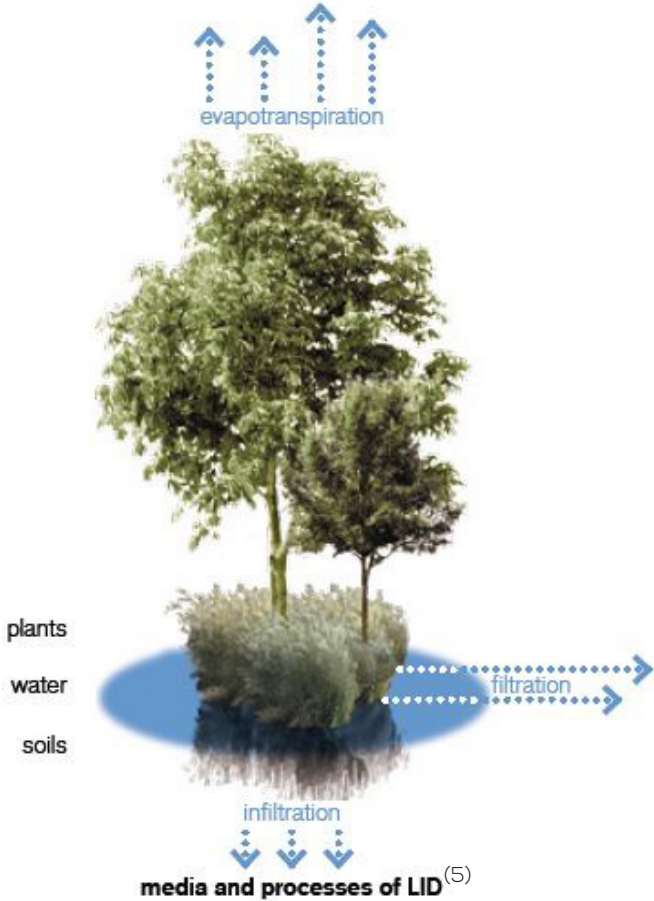
According to the Urban Land Institute, the necessity to have advances in infrastructure is urgent as Miami Beach is at significant risk. It is important to build a holistic strategy that will address the severe impacts to climate change. One of the recommendations is to implement blue and green infrastructure to prepare the city to live with water. Green Infrastructure manages water through natural processes, allowing water to be absorbed and filtered through a combination of vegetation and soils. (3) Blue infrastructure works with natural hydraulics of the aquifer and can refer to new canals, wetlands and retention areas on urban plazas and other public facilities. (3)

Alleyways present an opportunity to include both green and blue infrastructure where permeable surfaces could be maximized while adding to the cultural identity and livability of the city. New permeable surfaces allow stormwater infrastructure to deliver valuable ecological benefits to botanize the city. When properly graded, alleys can channel and re-direct flood water into retention areas within public spaces such as Flamingo Park to foster beauty, recreation and storm water collection. By analyzing the city through transportation, public infrastructure, it can be concluded that the primary transit routes are made up of county buses and local trolleys. The current network lacks the secondary and tertiary connecting points that fully integrate mobility throughout the city. Libraries, public schools, universities, worship spaces, etc. make up the social infrastructure of Miami Beach. However, like the public parks, these social assets are somewhat isolated and outside of the mobility network of the city. Alleyways are abundant, but underutilized. This network of sequestered, urban passageways can be further expanded upon to improve mobility, implement green and blue infrastructure and enhance urban ecologies while maximizing the cultural experience of the city.



INFRASTRUCTURE
Low Impact Development

Low Impact Development (LID) is an ecologically-based stormwater management approach favoring soft engineering to manage rainfall on site through a vegetated treatment network. The goal of LID is to sustain a site's pre-development hydrologic regime by using techniques that infiltrate, filter, store and evaporate stormwater runoff close to its source. Contrary to conventional "pipe-and-pond" conveyance infrastructure that channels runoff elsewhere through pipes, catchment basins, and curbs and gutters, LID remediates polluted runoff through a network of distributed treatment landscapes. (5)



PHYSICAL DESIGN AND TYPOLOGY

The physical landscape Miami Beach parallels to its identity. The main cultural and architectural district lines the top of the dune to the east fronting the Atlantic Ocean. Bayside, the city sees its largest residential density, while the middle of the island is low-scale and contains the somewhat expansive and recreational Flamingo Park. According to the Urban Land Institute the city should focus on creating innovative and cost-effective solutions for stormwater management, incorporating public spaces and renewable energy. Exchanging pavement for planting and maximizing permeable surfaces will improve Miami Beach's resilience to flooding, while restoring ecology and activating new neighborhood greenspace.

"Green infrastructure and green streets should be designed with capacity to retain, purify and release water." (6)

Alleyways provide an opportunity to create community in neighborhoods by fostering recreational activities that include green space, such as creating community gardens where locally sourced compost will be used to produce crops. This opportunity provides welfare, allows the community the opportunity to analyze how they treat their waste and generates eco-friendly public spaces and awareness. Through a new green alleyway network, new playgrounds can engage families and restored landscapes can encourage active learning through guided and unguided nature walks. As stated in the Harvard recommendations, "Alleys can be additional spaces as extensions of the public realm". (7)

The north-south orientation of the alleys within the residential district of Flamingo Park and the cultural art deco district of Ocean Drive and Collins Avenue lends itself to create opportunities for renewable energy initiatives. Like the dappled light filtering through the tree lined street of Meridian Avenue, alleys can be shaded through solar canopies that can harness energy from the sun in order to increase preparedness for peak events and power failures. With the majority of the cities utilities already passing through the alley network, this would provide for a seamless transition from the city's dependency on fossil fuel energy to energy generated by renewable sources. In combination with these solar canopies, new bridges and elevated walkways can connect a new public realm on the rooftops within the cultural district of Miami Beach.



CREATIVE PLACEMAKING

Miami Beach is known for its vibrant display of diverse culture, its collection of historic art deco structures and its connection to the arts. These elements are what generate interest to visitors from around the world. Though engaging with local artists and designers, public art can become well integrated and engrained into the urban fabric of Miami Beach's public space. This will allow people to feel more comfortable and adapt to the new ways of living with water.

This proposal complements the idea of preserving identity by promoting alleyways that would be part of the cultural activities by including art galleries, music, poetry, film, plastic arts and design (including architectural design). The ambition of the proposal is to use art as a communicator to create awareness of the stormwater management strategies and climate change risks through innovative and creative placemaking. This can have a positive impact on the local economy as Miami Beach will be a destination for ecotourism in addition to its already robust architecture and leisure tourism. As Daniel Toole said in an interview referring to alleys, "they offer exactly the kind of thing that everyone goes to Paris and Rome for: to walk through the little streets." Alleyways are the perfect way to intervene climate change and maintain neighborhoods, as each alley will be designed based on their neighborhood.

Rather than isolating art to one district in the city, art and culture will become part of the urban fabric, distributed through existing residential, commercial and cultural districts. As in the example of Shulman + Associates' Orb (10) which connects the historic Betsy and Carlton Hotels, alleyways will also aid in the restoration and rehabilitation of historic places throughout the city.



The Betsy-Carlton Orb, Shulman + Associates - 2016¹⁰

GOVERNANCE

To further the city’s bold and swift initiatives to overcome the challenges of flood mitigation and sea-level rise resilience, it will take complex governance. The issues associated with flooding have an effect on nearly all issues, be it property values, health, economy, housing, mobility or others. Therefore, the city needs to consider all creative ideas which discover opportunities beyond the most evident. This proposal aims to re-evaluate the use of the alleys to create opportunities which engage local stakeholders in the environmental discussion, create incentives for historic preservation and promote investments in resilience.

A fundamental success of cities is their ability to evolve and adapt to the challenges they face over time. This focus on implementing low-impact development within the alley network produces an opportunity to pilot the advantages of green and blue infrastructure as an alternative to pipe and pond engineering schemes.

This proposal presents an opportunity for Miami Beach to lead the world in an innovative case study that showcases how a city can become more resilient while also promoting an exciting urban lifestyle.

FINANCE

Most successful and meaningful projects face their greatest hardships when it comes to financing. After all, who’s going to pay for all of this? Our proposal aims to reveal the many possibilities for funding through different mechanisms including both private and public funding sources including bonds, grants, loan programs, tax increment financing, special assessment taxes, fines and other finance mechanisms. With the looming costs that the city will face based upon the existential threat of climate change, the city should also be looking into investments early that will not only help reduce the impacts of future mitigation costs, but also improve the economic and overall well-being of its constituents. As stated in the ULI report, “the city’s assessed property value totals \$37.4 billion, representing over 13 percent of the county’s property values on only 0.4 percent of the land.” While this clearly generates a large tax revenue base for the city, it also highlights the vulnerability and the necessity to focus on active and innovative solutions. Second to revenues generated from high property values, the city generates a significant amount of tax revenue from its tourism industry. Through our ambition to discover the maximum potential of the alley network, new opportunities for ecotourism will enhance this base.

REGULATIONS

Miami Beach has the opportunity to become a model and leader for resilient initiatives while advancing the urban quality of life. Issues faced by the city are varied and extensive: Urban heat island effect, which is caused by excessive paved and hard surfaces which emit heat into the environment, substantially raises temperatures throughout the city. King tides, sunny day flooding and sea-level rise create an existential threat to its constituents. Through our proposal to re-evaluate and revitalize the use of the alley network, new micro-zoning districts will provide opportunities for small businesses that can no longer afford high development costs along major retail corridors such as Lincoln Rd. In residential districts, alley facing apartments will have new value as they will no longer face a service corridor, and instead look out onto urban passages lined with trees, gardens and renewable energy canopies. Regulations which better control waste management would include mandating recycling and compost, thus significantly reducing landfill growth. As a result, the primary function of the alley is reinvigorated as green beltways throughout the city, sustained by the by-product of its inhabitants.

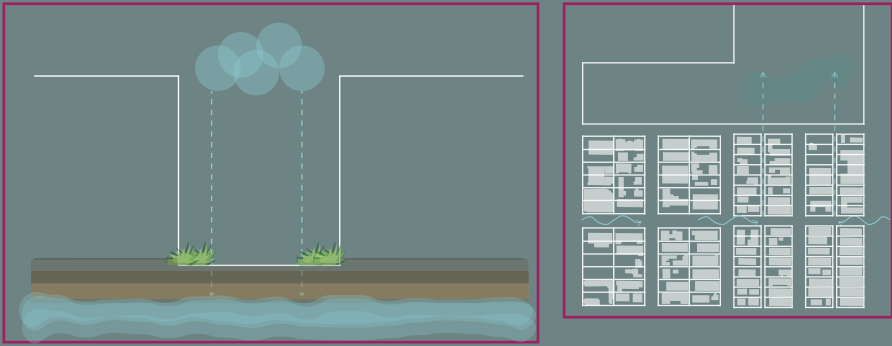
COMMUNICATIONS

The city has done an excellent job strengthening their communication efforts through both printed and social media as well as the Rise Up website and other community engagement efforts. However, our proposal focuses on how public infrastructure can become a city-wide communicator. In the case of renewable energy for example, solar panel canopies can showcase the energy collected from the sun by illuminating the revitalized green thoroughfares between buildings. Storm water management can be communicated through an increased engagement of local stakeholders in new alleyway activations. Life can be energized throughout the city through the release of oxygen within planted greenways to help offset and sequester carbon generated from cars and large service vehicles. Ecotourism will be generated by new storefronts and cultural and artistic installations can be shared throughout social media to display to the world Miami Beach’s leadership in climate resilience, while also contributing to the local economy by providing a multitude of jobs for local residents.

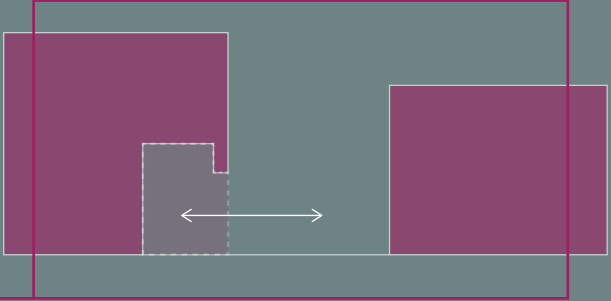
SUMMARY

Based upon the initial research and analysis summarized in this proposal, it is evident that all aspects of the city require creative exploration in order to further expand its climate resilience. This multi-disciplinary approach of addressing storm water management through landscape urbanism or incremental implementation of renewable energy sources through placemaking is the kind of bold initiative that stems from the recommendations within the white paper of the ULI Panel Report. However, this is really just touching the surface of the immense opportunities contained within the city’s alley network. Through rigorous governance, community engagement and innovative ideas, our ambition is to discover a new urbanism which will strengthen the city’s identity, soften its surfaces and increase the quality of life for residents and visitors alike.

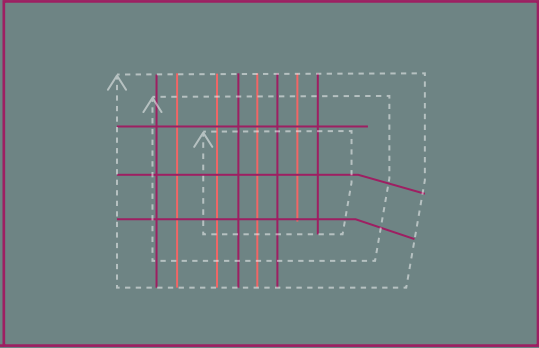
Implement blue and green infrastructure and restore ecology



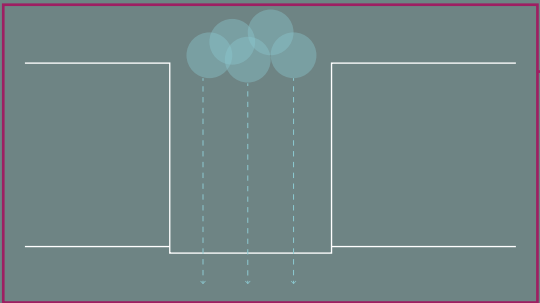
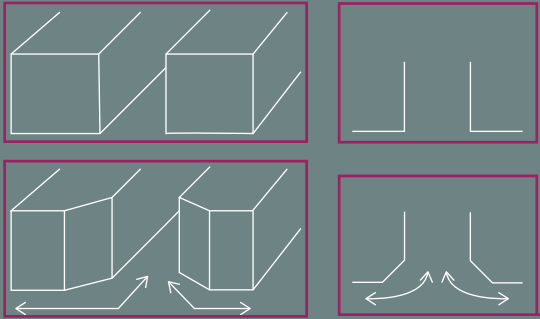
Strengthen the relationship between public and private spaces



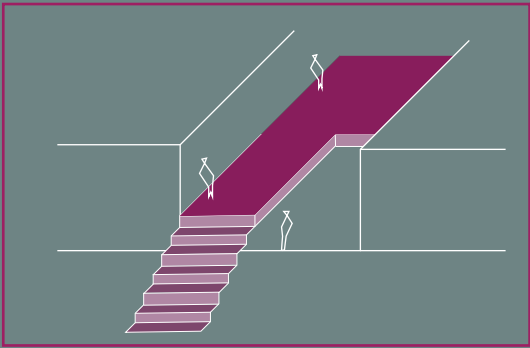
Create continuous loops of public transit while prioritizing pedestrians



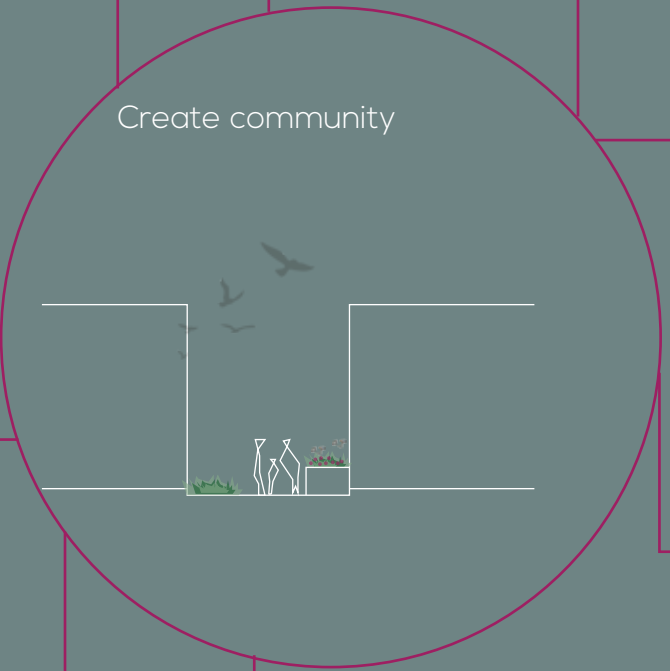
Enhance permeability: visual and drainage



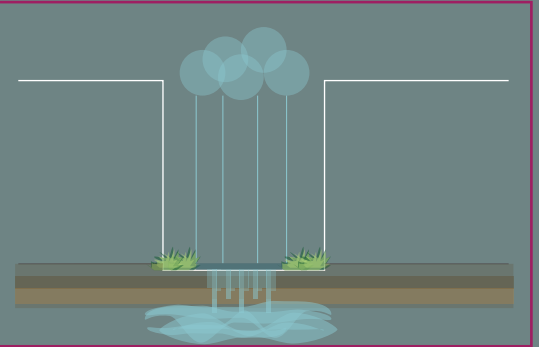
Elevated walkways allow for an uninterrupted service and connect new public realms



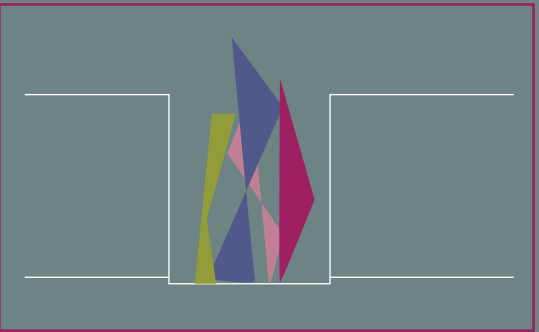
Create community



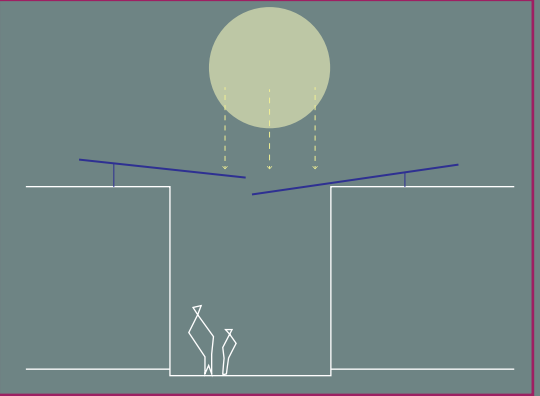
Treat runoff water through natural bioswales



Integrate art in public places in collaboration with local artists



Creating shades through solar and renewable energy canopies



CASE STUDIES

Miami Beach is well organized with an established grid of dense residential, commercial and hospitality blocks. Defined as the space between buildings within these dense blocks are alleys, which permeate through the city like the limestone base it's built upon. The opportunities presented by this network of sequestered urban passageways is what this proposal focuses on. The alleys are characterized by the different experiences that each zone creates:

Commercial- alleys that serve the blocks where commercial activities exist. This includes retail, restaurants, coffee shops, art galleries, movie theaters, etc.

Cultural- alleys that serve the blocks between historic art-deco hotels, bars, restaurants, museums, etc.

Residential- Alleys that serve dense multi-family residential blocks.

Transitional- Alleys that divide blocks between commercial and residential uses.

Each alley proposal will respond to the uses in which it associates with, enhancing engagement and restoring ecology, as it is essential to maintain the identity of each district.



ZONES
 COMMERCIAL
 CULTURAL
 TRANSITIONAL
 RESIDENTIAL

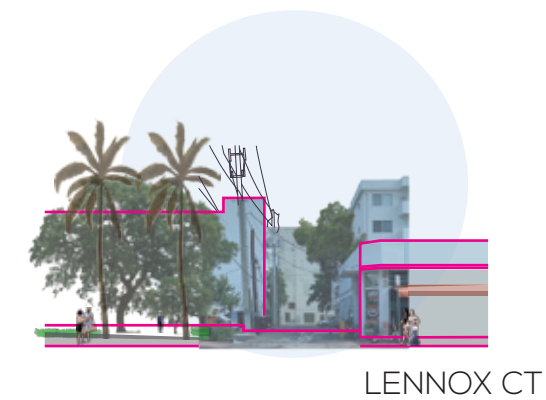
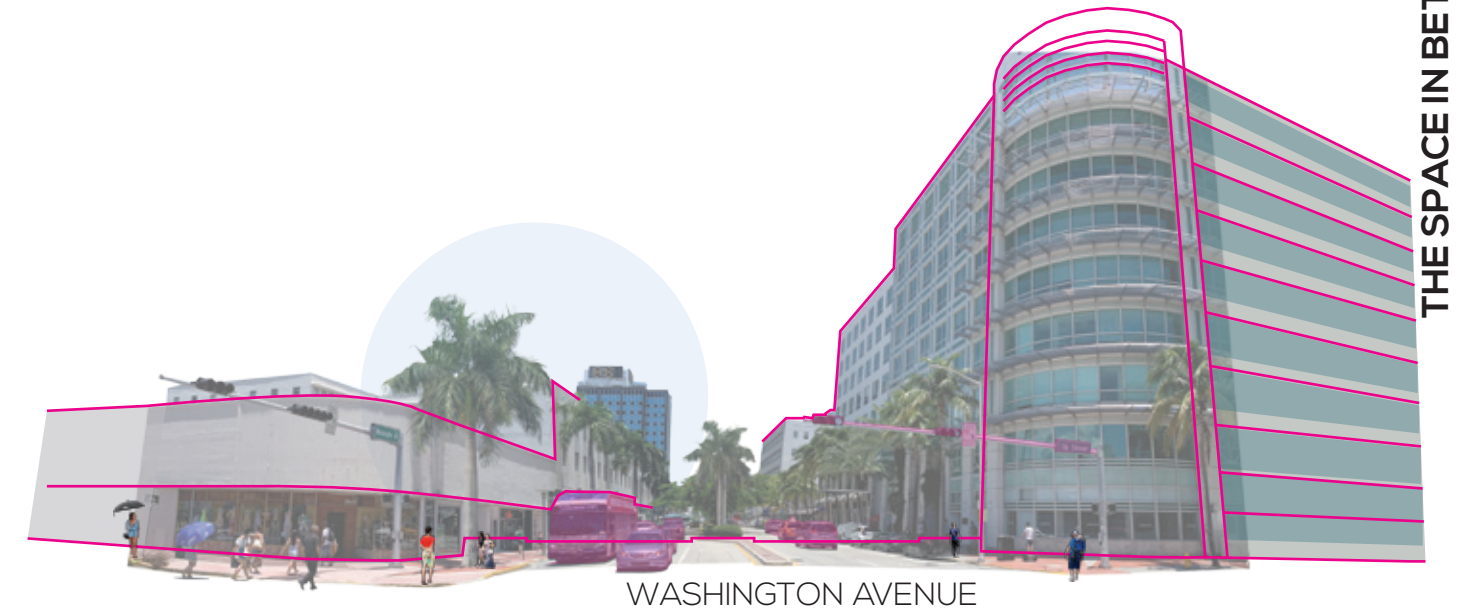


THREE MAIN TYPOLOGIES

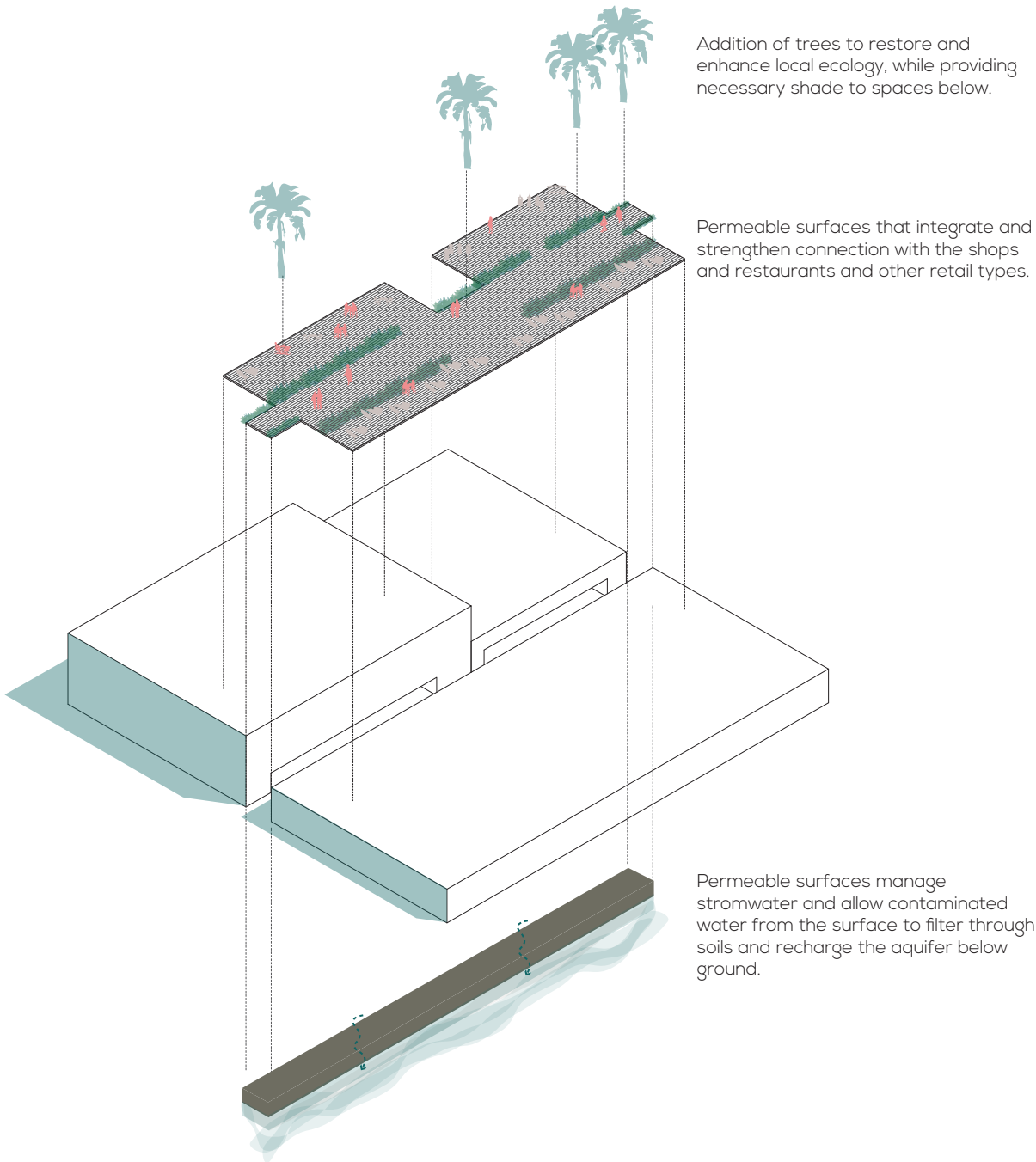
Commercial/Cultural: One of Miami Beach's main commercial & transit corridors with north and south roadways consisting of 2 drive lanes is Washington Avenue. A main route for buses, trolley's and other service vehicles, trees are generally tall and narrow thus, limiting shade and making for an uncomfortable pedestrian experience beyond a few blocks. The network of Alleyways within Miami Beach's commercial districts can be utilized not only for service, but for micro-retail opportunities and to enhance the cultural experience throughout the city.

Residential: The main residential corridor for Miami Beach, this Calophyllum inophyllum-lined street can be pleasant for pedestrians because of the dappled light and substantial shade provided by these trees. While incredibly beautiful, the tree falls on the UF/IFAS invasive plant species list under category I, as it now invades mangrove forests and other coastal areas. The network of alley's within the residential district can be used to restore the ecological habitat of the former, more natural Miami Beach.

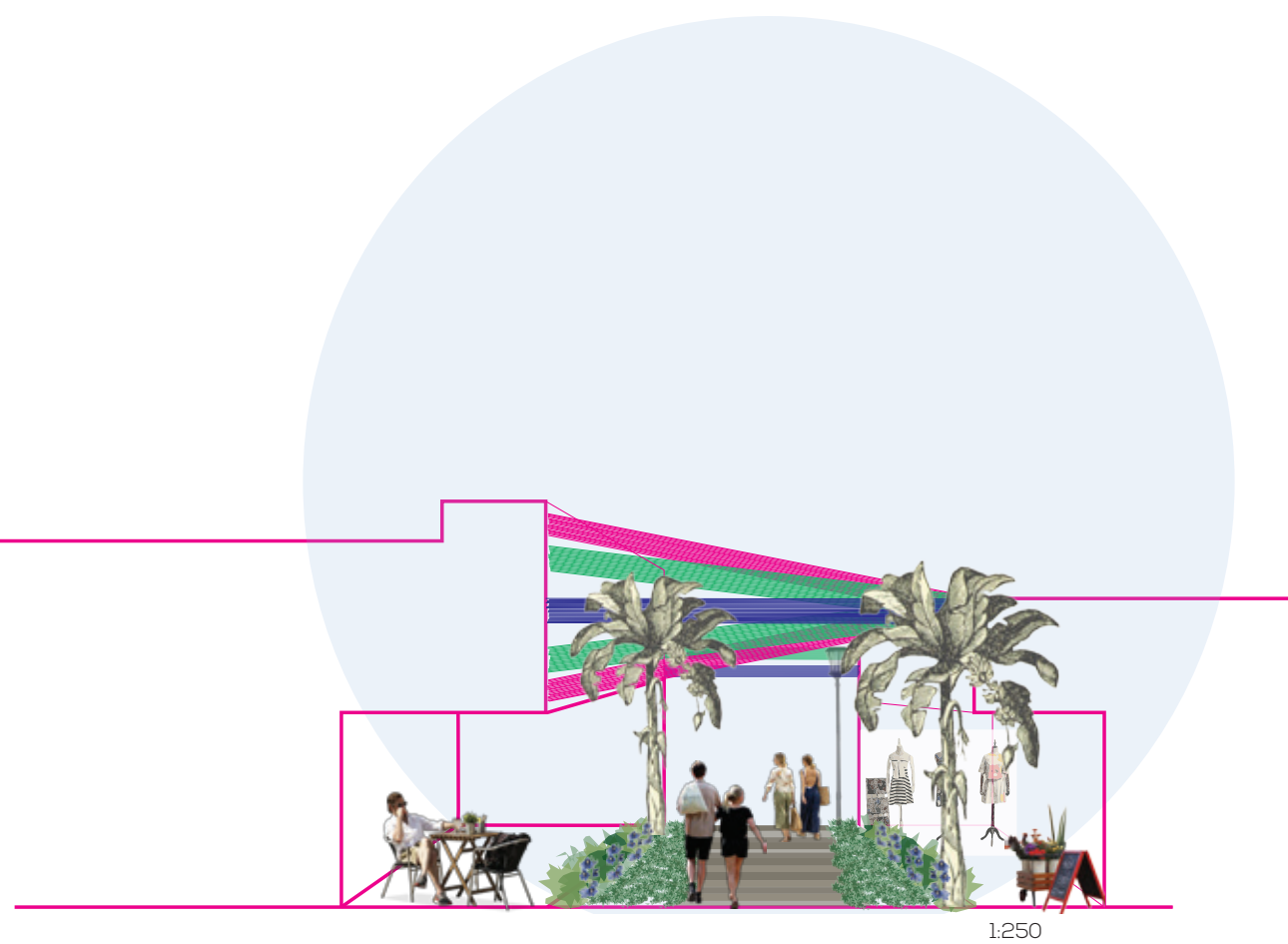
Transitional: Mainly utilized for trash collection, service and utility distribution throughout the city we argue that the network of alleyways can be a much more productive asset to the city. Because of their scale, alleys have limited traffic and a substantial amount of shade throughout the day. Currently, contaminated run-off water sits in puddles along our alleyways. This provides for a unique opportunity for low-impact development through an initiative to botanize the alleyways. Our next phase of research will develop specific proposals for each alleyway type throughout the city.



COMMERCIAL ALLEYS



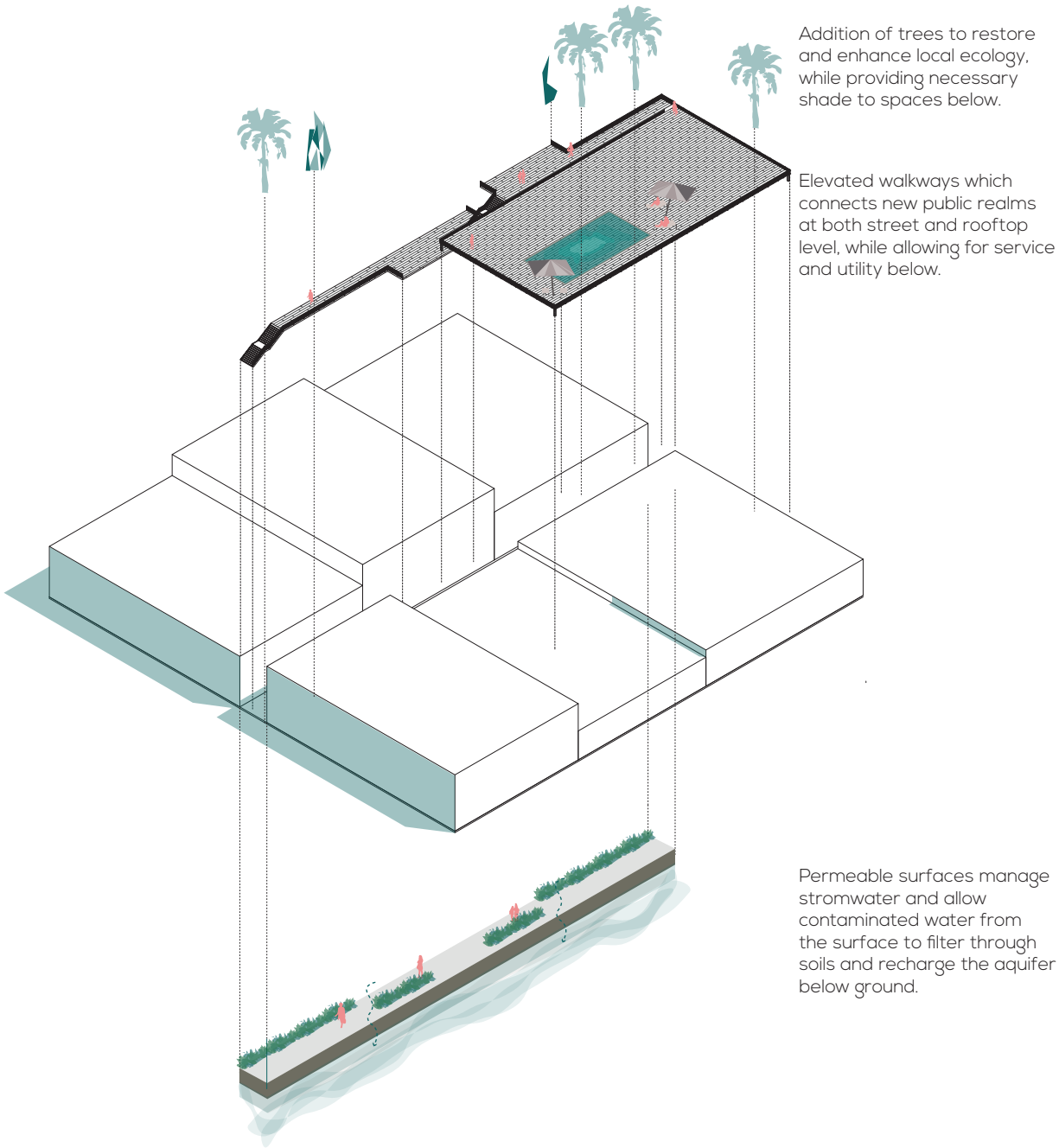
Lincoln Road North would be a compliment to Lincoln Road. Projects to revive this alley have already begun, however their impact is low. The intention of this case study is to have an alley highly activated, where the stores from Lincoln Road would open up to the alley creating a more dynamic network. The alley expands from Alton Road until Washington Ave, ending up in Soundscape Park. It would be an expansion of the park, integrating with the commercial retail area. Through an abundance of native planting and permeable surfaces, stormwater management can also enhance well-being for retail patrons.



TOTAL LINEAR FEET: 5988'-0"
TOTAL AREA: 59480 Ft²



CULTURAL ALLEYS

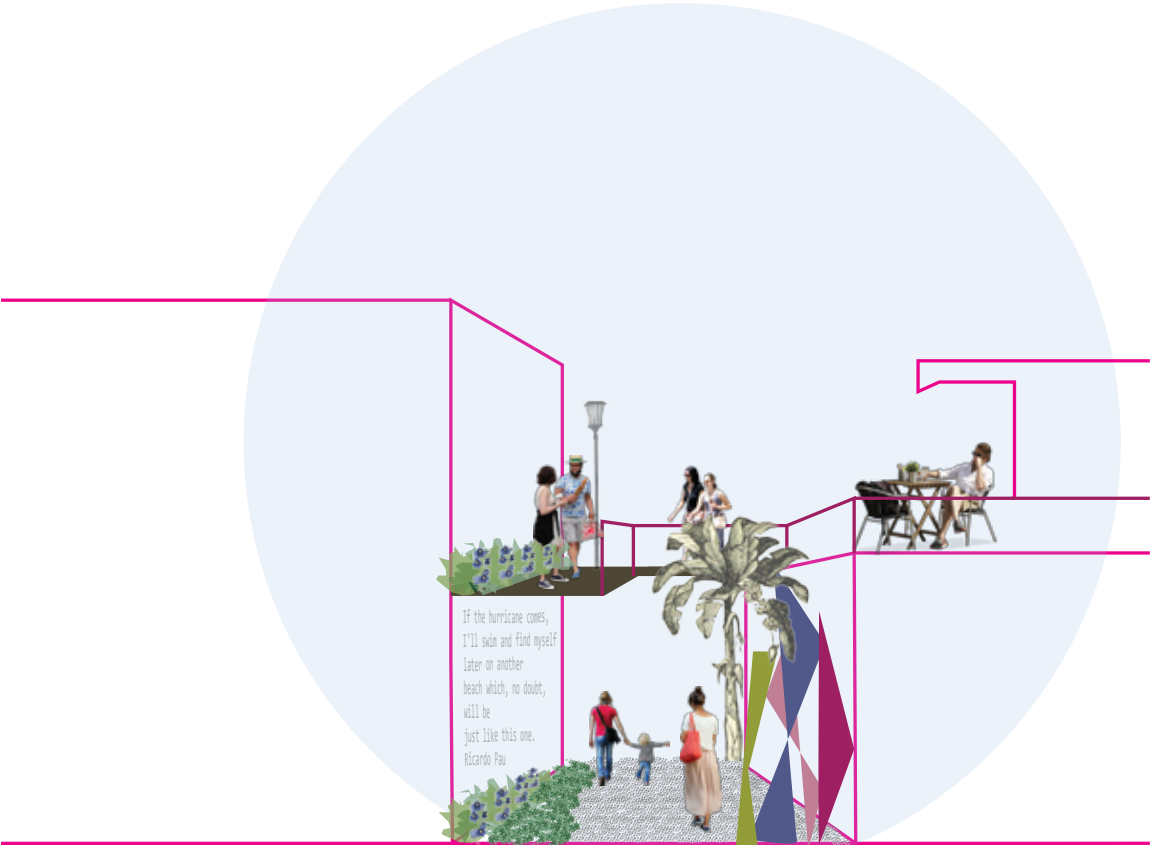


0 ft 1670 ft 5000 ft



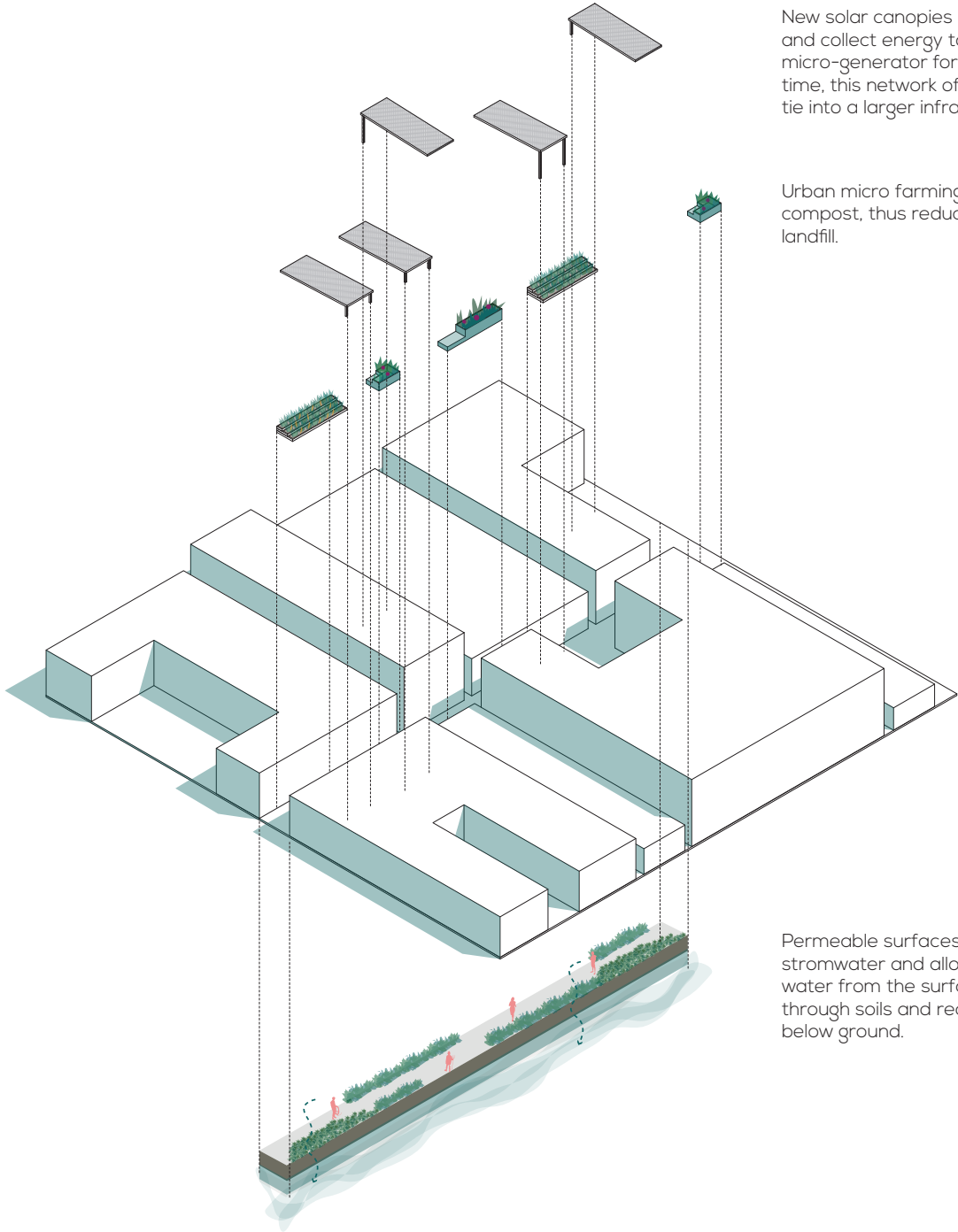
Collins Avenue is highly known for its dynamic experience including iconic art deco buildings and the vibrant hotel lobby's which become extensions of the public realm. Alleys provide a new urbanism which amplifies the cultural experience extending from nearby hotels. Sequestered from the busy, traffic-lined streets, the lanes are an escape, allowing for the integration of landscape and art. New storefronts further activate this space and celebrate local artists. Proposed elevated walkways connect public spaces at both ground and rooftop levels creating a myriad of experiences between the public and semi-public spaces.

TOTAL LINEAR FEET: 5280'-0"
TOTAL AREA: 52000 Ft²



1:250

RESIDENTIAL ALLEYS



New solar canopies provide shade and collect energy to function as a micro-generator for the blocks. Over time, this network of renewable can tie into a larger infrastructure system.

Urban micro farming supplied by local compost, thus reducing waste for landfill.

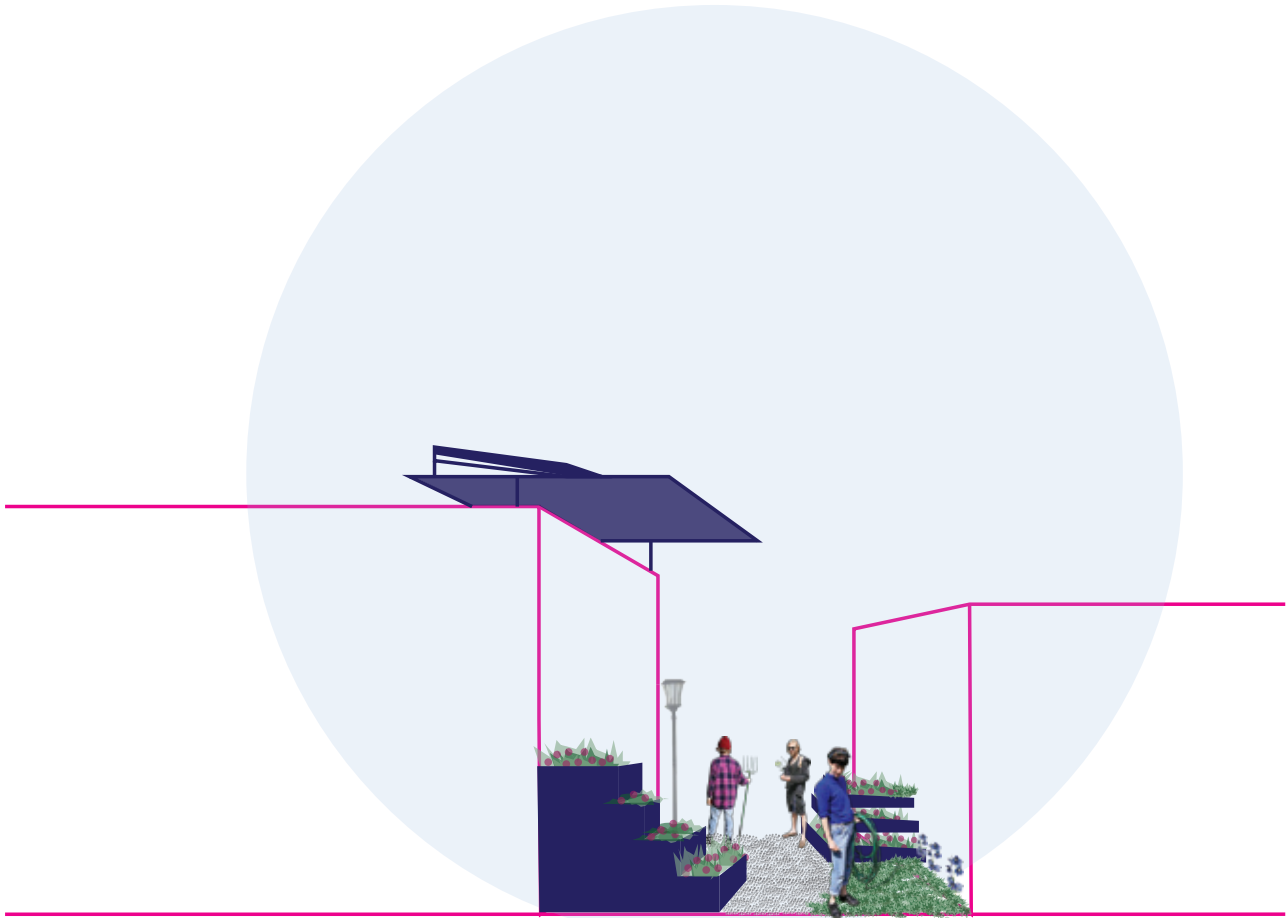
Permeable surfaces manage stormwater and allow contaminated water from the surface to filter through soils and recharge the aquifer below ground.



0 ft 1670 ft 5000 ft

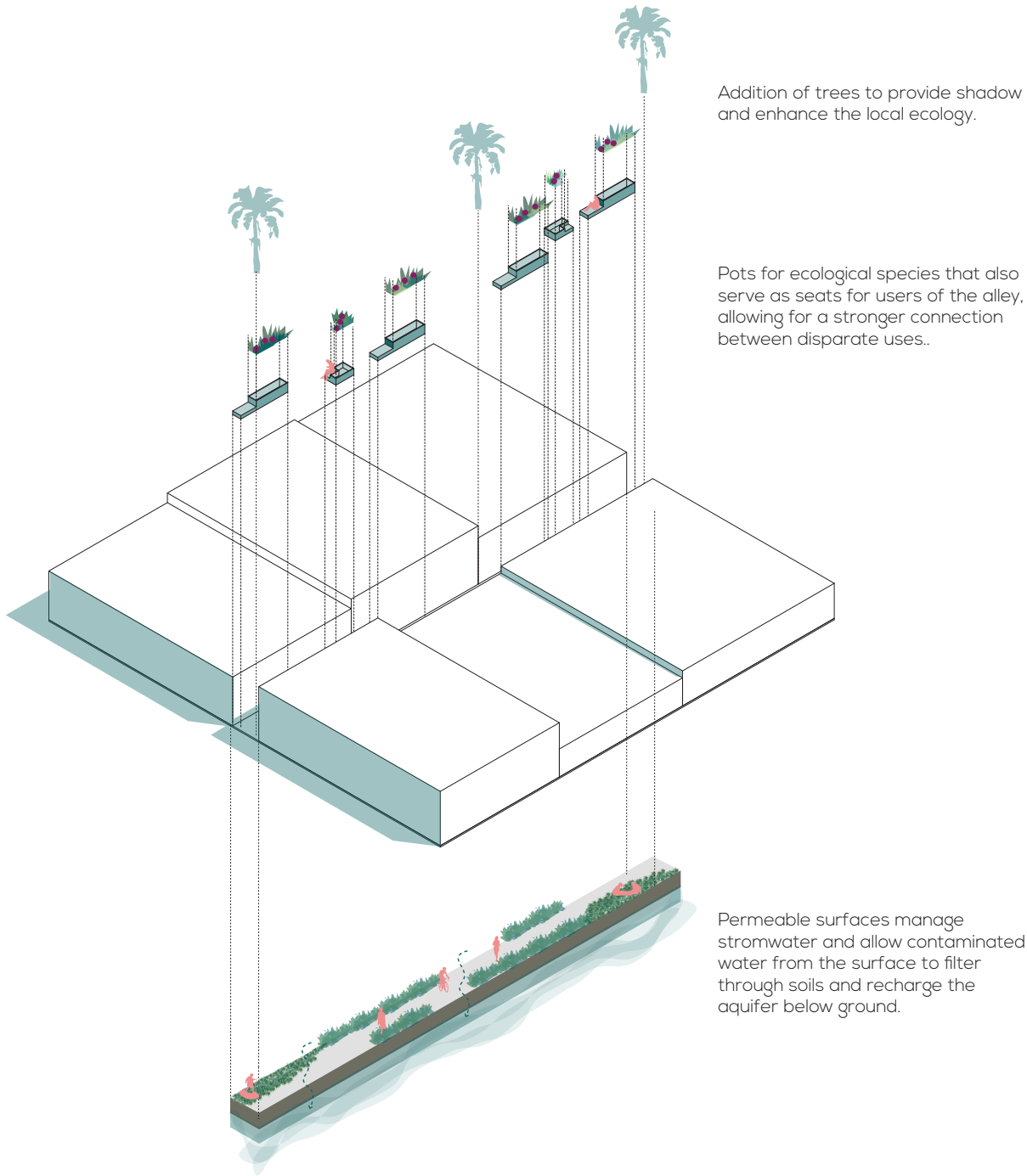
The residential zone would be defined by a collection of community gardens and activities. Alleys would support micro urban farming, playgrounds and ecological trails. This would allow neighbors to unify and take responsibility for their neighborhood. The alleys would also incorporate solar panels, which would serve to give light to illuminate the space below. This is an opportunity to generate educational activities for storm management awareness as well as climate change adaptation strategies.

TOTAL LINEAR FEET: 51000'-0"
TOTAL AREA: 5220 Ft²



1:250

TRANSITIONAL ALLEYS





This alley is just below Lincoln Road and parallel to Alton Road. Commercial retail in this area is lower and it is an alley that connects to residential zone, allowing people to experience the transition between both. This alley would be a small park in between the buildings, where people can sit and enjoy this space, as well as taking it to walk to a specific place.

TOTAL LINEAR FEET: 4423'-8"
TOTAL AREA: 43837 Ft²



1:250

SCOPE OF WORK

The scope of design services described herein includes the services to be provided by Kean Office for Design + Architecture, P.A. (KoDA) and its affiliated offices.

- Research (Expanded- Waste management, composting, densities, uses, etc.)
- Mapping
- Drawing, modeling, renderings and other presentation materials
- Environmental analysis (expanded, solar, wind, rainfall, etc.)
- Community charrettes
- Outlined recommendations including detailed case study projects for implementation
- Civil Engineering analysis
- Anonymous interviews of local stakeholders including residents, business owners and mayor and city commission
- Opinion of Cost

Conceptual Design

The Conceptual Design (ConcD) phase of work carries forward the initial ideas generated from this brief, focusing in on three specific alleys –

Design Development

The Design Development (DD) phase of work carries forward the initial ideas evolved from the previous phase, including more specific details including initial consultation with a civil engineer –

Exclusions

- Surveying
- Geo-Technical Soil Reports
- Structural Engineering of any kind
- Fees associated with permitting of any kind

Fees

- Base Fee – \$48,000.00

Reimbursable Expenses

The fee includes postage, express mail, messenger, facsimile transmission, telephone, shipping, local travel, photography and copies of drawings and calculations.

Hourly Rates of staff

Principal \$200/hr
Project Architect/Designer \$150/hr
Design Staff \$100/hr
Administrative \$75

Payment Plan

Monthly progress billing. Payment due within 30 days after invoicing.

Project Schedule

Concept Design can commence upon a 1-week mobilization period upon acceptance of this proposal. The proposal remains valid for acceptance for 90 days from the date of submission.

KoDA (Kean Office for Design and Architecture) is a Miami Beach-based, award-winning practice focused on innovating ambitious solutions to challenging design issues. KoDA architects and designers are experts in cultural place-making and progressive architecture. Led by Principal and Founder Wesley Kean, KoDA uses analysis and research to inform the design of buildings, spaces, and environments, both public and private. KoDA designs without preconceived notions of style, form or materiality, pursuing instead the careful evolution of a particular idea. The firm thinks critically and examines the environmental, cultural, and social context of each site. KoDA stands behind the fundamental beliefs that to practice architecture is to provide a service and that clients are the most important component of the process, and so invites them to become a part of it.

Wesley Kean, is the Principal & Founder of KoDA. Kean leads the on-going research of the firm, which informs the work of the practice. He views architecture as a mechanism to improve the social, cultural, and environmental issues facing cities. His writings on the subject of how metabolist ideas can potentially solve sea-level rise vulnerability have been published in AIA's Florida/Caribbean Architect magazine, and he has lectured on the topic at the University of Miami.

As an architect and an urbanist, Kean feels a particular responsibility to serve his community. He sits on the planning and zoning board of his historic neighborhood and was appointed to the City of Miami Beach Next Generation Council, which provides recommendations to the Mayor and City Commissioners on city-related issues affecting millennials. An active member of the American Institute of Architects and a visiting critic at the University of Miami, Florida International University, and Miami-Dade College, Kean is also a champion of the Make-A-Wish Foundation and a member of the Miami Music Project soundboard, a charity focused on social transformation through musical education. Kean earned a Bachelor of Architecture from the University of Miami, which included an Urban Design, Architectural Theory, and History of Architecture program in Rome, Italy.

Chance Stillman is an artist and Project Manager at KoDA. With the office, Chance has collaborated on the design and development of art installations, contemporary residential homes, and office spaces, and has also contributed research to speculative urban theory re-thinking the future of Miami's built environment in the face of rising seas. Chance's background on this issue dates back to his education and prior work experience at Florida Atlantic University, where he played a key role in the development of "Salty Urbanism," a nationally recognized project that reconciles sea level rise with innovative urban design in Fort Lauderdale. The project earned AIA (American Institute of Architecture) Design Awards at the city, state, and national levels for unbuilt work and/or urban design.

While at FAU, Chance obtained Bachelors in both Architecture (B. Arch.) and Studio Art (BFA). After FAU, and prior to KoDA, Chance developed various projects at the Tamara Peacock Company, including renovations for the School Board of Broward County, historic preservation, and interior architecture.

Daniel Fragata is a multidisciplinary architectural designer at KoDA with Bachelor of Interior Design and Master of Architecture degrees. Daniel is captivated by the evolution of architecture as it grows parallel to technology, and the inherent implications that has on the design process. He believes the advancement of technology has allowed for complexity to no longer be a constraint on architecture, but an opportunity. Correspondingly, Daniel has focused his efforts in parametric design and digital fabrication, and has been able to implement his skill set in a wide variety of KoDA's projects at various scales, including large civic structures, high-end residences, art installations, and product design.

Maria Paula Romero is a junior at the University Iberoamericana in Mexico City. She is an intern at KoDA for summer 2019. Originally from Quito, Ecuador, Maria has grown around painters, which woke up her artistic side creating an interest in architecture. Throughout her time at Ibero, she has been able to explore many areas of design and architecture taught by numerous faculty members. Maria Paula has been able to work across many different scales to design for various communities and cultures.

CITATIONS

1. "Miami Beach, Florida: Stormwater Management and Climate Adaptation Review," Urban Land Institute, April 16-19, 2018. pg. 16
2. "Miami Beach, Florida: Stormwater Management and Climate Adaptation Review," Urban Land Institute, April 16-19, 2018. pg. 23
3. "Miami Beach, Florida: Stormwater Management and Climate Adaptation Review," Urban Land Institute, April 16-19, 2018. pg. 31
4. "Miami Beach, Florida: Stormwater Management and Climate Adaptation Review," Urban Land Institute, April 16-19, 2018. pg. 31
5. "Low Impact Development. A Design Manual for Urban Areas" UACDC
6. "Miami Beach, Florida: Stormwater Management and Climate Adaptation Review," Urban Land Institute, April 16-19, 2018. pg. 44
7. "South Florida and Sea Level: The Case of Miami Beach," Office for Urbanization, Harvard University Graduate School of Design, 2017. pg. 60
8. "Miami Beach, Florida: Stormwater Management and Climate Adaptation Review," Urban Land Institute, April 16-19, 2018. pg. 48
9. Daniel Toole, as cited in Joann Greco, "Why Alleys Deserve More Attention," CityLab, February 16, 2012.
10. The Betsy-Carlton Orb, Shulman + Associates - 2016



City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

Item 8.
COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: October 30, 2019

**TITLE: A Land Use Amendment To Increase The Maximum Building Height To 200 Feet
For Oceanfront Lots With A Contributing Building In The RM-3 District When the
Development Site is at Least 110,000 Square Feet in Size
(ITEM WITHDRAWN)**

Applicable Area

Citywide

**Is this a Resident Right to
Know item?**

Yes

**Does this item utilize G.O.
Bond Funds?**

No

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

Item 9. **COMMITTEE MEMORANDUM**

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: October 30, 2019

TITLE: **Development Regulations for Hotels on Lincoln Road
(ITEM DEFERRED)**

Applicable Area

South Beach

**Is this a Resident Right to
Know item?**

Yes

**Does this item utilize G.O.
Bond Funds?**

No