

MIAMI BEACH

Land Use and Sustainability Committee
May 26, 2020 - 8:00 AM

Commissioner Mark Samuelian, Chair
Commissioner Michael Gongora, Vice-Chair
Commissioner Ricky Arriola, Member
Commissioner Micky Steinberg, Alternate

Alina T. Hudak, Liaison
Naima De Pinedo, Support Staff

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LAND USE AND SUSTAINABILITY COMMITTEE AGENDA

Tuesday, May 26, 2020, 8:00 AM

Link to join webinar: <https://us02web.zoom.us/j/82689585027>
Dial-in Telephones: 1 301 715 8592 or 888 475 4499 (Toll Free)
Webinar ID: 826 8958 5027#

ACTION ITEMS

- 1 1. A) Review Of Resilience Strategy Workplan – Planned And In Progress Resiliency Projects. (CIP) B) Discussion On Alternate Harmonization Approach For Improvements At 900 Block West Ave. (PW) C) Review of Palm Hibiscus Status & Road Elevation Experience. (CIP) D) Discuss Status And Jump Starting Of First Street Neighborhood Project. (PW)

Commissioner Mark Samuelian
Recurring Item
Office of Capital of Improvement Projects, Public Works
- 2 Comprehensive Plan Amendment For Public Facility (PF) Future Land Use Element.

Mayor Dan Gelber
March 18, 2020 C4 V (Continued from May 6, 2020)
Planning
- 3 Proposed Amendment To Chapter 142 Of The Land Development Regulations Of The City Code Pertaining To Development Regulations In The CPS-4 District.

Mayor Dan Gelber
April 22, 2020 C4 F (Continued from May 6, 2020)
Planning
- 4 Discuss Amending The Faena District Overlay.

Commissioner Ricky Arriola

Planning

DISCUSSION ITEMS

5. Discuss The Potential Implementation Of Adopt-A-Drain Or Similar Program In Miami Beach.

Commissioner Samuelian

February 12, 2020 C4 U (Deferred from May 6, 2020)

Public Works

6. Discussion On The Status of Suite-Hotels In The West Avenue Neighborhood.

Commissioner Mark Samuelian

February 12, 2020 C4 V (Deferred from May 6, 2020)

Planning

7. Discuss How The Cities Of Miami And Miami Beach Measure Flooding.

Commissioner Mark Samuelian

March 18, 2020 C4 X (Deferred from May 6, 2020)

Public Works

8. Discuss Piloting The Closure Of 9th Street Between Ocean Drive And Collins Avenue.

Commissioner Ricky Arriola

January 15, 2020 C4 P (Deferred from May 6, 2020)

Transportation & Mobility

9. Discuss Designating Ocean Drive As A Valet Only Street.

Commissioner Ricky Arriola

January 15, 2020 C4 Q (Deferred from May 6, 2020)

Parking

10. Discuss Potential Additional Support For Miami Beach Resiliency From The Army Corps Of Engineers.

Commissioner Mark Samuelian

March 18, 2020 C4 Z (Deferred from May 6, 2020)

Environment & Sustainability

SUPPLEMENTAL

11. Proposed Floor Area Ratio (FAR) Increase For The Wolfsonian-Florida International University Site on Washington Avenue.

Commissioner David Richardson

May 13, 2020

Updated May 22, 2020

Planning

DEFERRED ITEMS

12. Discussion On Repurposing Our Golf Courses For The Future.

Commissioner Ricky Arriola

May 16, 2018 C4 AB

Public Works / Parks

13. Discussion Pertaining To A Transfer Of Development Rights (TDR) Along The Tatum Waterway Area.

Commissioner Ricky Arriola
July 17, 2019, C4 R (Deferred from January 21, 2020)
Planning
14. Discussion Pertaining To Amendments To The City Code Regarding Potential Requirements For Higher Elevation For New Commercial Construction That Is Vulnerable To Flooding.

Commissioner Ricky Arriola
July 31, 2019 C4 D
Planning
15. Discussion Regarding Tight Urbanism.

Commissioner Ricky Arriola
September 11, 2019 C4 Z (Deferred from February 18, 2020)
Planning
16. Discuss Arkup's Luxury Houseboats And Their Effects On Biscayne Bay And The Quality Of Life Of Surrounding Residents.

Commissioner Ricky Arriola
September 11, 2019 R9 X
Office of the City Attorney
17. Discuss The July 30, 2019 Sustainability Committee Motions.

Commissioner Mark Samuelian
October 16, 2019 C4 K
Environment & Sustainability
18. Discussion on Banks Located on First-Floor Retail Spaces

Commissioner Ricky Arriola
October 16, 2019 C4 S
Planning
19. Matrix Recommendations – Simplification Of Single Family Home Regulations And DRB Administrative Review Procedures.

No Sponsor
October 16, 2019 R5 V
Planning
20. Discuss The Miami-Dade County Resolution Urging Municipalities To Adopt Post-Disaster Temporary Zoning Relief.

Commissioner Mark Samuelian
December 11, 2019 C4 C
Planning
21. Discussion Regarding The Palm View Neighborhood Study.

No Sponsor
March 18, 2020 C4 W
Planning
22. Discuss Making Aesthetics A Primary Criterion In Future Resiliency Projects.

Commissioner Mark Samuelian
March 18, 2020 C4 Y

Planning

23. Review The City Of Miami Beach Experience And Perspectives On Pervious/Permeable Pavement And Identify Potential Opportunities For Use.

Commissioner Mark Samuelian
March 18, 2020 C4 AA

Planning

24. Review The City Of Miami Beach's Experience And Perspective On Full Depth Asphalt And Identify Potential Opportunities For Use.

Commissioner Mark Samuelian
March 18, 2020 C4 AB

Public Works

MIAMI BEACH

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

Item 1 COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: 1 . A) Review Of Resilience Strategy Workplan – Planned And In Progress Resiliency Projects. (CIP) B) Discussion On Alternate Harmonization Approach For Improvements At 900 Block West Ave. (PW) C) Review of Palm Hibiscus Status & Road Elevation Experience. (CIP) D) Discuss Status And Jump Starting Of First Street Neighborhood Project. (PW)

ANALYSIS:

Attached please see report of projects in progress.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

Yes

Departments

Office of Capital of Improvement Projects, Public Works

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Projects Progress Report	Other
<input type="checkbox"/> B) Discussion On Alternate Harmonization Approach For Improvements At 900 Block West Ave. (PW)	Memo
<input type="checkbox"/> B) Exhibit A	Other
<input type="checkbox"/> B) Exhibit B	Other
<input type="checkbox"/> C) Review of Palm Hibiscus Status & Road Elevation Experience. (CIP)	Memo
<input type="checkbox"/> C) Attachment A Cost to Raise Roads	Other
<input type="checkbox"/> C) Attachment B Summary Report	Other
<input type="checkbox"/> D) Discuss Status And Jump Starting Of First Street Neighborhood Project. (PW)	Memo
<input type="checkbox"/> D) Attachment 1 Pump Station Location Map	Other
<input type="checkbox"/> D) Attachment 2 Typical Section Option (1&2)	Other
<input type="checkbox"/> D) Attachment 3 Resident Poll Results and SOFNA Letter of Support	Other

LAND USE AND SUSTAINABILITY COMMITTEE PROJECTS PROGRESS REPORT

	Project Name	District	Scope of Work	Project Budget	Current Status	Anticipated Completion
Design						
1	First Street Imp Alton & Washington	South Beach	Improvements on First Street to include complete roadway reconstruction, elevation of the roadway to a minimum 3.7 NAVD elevation, utility removal/replacement, new storm drainage line installation, new storm pump station (120,000 gpm), force main installation, landscaping and lighting. Its also includes the installation of storm drainage trunk lines along Alton Road & Washington avenue from South Point Drive to 5th Street.	\$24,000,000	Coordinating with SOFNA and other project stake holders the proposed typical section and the location of the proposed stormwater outfall. Design will continue once the typical section and the location of the outfall are selected.	May 2022
2	Indian Creek -Street Drainage Imp. - Phase III	Middle Beach	Storm water drainage improvements on Indian Creek Drive and side streets from 25 Street to 41 Street, including completing the stormwater pump station at 32nd Street. Final pavement restoration of the roadway and sidewalk on Collins Avenue between 25 Street and 26 Street; Rebuilding and raising the roadway and sidewalk on Indian Creek Drive between 26 Street and 41 Street and new street lighting, signage and pavement markings.	\$33,000,000	Contractor mobilized on site on March 8, 2020. Contractor has implemented Maintenance of Traffic (MOT) on Collins Avenue, Indian Creek Road closure, installation of temp lighting system, demolition, installation of dewatering system, harmonization, and installation of 72-inch drainage pipe. Franchise utility owners have started utility relocation.	Winter 2021
3	Maurice Gibb Park Redesign (GOB)	Middle Beach	Renovation of the park to include soil remediation, a new playground with shade canopy, pavilion(s), a dog park, walkways, landscaping with open sodded areas, irrigation, signage and park furnishings.	\$7,020,681	The 90 % Design Documents are completed and are being reviewed by city departments. The permit process with the Army Corps of Engineers, FDEP and Miami Dade County DERM and the City of Miami Beach Building Department is underway. Construction is estimated to commence by early 2021.	Summer 2022
4	Bayshore Park (Par 3) (GOB)	Middle Beach	A new passive community park to include environmental remediation, a central lake; open meadows and informal open play field areas; site grading; pavilion; 6 tennis courts with restroom facilities; children's playground; dog park; boardwalk and pathways; security lighting; vita course and fitness cluster; butterfly garden; linear water feature and parking lot. Resilient strategies proposed at the park include stormwater retention system, pervious pavement; solar panels for pedestrian lighting, energy efficient lighting and roof mounted solar panels.	\$21,160,190	DERM has issued the conditional approval of the project design including the sustainable and resilient components. Proceeding towards 90% design. Anticipating start of the procurement process by Fall 2020. Project completion is now expected by the end of 2022.	Winter 2022
5	Middle Beach Recreational Corridor Ph 3 (GOB)	Middle Beach	Construction of approximately 3,500 linear feet of an on-grade pedestrian walkway and the demolition of the existing wooden boardwalk from 24th to 45th street. Dune enhancements such as native dune vegetation species and beach compatible dune fill and irrigation systems will be provided for the landscaping. Path lighting will meet Florida Fish and Wildlife Commission's marine turtle nesting requirements.	\$13,215,000	Earthwork and site grading has commenced from 24 Street to 29 Street. Underground conduit installation for the security cameras and back-filling activities has advanced from 29 Street to 39 Street. Underground water line, irrigation main and dune grading activities has been completed from 36 Street to 46 Street.	Winter 2021
6	North Beach Oceanside Park Renovation	North Beach	Renovation of the park to include pedestrian entrances with new gates, pedestrian beach access, walkways with lighting, refurbished restrooms and picnic shelters, site furnishings, open sodded areas, landscape and irrigation.	\$12,700,000	CIP and Parks and Recreation Department are exploring other options of procuring the different park components. Cost proposals from the different contractors have been received and are being evaluated to confirm scope of work. The revised plans from the consultant has been placed on a temporary hold until CIP & Parks and Recreation Department complete the evaluation process.	Spring 2022

LAND USE AND SUSTAINABILITY COMMITTEE PROJECTS PROGRESS REPORT

	Project Name	District	Scope of Work	Project Budget	Current Status	Anticipated Completion
7	Sunset Harbor Pump Station #3 Screen	Middle Beach	A perforated metal enclosure is being designed to screen the equipment at the Sunset Harbour Pump Station #3. The height of the screen will vary from 9'-0" above the traffic barricade adjacent to the generator, to 3'-0" at the westernmost portion of the pump station. At the eastern side, the enclosure will also serve as an entrance sign for the neighborhood.	\$750,000	The contract for construction has been executed. The contractor is preparing for the start of construction, scheduled for no later than June 24, 2020. Fabrication of the screen panels is estimated to require 4 months. Construction is estimated to be completed in 3 months.	Winter 2020
Preconstruction						
8	Brittany Bay Park	North Beach	This project includes the creation of a living shoreline between the existing remaining seawall and the concrete retaining / seawall. ADA-Accessible overlook that will allow park patrons to walk from the Park to the existing seawall's edge. The project is intended to enhance the surrounding riparian and intertidal environment by creating a new habitat for aquatic and terrestrial species and improving water quality via filtration of upland runoff. The Park renovations also include new concrete walkways, milling and resurfacing the existing parking lot, new trees, new exercise equipment, furniture, lighting and new landscaping.	\$1,400,000	Plans are being reviewed by the City of Miami Beach Building Department and FDEP. The Army Corps and Miami Dade County DERM have approved permits for the project. Upon approval of all required permits, the project will enter the procurement phase for the selection of a contractor.	Spring 2021
Construction						
9	Palm & Hibiscus Island Neighborhood Improvements	South Beach	This project includes a variety of aboveground and underground improvement such as new water main and service, new storm water drainage system including 3 pump stations, lining of the sanitary sewer system and replacing all the sewer laterals, raising the elevation and reconstruction of the roadways including installation of Geo Textile, new decorative street lights, speed tables, landscape, hardscape improvements, harmonization with private properties and undergrounding the franchise utilities on Hibiscus Island. Additional scope of services was added to the project to install 3 bi-fuel generators as well as, implementation of the new drainage criteria to install and harmonize a yard drain in each private property with the finished floor elevation (FFE) lower than the crown of road.	\$48,938,882	The overall project including the generators, is 95% complete. The design of the private property drainage inlets, for qualifying properties under the City's new drainage policy are complete. Private property drainage connection packages for both Palm and Hibiscus Islands have been submitted to DERM on February 10, 2020 and additional packages have been submitted on April 20, 2020. The response to DERM comments for the Palm and Hibiscus closeout package was submitted on April 20, 2020. New set of comments were forwarded from DERM on May 7, 2020. Permit modification and closeout package for Palm Island will be submitted as soon as storm drain structures have been cleaned. Contractor has delivered three emergency back-up generators of which two have been installed. The Hibiscus generator location has been finalized between FPL, HOA and the contractor for the best desirable location and is in process of installation.	Summer 2020
10	Stormwater Pump Station at 19th Street East of Meridian	Middle Beach	Installation of a stormwater pump station, including an emergency generator and seawall reconstruction along Collins Canal near 19th Street and Meridian Avenue. A change order was approved for the extension of the Botanical Garden along the Dade Canal and a seawall at the Carl Fisher Clubhouse.	\$8,400,000	19 Street Pump station is currently operational. DERM final certification is pending. Botanical Garden expansion, all work is completed. Carl Fisher Seawall, all concrete and landscape work completed, final clean-up and demobilization in progress.	Completed Spring 2020 Summer 2020

LAND USE AND SUSTAINABILITY COMMITTEE PROJECTS PROGRESS REPORT

	Project Name	District	Scope of Work	Project Budget	Current Status	Anticipated Completion
11	Venetian Islands Neighborhood Improvements	South Beach	Work includes site preparation, earthwork, demolition, storm drainage, roadway, concrete valley gutters, paving and grading, water main, lighting, and planting. Additional scope added included installation of six (6) stormwater pump stations, two per island, and automated meter reading technology.	\$37,382,720	All Pumps Stations and easement restorations are complete. DERM's punch list items completed and re-inspection was performed. Waiting on DERM's inspection results letter. Following the homeowner's association request, additional studies and discussion are been done in a collaboration efforts to the final recommendation on the roadway remediation.	TBD
12	Venetian Islands Seawalls	South Beach	This project entails seawall replacement, at two (2) locations consisting of precast concrete bulkhead panels, king piles, batter piles and concrete cap; and seawall cap raising at five (5) locations consisting in new concrete cap, batter piles and retaining walls, all locations within the Venetian Islands.	\$650,000	Permit modification is approved by DERM and SFWM, and Building Department . A credit change order is being processed for the deletion of the South San Marino and SW DiLido seawalls. Stake Holders outreach ongoing. NTP2 to be issued for May 25.	TBD
13	West Avenue - Phase II Improvements - North of 14 Street	South Beach	West Avenue - Phase II Improvements North of 14th St - Scope includes Water, Sewer, Storm and above ground improvements from 14th Street north to the Collins Canal and include a new stormwater Pump Station and Baywalk at the end of Lincoln Road. Project is being re-designed to include the following resiliency items: Road elevation 3.7 NAVD; 10 year storm event; Mobility – 2 lanes with center continuous turn lane; Protected bike path; Street ends enhanced design; Permanent generators and 120,000 gpm pump station.	\$79,158,564	<p>Design of Water and Sewer System is 100% complete.</p> <p>Roadway, Landscaping, lighting, drainage and Pump Station Design is 100% complete.</p> <p>Commission approved a Change Order for the design efforts to include the additional water qualities components as requested by DERM. Staff has completed the analysis for the above ground components, and it was discussed at May's LUSC meeting , the Committee requested a full feasibility study to be done for relocation the pump station and all it's components to the City Parking Lot P-24 at 1671 West Avenue (adjacent to post office) .</p> <p>Harmonization meetings with properties owners continue in a safe way via virtual means, due to the COVID-19.</p> <p>The expected start date has moved up to now Fall of 2020.</p>	Summer 2023

LAND USE AND SUSTAINABILITY COMMITTEE PROJECTS PROGRESS REPORT

	Project Name	District	Scope of Work	Project Budget	Current Status	Anticipated Completion
14	West Avenue - Phase II Improvements - South of 14th Street	South Beach	West Avenue - Phase II Improvements South of 14th St. The scope includes Water, Sewer, Storm and above ground improvements from 14th Street south to 5th Street. Project is being re-designed to include the following resiliency items: Road elevation 3.7 NAVD; 10 year storm event; Mobility – 2 lanes with center continuous turn lane; Protected bike path; Street ends enhanced design; Elimination of street paving to allow for wider pedestrian sidewalks and more green areas; Permanent generators for existing pump stations.		<p>Design of Water and Sewer System is 100% complete.</p> <p>Roadway, Landscaping, lighting, drainage and Pump Station Design is 100% complete.</p> <p>Commission approved a Change Order for the design efforts to include the additional water qualities components as requested by DERM.</p> <p>Harmonization meetings with properties owners continue in a safe way via virtual means, due to the COVID-19.</p> <p>The expected start has moved up to now Fall of 2020.</p>	Winter 2022
TOTAL				\$287,776,037		

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: AN ALTERNATE HARMONIZATION APPROACH FOR IMPROVEMENTS TO THE 900 BLOCK OF WEST AVENUE PROFFERED BY THE ABUTTING PROPERTY OWNER

HISTORY:

On March 22, 2017, the Mayor and City Commission passed Resolutions No. 2017-29800 and Resolution No. 2017-29799, awarding design/build services to Ric-Man Construction Florida, Inc. ("Ric-Man") for West Avenue north of 14th Street improvements and West Avenue south of 14th Street Phase II improvements. The project is currently in design phase and the City is seeking input from stakeholders regarding harmonization between the West Avenue right-of-way improvements and the abutting private property.

The design of the project includes the recommendations of the Columbia University Resilience Accelerator that provided a modal hierarchy, which gave preference to pedestrians along the corridor. The design is aligned with this modal hierarchy by using a landscape buffer to provide additional separation of pedestrians from vehicular travel.

The private property owners along this corridor of West Avenue have been in contact with City staff regarding the proposed West Avenue improvements and harmonization since May of 2017. There have been monthly email exchanges and multiple in-person meetings over the past three years; specifically, two in 2017, one in 2018, two in 2019, and two virtual meetings in 2020. Since opening the dialog, the private property owners have been presented with various iterations of a harmonization plan by the City.

ANALYSIS:

Ric-Man has proposed a harmonization plan for the west side of West Avenue along the 900 block that the private property owners support. See Exhibit A, 900-910 West Avenue Harmonization Plan. The private property owners on the east side have proposed to the City an alternate harmonization plan for in front of the east side property (the "Alternative Harmonization Plan"). See Exhibit B, Proposed Harmonization Plans.

This deviation is being considered as it preserves the existing royal palms within the right of way. The private property owners are proposing the Alternative Harmonization Plan for the east side of West Avenue along this corridor, which will mirror the plan proposed for the west side of West Avenue by providing a sidewalk immediately abutting West Avenue. The Alternative Harmonization Plan inverts the location of the sidewalk and landscaping, thereby eliminating the landscape buffer for pedestrians.

This Alternative Harmonization Plan is being proposed and considered for several reasons, including:

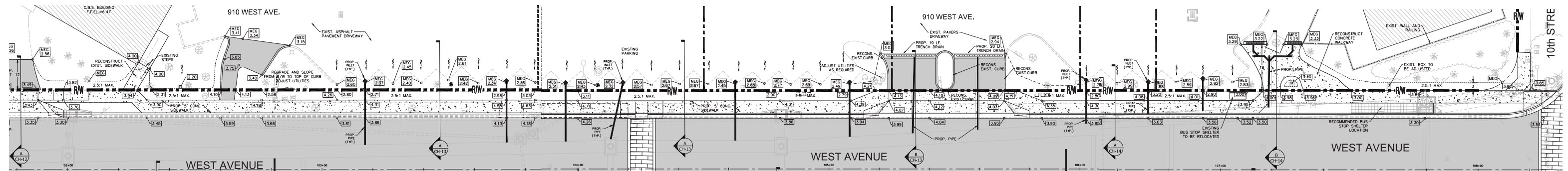
- The Alternative Harmonization Plan will allow for consistency with West Avenue harmonization along this corridor of the 900 block, as both sides of the street will have a mirrored harmonization dynamic.
- The Alternative Harmonization Plan is similar to and consistent with other sections of the roadway that have already been raised, including those portions of West Avenue along the 500, 600, and 700 blocks.
- The private property owners along this corridor have agreed to fund and construct the Alternative Harmonization Plan improvements abutting the property on the east side of the sidewalk right-of-way along West Avenue to the east property line.
- The private property owners have indicated that the West Avenue Neighborhood Association has been included in the Alternate Harmonization Plan and is reportedly supportive of said plan.

CONCLUSION:

When possible, as part of the harmonization process, staff engages private property owners to align the design plans with the needs of each property. Since the Alternate Harmonization Plan directly affects a single property consisting of the entire 900 block of West Avenue, the property owners have agreed to pay for the construction, and the property owners have garnered community support for the alternate plan, the Administration recommends accepting the proposal of the abutting property owners along the east side of the 900 block of West Avenue, subject to the appropriate covenant or agreement for construction and future maintenance responsibilities.

EXHIBIT A

910 WEST AVENUE



SCALE: 1"=5'



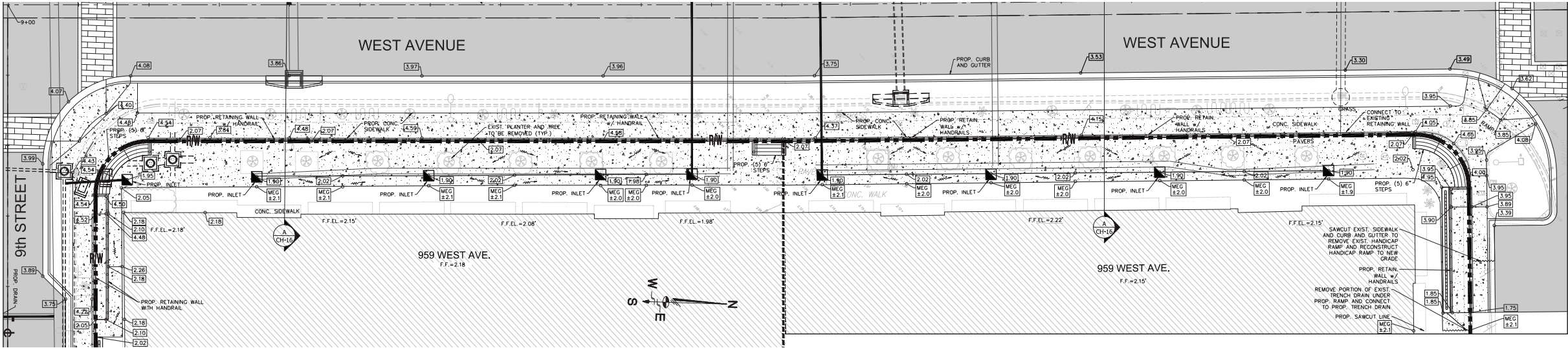
SCALE: 1"=5'



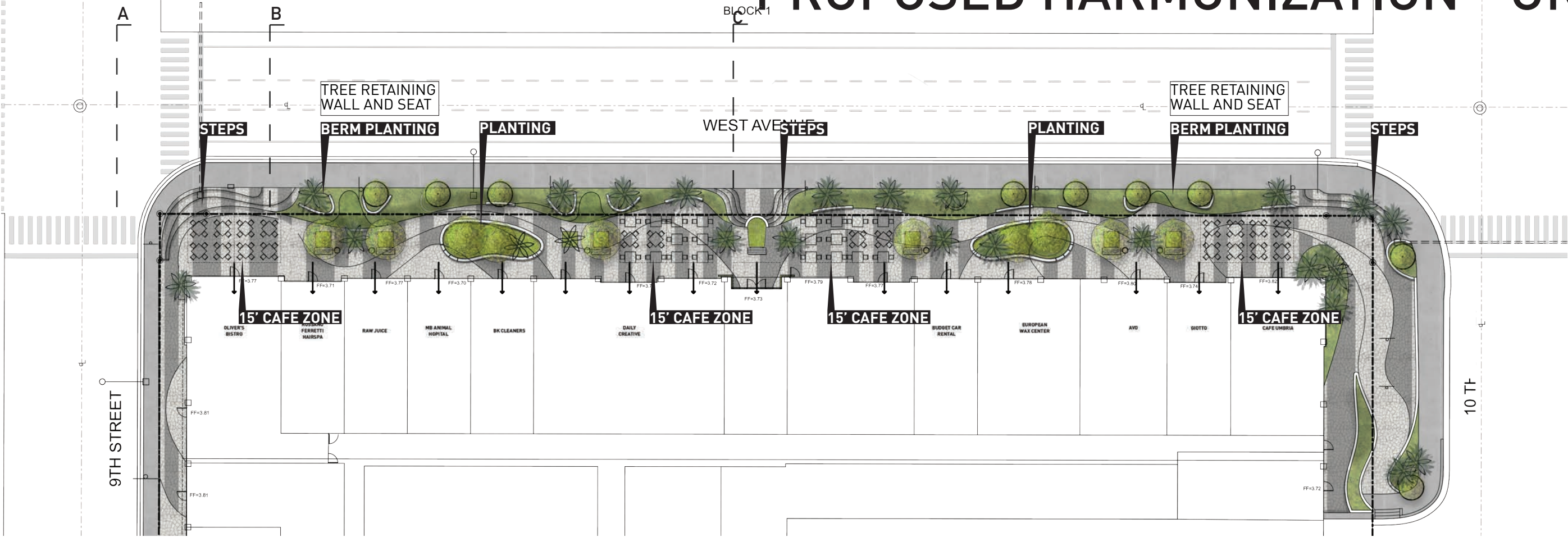
EXHIBIT B

PROPOSED HARMONIZATION - CITY

959 WEST AVENUE

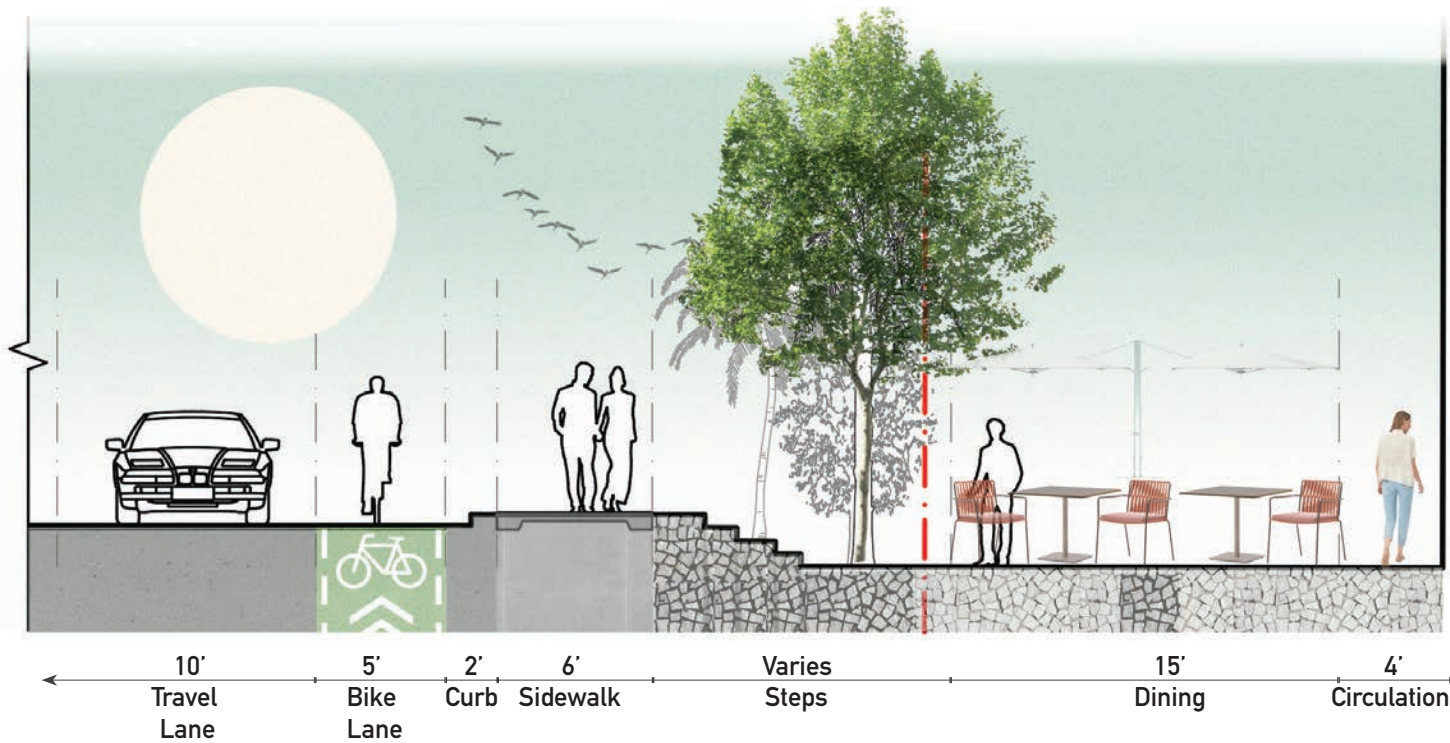


PROPOSED HARMONIZATION - UR

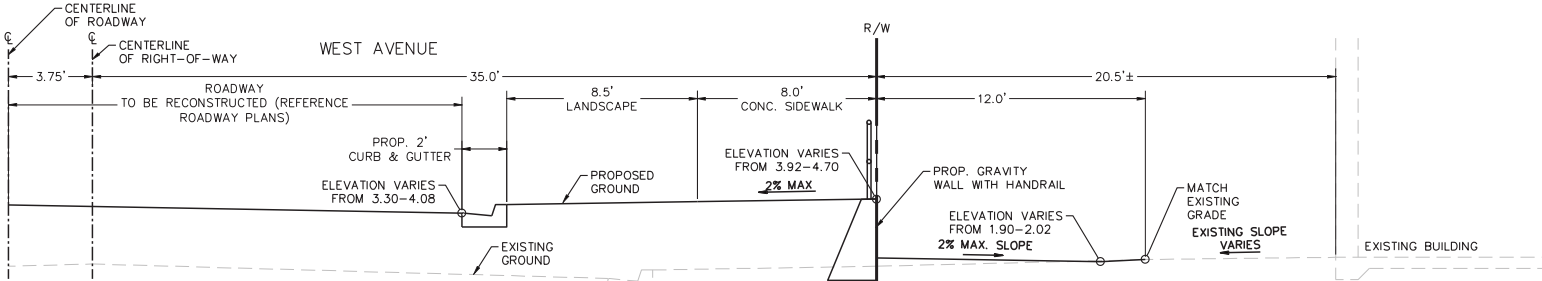


UR SECTIONS

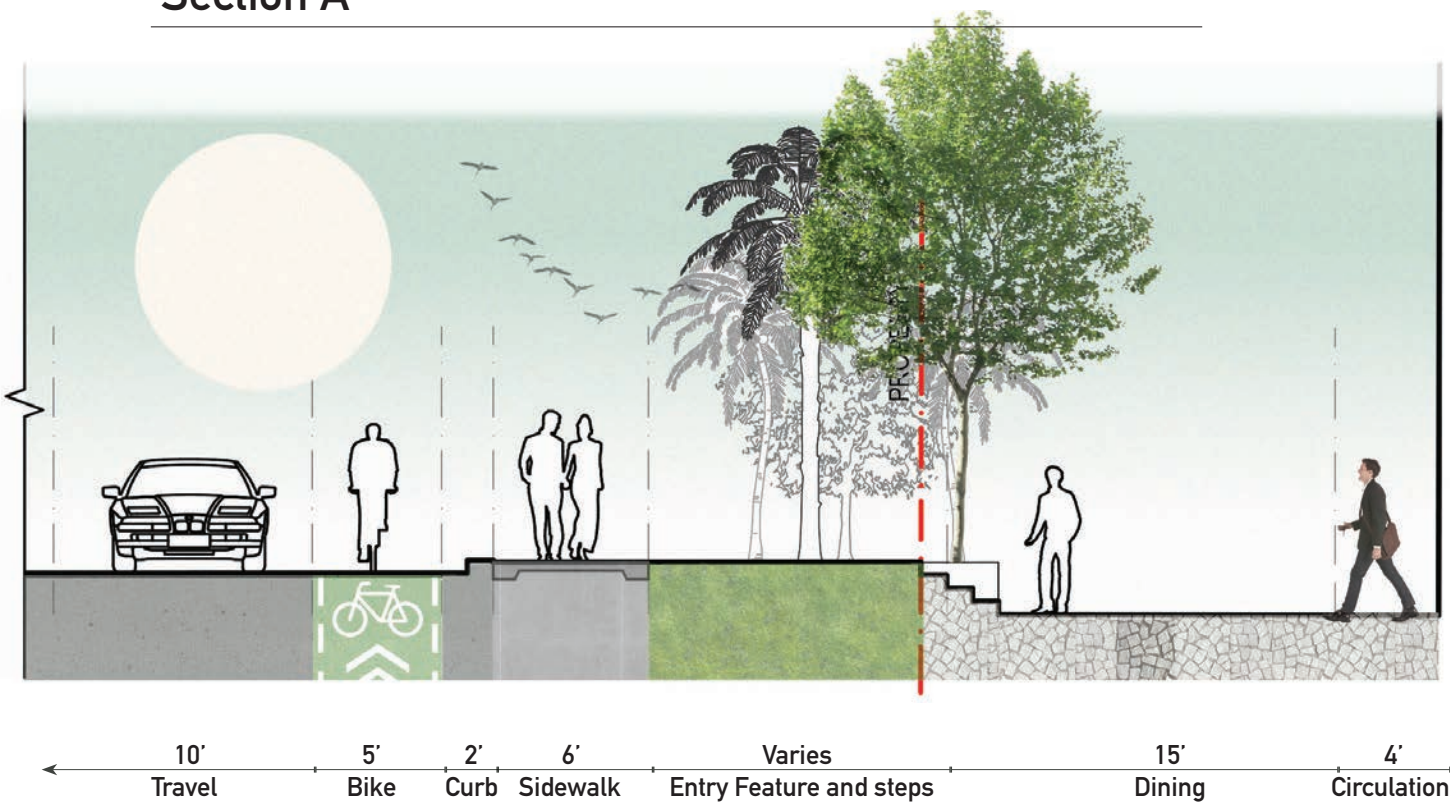
CITY SECTION



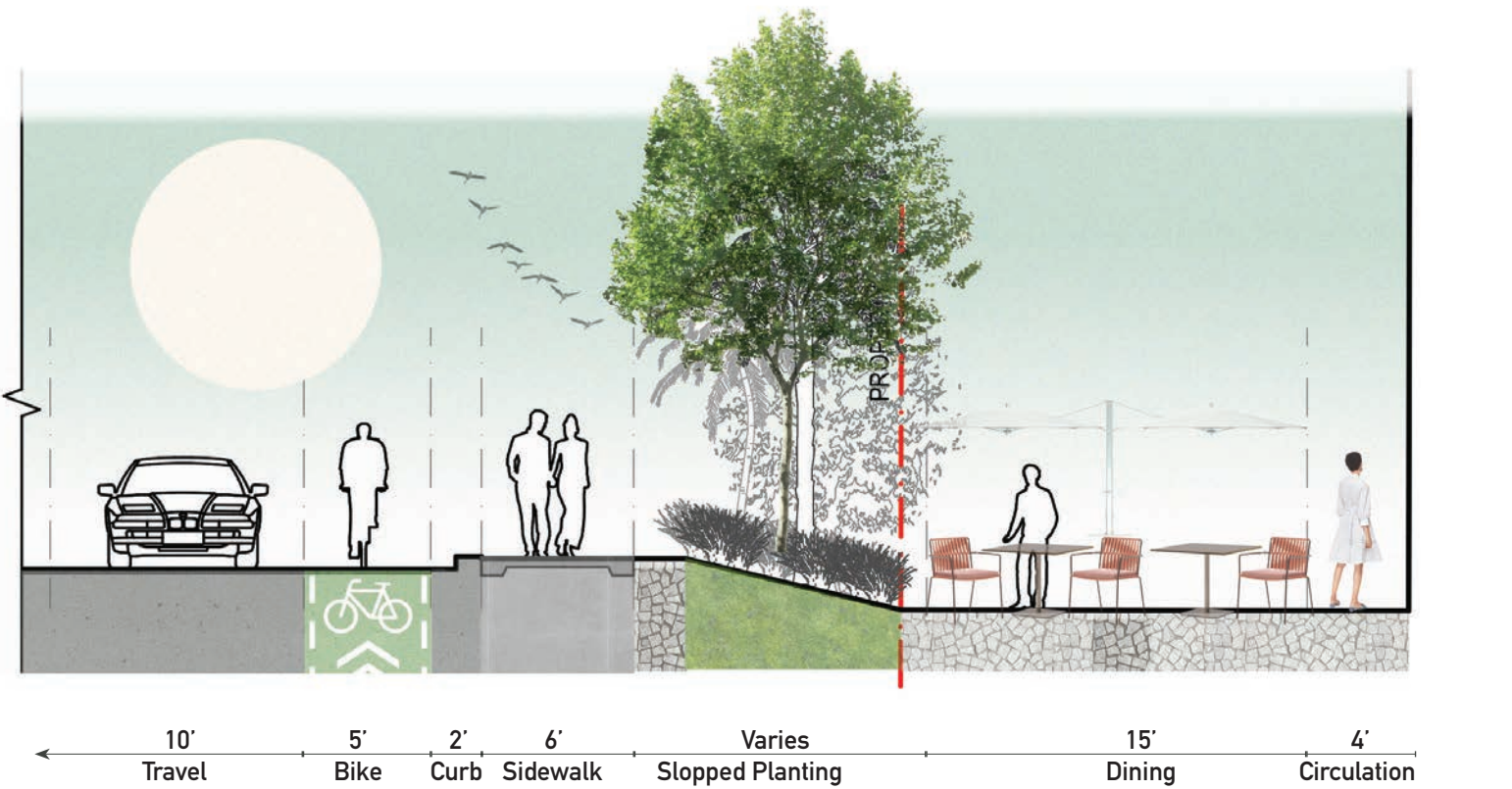
Section A



Section A



Section C



Section B

COMMITTEE MEMORANDUM

TO: Members of the Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: **DISCUSSION TO REVIEW THE PALM AND HIBISCUS ROAD ELEVATION EXPERIENCE.**

HISTORY

On September 11, 2019, the City Commission referred a discussion item to the former Sustainability and Resiliency Committee to review the Palm and Hibiscus project's road elevation experience. During the discussion of the item, the Commission also included the Venetian Islands, Lower North Bay Road, Sunset Harbour, and Alton Road projects. Staff was asked to evaluate the impact of road raising on private properties, as well as how road raising affects the project schedule and costs. The overall efficacy of road raising, and lessons learned from previous projects were also evaluated.

On January 21, 2020, the Land Use and Sustainability Committee (LUSC) discussed the Palm and Hibiscus project's road elevation experience, and as requested by the City Commission, the discussion also included the Venetian Islands, Lower North Bay Road, Sunset Harbour, and Alton Road projects. Staff was asked to return to the following meeting, and present estimated costs associated with raising the roads.

On February 18, 2020, the LUSC discussed the study performed by the City to analyze different road elevation scenarios in the Venetian Islands, Lower North Bay Road, Sunset Harbour, Alton Road and Palm and Hibiscus projects. The table and diagrams included in Attachment A were presented to the Committee and represent the estimated incremental costs to raise roadway assembles. In addition, the LUSC discussed the road raising strategy for mitigating sea level rise, as well as the pump station system to address storm water.

The LUSC requested administration to provide a document or spreadsheet to understand the cost of the current policy which includes a summary of projects completed, pre-elevation and post-elevation, time they started, time they ended, and results of projects.

ANALYSIS

A spreadsheet has been prepared and attached outlining information provided in previous memorandums, as well as additional details associated with each completed project. The project information is provided in the Attachment B summary report.

EXHIBITS

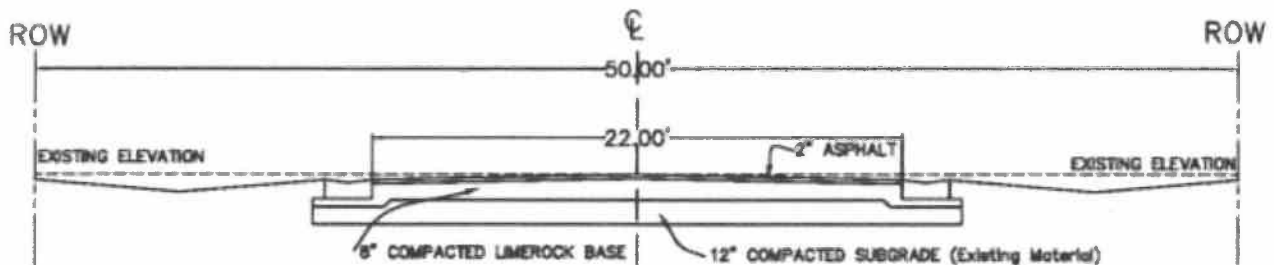
Attachment A – Cost to Raise Roads

Attachment B – Summary Report

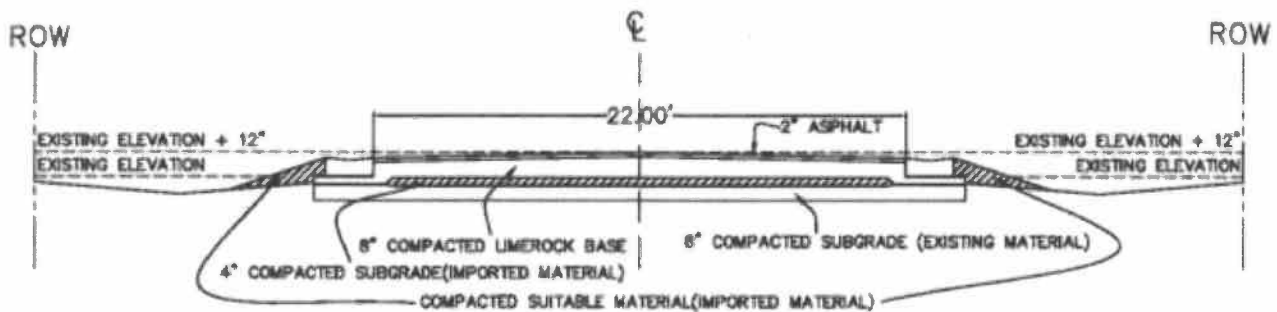
Cost to Raise Roads

22 Feet Wide, Two-Way, Road with 2 feet Valley Gutters

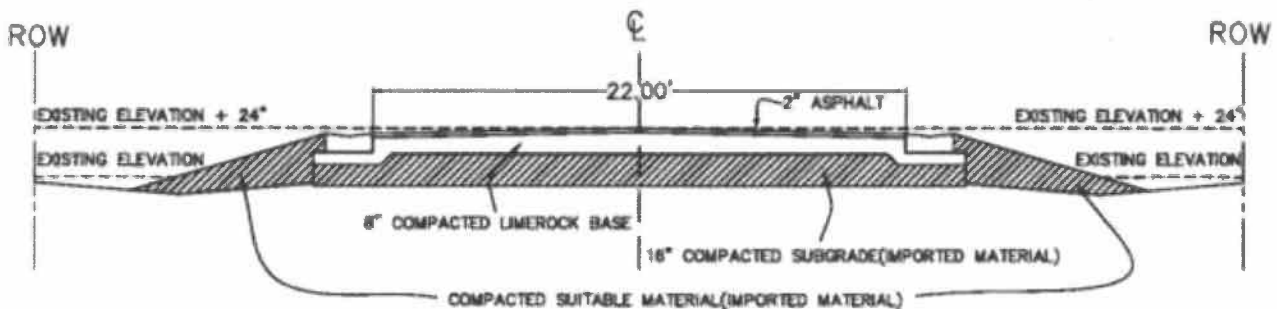
Assembly	Hard Cost	Soft Costs	Total Costs	Cost Increase per Mile of Roadway	Cost to Construct One Mile of Roadway
Base Cost	\$210/LF	\$74/LF	\$284/LF	\$0	\$1,499,520
Raise 12 inches	\$6/LF	\$2/LF	\$8/LF	\$42,240	\$1,541,760
Raise 24 inches	\$27/LF	\$9/LF	\$36/LF	\$190,080	\$1,689,600



Min (Road Construction - Existing Elevation)



Avg (Road Construction - Existing Elevation +12 Inches)



Max (Road Construction - Existing Elevation +24 Inches)

 Imported Suitable Fill

City of Miami Beach - Land Use and Sustainability Committee (May 26, 2020) Discussion to Review the Palm & Hibiscus Road Elevation Experience					
	Palm & Hibiscus Islands	Venetian Islands	Sunset Harbour Neighborhood	Alton Road (5th St. to Dade Blvd)	Lower North Bay Road
Scope of Work	New storm water system and pump stations, raising the roads to address tidal flooding and sea level rise, new water lines, sanitary sewer line rehabilitation, LED lighting, asphalt restoration, striping and signage, and landscape restoration.	Original scope included a new 8" water main, new water services, a gravity drainage system including catch basins and valley gutters, lining of 8" sanitary sewer and new street lighting. In 2015, the scope of work was modified to incorporate the new drainage design criteria adopted by the City. Due to the advanced stage of the construction, road raising was not considered for this project. In February of 2016 six (6) new storm water pump stations, including water quality structures were added to the project.	The original scope of work included improvements to the existing drainage system which was composed of drainage wells. In May 2014, the project scope was extended to include a new storm water system comprised of pump station and major trunk lines. In addition, new sidewalks, lighting and landscaping.	Total pavement reconstruction utilizing the use of full depth asphalt, installation of a new drainage conveyance system, installation of a new storm water pump station, and street furnishings including new sidewalk, lighting and landscaping.	Replacement of a gravity-based storm drainage system with a new, higher capacity collection and pump station system. The project scope included lining of the existing sanitary sewer system and the installation of a new water main and water services. The project also included roadway restoration and resurfacing but did not include road raising.
Project Cost	\$50,232,729	\$38,032,720	\$26,263,782	\$38,766,907	\$16,804,067
Start of Construction	January 2016	November 2013	May 2013	2013	September 2014
Project Completion	95% Complete	October 2018	Substantially Completed April 2018	October 2017	August 2016
Road Raised (feet)	0 - 2	0	2 - 3	0	0
Project Results/Benefits	Due to original roadway elevations, properties on the east side of the islands experienced less impact than properties on the west side. Road raising has proven to be an effective means to curb the effects of sea level rise and tidal flooding. Road raising has helped avoid flooding during king tides. The project team has no knowledge of any flooding events which have impacted habitable spaces for any residents. Recent monitoring of weather events has indicated that most of the properties have fared very well with localized ponding on low-lying properties, which will be resolved once the private inlet installations are complete.	Project did not experience any significant road raising; nonetheless, impacts to residents cannot be discounted as construction activities and duration affected their property access and quality of life. The pumped storm water systems are fully operational and have provided adequate stormwater management. Recent monitoring of weather events has indicated that the public right-of-way and most of the properties have fared very well. Observations indicate that roadways are exhibiting premature degradation due to what is believed to be the effects of fluctuations in ground water levels within the roadway assembly, among other things. It is evident that the impact to the service life of the roadways has been reduced.	The road raising impacted adjacent properties during construction, but the harmonized areas have promoted a lively business friendly neighborhood after the construction was completed. Prior to the project, the roads in Sunset Harbour severely flooded during king tides. Road raising has proven to be an effective means to curb the effects of sea level rise and tidal flooding. Road raising has helped avoid flooding during king tides. Since the completion of the project, more than 60 tidal flooding events have been avoided.	Project did not experience any significant road raising; nonetheless, impacts to residents and business cannot be discounted as construction activities and duration affected their property access and quality of life. The roadway was completely reconstructed. The pumped storm water systems are fully operational and have provided adequate stormwater management for the designed drainage area. No recent monitoring of roadway or other elements of this corridor have taken place. This is a Florida Department of Transportation (FDOT) road.	Project did not experience any significant road raising; nonetheless, impacts to residents cannot be discounted as construction activities and duration affected their property access and quality of life. The pumped storm water systems are fully operational and have provided adequate stormwater management. Recent monitoring of weather events has indicated that the public right-of-way and most of the properties have fared very well. Observations indicate that roadways are exhibiting premature degradation due to what is believed to be the effects of fluctuations in ground water levels within the roadway assembly, among other things. It is evident that the impact to the service life of the roadways has been reduced.



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COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: DISCUSS STATUS AND JUMP STARTING OF FIRST STREET NEIGHBORHOOD PROJECT

HISTORY:

The City of Miami Beach is committed to preserving the welfare and safety of its residents, visitors, and businesses. One way that the City meets this goal is by adapting its infrastructure to sea level rise and climate change.

Low-lying areas, such as First Street, are vulnerable to tidal and rainfall flooding. The First Street corridor experiences constant flooding during extreme high tides and heavy rain events. As a result, the City decided to implement improvements to the stormwater system that will provide the neighborhood with a higher level of service. Thus, a neighborhood project was developed for First Street between Alton Road and Washington Avenue. The project would also provide drainage infrastructure to address flooding in the broader South Point Neighborhood. The improvements included the following:

- Installation of a robust drainage system comprised of a major stormwater pump station and major stormwater pipes along Alton Road, Washington Avenue, and First Street.
- Elevating First Street and providing streetscape enhancements such as new sidewalks, pavement, lighting, landscaping, etc.

The First Street project was developed as a conventional design-bid-build project. Conventional projects provide many benefits including a fully designed project that provides a well defined bid set that provides the contractor with strict parameters to deliver a high quality product. However, design-bid-build projects are not as flexible as design-builds to changes once a project is let. Modifications to the project, usually by change orders, can be very costly and add time to the original schedule of a design-bid-built project.

In order to ensure that the community's interests are accounted for and to limit changes after the project has been designed, the City has engaged the community and project stakeholders to allow public input and stakeholder concerns to be addressed. The community engagement effort commenced from the project onset and continued over more than a three-year period where staff held 28 meetings (see Exhibit A) to address community and stakeholder concerns.

During these meetings a concerted effort was taken to align the community's requests with the recommendations made by experts such as Urban Land Institute and Harvard University on the City's overall stormwater program. While most of the residents were in favor of the proposed improvements, many differed on an appropriate location for the pump station and the typical section along First Street. Nonetheless, a consensus was reached on the typical section. The City team even obtained a determination from the National Fire Protection Association regarding clearances for fire trucks due to the placement of a median with additional greenspace. Consensus was also reached regarding the location of the Pump Station, with the South of Fifth Neighborhood Association (SOFNA) opining that the pump station would be best fit in the South Pointe Park.

ANALYSIS:

PUMP STATIONS ALTERNATIVES:

The City evaluated a total of six different pump station locations and six different outfall routes into Biscayne Bay and Government Cut. These include:

1. The First Street Park at the southeast corner of First Street and Alton Road
2. The Miami Beach Marina south parking lot
3. The Commerce Street and Jefferson Avenue intersection
4. The Pilot Boat Basin behind the Apogee condominium
5. The South Pointe Elementary School parking lot
6. South Pointe Park

Alternatives 1 - 5: These locations were eliminated due to site constraints, such as lack of easements, construction disturbances, impacts to the marina operations, and limited space. Additionally, due to the site constraints, a second pump station would be required to provide a full 10 year storm event level of service to the South Pointe Neighborhood.

Alternative 6 - South Pointe Park: The community has always considered South Pointe Park the "jewel" of the City, as it attracts visitors from all over the world. After careful consideration of all potential alternatives, the community agreed that the pump station should be located within the park. Conceptually, the underground components of the pump station can be located underneath the parking lot and the above ground components can be dressed with greenery just south of the parking lot.

The major benefits to this alternative are:

- No easements are required
- Construction of pump station does not disturb residences
- There is ample space to install a pump station that can service the entirety of the South Pointe Neighborhood. Therefore a second pump station would not be required, assuming the ability to install pipes with enough capacity (this will need to be defined during detailed design).
- Designers have the ability to use vegetation and trees to screen the pump station's above ground components
- The pump station will discharge to Government Cut, thereby eliminating the possibility of impacts to the marina's operations.

TYPICAL SECTION ALTERNATIVES:

Although the community generally agreed with the urgent need to implement a reliable stormwater management system within the South Pointe Neighborhood, there were differing views regarding the configuration of the First Street corridor.

A total of nine different typical sections were presented to the community for consideration. Some included water features and greenspace separators for valet parking. Others included large iconic medians with dramatic greenspace and enlarged pedestrian promenades. The major functional differences for each typical section are as follows:

- Divided vs. undivided typical section.
- One-way vs. two-way traffic.
- Protected vs. shared bike lanes.

SOFNA selected the two most representative typical sections and developed a survey last month to document support for each. The options provided in the survey are described below:

Option 1:

- Divided two-way traffic (median)
- Protected bike lanes
- On-street parallel parking adjacent to the sidewalk and on the median for the residential side only

Option 2:

- Undivided two-way traffic (no median)
- Shared bike lanes
- On-street parallel parking adjacent to the sidewalk

A significant majority of residents reportedly voted for Option 2. Out of the 308 final votes received from the residents, 64.9% were in favor of Option 2 and 31.4% for Option 1. 3.5% responded but did not check off a preference. As described above, Option 2

will be an undivided roadway with parallel parking on both sides of the road, shared bike lanes, and equal greenspace and sidewalk on both commercial and residential sides. Compared to the existing conditions, the new typical section will provide wider sidewalks and more green space. However, due to the removal of the median, 24 parking spaces on the median side will be lost.

DESIGN EFFORTS AND PROPOSED CHANGES

In March 2017, the Mayor and City Commission approved Resolution No. 2017-29759 accepting the recommendation of the City Manager to negotiate with Wade Trim, Inc. for the Architectural and Engineering Design Services of the First Street Project. On June 16, 2017, the City and Wade Trim entered into an agreement to perform said services. Over the course of the following two years, Wade Trim and staff coordinated with stakeholders to define the appropriate design criteria, including typical section, pump station location, outfall location, etc.

During this time a change order to the original scope was negotiated and subsequently approved (Resolution No. 2019-30987) to address a change in the City's design storm criteria from a 5-year, 24-hour storm to a 10-year, 24-hour storm. However, since the project's typical section and pump station location remained in flux, Wade Trim was not approved to continue design efforts beyond the 30% phase.

Due to major changes in the design parameters and the lack of advancement in the project design as a result of continuous redesigns in the conceptual phase, the City terminated the original design contract with Wade Trim Inc. for convenience and engaged Jacobs Engineering to complete the design. Both consultants have been selected by the City to perform design services using the process outlined by Florida Statutes Section 287.055.

Although staff has originally recommended Option 1 as the preferred typical section, the Administration recognizes the substantial importance of commencing this project and providing the South Point Neighborhood with a reliable stormwater management system. Thus, in order to proceed with the project, staff recommends that the Committee accept the location of the pump station at South Pointe Park, the outfall discharge point at Government Cut, and Option 2 as the roadway typical section. Furthermore, staff recommends that the Committee refer this item for formal adoption at the next City Commission meeting.

This adoption by City Commission will enable staff to finalize the design of this project and initiate the permit applications to the regulatory agencies.

The City will continue to use the design-bid-build procurement method. The design will include the following changes in accordance with the blue green strategy provided by Jacobs Engineering:

- Implement new strategies related to Blue Green Stormwater Infrastructure
- Implement the latest stormwater level of service and design criteria

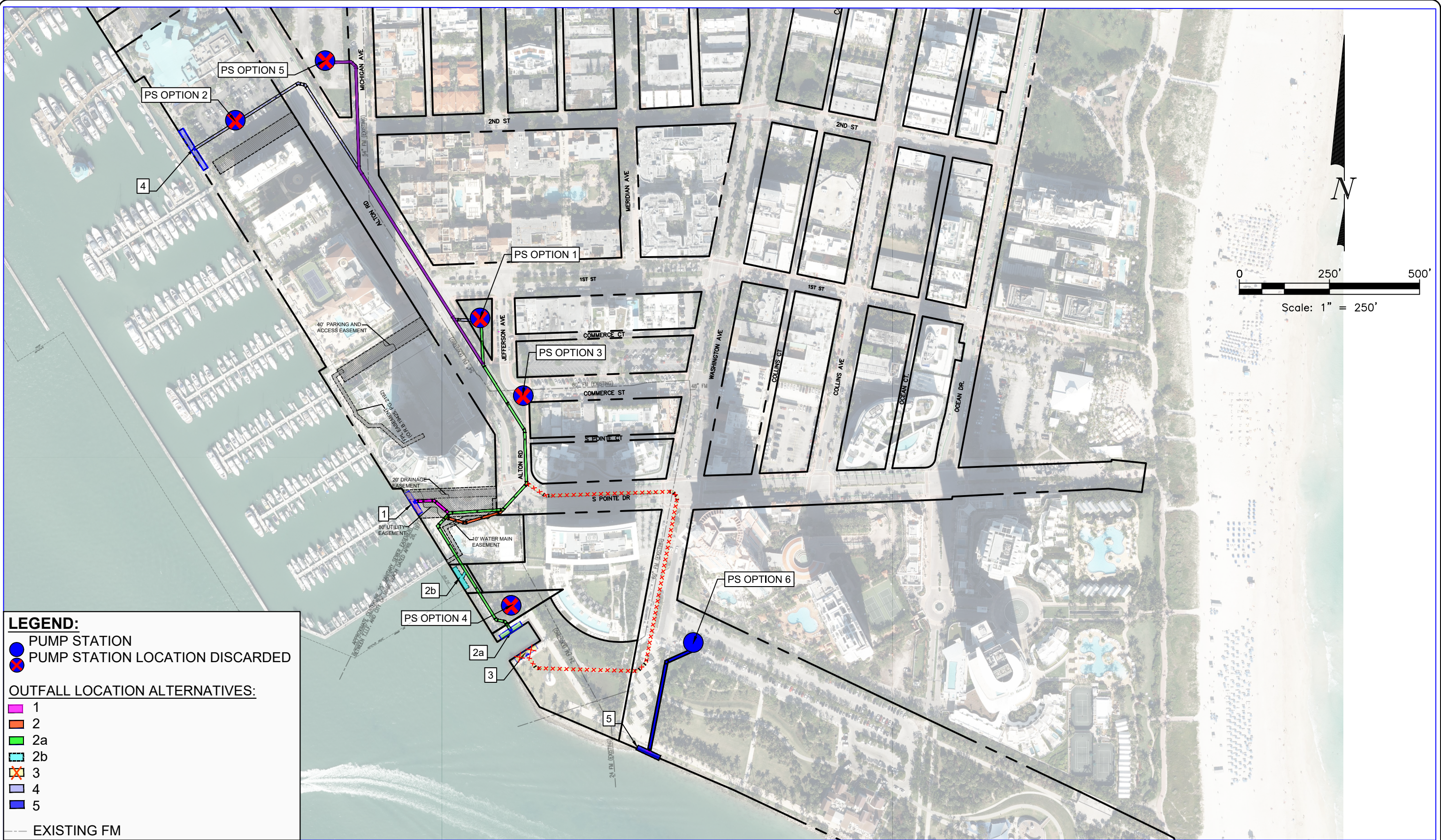
- Develop a hydraulic model that includes the latest stormwater criteria
- Attempt to design a single pump station to serve the entire South Pointe Neighborhood at the new proposed location (South Pointe Park). The feasibility of this item will be fully determined during detailed design.
- Implement requirements for water quality treatment to include a hybrid solution to address concerns raised by the regulatory agencies

The preliminary budget estimates for this project is approximately \$25 million. The current budget is approximately \$26 million. In addition, there will be a future allocation of \$5 million as part of the General Obligation (GO) Bond for the above ground infrastructure. However, to comply with DERM water quality requirements, it is expected that this estimate can be 10 to 20 percent higher, dependent on what be accepted.

CONCLUSION:

The Administration recommends approving the location of the pump station at South Pointe Park, the outfall discharge point at Government Cut, the typical roadway section associated with Option 2, and proceed with the project design.

ATTACHMENTS



LEGEND:

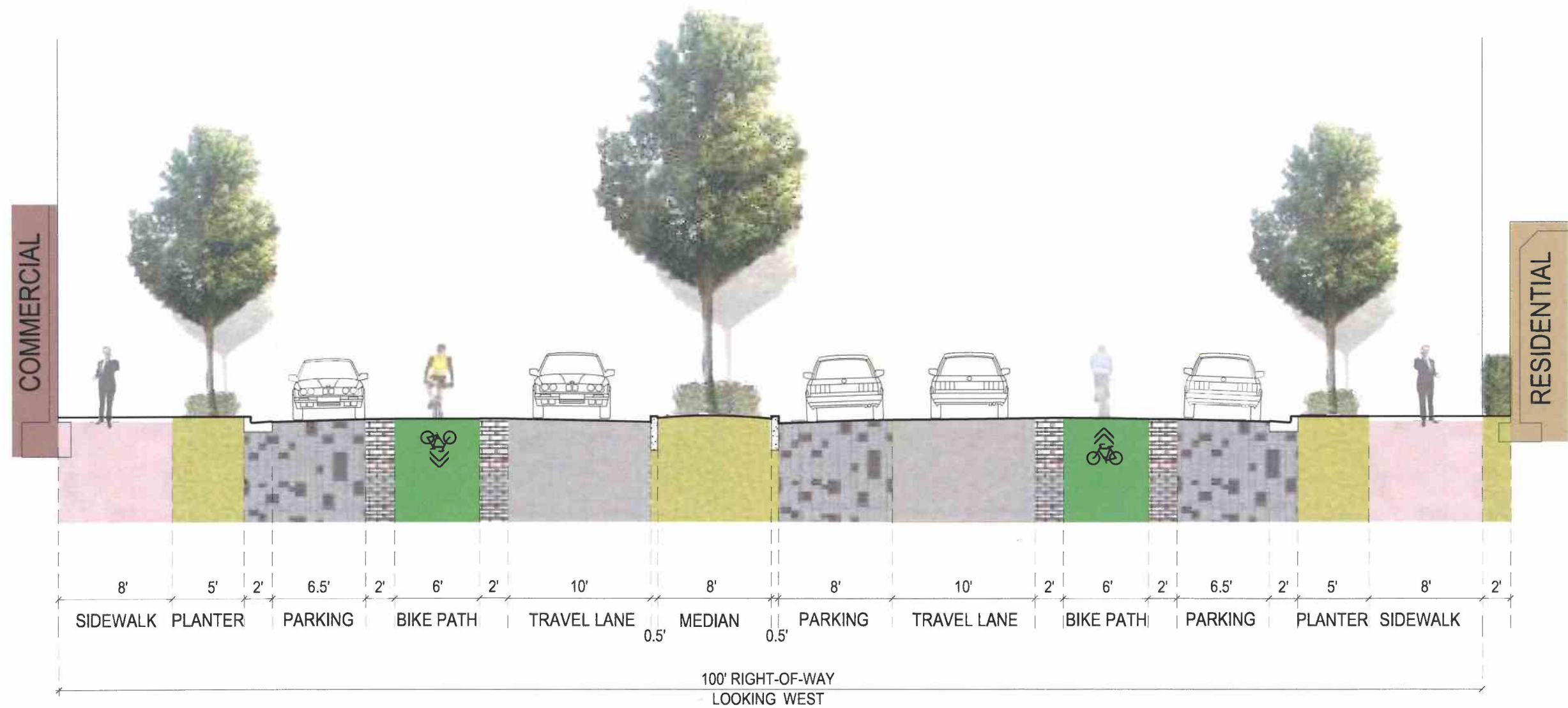
● PUMP STATION
● PUMP STATION LOCATION DISCARDED

OUTFALL LOCATION ALTERNATIVES:

1
2
2a
2b
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4
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--- EXISTING FM

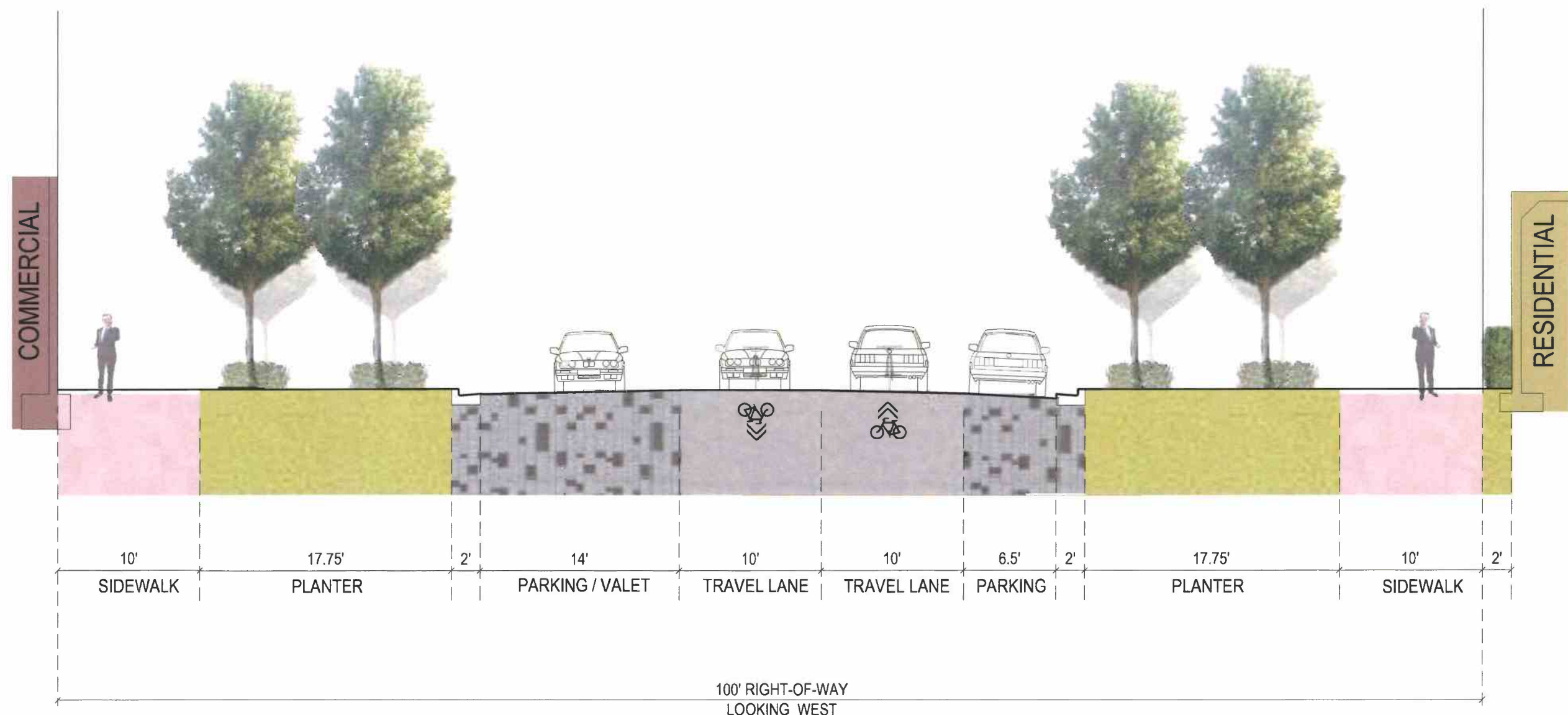
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Parking Along 1st Street (Only)				
	Commercial	Residential	Valet/Handicap	Total
Existing	18	39	7	64
Option 1	16	39	9	64
Option2	16	15	9	40

Typical Section Components				
	Pavement (ft)	Sidewalk (ft)	Greenspace (ft)	Total (ft)
Existing	55	15	30	100
Option 1	66	16	18	100
Option2	44.5	20	35.5	100

OPTION 1 FIRST STREET TYPICAL



Parking Along 1st Street (Only)				
	Commercial	Residential	Valet/Handicap	Total
Existing	18	39	7	64
Option 1	16	39	9	64
Option2	16	15	9	40

Typical Section Components				
	Pavement (ft)	Sidewalk (ft)	Greenspace (ft)	Total (ft)
Existing	55	15	30	100
Option 1	66	16	18	100
Option2	44.5	20	35.5	100

OPTION 2

FIRST STREET TYPICAL

From: [marie peter](#)
To: [Coley, Roy](#)
Cc: [Soto, Luis](#); [Hernandez, Sebastian](#); [Ferrer, Josiel](#); [Frances, Saul](#); [Carpenter, Eric](#); [Morales, Jimmy](#); [Samuelian, Mark](#); [Esther Overton](#); [Brian Harris](#); [kellyoh@me.com](#); [SOUTH POINTE](#); [dmccall190@aol.com](#); [marie peter](#); [Pamela](#)
Subject: Resident Poll on Options for 1st Street Reconstruction
Date: Wednesday, May 06, 2020 11:53:19 AM

[THIS MESSAGE COMES FROM AN EXTERNAL EMAIL - USE CAUTION WHEN REPLYING AND OPENING LINKS OR ATTACHMENTS]

Dear Mr. Coley

At your request, SOFNA undertook an internet poll of two options for the reconstruction of 1st Street (from Alton Road to Washington Avenue), that city staff presented at a well attended open house for South of Fifth residents, sponsored by SOFNA, March 5.

Nearly two out of three respondents preferred the "Option 2" design over "Option 1":

31.4% Chose Option 1 (97)
64.9% Chose Option 2 (200)
3.5% Responded but did not check off a preference (11)
Total responses 308*

Also on display were the city's plans for locating a high-capacity storm water pump station, strategically sited at the edge of South Pointe Park - (different from an earlier option to locate the pump station at a city-owned triangular grassy lot at Alton Road, First Street, Lenox Ave.) The preference vote was clearly predicated on the understanding that the decision was being made as a package consisting of the preferred design for 1st Street and the South Pointe Park location of the storm water pump.

Members of SOFNA's committee on this project have had extensive discussions in the neighborhood, and with city officials. It is our further understanding that the location of the pump station in South Pointe Park and the **extensive reconstruction of this segment of 1st Street is necessary for the introduction of a large-diameter storm water collection pipe.**

Moreover, the project has been fully funded

Considering the extensive consultation with city officials, and the widespread opportunity for community feedback, we feel confident as a neighborhood association to request the city to now move ahead with definitive plans and other work necessary to undertake this project.

We would appreciate being advised of time lines, work schedule, etc., as the city proceeds with this project, as we know the community will need to know how movement of traffic will be maintained and how other aspects might affect their lives and the situation of the businesses that will of necessity be impacted.

*We believe the survey results are an accurate reflection of community preferences.

There was extensive outreach for a well-attended community forum and for the survey itself. Because of the size of the Option 2 preferences in contrast to the Option 1 preferences, we believe that an even larger response would not have resulted in a statistically significant difference,

Thank you on behalf of the South of Fifth community.

Marie Peter, president, for the SOFNA board.

1st Street - Meeting History			
Date	Description	Stakeholder Attendees	CMB Attendees
07/11/2017	Community Outreach- Brainstorming and Approach Discussion. Several community members attended the meeting and provided feedback	•SOFNA Residents/Business owners •CMB •Wade Trim	•Public Works
08/10/2017	Design Meeting	•CMB •Wade Trim	•Public Works
10/03/2017	Public Outreach at South Pointe Tower Party Room- Three Options Provided	•SOFNA Residents •CMB •Wade Trim	•Public Works
11/15/2017	Public Outreach at South Pointe Tower Party Room- Feedback incorporated into One Proposed Design	•SOFNA Residents •CMB •Wade Trim	•Public Works
11/20/2017	1st Street Redesign Stakeholder Meeting (ex-commissioner Grieco)	•SOFNA Residents •CMB •Wade Trim •MRG (PIO)	•Public Works
09/25/2018	Change in project Personnel Update with SOFNA T&S Committee President	•SOFNA T&S Committee President •CMB	•Public Works
10/12/2018	CMB meeting with different departments to discuss and establish typical section parameters per city's standards	•CMB	•Public Works •CIP •Parking •Transportation •Planning •Fire Department •Environmental/Urban Forestry
10/31/2018	Meeting with SOFNA Traffic & Safety President to provide design updates and discuss typical section draft.	•SOFNA Residents •CMB •MRG (PIO)	•Public Works •Environmental
01/23/2019	Meeting with SOFNA Traffic & Safety President to provide design updates and discuss typical section draft.	•SOFNA T&S Committee President •CMB •MRG (PIO)	•Public Works •Environmental
02/11/2019	Meeting with Rebbecca towers administration for possible outfall location.	•Rebecca Towers Management •CMB	•Public Works
02/20/2019	Meeting with SOFNA Traffic & Safety President and Murano at Portofino Association President. Meeting resulted on evaluating other PS and outfall location options.	•SOFNA Residents •CMB •MRG (PIO)	•Public Works
03/12/2019	1 Street Meeting with The Apogee Condominium with negative results to obtain a voluntary easement through their property for the outfall location.	•Rebecca Towers Management •CMB •MRG (PIO)	•Public Works
04/29/2019	Meeting with SOFNA Traffic & Safety President to provide design updates and discuss pump station and outfall location alternatives.	•SOFNA T&S Committee President •CMB •MRG (PIO)	•Public Works
05/28/2019	Meeting with SOFNA Traffic & Safety President and Suntex Marinas with negative results to locate either the PS and outfall or just outfall.	•SOFNA T&S Committee President •CMB •MRG (PIO) •Suntex Marinas •Terra	•Public Works •CMB Real Estate Division
07/08/2019	Meeting with SOFNA Traffic & Safety President.	•SOFNA T&S Committee President •CMB •MRG (PIO)	•Public Works •CMB Real Estate Division
07/23/2019	Meeting with SOFNA Traffic & Safety President and Murano at Portofino Association President. Requested to consider the school. After discussing with school, there are issues with not enough parking and school is in the process of redesigning to use every space available to maximize parking	•SOFNA T&S Committee President •Murano at Portofino President •CMB •MRG (PIO)	•Public Works •CMB Real Estate Division
09/27/2019	Meeting with SOFNA Traffic & Safety President and Murano at Portofino Association President. CMB was requested to provide a presentation to justify the PS and outfall location through Murano at Portofino	•SOFNA T&S Committee President •Murano at Portofino President •CMB	•Public Works •CMB Real Estate Division
10/08/2019	Met with Representative Grieco. He agreed with Typical section but had issues with bike lane. Transportation to meet with several stake holders 11/18/19 to discuss bike lanes and emergency access.	•Representative Grieco •CMB	•Public Works
10/17/2019	Met with SOFNA Resident. He is in general agreement with proposed typical section.	•SOFNA Resident •CMB	•Public Works
10/24/2019	Meeting with SOFNA Traffic & Safety President and Murano at Portofino Association President. Dry run for the Murano at Portofino HOA 11/5/19 meeting.	•SOFNA T&S Committee President •CMB	•Public Works
11/05/2019	PW Director presented the project status at Murano at Portofino building HOA meeting.	•Murano at Portofino President Building Residents •CMB	•Public Works



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Item 2
COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: **COMPREHENSIVE PLAN AMENDMENT FOR PUBLIC FACILITY (PF) FUTURE LAND USE ELEMENT.**

ACTION REQUESTED:

Conclude the item and recommend approval at the Planning Board.

ADMINISTRATION RECOMMENDATION:

Recommend the the Planing Board transmit the item to the City Commission with a favorable recommendation.

HISTORY:

On March 18, 2020, at the request of Mayor Dan Gelber, the City Commission referred the item to the Land Use and Sustainability Committee (Item C4 V). The item was simultaneously referred to the Planning Board. The Land Use and Sustainability Committee (LUSC) discussed the item on May 6, 2020 and continued it to the May 26, 2020 LUSC agenda.

ANALYSIS:

The current lessee of the Miami Beach Marina is proposing a public private partnership with the City of Miami Beach to renegotiate the lease of the facility and make significant improvements to the property. The proposal includes an extension of the lease agreement, which requires a referendum. A comprehensive plan amendment is required for these negotiations to proceed.

The Public Facility (PF) Governmental Use land use designation in the 2040 Comprehensive Plan is intended to provide opportunities for existing and new governmental uses of City owned or controlled property. The lessee of the Miami Beach Marina is proposing substantial capital improvements to the Miami Beach Marina including significant enhancements to the marina facilities addressing resiliency, sea level rise, other needed capital improvements, and redevelopment of the upland portion of the marina. Additionally, the proposed extension of the marina lease would significantly improve the lease terms and deliver additional public benefits.

This initiative requires an amendment to the PF land use designation text, in order to allow for a public-private development agreement to govern and regulate upland development of the City-owned marina property. In this regard, the following text amendment is proposed:

POLICY RLU 1.1.17 PUBLIC FACILITY: GOVERNMENTAL USES (PF)

Purpose: To provide development opportunities for existing and new government uses, as well as public-private redevelopments.

Uses which may be permitted: Government uses, parking facilities, affordable or workforce housing, various types of commercial uses including business and professional offices, retail sales and service establishments, and eating and drinking establishments, and public-private marina redevelopments.

Public-private marina redevelopments shall include significant publicly accessible green open space and may permit the following uses: Retail sales and service establishments; commercial uses, including business and professional offices; eating and drinking establishments; apartment residential uses; and recreational uses.

The proposed amendment allows for public-private marina redevelopments as a main permitted use. This use allows for a variety of sub-uses which are expected to fund the resiliency improvements that must be made to such a site. Additionally, the amendment requires that significant amounts of open space be incorporated into public-private marina development.

Additionally, a the proposal will allow for resiliency enhancements to be built on the site, it is consistent with Principle 1 of the Resilient Land Use Element of the 2040 Comprehensive Plan, which states the following:

PRINCIPLE 1: DEVELOPING A RESILIENT FUTURE

The City shall encourage redevelopment that contributes to community resiliency by meeting all required peril of flood mitigation and storm hazard standards for on-site development and shall also prioritize energy efficient development that provides stormwater mitigation, and co-benefit features that contribute to the City's resiliency as a whole.

The zoning designation of the site is GU, which requires City Commission approval for any development proposal. Additionally, for private or joint government/private, such as this, Planning Board review is required. A companion item is also on the LUSC agenda to consider a corresponding amendment to the Land Development Regulations (LDR's).

CONCLUSION:

The Administration recommends that the Land Use and Sustainability Committee provide a favorable recommendation to the Planning Board.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Departments

Planning

ATTACHMENTS:

Description	Type
 Draft ORD - Comp Plan	Memo

Comprehensive Plan Amendment – PF Public-Private Redevelopment

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENT LAND USE AND DEVELOPMENT ELEMENT, GOAL RLU 1 ENTITLED “LAND USE,” OBJECTIVE RLU 1.1, ENTITLED “ESTABLISHMENT OF FUTURE LAND USE CATEGORIES,” POLICY RLU 1.1.17, ENTITLED “PUBLIC FACILITY: GOVERNMENTAL USES (PF),” TO PERMIT PUBLIC-PRIVATE MARINA REDEVELOPMENT AND RELATED USES ON PUBLIC PROPERTY; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Public Facility (PF) Governmental Use land use designation in the 2040 Comprehensive Plan is intended to provide opportunities for existing and new governmental uses on City-owned or controlled property, such as the Miami Beach Marina; and

WHEREAS, the Mayor and City Commission desire to encourage the redevelopment of City-owned marina property; and

WHEREAS, the Mayor and City Commission now desire to amend the regulations in the Comprehensive Plan applicable to the PF future land use designation, in order to encourage the public-private redevelopment of aging facilities, and to provide additional public benefits;

WHEREAS, the proposed improvements will address resiliency and sea level rise, which are encouraged in the 2040 Comprehensive Plan;

WHEREAS, the proposed amendment was reviewed and recommended for approval by the City’s Planning Board which serves as its local planning agency; and

WHEREAS, the proposed amendment is consistent with the City’s adopted comprehensive plan.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

POLICY RLU 1.1.17 PUBLIC FACILITY: GOVERNMENTAL USES (PF)

Purpose: To provide development opportunities for existing and new government uses, as well as public-private redevelopments.

Uses which may be permitted: Government uses, parking facilities, affordable or workforce housing, various types of commercial uses including business and

professional offices, retail sales and service establishments, ~~and eating and drinking establishments, and public-private marina redevelopments.~~

Public-private marina redevelopments shall include significant publicly accessible green open space and may permit the following uses: Retail sales and service establishments; commercial uses, including business and professional offices; eating and drinking establishments; apartment residential uses; and recreational uses.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio of 3.5.

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 renumbered or relettered 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. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and ADOPTED this ____ day of _____, 2020.

ATTEST:

Rafael E. Granado, City Clerk

Dan Gelber, Mayor

First Reading:

Second Reading:

(Sponsored by Mayor Dan Gelber)

Verified by:

Thomas R. Mooney, AICP
Planning Director

M:\\$CMB\CCUPDATES\Land Use and Sustainability Committee\2020\May 26, 2020\300 AR Marina - COMP PLAN - ORD May 26
LUSC.docx



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Item 3
COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: PROPOSED AMENDMENT TO CHAPTER 142 OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE PERTAINING TO DEVELOPMENT REGULATIONS IN THE CPS-4 DISTRICT.

ACTION REQUESTED:

Conclude the item and recommend approval at the Planning Board.

ADMINISTRATION RECOMMENDATION:

Recommend that the Planning Board transmit the item to the City Commission with a favorable recommendation.

HISTORY:

On April 22, 2020, at the request of Mayor Dan Gelber, the City Commission referred the item to the Land Use and Sustainability Committee (Item C4 F). The item was simultaneously referred to the Planning Board. On May 6, 2020 the Land Use and Sustainability Committee (LUSC) discussed the item and continued it to the May 26, 2020 LUSC agenda.

ANALYSIS:

BACKGROUND

The City is the owner of the property located at 300-344 Alton Road, the location of the Miami Beach Marina (folios # 02-4203-000-0010, 02-4203-009-9210 and 02-4203-009-9250). Miami Beach Marina Associates, Ltd., the current lessee of the Miami Beach Marina ("Lessee"), and Alton Road Mixed Use Investments, LLC ("ARMUI"), are proposing a public-private partnership with the City of Miami Beach to enter into a new lease of the Miami Beach Marina, for the purpose of developing and constructing:

(1) a private luxury residential tower that would include approximately 60 residential units and approximately 275,000 gross square feet. To maximize design flexibility as this process proceeds, ARMUI seeks the ability to develop a tower with a maximum height of up to 385 feet; and

(2) a new Marina building and enhanced neighborhood ground floor retail on the site of the current Marina building, with a total of approximately 45,000 gross square feet of accessory commercial,

retail and office space, to upgrade the existing condition of the Marina facilities, which are dated and unattractive; and

(3) substantial green space, including an at-grade “Marina Park” of approximately 1 acre which will be open to the general public, as well as other improvements, including resiliency enhancements and improvements to the public baywalk along the Miami Beach Marina (collectively, (1) – (3) above, the “Project”).

The proposal would provide the City with a rare opportunity to negotiate a new lease with improved lease terms and deliver additional public benefits to the City.

The proposed transaction is complex, as it will involve the negotiation, drafting and approval of various interrelated agreements to implement the Project and its various components, including the following:

(1) A new lease agreement for the Miami Beach Marina, with a term of 99 years proposed by Lessee and improved financial and other terms; and

(2) A purchase and sale agreement for the sale, by the City, of air rights for the private residential portion of the Project, with the purchaser, an affiliate of ARMUI (“Air Rights Purchaser”), paying to the City fair market value for the to-be-defined air space; and

(3) A development agreement governing the development, design and construction of the entire Project, including the (1) residential, (2) ground floor retail, and (3) green space and resiliency components. The Development Agreement will provide the developer with the right to use all of the available development rights for the underlying City-owned property that is the subject of the transaction, and the additional floor area associated with the vacation of a portion of the Alton Road ROW, as described in (4) immediately below; and

(4) The vacation of the western half of the Alton Road right-of-way abutting the City-owned parcels along 300-344 Alton Road, consisting of approximately 25,500 square feet (“Alton ROW”). Upon the vacation, fee ownership of the Alton ROW would revert to the City, with the associated development rights to be incorporated for use as part of the Project to permit the Project to be realized as contemplated above.

Currently, as to the Alton ROW, the City holds a right-of-way dedication, which confers on the public an exclusive right of use, so long as the Alton ROW is used for the purpose of the dedication (namely, for pedestrian and vehicular access). By operation of law, once the City vacates the right-of-way, the underlying fee interest in the Alton ROW reverts to the current abutting property owner (which in this case, is the City, as owner of a portion of Lot 1 and all of Lots 22-31, as described in Exhibit 1). Accordingly, the proposed vacation of the Alton ROW differs from prior vacations approved by the City, because the City would be vacating a right-of-way in favor of itself, and the vacated Alton ROW would remain under the City’s complete control.

(5) Amendments to the City’s Comprehensive Plan and Land Development Regulations, which are summarized as follows:

a. Amendments to the PF future land use regulations in the Comprehensive Plan, to permit public-private marina redevelopments (requiring significant publicly accessible green open space; and permitting retail sales and service establishments, commercial uses including business and

professional offices, eating and drinking establishments, apartment residential uses, and recreational uses); and

b. Amendments to the CPS-4 district regulations in the Land Development Regulations that would only apply to public-private marina mixed-use redevelopments, including an increase to the maximum height; increase to the height for allowable height exceptions; amendments to minimum setbacks; and a text amendment to permit non-use screening of parking floors (including landscape buffering and physical design elements, as opposed to commercial and residential uses) on all frontages except the Alton Road frontage.

The new lease agreement and sale of air rights will each require approval by a majority of the voters voting in a Citywide referendum pursuant to Section 1.03(b)(1) of the City Charter.

PLANNING ANALYSIS

The attached Ordinance amends the Land Development Regulations for the CPS-4 district, as further detailed below. A companion item is on the LUSC agenda to consider a corresponding Comprehensive Plan amendment. Specifically, the Miami Beach Marina site at 300 Alton Road (the “Marina Site”) has a future land use designation of “Public Facilities (PF) Governmental Use.” The Comprehensive Plan amendment would modify the PF Future Land Use regulations to allow for “public-private marina redevelopments.”

Pursuant to the Land Development Regulations, the Marina Site has a zoning designation of “GU, Government Use.” City Code Section 142-425 provides that the development regulations for the GU district are an average of the development regulations (setbacks, floor area ratio, signs, parking, etc.) of the surrounding zoning districts. The sites immediately abutting the Marina Site have a designation of “CPS-4, Intensive Mixed-Use Phased Bayside Commercial.” As such, the CPS-4 zoning district regulations apply to the adjacent GU district, in which the Marina Site is located.

The attached draft Ordinance amends the Land Development Regulations to create regulations for sites with a public-private marina mixed-use redevelopment and a PF Future Land Use designation. A summary of the proposed new regulations is as follows:

- 1) Increase the height limit from 150 feet to a potential maximum of 385 feet.
- 2) Increase the height for allowable height exceptions from 25 feet to 30 feet.
- 3) Modify setbacks as follows:
 - Increase the front setback from 0 feet to 5 feet.
 - Increase the interior side setback from 7.5 feet to 20 feet.
 - Maintain the 5-foot rear setback.
- 4) Allow non-use screening (as opposed to commercial and residential uses) along floors containing parking, on all frontages except the Alton Road frontage.

As the subject property is owned by the City, and the zoning designation of the site is GU, any development would require City Commission approval. Additionally, as the Project qualifies as a private or joint government/private use within the meaning of City Code Section 142-423, Planning Board review is also required.¹ Ultimately, if the various Project components are approved by the

City Commission and the voters in a Citywide referendum, the design of the Project will require Design Review Board approval.

The most significant part of the CPS-4 amendments proposed is the increase in height. However, the massing and scale of the Project will depend on (1) the maximum height in the attached Ordinance, and (2) the aggregation of development rights resulting from the sale of air rights and vacation of the Alton ROW. Staff would like to emphasize that these components are interrelated, and the developer continues to study numerous options regarding the dimensions of both the tower and pedestal portions of the proposed new structure.

Building Height

The average height for waterfront buildings along the Alton Road corridor to the south of 5th Street is 301 feet. The following are the building heights of adjacent structures:

- 1) Icon at South Beach – 450 Alton Road: 423 feet
- 2) Murano Grande – 400 Alton Road: 407 feet
- 3) Rebecca Tower North – 200 Alton Road: 115 feet
- 4) Rebecca Tower South – 150 Alton Road: 115 feet
- 5) The Yacht Club – 90 Alton Road: 341 feet
- 6) Murano – 1000 South Pointe Drive: 402 feet

As such, Staff believes that the proposed maximum allowable height of 385 feet being contemplated is compatible with existing, surrounding buildings, given the existing context of taller residential structures along the east side of Alton Road / South Pointe Drive. Planning staff firmly believes that, conceptually, a taller tower that has a substantially reduced width would be a better design direction than a shorter but broader building with a height of 225 feet. In this regard, the proposed maximum height of 385 feet is well below most of the existing residential structures along the east side of Alton Road / South Pointe Drive. The developer's team is studying various design options with different dimensions for the pedestal and the tower.

Additionally, the current site, although composed of an uninspired array of surface parking and an awkward commercial building (Monty's), does allow for a significant light, air and view corridor. This view corridor is experienced both from the water side, as well as from most of the South Pointe area to the immediate east of the site. A taller, slender structure would allow for a much more substantial light and air corridor on the site. Further, a narrower tower and a smaller building footprint creates more opportunities for ground level open space. The modified setbacks and frontage requirements proposed also provide greater opportunities for open space.

Floor Area Ratio (FAR)

The developer is proposing a residential tower with accessory commercial space, comprised of approximately 60 units and 320,000 square feet of development on the site. Ongoing study of the Marina Site and its adjacent parcels may impact the total available floor area on the site.

The FAR calculations for this site are complicated by an apparent transfer of +/-174,000 square feet of floor area to the Murano Grande and Icon projects from the Marina Site as part of the

Development Agreement executed in 1986 by and between the City, the Miami Beach Redevelopment Agency, and South Shore Developers, Inc. (the “SSDI DA”). At or about the same time, the evidence suggests that an additional 105,000 square feet of floor area from Lots 30 and 31 were transferred to the parcels to the north in connection with the development of the Murano Grande and Icon projects. The SSDI DA – together with a series of City development actions throughout the 1980s – combined to form links resulting in the successful transformation of the South of Fifth neighborhood. By operation of the transfer, all information reviewed to date indicates that the available FAR on the Marina Site is less than the maximum zoned FAR of 2.5 permitted at present under the City’s Land Development Regulations. Consequently, the developer has proposed the vacation of the Alton ROW to provide for additional development rights, in order to accommodate the proposed Project, and to account for, and offset, the previous transfers of FAR.

Without the vacation of the Alton ROW, the remaining available floor area on the Marina Site would not be sufficient to accommodate the Project as proposed. Planning staff and the City Attorney’s Office have advised the developer that, if the developer does not proceed with the proposed vacation (which requires City Commission approval), the Land Development Regulations could be amended to increase the maximum zoned FAR for public-private marina mixed-use redevelopments. Such an increase would require the approval of the City’s voters in a Citywide referendum pursuant to City Charter Section 1.03(c).2 Based on information reviewed to date, the Land Development Regulations would need to be amended to increase the maximum permitted FAR by approximately 0.5 FAR.

Staff would like to emphasize that the overall square footage proposed is modest and suitably scaled when measured against the existing, as-built neighborhood context established by Murano, The Yacht Club Portofino, Murano Grande, and Icon. Staff and the developer are continuing to review a number of factors related to the calculation of available floor area on the site, including the lengthy and complex entitlement history, ownership patterns, past rezoning, building permit records, transfer of development rights, and other land use issues that have arisen over the last thirty-five (35) years.

NOTES:

1 . City Code Section 142-423 provides, in pertinent part, as follows: “[p]rivate or joint government/private uses in the GU government use district, including air rights, shall be reviewed by the planning board prior to approval by the city commission.”

2. City Charter Section 1.03(c) provides that “[t]he floor area ratio of any property or street end within the City of Miami Beach shall not be increased by zoning, transfer, or any other means from its current zoned floor area ratio . . . , unless any such increase in zoned floor area ratio for any such property shall first be approved by a vote of the electors of the City of Miami Beach.”

CONCLUSION:

The Administration recommends that the Land Use and Sustainability Committee recommend that the Planning Board transmit the item to the City Commission with a favorable recommendation.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Departments

Planning

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	Area MAP	Memo
<input type="checkbox"/>	Draft - LDR ORD	Memo

300 Alton Surrounding Buildings & Future Land Use/Zoning Map



**CPS-4 LAND DEVELOPMENT REGULATIONS
PUBLIC-PRIVATE MARINA MIXED-USE REDEVELOPMENTS**

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, ENTITLED, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 18, ENTITLED "PS PERFORMANCE STANDARD DISTRICT," BY CREATING SECTION 142-708, ENTITLED, "ADDITIONAL REGULATIONS FOR PUBLIC-PRIVATE MARINA MIXED-USE REDEVELOPMENTS," TO CREATE DEVELOPMENT REGULATIONS APPLICABLE TO PUBLIC-PRIVATE MARINA MIXED-USE REDEVELOPMENTS INCORPORATING CITY-OWNED MARINA PROPERTY; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Miami Beach Marina, owned by the City of Miami Beach, is a uniquely situated property along the bayfront with a future land use designation of Public Facility (PF) Governmental Use in the 2040 Comprehensive Plan ("Comprehensive Plan"); and

WHEREAS, the Public Facility (PF) Governmental Use land use designation in the Comprehensive Plan is intended to provide opportunities for existing and new governmental uses on City-owned or controlled property, such as the Miami Beach Marina; and

WHEREAS, the Miami Beach Marina has a zoning classification of GU Governmental Use; and

WHEREAS, pursuant to City Code Section 142-425, the development regulations in the GU Governmental Use district "shall be the average of the requirements contained in the surrounding zoning districts as determined by the planning and zoning director"; and

WHEREAS, the Miami Beach Marina is surrounded by property with a zoning classification of CPS-4; accordingly, the development regulations applicable to the Miami Beach Marina site are the regulations for the CPS-4 district; and

WHEREAS, the Mayor and City Commission now desire to amend the land development regulations applicable to the CPS-4 zoning district, in order to encourage the public-private redevelopment of aging facilities, and to provide additional public benefits; and

WHEREAS, the proposed improvements will address resiliency and sea level rise, consistent with the policies and goals in the 2040 Comprehensive Plan; and

WHEREAS, the proposed zoning regulations will allow for increased height and modified setback and use regulations to reflect the unique nature of the property; and

WHEREAS, the adoption of these regulations will promote desirable public-private marina redevelopment;

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives; and,

WHEREAS, the amendments have been reviewed by the Planning Board, the City's local planning agency, which recommends their adoption and finds them to be consistent with the City's adopted Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Chapter 142 of the Land Development Regulations, entitled "Zoning Districts and Regulations," at Article II, entitled "District Regulations," at Division 18, entitled "PS Performance Standard District," is hereby amended as follows:

**CHAPTER 142
ZONING DISTRICTS AND REGULATIONS**

* * *

**ARTICLE II
DISTRICT REGULATIONS**

* * *

**DIVISION 18
PS PERFORMANCE STANDARD DISTRICT**

* * *

Sec. 142-708. - Additional regulations for public-private marina mixed-use redevelopments.

Public-private marina mixed-use redevelopments incorporating City-owned marina property, and including residential dwelling units and significant publicly accessible green open space, which property is designated as "Public Facility (PF)" under the City's Comprehensive Plan, may be developed as provided in this section; in the event of a conflict within this division, the criteria below shall control:

- (1) Maximum building height: 385 feet. The maximum height for allowable height regulation exceptions for elevator and mechanical equipment shall be 30 feet above the height of the roofline of the main structure. Notwithstanding the foregoing, the design review board, in accordance with the applicable review criteria, may allow up to an additional five feet of height, as measured from the base flood elevation plus maximum freeboard, to the top of the second-floor slab.
- (2) The setback requirements shall be as provided in section 142-699, except that the pedestal shall be subject to the following minimum setbacks:
 - (a) Front: 5 feet
 - (b) Interior side: 20 feet
 - (c) Rear: 5 feet.

- (3) All floors of a building containing parking shall incorporate residential or commercial uses along the eastern side fronting Alton Road; all other sides of a building containing parking may incorporate alternative non-use screening such as landscape buffering and physical design elements.

SECTION 2. REPEALER.

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

SECTION 3. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 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 _____, 2020.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

City Attorney

Date

First Reading: July 29, 2020
Second Reading: September 16, 2020

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

M:\\$CMB\CCUPDATES\Land Use and Sustainability Committee\2020\May 26, 2020\300 Alton Road LDR - ORD May 26 2020 LUSC.docx



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

Item 4
COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: **AMENDMENTS TO THE FAENA OVERLAY**

ACTION REQUESTED:

Discuss the subject ordinance and provide a recommendation to the planning board and City Commission.

ADMINISTRATION RECOMMENDATION:

The administration recommends that the Land Use and Sustainability Committee endorse the subject ordinance and recommend that the planning board transmit the item to the City Commission with a favorable recommendation.

HISTORY:

On April 22, 2020, at the request of Commissioner Ricky Arriola, the City Commission referred the item to the Land Use and Sustainability Committee and the Planning Board (Item C4 D).

ANALYSIS:

BACKGROUND

On December 17, 2014, the City Commission adopted ordinance 2014-3913 establishing the Faena Overlay District. The district includes the properties owned and operated by the FAENA Group and is generally located along Collins Avenue between 32nd and 36th Streets. The parcels west of Collins Avenue are in the more restrictive RM-2 zoning district and the adopted overlay district modified some of the permitted uses in the RM-2 district as follows:

- Allowed for ballroom and assembly space (west of Collins and south of 34th Street) to be a main permitted use and not classified as a neighborhood impact establishment, within the confines of the overlay district. Typical uses would include art exhibits, conferences and other similar activities.
- Allowed commercial uses to be a main permitted use within existing contributing structures on the west side of Collins Avenue.

The adopted overlay also encouraged and allowed for non-standard paving designs for the sidewalks and those portions of 34th Street between the Arts Center and Atlantic Beach Hotel.

On November 14, 2014, the Historic Preservation Board approved a Certificate of

Appropriateness for 3425 Collins Avenue (The Versailles Hotel – HPB File No. 7490). This project was comprised of the partial demolition, renovation and restoration of the existing 16-story Versailles hotel building, the total demolition of the 1955 south addition, and the construction of a new 16-story detached ground level addition, as part of a new residential development. On December 5, 2014, the Board of Adjustment approved a total of eleven (11) variances related to the proposed new construction located on the site of the Versailles Hotel building.

On March 8, 2016, the Historic Preservation Board approved modifications to the design and site plan, including additional variances (HPB File No. 7603). Although the renovation and addition to the Versailles Hotel was initially approved about the same time that the Faena Overlay District was created, permits for the restoration and new construction have not been issued and little activity has taken place on the site since the 1955 south addition was demolished. With the application of numerous state extensions, the current approvals remain active.

PLANNING ANALYSIS

The owner of the Versailles Hotel property is currently in the process of redesigning the new residential tower addition along with some changes to the Versailles Hotel restoration plans. When numerous variances were first granted by the Board of Adjustment and additional variances were granted by the Historic Preservation Board, the importance of restoring one of the most iconic Art Deco hotel structures was clearly recognized as a hardship due to the siting issues related to the restoration of the contributing structure and site planning for new construction.

Nearly all the variances are associated with locating the new construction as far from the existing Versailles Hotel tower as possible, resulting in the construction located very near to the south property line of the site. This was also only possible with the demolition of the former 1955 attached addition, which impacted the iconic original tower constructed in 1940 and designed by architect Roy France.

Because of the design modifications now proposed, absent the ordinance amendment proposed herein, modifications to the variances previously granted would be required. As proposed, the subject Ordinance would apply to properties with an underlying zoning designation of RM-3 within the existing overlay district on lots which are oceanfront lots with a lot area greater than 70,000 sq. ft. that also contain a contributing historic structure. The property within the Faena Overlay District that meets this requirement is occupied by the vacant Versailles Hotel located at 3425 Collins Avenue.

The following is a summary of the proposed amendments, which are largely consistent with the variances previously granted by the Historic Preservation Board and Board of Adjustment:

- The required parking for a place of assembly is reduced from one space per sixty (60) square feet to one space per eighty (80) square feet of floor area available for seating.
- Within areas that have an underlying zoning designation of RM-3, oceanfront lots with a lot area greater than 70,000 sq. ft. that also contain a contributing historic structure, shall be subject to the following:
 - o The maximum building height is increased from 200 feet to 250 feet.

- o The required pedestal and tower side street setback for alterations to and extensions of a contributing historic structure shall be equal to the existing setback of the contributing historic structure.
- o The required pedestal side street setback for additions to a contributing historic structure that are located on the ground is 0'.
- o The required pedestal side street setback for a ground floor addition is 2'-10" for the first and second floor.
- o The required pedestal side street setback for a ground floor addition is 8" for the third and fourth floor.
- o The required tower side street setback for a ground floor addition is 8".
- o There are no required sum of the side yard setbacks for pedestal or tower side setbacks.
- o The required subterranean side street setback is 0'.
- o The required subterranean rear setback is 40' from the bulkhead line.
- o The required subterranean front setback is 15'.
- o The required front setback for at-grade parking and driveways is 8'-6".
- o The required setback in the Dune Preservation Overlay Zone from the Erosion Control Line for a fence is 5'.
- o The required side setback in the Oceanfront Overlay Zone for fences is 5'.
- o The required pedestal side street setback for a fence is 5'.
- o The maximum permitted width of a porte-cochere is 45% of the width of the building's frontage.
- o The maximum permitted height of a porte-cochere is 19'.
- o The term "grade, average existing" which means the average grade elevation calculated by averaging spot elevations of the existing topography taken at ten-foot intervals along the property lines, shall be substituted for the term "grade" for purposes of fence and wall heights and setbacks. However, a fence or wall which faces Collins Avenue shall be measured from grade (the city sidewalk elevation at the centerline of the front of the property).

As the modifications proposed are largely consistent with the variances previously granted for the Versailles Hotel site, the administration is supportive of the ordinance except for the proposed 40-foot rear subterranean setback. In this regard, the Historic Preservation Board approved a rear subterranean setback of 46 feet from the bulkhead line, where 50 feet is required. The

administration recommends a rear subterranean setback of 46 feet from the bulkhead line, consistent the variances previously granted, in order to not reduce the amount of pervious landscape area on the site.

CONCLUSION:

The administration recommends that the Land Use and Sustainability Committee endorse the attatched draft ordinance and recommend that the City Commission refer the ordinance to the Planning Board, with the following modification:

- 1. The rear subterranean setback shall be a minimum of 46 feet from the bulkhead line.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Departments

Planning

ATTACHMENTS:

Description		Type
Draft ORD		Memo

FAENA DISTRICT OVERLAY

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, BY AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, ENTITLED "OVERLAY DISTRICTS," AMENDING DIVISION 10, ENTITLED "FAENA DISTRICT OVERLAY," TO AMEND THE PARKING REQUIREMENT FOR PLACE OF ASSEMBLY USE; AMEND THE ALLOWABLE HEIGHT FOR RM-3 OCEANFRONT LOTS GREATER THAN 70,000 SQUARE FEET IN SIZE, WHICH ALSO CONTAIN A CONTRIBUTING HISTORIC STRUCTURE; AND AMEND THE ALLOWABLE SETBACKS AND REQUIRED YARDS FOR RM-3 OCEANFRONT LOTS GREATER THAN 70,000 SQUARE FEET IN SIZE, WHICH ALSO CONTAIN A CONTRIBUTING HISTORIC STRUCTURE; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach ("City") desires to encourage private property owners to redevelop and manage properties under common ownership comprehensively rather than piecemeal; and

WHEREAS, the City seeks to encourage and incentivize new development and the preservation and restoration of structures located within the Collins Avenue corridor; and

WHEREAS, contributing historic structures located within the Collins Avenue corridor pre-date the City's land development regulations and therefore do not meet the zoning standards and are frequently permitted as legal nonconforming structures; and

WHEREAS, property owners often face practical difficulties and/or unnecessary hardships in balancing new development with preservation and restoration of contributing historic structures within the Collins Avenue corridor; and

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

WHEREAS, the preservation and restoration of historic structures is often aided and abetted and sometimes only possible through the construction of additions and/or new buildings on the same property; and

WHEREAS, the amendment set forth below is necessary to accomplish all of the above objectives.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Chapter 142, Article III entitled "Overlay Districts", Division 9 "Faena District Overlay" is hereby amended as follows:

* * *

DIVISION 10. FAENA DISTRICT OVERLAY

Sec. 142-867. Location and purpose.

The purpose of this overlay district is to allow limited flexibility of uses, ~~and~~ limited increases in heights, and limited flexibility in setbacks because of the common ownership and operation of the properties within the overlay district and the value of preserving historic buildings within the overlay district.

* * *

Sec. 142-869. Compliance with regulations.

The following overlay regulations shall apply to the Faena District Overlay. All development regulations in the underlying regulations shall apply, except as follows:

* * *

(a) One place of assembly may be permitted as a main permitted use, within the areas that have an underlying zoning designation of RM-2, in accordance with the following minimum requirements:

* * *

- xvii. The required parking for a place of assembly is one space per eighty (80) square feet of floor area available for seating.

* * *

(g) Within areas that have an underlying zoning designation of RM-3, lots which are oceanfront lots with a lot area greater than 70,000 sq. ft. that also contain a contributing historic structure shall have a maximum height of 250 feet.

(h) Within areas that have an underlying zoning designation of RM-3, lots which are oceanfront lots with a lot area greater than 70,000 sq. ft. that also contain a contributing historic structure, the following regulations shall apply in lieu of the underlying Land Development Regulations:

- i. The required pedestal and tower side street setback for alterations to and extensions of a contributing historic structure shall be equal to the existing setback of the contributing historic structure.
- ii. The required pedestal side street setback for additions to a contributing historic structure that are located on the ground is 0'.
- iii. The required pedestal side street setback for a ground floor addition is 2'-10" for the first and second floor.
- iv. The required pedestal side street setback for a ground floor addition is 8" for the third and fourth floor.

- v. The required tower side street setback for a ground floor addition is 8".
- vi. There are no required sum of the side yard setbacks for pedestal or tower side setbacks.
- vii. The required subterranean side street setback is 0'.
- viii. The required subterranean rear setback is 40' from the bulkhead line.
- ix. The required subterranean front setback is 15'.
- x. The required front setback for at-grade parking and driveways is 8'-6".
- xi. The required setback in the Dune Preservation Overlay Zone from the Erosion Control Line for a fence is 5'.
- xii. The required side setback in the Oceanfront Overlay Zone for fences is 5'.
- xiii. The required pedestal side street setback for a fence is 5'.
- xiv. The maximum permitted width of a porte-cochere is 45% of the width of the building's frontage.
- xv. The maximum permitted height of a porte-cochere is 19'.
- xvi. The term "grade, average existing" which means the average grade elevation calculated by averaging spot elevations of the existing topography taken at ten-foot intervals along the property lines, shall be substituted for the term "grade" for purposes of fence and wall heights and setbacks. However, a fence or wall which faces Collins Avenue shall be measured from grade (the city sidewalk elevation at the centerline of the front of the property).

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 _____, 2020.

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

City Attorney

Date

First Reading:
Second Reading:

Verified by: _____
Thomas Mooney, AICP
Planning Director

Underscore denotes new language
~~Strikethrough~~ denotes removed language



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

Item 5.
COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: DISCUSS THE POTENTIAL IMPLEMENTATION OF ADOPT-A-DRAIN OR SIMILAR PROGRAM IN MIAMI BEACH.

HISTORY:

At its February 12, 2020, meeting, the City Commission approved a referral to the Land Use and Sustainability Committee and the Resident Sustainability Committee to discuss the potential implementation of an Adopt-A-Drain or similar program in Miami Beach.

The purpose of this initiative would be to create a friendly resident interaction by having him/her adopt a drain in which they would name, and volunteer to assist the City in sweeping around it a few times per year. While maintaining drains debris free is a Governmental agency's top priority and responsibility, some municipalities such as Virginia Beach and San Francisco, have found this to be a healthy initiative to promote a flood free environment.

ANALYSIS:

The Public Works Department has had an initial discussion with the City Attorney's office with regards to this initiative. A major concern brought up is the potential liability to the City, should a resident who is cleaning a drain injures himself or herself during the clean up, or something even far more traumatic such as a car accident.

There are over 4,700 catch basins throughout the City, all of which are in the right-of-way. Pictured below is what the typical catch basin (drain) looks like. Public Works would need to determine which of the catch basins would be the best fit. However, the best areas for this program would be in the residential areas, where the resident/s can remove debris from in front of their homes.



Should the Committee decide to move forth with such a program, the City would need to incorporate a safety component in order to protect its volunteers from harm, and guidance as to how this program would be implemented.

SIMILAR INITIATIVE BY FDOT

The Florida Department of Transportation (FDOT) has a similar initiative called Adopt a Highway, comprised of a partnership between volunteers and FDOT. Through this program, volunteers are required to:

- Enter into a two-year agreement with FDOT, during which they agree to conduct litter removal a minimum of four times each year, at regularly scheduled intervals.
- Follow specified FDOT regulations, and safety training.
- Wear safety vests, and bring with them safety cones, signs, and litter bags, provided by FDOT.
- Have litter collected be dropped off at specified locations where it can later be picked up by an FDOT crew member.

As a thank you for having volunteers participate, FDOT posts Adopt-a-Highway sign, commending the group at the beginning and end of their section.

Results from the 2019 Resident Survey show that 50% of residents rated efforts to manage stormwater drainage and flooding as excellent or good, and 46% of residents rated condition of streets as excellent or good. In order to continue maintaining excellent standards in this area, the City intends to consider programs that promotes cleanliness throughout the City as well as public participation.

CONCLUSION:

The Administration does not recommend implementing a drain adoption program.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Departments

Public Works

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	VABeachAdoptADrain	Other
<input type="checkbox"/>	SanFranAdoptADrain	Other

Adopt-a-Drain Program

Welcome to the Virginia Beach Adopt-a-Drain Program

Virginia Beach's Adopt-a Drain program enables residents like you to help keep pollution out of our lakes and streams. Using your smart phone or a computer and an interactive mapping program, you can see storm drains near you and choose one to adopt as your very own.

Just choose your drain, give it a name and sweep around it a few times a year. You can help keep pollution from being carried down the storm drain that leads to your closest lake or stream.

Why should I Adopt-a-Drain?



Trash and debris that makes its way into storm drains can contribute to pollution of our local waterways and potentially cause localized flooding in extreme cases of debris build-up and heavy rainfall.

The Virginia Beach Department of Public Works maintains more than 40,000 storm drains across the City. Public Works regularly inspects these drains and responds to maintenance needs. However, it can take some time to get to every drain in the city.

That's where you can help. Adopting a storm drain and keeping it clear of debris as part of your regular yard maintenance routine can go a long way toward keeping our waterways pollution-free. If you notice your adopted drain appears to be clogged or damaged, please contact the City to have it addressed right away.

What's involved?

When you adopt a storm drain, you're pledging to clear debris from around (not inside of) your storm drain at least 6 times a year. The most important time to clear the area around your storm drain is before a predicted rainfall washes debris down the drain.

All you have to do is:

1. Sweep or rake up leaves, dirt and debris from the area around the drain
2. Properly sort what you collect into the trash, recycling bin or clear plastic bags for yard waste collection

I'm in. How do I start?

Adopting a storm drain is easy as 1-2-3:

1. Sign up online at drains.vbgov.com.
2. Search the interactive map (or type in an address) to find available storm drains.
3. Claim your drain and give it a name.

While you're at it, mark that storm drain

Virginia Beach's Storm Drain Marker Program helps increase public awareness of the environmental effects of dumping in storm drains and how stormwater pollution harms water quality in our lakes and rivers, as well as the Chesapeake Bay, Back Bay, and the ocean.

Storm drain marking volunteers simply affix 4-inch, stainless steel markers to storm drains in their neighborhoods. Each marker denotes to which waterbody the storm drain connects. Marking storm

drains with a watershed-specific medallion helps the public draw the connection between our storm sewer system and local waterways to which it drains.

If you are interested in volunteering with the Storm Drain Marker program, let us know the neighborhood(s) where you would like to place the storm drain markers. Please identify at least **20 drains** to mark to make efficient use of supplies. Call (757) 385-4131 or email VBstormwater@vbgov.com.

Due to weather restrictions, the Storm Drain Marker program is generally conducted during the Spring, Summer and Fall only.

Stay Safe

When caring for your adopted drain, please put safety first. ***Never lift or remove the storm drain covers. Never reach into or enter the storm drains.***

For interior storm drain maintenance, call (757) 385-1470, [make a service request online](#), or contact us through the VB Works app, available on [iPhone](#) and [Android](#).



Protect our waterways. Report stormwater pollution by calling (757) 385-1470 or email us vbstormwater@vbgov.com.

CONTACT INFORMATION

Public Works Stormwater Program

- [\(757\) 385-4131](tel:(757)385-4131)
- vbstormwater@vbgov.com

• [Related Information](#)

- [How to Mark Storm Drains](#)

Adopt a Drain SF

Help Us Keep San Francisco's 25,000 Storm Drains Clear



Launched in October 2016, the Adopt a Drain Program enables San Francisco residents to "adopt" one of the City's 25,000 storm drains, keeping it free of debris. While helping to reduce localized flooding, the program also fosters community engagement by encouraging San Franciscans to take an active role in improving their neighborhood. To sign up and adopt a drain, go to adoptadrain.sfwater.org!



[Check out photos from past events.](#)

How to Care for Your Adopted Drain

- If possible, clear the drain before it starts raining.

- Put leaves and other natural material in the green compost bin. Put trash in the black garbage bin.
- Clear about 10 feet on both sides of the drain.
- Medical waste or needles? Construction debris? Toxic materials? Report it to the City's Customer Service Center, SF311.org on the web (or dial 3-1-1).

Drain Clearing Safety Tips

- Never try to lift the drain grate.
- Clear from the sidewalk, not the street.
- Wear reflective clothing so vehicles can see you.
- Always wear gloves and be careful of sharp objects!
- Use a rake, broom, or shovel - not your hands.

Remember, the City and County of San Francisco won't be held responsible for anything that happens to you or others in service of maintaining your drain. Please be careful!

Free Tools and Training

Once you sign up, you'll receive periodic email notifications prior to large storms to clear your drain(s) before it rains. You'll also receive invites to VIP volunteer events during the rainy season where you can get safety gear and drain clearing supplies.

Why adopt a drain?

In San Francisco, we have a combined sewer system that collects stormwater and sewage in the same network of pipes. While the system is made to handle a significant amount of rainfall, in large rain storms when the system reaches capacity, some low-lying areas of the City, especially areas that used to be creeks or streams, can experience flooding and property damage. No sewer system, including ours, can be designed to manage all the stormwater in all storms.

Our preventative operations and maintenance program includes inspecting, cleaning, repairing, and replacing aging sewers. Our crews use specialized trucks and equipment to deep clean more than 5,000 of the City's 25,000+ catch basins each year, with a focus on low-lying areas of the city that are prone to flooding. We also monitor the weather forecasts carefully and when major storms are expected, we increase our staffing and deploy strike teams to monitor priority areas prone to flooding, even at night and on weekends.

Keeping storm drains and catch basins clear of leaves and debris helps avoid flooding and enables stormwater to drain properly. We appreciate our drain adopters to help us keep the drains clear of leaves and debris, protect the environment and help minimize risk of flooding. Find a drain and sign up at adoptadrain.sfwater.org.



[Read our Frequently Asked Questions.](#)

Program Background

Code for San Francisco, a non-profit volunteer group and local chapter of Code for America, used open data (drain locations) to develop the Adopt a Drain web application at no cost to the city. The program was inspired by Boston's Adopt a Hydrant Program. The popular program has garnered media attention and attracted interest from various city, state and national governments who are interested in replicating it in their community.

Spread the Word

Excited about the Adopt a Drain program? We encourage you to invite your coworkers, friends and neighbors to participate. Use social media to spread the word or [pass along this flyer](#).



Remember to tag us @SFWater and to use the following hashtags: #DrainHero, #AdoptADrain and #SFsewer.

Contact Us

Email questions and feedback to RainReadySF@sfgov.org. We'd love to hear from you.

Share this page

Item 6.
COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: **DISCUSSION ON THE STATUS OF SUITE-HOTELS IN THE WEST AVENUE NEIGHBORHOOD**

ACTION REQUESTED:

Discuss the item and recommend potential actions, if any.

ADMINISTRATION RECOMMENDATION:

Discuss the item and recommend changes to the current regulations, if any.

HISTORY:

On February 12, 2020, at the request of Commissioner Mark Samuelian, the City Commission referred the subject discussion to the Land Use and Sustainability Committee (Item C4V). The item was placed on the March 17, 2020 agenda of the Land Use and Sustainability Committee (LUSC).

The March 17, 2020 LUSC meeting was postponed and the item was moved to the May 26, 2020 LUSC agenda.

ANALYSIS:

BACKGROUND

The West Avenue Bayfront Overlay District is comprised of RM-1, residential multifamily low intensity and RM-2, residential multifamily medium intensity zoning districts. There are no historic districts or individually designated historic sites with the overlay district.

The City Commission adopted the Overlay District on June 19th, 2002, (Ord. No. 2002-3374). The primary reason for the creation of the overlay was to preserve the character and quality of the neighborhoods fronting West Avenue, which was being impacted by infill development that did not reflect the cohesive low scale character of the area. The subject overlay, by expanding the list of main permitted uses for existing low-scale buildings in the neighborhood to include suite hotels and bed and breakfast inns, created incentives to retain and adaptively re-use existing single family and/or multifamily buildings that are no more than three (3) stories in height. Additionally, the parking regulations were modified to include the allowance for a limited number of parking spaces within required front yards. Attachment "A" includes the current regulations for the subject overlay district.

On October 16, 2013, the City Commission adopted Ordinance No. 2013-3820, prohibiting hotel uses within the West Avenue area. This applies to the properties zoned RM-2 and RM-3. Elsewhere in the City, hotels are a main permitted use within RM-2 and RM-3 zoning districts, with the exception of the West Avenue and Palm View neighborhoods. The concern with hotel uses in the neighborhood initially arose after the introduction of the Mondrian Hotel at 1100 West Avenue. Attachment “B” identifies the prohibition of hotels in the West Avenue neighborhood as well as the restrictions for existing non-conforming hotels.

The attached map indicates the area of the West Avenue Bayfront Overlay District. The darker shading denotes the area zoned RM-2, and the lighter shading denotes the area zoned RM-1.

In order to address the concerns expressed by the hotels that were legally operating within the West Avenue Overlay, the amended code included the following provisions:

Section 142-212(b) - Main Permitted uses (RM-2):

“...A property that has a "legal conforming use" as used in this subsection prior to May 28, 2013, may retain all, and apply for new, expansions and modifications to, permitted, conditional and/or accessory uses permitted in the zoning category as of May 28, 2013, and apply for building permits to add, improve and/or expand existing structures, or construct new structures for permitted, conditional and/or accessory uses permitted in the zoning category, if FAR remains available.”

Section 142-245. Prohibited uses (RM-3):

“The prohibited uses in the RM-3 residential multifamily, high intensity district are...; for property located within the West Avenue corridor, hostels; for properties located within the West Avenue corridor, hotels and apartment hotels, except to the extent preempted by F.S. § 509.032(7), and unless a legal conforming use. Properties that voluntarily cease to operate as a hotel for a consecutive three-year period shall not be permitted to later resume such hotel operation. Without limitation, (a) involuntary hotel closures due to casualty, or (b) cessation of hotel use of individual units of a condo-hotel, shall not be deemed to be ceasing hotel operations pursuant to the preceding sentence.”

PLANNING ANALYSIS

Prior to the creation of the West Avenue Overlay District, hotels, apartment-hotels, and suite hotels were permitted uses in the RM-2 and RM-3 zoning districts in the neighborhood. In the RM-1 zoning district before the overlay, and within the subject area, only single family homes, townhomes, apartments and bed and breakfast inns were permitted. In 2002, the creation of the West Avenue Overlay District expanded the list of main permitted uses within the RM-1 zoning district to include suite hotels and offices consistent with the regulations for the RO, residential office zoning district.

Separate from the West Avenue Overlay District the City has citywide regulations pertaining to bed and breakfast inns (Section 142-1401, Attachment “D”), and Suite Hotels (Section 142-1105, Attachment “E”). When the West Avenue Overlay District was created in 2002, more specific regulations for Suite Hotels and Bed and Breakfast Inns were included, which were tailored for the neighborhood.

It is very likely that removing the incentives for the adaptive re-use of existing low-scale buildings in the neighborhood would result in more demolition of such structures and the replacement with

larger buildings, up to the maximum allowed in the underlying zoning district. For the RM-1 zoned properties, a maximum FAR of 1.25 is permitted, with a maximum height of up to 55 feet, and for the RM-2 zoned properties, a maximum FAR of 2.0 is permitted with a maximum height of 65 feet.

It is also important to point out that the minimum room size for a suite hotel is 400 square feet, and only those uses that are also accessory to an apartment building are allowed. There are also occupancy limitations placed on such units in the neighborhood.

CONCLUSION:

The administration recommends that the committee review the history of the Suite Hotel use in the neighborhood, and provided further policy direction if changes are desired.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

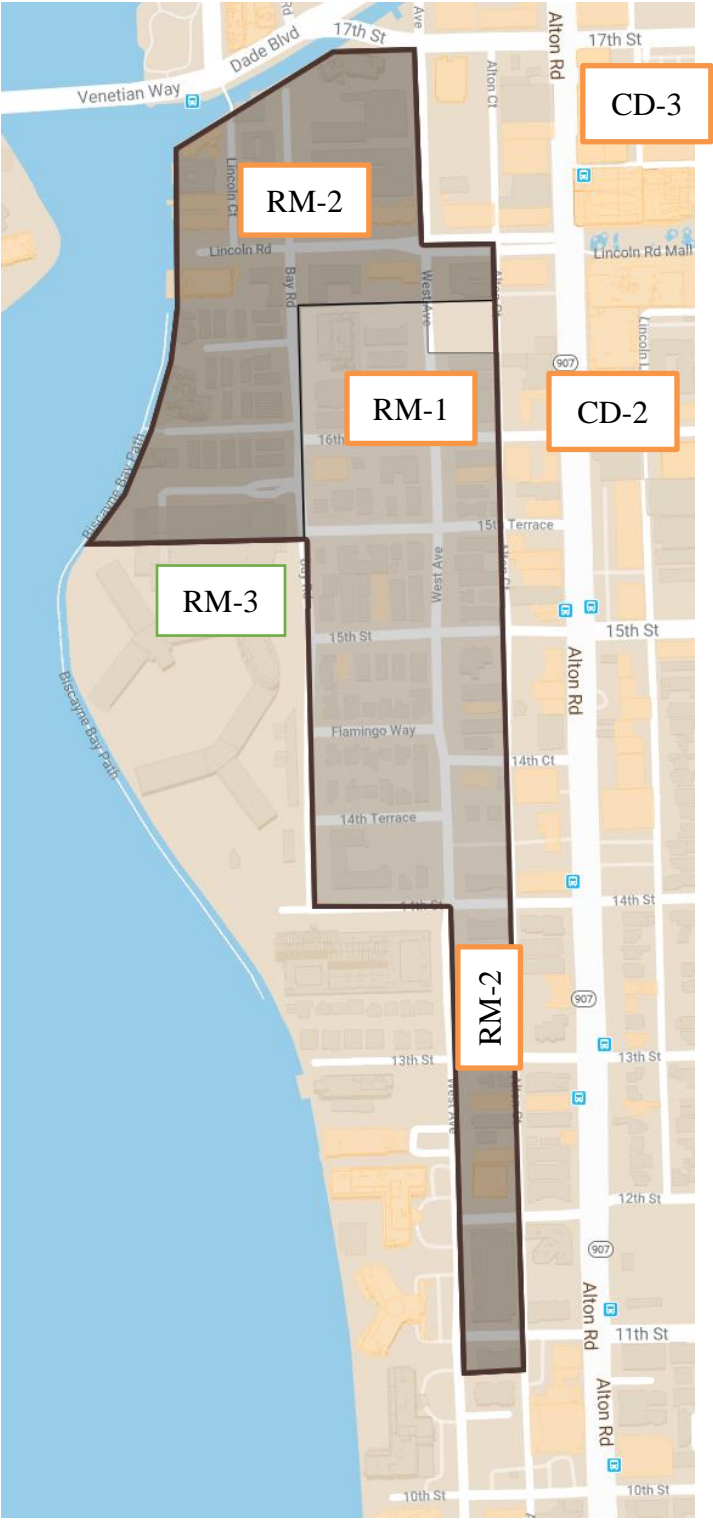
Departments

Planning

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	Overlay MAP	Memo
<input type="checkbox"/>	Attachment A	Memo
<input type="checkbox"/>	Attachment B	Memo
<input type="checkbox"/>	Attachment C	Memo
<input type="checkbox"/>	Attachment D	Memo

West Avenue Bayfront Overlay



Attachment "A"

DIVISION 5. - WEST AVENUE BAY FRONT OVERLAY

Sec. 142-842. - Location and purpose.

- (a) The subject overlay district shall be bounded by the south bulkhead line of the Collins Canal on the north, the south side of 11th Street inclusive of Lot 8, Block 84, on the south, and between the centerline of Alton Court on the east and the Biscayne Bay bulkhead line on the west.
- (b) The purpose in identifying this subject overlay district is to provide district specific land development regulations and land-use incentives to property owners and developers who retain existing structures and/or provide new infill structures that maintain the low-scale, as-built character predominant in the existing low intensity (RM-1) and medium intensity (RM-2) underlying residential zoning district of the subject overlay area.
- (c) The intent of the overlay regulations of this division relating to minimum and maximum developable lots within the underlying RM-1 zoning district shall be to bring into conformance existing undersized lot configurations that currently do not meet code and to further regulate new infill development upon aggregated lots to an incremental lot configuration of generally one or two contiguous parcels aggregated along existing side property lines.
- (d) The overlay regulations of this division relating to residential offices, suites hotel or bed and breakfast inns shall only apply to existing low scale properties, which were designed and constructed to be no more than three stories in height, and are located in the subject overlay district.

(Ord. No. 2002-3374, § 1, 6-19-02; Ord. No. 2004-3458, § 1, 10-13-04)

Sec. 142-843. - Compliance with regulations.

- (a) The following overlay regulations shall apply to those areas of the subject district which have an underlying zoning designation of (RM-1) Residential Multifamily Low Intensity and (RM-2) Residential Multifamily Medium Intensity. In particular, the overlay regulations shall allow the additional main permitted uses specified in this division, in the RM-1 and RM-2 of the subject area only if all the required criteria herein have been satisfied.
- (b) As specified in chapter 118, article VI, design review regulations, applications for a building permit shall be reviewed and approved in accordance with design review procedures.
- (c) The residential offices, suites hotel or bed and breakfast inn may only be permitted in structures that have been rehabilitated in general accordance with the U.S. Secretary of the Interior's standards for rehabilitation of historic buildings as determined by the planning director or his designee, or in buildings that have been substantially rehabilitated or where a request for a building permit will result in the building being substantially rehabilitated.
- (d) All development regulations and setback requirements in the underlying land-use zoning district shall remain. However, a residential office, suites hotel or bed and breakfast inn may only be established where:
 - (1) Demolition to the original building envelope does not exceed ten percent of the area of the original building lot coverage. At-grade additions that demolish or conceal primary facades (i.e., main entry porticoes and facades facing a street) shall not be permitted.
 - (2) The area of rooftop additions to existing multi-family structures does not exceed 50 percent of the area of the original floor immediately below. Such rooftop additions shall be set back a minimum of 15 feet from the facade of the existing building fronting a primary public-right-of-way with an established street wall.

- (3) The area of rooftop additions to existing single-family structures does not exceed 50 percent of the area of the original lot coverage of the structure. The maximum height of the altered main structure shall not exceed $\frac{1}{2}$ the original lot width up to a maximum of 33 feet.
- (4) On sites where unity of title has combined two or more lots, the original rear setbacks for the main structure shall conform to the underlying zoning regulations. However, building additions may encroach into side setbacks which have become internal to the parcel. In addition to the allowable encroachments as outlined in section 142-1132, loggias (covered walkways), gazebo structures and pools may encroach into original rear and/or side setbacks that have become internal to the assembled lot.
- (e) All development regulations and setback requirements in the underlying (RM-1) zoning district shall remain except that the following regulations regarding minimum and maximum developable lot shall apply:
 - (1) The maximum developable lot area shall be limited to no more than two contiguous lots joined along the side property lines.
 - (2) The maximum developable lot area shall not be achieved through the assembly of two contiguous lots assembled along the rear property line.
 - (3) Minimum and maximum lot dimensions shall be as follows:

West Avenue Overlay

Developable Lot Regulations Within The Existing RM-1

Existing Platted Lot Depth	Minimum Developable Lot Width		Maximum Developable Lot Width	Minimum Developable Lot Area	Maximum Developable Lot Area
100ft. @ Blocks 67-A, 67-B 79-A, 79-B, 79-C	Interior	50ft.	100ft.	5000sq. ft.	10,000 sq. ft.
			125ft. @Blk.67-A		12,500 sq. ft. @Blk.67-A
	Corner	60ft.	110ft.	6000sq. ft.	11,000 sq. ft.
			135ft. @Blk.67-A		13,500 sq. ft. @Blk.67-A
105ft. @ Block 81	Interior	50ft.	100ft.	5250 sq. ft.	15,000 sq. ft.
	Corner	65ft.	115ft.	6825 sq. ft.	17,250 sq. ft.
112ft. @ Block 79-	Interior	50ft.	100ft.	5600 sq. ft.	11,200 sq. ft.

A					
	Corner	60ft.	110ft.	6720 sq. ft.	12,320 sq. ft.
115ft. @ Block 81	Corner	45ft.	150ft	5175 sq. ft.	17,250 sq. ft.
150ft. @ Blocks 45, 66, 66-A, 67-B, 78, 78-A, 81	Interior	50ft.	100ft.	7500 sq. ft.	15,000 sq. ft.
	Corner	50ft.	100ft.	7500 sq. ft.	15,000 sq. ft.
		55ft. @Blk.78	105ft.	8250 sq. ft.	15,750 sq. ft. @Blk. 78
		57ft. @Blk.78-A	107ft.	8550 sq. ft.	16,050 sq.ft. @Blk. 78-A
		60ft.@Blk. 67-B	110ft.	9000 sq. ft.	16,500 sq.ft. @Blk. 67-B
		65ft. @Blk. 81	115ft.	9750 sq. ft.	17,250 sq. ft. @Blk. 81
160ft. @ Block 44	Interior	50ft.	100ft.	8000 sq. ft.	16,000 sq. ft.
	Corner				

(Ord. No. 2002-3374, § 1, 6-19-02; Ord. No. 2004-3458, § 1, 10-13-04)

Sec. 142-844. - Residential Office Overlay Area.

The Residential Office Overlay Area is designed to accommodate the adaptive reuse of existing single-family and multi-family residential structures as of (the effective date of this ordinance) to allow as main permitted uses such uses permitted in the RO Residential/Office district. All other main permitted uses, conditional uses and accessory uses shall be the same as those provided for in the underlying RM-1 or RM-2 land-use designation.

(Ord. No. 2002-3374, § 1, 6-19-02)

Sec. 142-845. - Suites Hotel and Bed and Breakfast Inn Overlay Area.

- (a) The Suites Hotel and Bed and Breakfast Inn Overlay Area is designed to accommodate the adaptive reuse of existing single-family and multi-family residential structures as of (the effective date of this ordinance) to allow for lodging and guest amenities as main permitted uses.
 - (1) Suites hotels and bed breakfast inns in the Overlay Area shall not be permitted to have dance halls, entertainment establishments, neighborhood impact establishments, outdoor entertainment establishments or open air entertainment establishments.
 - (2) The building identification sign for a suites hotel or bed and breakfast inn shall be the same as allowed for an apartment building in the underlying zoning district in which it is located.
 - (3) The building(s) shall have central air conditioning or flush-mounted wall units; however no air conditioning equipment may face a street or the Bay.
 - (4) The maximum amount of time that any person other than the owner may stay in a suites hotel or bed and breakfast inn during a one-year period shall not exceed six months.
- (b) Suites hotels are permitted in existing multi-family structures and in single-family structures, including those that have been combined with adjacent multi-family or single-family structures through unity of title. The maximum occupancy of such suite hotel units shall be limited to four persons for units less than 500 square feet and six persons for units greater than 500 square feet. Additionally, suite hotels shall be subject to the following conditions:
 - (1) Suites hotels may have full cooking facilities in units with a minimum of 400 square feet.
 - (2) The building shall be maintained and operated as a hotel, with a registration desk and a lobby.
 - (3) Should the facility convert from a suites hotel to a multifamily/single-family residential building, the minimum average unit size and all other zoning requirements for the underlying district shall be met.
 - (4) Suites hotels located in the subject district may have accessory uses based upon the below criteria:
 - a. A dining room operated solely for registered hotel guests and their visitors, located inside the building, with no exterior signs, entrances or exits except as required by the South Florida Building Code. Such dining room shall not be licensed separately, not licensed as a restaurant, and shall not be permitted to have a commercial kitchen, but may have separate areas for food preparation and storage, provided there are not cook-tops, stoves, ovens or broilers, and exterior kitchen ventilation is not required.
 - b. 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 guests and their visitors only.
- (c) Bed and breakfast inns are permitted only in existing single-family structures as of (the effective date of this section) and shall be subject to the following conditions:
 - (1) The owner/operator of the bed and breakfast inn shall permanently reside in the structure.
 - (2) The structure shall have originally been constructed as a single-family residence. The structure may have original auxiliary structures such as a detached garage or servant's residence that may or may not be used as part of the inn.
 - (3) The structure shall maintain main public rooms (living room/dining room) for use of the guests.
 - (4) Original auxiliary structures, such as detached garages and servants' residences, may be converted to guestrooms or other appropriate use. New bedrooms constructed shall have a minimum size of 200 square feet and shall have a private bathroom.
 - (5) There shall be no cooking facilities/equipment in guestrooms. One small refrigerator with maximum capacity of five cubic feet shall be permitted in each guestroom. All cooking equipment, which may exist, shall be removed from the structure with the exception of the single main kitchen of the house.

- (6) The bed and breakfast inn may serve meals to registered guests and their visitors only. Permitted meals may be served in common rooms, guestrooms or on outside terraces (see subsection 142-1401(9)). The meal service is not considered an accessory use and is not entitled to an outside sign.
- (7) Permitted meals may be served in areas outside of the building under the following conditions:
- The area shall be landscaped and reviewed under the design review process. Landscape design shall effectively buffer the outdoor area used for meals from adjacent properties and the street.
 - All meals served outdoors shall be prepared for service from inside facilities. Except for the use of a barbecue, all outdoor preparation, cooking as well as outdoor refrigeration and storage of food and beverages shall be prohibited.

(d) Hostels shall be prohibited within the subject overlay area.

(Ord. No. 2002-3374, § 1, 6-19-02; Ord. No. 2017-4107, § 2, 6-7-17)

Sec. 142-846. - Off-street parking regulations.

In general, off-street parking within the required front yard setback is discouraged in residential neighborhoods as outlined by the underlying zoning designation, however, in the subject area parking may be permitted in the front yard setback subject to the following regulations:

Minimum Lot Width	Minimum Building Front Setback	Maximum Driveway Curb Cut Width	Max. No. of Parking Spaces Permitted per Platted Lot	Orientation of Spaces	Fundamental Design Requirements
50 ft.	20 ft.	12 ft.	Two (2) spaces	Parallel to street	Buffer parking from street view with landscaping. No asphalt or concrete hardscaping
		17 ft.	Two (2) spaces	Perpendicular to street	Two (2) 18" tire strips per space, No asphalt
50 ft.	30 ft.	12 ft.	Three (3) spaces	Parallel to street	Buffer parking from street view with landscaping. No asphalt or concrete hardscaping
		17 ft.	Two (2) spaces	Perpendicular to street	Two (2) 18" tire strips per space, No asphalt
60 ft.	20 ft.	12 ft.	Four (4) spaces	Parallel to street	Buffer parking from street view with landscaping. No

					asphalt or concrete hardscaping
		17 ft.	Two (2) spaces	Perpendicular to street	Two (2) 18" tire strips per space, No asphalt
60 ft.	30 ft.	12 ft.	Six (6) spaces	Parallel to street	Buffer parking from street view with landscaping. No asphalt or concrete hardscaping
		17 ft.	Two (2) spaces	Perpendicular to street	Two (2), 18" tire strips per space, No asphalt

- (a) *Corner lots.* The above regulations shall allow off-street parking for only one yard facing a street, generally the secondary or narrow elevation of the building.
- (b) *Bay Front culs-de-sac.* The regulations as outlined in the chart above shall not apply to those yards facing 16th Street and Lincoln Terrace between Bay Road and Biscayne Bay.
- (c) *Parking impact fee program exemption.* Residential offices, suites hotels and bed and breakfast inns as outlined in sections 142-844 and 142-845 of this division shall be exempt from the off-street parking requirements as outlined in sections 130-130—130-132.
- (d) *Curb-cuts.* Access driveways shall be setback a minimum of three feet from any side property line. Access driveways for corner properties shall be located such that the edge of the drive is either a minimum of three feet from the end of the curb return or a minimum of 25 feet from the intersection of two non-arterial streets, whichever is greater. All curb and driveway modifications shall require a driveway permit from the Miami Beach Public Works Department prior to construction.
- (e) *Hardscape.* All proposed hardscape shall consist of pavers set in sand or a like material of equal quality. Asphalt is prohibited.
- (f) *Parking spaces.* All permitted parking spaces shall be in compliance with the minimum standards as outlined herein:
 - (1) *Wheel stops.* Each permitted parking space shall require a wheel stop placed at least 18 inches from the edge of landscaped areas as protection from vehicular encroachment.
 - (2) *Markings.* All permitted parking areas shall be bordered in a subtle manner using a different pattern or contrasting color of a like material. Parking spaces shall also be delineated using a different pattern or a contrasting color of a like material of equal quality.
 - (3) *Wheel strips.* All permitted parking areas, which are perpendicular to the street, shall be constructed of no more than two strips per car of a paver material and/or integral color concrete and shall be no more than 18 inches in width and no more than 18 feet in length. Asphalt is prohibited.
- (g) *Screening.* In order to buffer automobiles from the street, solid evergreen hedges, masonry walls or a combination of the two must be incorporated into the design as follows:

- (1) *Hedges.* Shrubs shall be planted a minimum of 30 inches in height, not less than 24 inches on center, and branches shall touch at the time of planting. Shrubs shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen within a maximum of one year after time of planting.
 - (2) *Masonry walls.* Masonry walls shall be setback a minimum of two feet from the property line in order to provide a landscaped buffer in front of the wall.
- (h) *Required landscape material.* All permitted parking areas shall be in compliance with the minimum standards as outlined herein:
- (1) One specimen or accent tree shall be planted on site for every proposed off-street parking space.
 - (2) Where tire strips are proposed, a durable sod or ground cover shall be planted between the strips.
 - (3) All significant trees and shrubs removed in order to construct new off-street parking shall be relocated and/or replaced on site with equivalent trees and shrubs.
 - (4) Street trees shall be planted in accordance with the West Avenue/Bay Road Neighborhood Streetscape Master Plan.

(Ord. No. 2002-3374, § 1, 6-19-02)

Secs. 142-847—142-849. - Reserved.

Attachment "B"

Sec. 142-212. - Main permitted uses.

The main permitted uses in the RM-2 residential multifamily, medium intensity district are single-family detached dwellings; townhomes; apartments; apartment hotels, hotels, hostels, and suite hotels (pursuant to section 142-1105 of this chapter).

- (a) Except that in the Palm View corridor, defined in this subsection as all properties abutting the west side of Meridian Avenue between 17th Street and Collins Canal, apartment hotel or hotel uses are only permitted if issued a building permit or occupational license prior to May 28, 2013, or are approved by the design review board pursuant to a complete application filed and pending prior to May 28, 2013, in which event they shall be considered a "legal conforming use." A property that has a "legal conforming use" as used in this subsection prior to May 28, 2013, may retain all, and apply for new, expansions and modifications to, permitted, conditional and/or accessory uses permitted in the zoning category as of May 28, 2013, and apply for building permits to add, improve and/or expand existing structures, or construct new structures for permitted, conditional and/or accessory uses permitted in the zoning category, if FAR remains available.
- (b) Except that in the West Avenue corridor, defined in this subsection as that area bordered by Collins Canal to the north, Alton Road to the east, Biscayne Bay to the west, and 6th Street to the south, apartment-hotel or hotel uses are only permitted if issued a building permit or occupational license prior to May 28, 2013, or are approved by the design review board pursuant to a complete application filed and pending prior to May 28, 2013, in which event they shall be considered a "legal conforming use." A property that has a "legal conforming use" as used in this subsection prior to May 28, 2013, may retain all, and apply for new, expansions and modifications to, permitted, conditional and/or accessory uses permitted in the zoning category as of May 28, 2013, and apply for building permits to add, improve and/or expand existing structures, or construct new structures for permitted, conditional and/or accessory uses permitted in the zoning category, if FAR remains available.

The main permitted uses in the RM-2 residential multifamily, medium intensity district also includes offices that are incidental and customary to a hotel in the RM-3 district fronting Collins Avenue located no more than 1,200 feet from the RM-3 hotel property. For purposes of this section, the distance between the RM-3 hotel property and the RM-2 office property shall be measured by following a straight line between the properties' boundaries; further that office property shall be governed by a restrictive covenant approved as to form by the city attorney, recorded in the public records, stipulating that the office use may only remain as long as the hotel use continues.

(Ord. No. 89-2665, § 6-3(A)(2), eff. 10-1-89; Ord. No. 95-3020, eff. 11-4-95; Ord. No. 96-3050, § 2, 7-17-96; Ord. No. 2013-3819, § 1, 10-16-13; Ord. No. 2013-3820, § 1, 10-16-13; Ord. No. 2014-3849, § 1, 3-5-14; Ord. No. 2014-3869, § 1, 5-21-14; Ord. No. 2017-4146, § 2, 10-18-17)

Attachment “C”

Sec. 142-245. - Prohibited uses.

The prohibited uses in the RM-3 residential multifamily, high intensity district are accessory outdoor bar counter, except as provided in section 142-244; for properties located within the Sunset Harbour neighborhood, generally bounded by Purdy Avenue, 20th Street, Alton Road, and Dade Boulevard, hostels; for property located within the West Avenue corridor, hostels; for properties located within the West Avenue corridor, hotels and apartment hotels, except to the extent preempted by F.S. § 509.032(7), and unless a legal conforming use. Properties that voluntarily cease to operate as a hotel for a consecutive three-year period shall not be permitted to later resume such hotel operation. Without limitation, (a) involuntary hotel closures due to casualty, or (b) cessation of hotel use of individual units of a condo-hotel, shall not be deemed to be ceasing hotel operations pursuant to the preceding sentence.

(Ord. No. 89-2665, § 6-4(A)(5), eff. 10-1-89; Ord. No. 96-3050, § 2, 7-17-96; Ord. No. 2013-3820, § 2, 10-16-13; Ord. No. 2016-4005, § 1, 3-9-16; Ord. No. 2017-4146, § 2, 10-18-17)

Attachment “D”

DIVISION 7. - BED AND BREAKFAST INNS^[22]

Footnotes:

--- (22) ---

Cross reference— Businesses, ch. 18.

Sec. 142-1401. - Conditions for bed and breakfast inns.

Bed and breakfast inns are permitted with the following conditions:

- (1) The use shall be situated in a contributing building and located in a locally designated historic preservation district. The use may also be situated in a noncontributing building if it is restored to its original historic appearance and re-categorized as "contributing."
- (2) The owner of the bed and breakfast inn shall permanently reside in the structure.
- (3)
 - (a) The structure shall have originally been constructed as a single-family residence; and
 - (b) The existing structure is not classified by the city as an apartment building as defined in section 114-1 of the City Code.

The structure may have original auxiliary structures such as a detached garage or servant's residence, but shall not have noncontributing multifamily or commercial auxiliary structures.

- (4) The structure shall maintain public rooms (living room/dining room) for use of the guests.
- (5) The size and number of guestrooms in a bed and breakfast inn shall conform to the following:
 - a. The structure shall be allowed to maintain (or restore) the original number and size of bedrooms which, with the exception of rooms occupied by the owner, may be rented to guests.
 - b. Historic auxiliary structures, such as detached garages and servants' residences, may be converted to guestrooms. New bedrooms constructed shall have a minimum size of 200 square feet and shall have a private bathroom.
 - c. Architecturally compatible additions not exceeding 25 percent of the floor area of the historic building shall be permitted to accommodate emergency stairs, other fire safety requirements, and new bathrooms. Additions shall be consistent with required setbacks and shall not be located on primary or highly visible elevations.
 - d. If there is evidence of interior alterations and original building plans are not available, the guestrooms shall be restored to the probable size and configuration as proposed by a preservation architect and subject to approval by the historic preservation/design review board.
- (6) There shall be no cooking facilities/equipment in guestrooms. One small refrigerator with maximum capacity of five cubic feet shall be permitted in each guestroom. All cooking equipment which may exist shall be removed from the structure with the exception of the single main kitchen of the house.
- (7) The bed and breakfast inn may serve breakfast and/or dinner to registered guests only. No other meals shall be provided. The room rate shall be inclusive of meal(s) if they are to be made available; there shall be no additional charge for any meal. Permitted meals may be served in

common rooms, guestrooms or on outside terraces (see subsection 142-1401(9)). The meal service is not considered an accessory use and is not entitled to an outside sign.

- (8) Permitted meals may be served in areas outside of the building under the following conditions:
 - a. Existing paved patios shall be restored but not enlarged. If no paved surface exists, one consistent with neighboring properties may be installed.
 - b. The area shall be landscaped and reviewed under the design review process. Landscape design shall effectively buffer the outdoor area used for meals from adjacent properties.
 - c. Any meal served outdoors shall be carried out from inside facilities. Outdoor cooking, food preparation, and/or serving/buffet tables are prohibited.
- (9) Notwithstanding subsections (7) and (8) above, bed and breakfast inns that have had historic assembly use prior to December 18, 2010, for which documentation is accepted and confirmed by the planning director or designee, may be permitted to have limited nonentertainment assembly uses (including, but not limited to: art exhibits, corporate seminars, educational lectures and presentations and similar assembly uses without entertainment as defined in section 142-1361), if approved by the planning board as a conditional use, subject to the following limitations:
 - a. The assembly uses shall consist of private events by invitation only, not open to members of the general public;
 - b. The assembly events shall end no later than 11:30 p.m.;
 - c. Invitations to assembly events must indicate that no street parking is available for the events, and direct guests to city parking lots or licensed private parking lots; and
 - d. No deliveries to the bed and breakfast inn shall occur before 9:00 a.m., or after 5:00 p.m. during weekdays, and before 10:00 a.m., or after 3:00 p.m., during weekends.
 - e. No speakers shall be permitted in outdoor areas.
- (10) The entire building shall be substantially rehabilitated and conform to the South Florida Building Code, property maintenance standards, the fire prevention and life safety code and the U.S. Secretary of the Interior's Standards for Rehabilitation of Historic Buildings, as amended. In addition, the entire main structure shall have central air conditioning and any habitable portion of auxiliary structures shall have air conditioning units.
- (11) Building identification sign for a bed and breakfast inn shall be the same as allowed for an apartment building in the zoning district in which it is located.
- (12) The maximum amount of time that any person other than the owner may stay in a bed and breakfast inn during a one-year period shall not exceed three months.
- (13) The required off-street parking for a licensed bed and breakfast inn shall be the same as for a single-family residence. There shall be no designated loading zones on any public right-of-way and required parking spaces shall not be constructed on swales, public easements or rights-of-way.

(Ord. No. 89-2665, § 6-22(H), eff. 10-1-89; Ord. No. 92-2786, eff. 7-19-92; Ord. No. 2010-3712, § 1, 12-8-10; Ord. No. 2014-3877, § 1, 6-11-14)

Secs. 142-1402—142-1410. - Reserved.



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

Item 7.
COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: DISCUSS HOW THE CITIES OF MIAMI AND MIAMI BEACH MEASURE FLOODING

HISTORY:

The City of Miami Beach Public Works Department owns and operates a stormwater utility that mitigates the impacts of rainfall flooding throughout the City. As part of the regular course of business, the City's Stormwater Operations Division cleans and maintains the stormwater management system to ensure its sustained viability during rain events. Moreover, in an effort to continuously improve the level of service, the City's Public Works Department uses a data driven approach to measure the efficacy of the stormwater system, analyze flood events and make improvements.

In 2019, the Chief Resilience Officer and Senior Resilience Analyst worked with the Public Works and Environment and Sustainability departments to define and analyze types of flooding. Some of the key data that is collected during flooding events includes: water depth, location, and affected stakeholders. Customer complaints, tide levels and additional data are entered into an internal PowerBI stormwater dashboard with the help of the Information Technology Department to provide a holistic view of the event: one that illustrates areas when rainfall flooding presented a significant challenge within the City and also identifying where flooding is avoided.

The City is able to examine types of flooding within different categories to analyze flood events. This process involved various meetings, research, process mapping and training. In addition to this data, the Public Works Team also attempts to document before and after conditions, that not only show the geographic impacts of flooding from storms and high tides, but also illustrate the stormwater system's capacity to overcome an event's peak intensity. The collected data is continuously reviewed by the Public Works Team and strategic initiatives are revised to provide an optimal level of service. The dashboard's data is also used for multi-departmental after action reviews for storms and king tides, to provide data for bond rating agencies, and to answer general questions about flooding.

ANALYSIS:

Results from the 2019 Resident Survey show that 50% of residents rated efforts to manage stormwater drainage and flooding as excellent or good. In order to continue maintaining excellent standards in this area, the City intends to continue to use a data driven approach to measure the

efficacy of the stormwater system.

CONCLUSION:

This information is presented to the members of the Land Use and Sustainability Committee for discussion and further direction.

Applicable Area

Citywide

**Is this a "Residents Right
to Know" item, pursuant to
City Code Section 2-14?**

Yes

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

No

Departments

Public Works

Item 8.
COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: DISCUSS PILOTING THE CLOSURE OF 9 STREET BETWEEN OCEAN DRIVE AND COLLINS AVENUE

HISTORY:

The entertainment district serves many visitors and residents on a daily basis. Ocean Drive in particular serves as the focal point for many special events attracting millions of people every year.

The City Commission would like to improve safety and functionality of Ocean Drive through the use of activations, placemaking, and tactical urbanism.

The National Association of City Transportation Officials (NACTO) defines tactical urbanism as a methodology which allows cities to experiment, expedite project implementation, and gather immediate results for mobility and safety by using mostly temporary materials and tactical interventions that are low-risk and temporary.

The City has implemented temporary and semi-permanent tactical urbanism projects in previous years, including the closure of Rue Vendome between 71 Street and Normandy Drive (Attachment) which allowed for programming and place-making. A tactical urbanism event that was successful on a temporary basis in the City was Ciclovía along Washington Avenue from 5th Street to Lincoln Road which closed the street to vehicles and allowed bicycles and other non-motorized modes as well as event programming and family-friendly activations.

At the January 15, 2020 City Commission meeting, a discussion item regarding piloting the closure of 9 Street between Ocean Drive and Collins Avenue was sponsored by Commissioner Ricky Arriola and referred to the Land Use and Sustainability Committee.

ANALYSIS:

9th Street between Ocean Drive and Collins Avenue is a City street; however, pursuant to Miami-Dade County home-rule charter, all traffic engineering functions including traffic control, traffic signalization, and street closures are under the County's purview and jurisdiction. In advance of this item, Transportation and Mobility Department staff communicated with County staff to discuss the process for a pilot. The County advised that if the street is closed for a special activation during a weekend or short-term special event, the City would only need to obtain a maintenance-of-traffic permit from the County, such as the case for the temporary one-way traffic flow modification implemented by Police during special events.

However, given that the County does not have a formal process for the approval of pilot projects consisting of street closures, the County advised that the City is required to follow the Miami-Dade

County Traffic Flow Modification Procedure for County approval. As per the County's procedure, the City is required to perform a traffic study to determine the impact of the closure on the adjacent streets. The traffic study must be reviewed and approved by the County prior to the closure taking place. In addition, any closure of or modification to the intersection of 9 Street and Collins Avenue requires review and approval from the Florida Department of Transportation (FDOT) given that Collins Avenue is a state road under FDOT's jurisdiction.

Based on prior studies of similar scope, the Administration believes that this study would cost approximately \$35,000 and take approximately 90 days to complete.

CONCLUSION:

The closure of 9 Street between Ocean Drive and Collins Avenue to vehicular traffic, even as a pilot, requires a traffic study for County and FDOT review and approval.

Should the Land Use and Sustainability Committee desire that the Administration move forward with the required traffic study, the Transportation and Mobility Department would engage a traffic consultant to conduct the required traffic analysis for the closure, subject to budget availability.

Given that the findings of the traffic study are not anticipated to be controversial or impactful, the Administration expects to secure County and FDOT approval of the closure of 9 Street.

As such, in parallel to the traffic study and street closure approval process, the Economic Development Department will work with the Ocean Drive Association on potential event programming and funding for such activation. It is important to note that both the tactical urbanism infrastructure improvements and event programming are essential components for the success of the street closure pilot.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Departments

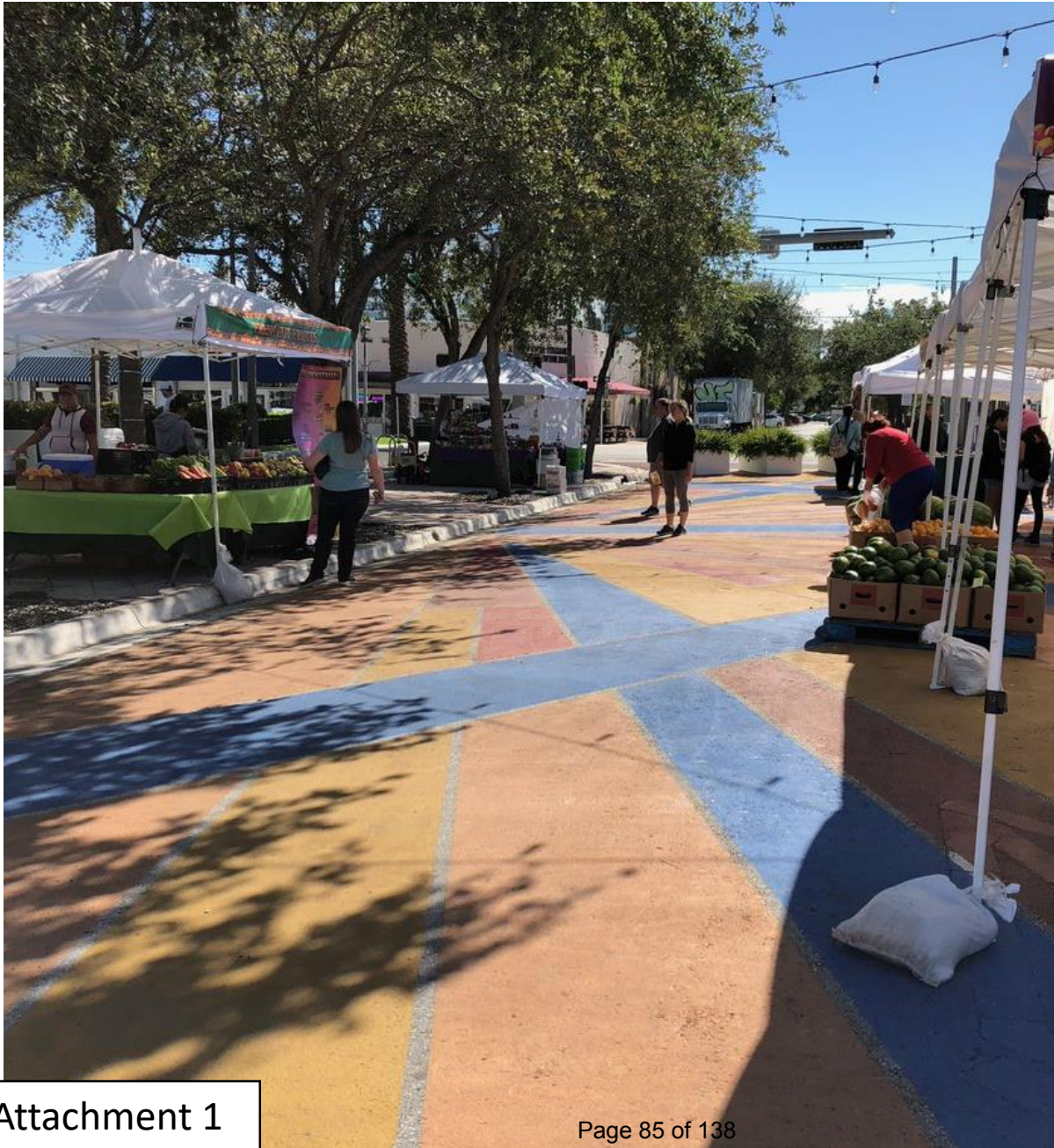
Transportation & Mobility

Strategic Connection

Mobility - Improve the walking and biking experience.

ATTACHMENTS:

Description	Type
📎 ATTACHMENT 1	Memo



Attachment 1



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 Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: **Discuss Designating Ocean Drive As A Valet Only Street.**

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Departments

Parking

ATTACHMENTS:

Description

□ C4 Q

Type

Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Ricky Arriola
DATE: January 15, 2020

SUBJECT: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE TO
DISCUSS DESIGNATING OCEAN DRIVE AS A VALET ONLY STREET.

ANALYSIS

The Miami Beach Police Department has had issues with vehicles parked on Ocean Drive that serve as de facto open bars and hang outs that blast music. I propose for the City to pilot designating Ocean Drive as a valet only street to curb this loitering,

Applicable Area

South Beach

Is this a Resident Right to Know item?

Yes

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Commissioner Ricky Arriola



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

Item 10.
COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: DISCUSS POTENTIAL ADDITIONAL SUPPORT FOR MIAMI BEACH RESILIENCY FROM THE ARMY CORPS OF ENGINEERS.

HISTORY:

On March 6, 2020, Commissioner Mark Samuelian referred a discussion on potential additional support for Miami Beach resiliency from the U.S. Army Corps of Engineers to the Land Use and Sustainability Committee.

ANALYSIS:

The U.S. Army Corps of Engineers (USACE) has a number of active projects in Miami Dade County that are building Miami Beach's resilience to coastal flooding.

Miami-Dade County Beach Erosion Control and Hurricane Protection Project

In January 2020, the USACE began \$15.9 million project to truck over 305,000 cubic yards of sand to four erosion hot spot locations in the vicinity of 64 Street, 53 Street, 46 Street, and 27 Street. This project is fully funded by the federal government. It should be noted, the USACE is in the planning phase of another large-scale beach renourishment project which is slated to begin in 2021.

The Federal participation in the Miami-Dade County Beach Erosion Control and Hurricane Protection Project is set to expire in 2025. The USACE is currently conducting a feasibility study to inform future decades of beach renourishment after the current project expires. The USACE will be releasing the preliminary findings in late summer/fall 2021.

Miami-Dade Back Bay Coastal Storm Risk Management Feasibility Study

In 2018 the USACE began a 3 year and \$3 million Coastal Storm Risk Management (CSRM) Feasibility Study to investigate solutions that will reduce damages and risks from impacts of coastal storms with consideration to sea level rise. The study area includes all-of Miami-Dade County's urbanized area. The focus of the study is on critical infrastructure such as fire stations, medical facilities, police stations, potable water facilities, emergency shelters, and wastewater facilities and areas of the county that exhibit high levels of risk and vulnerability to coastal storms resulting in repetitive economic losses.

The draft plan includes structural measures on the mainland including flood walls along the coast and flood gates along the Miami River and major tributaries. However, the plan also proposes non-structural measures for seven socially vulnerable areas in Miami-Dade County, including two areas of Miami Beach including segments of North Beach and South Beach. Nonstructural mitigation

includes wet and/or dry flood proofing, elevating, acquiring, and relocating structures and utilities. The USACE will be releasing the draft Tentatively Selected Plan on May 29, 2020. The public, including the City of Miami Beach will have a chance to provide formal comment once the draft plan is released. Below is the current scheduled provided by the USACE regarding public engagement:

Virtual Presentation - (30 mins followed by Q&A)

June 9, 2020 5 pm - 7 pm

June 11, 2020 1 pm - 3 pm

Virtual Office Hours (only Q&A)

Jun 10 - 1pm - 2pm

Jun 18 - 5pm - 6 pm

Once the report is released the administration will send via a Letter to the Commission the draft report and full details for the virtual public engagement meetings. The administration will continue to participate in the development process of the CSRM and will be submitting formal comments as part of the public input period.

CONCLUSION:

This item is presented to the Land Use and Sustainability Committee for discussion.

Applicable Area

Not Applicable

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Departments

Environment & Sustainability

Strategic Connection

Environment & Infrastructure - Reduce risk from storms, high tides, groundwater, and sea level rise.

ATTACHMENTS:

Description	Type
☐ March 18, 2020 Referral	Memo
☐ Coastal Storm Risk Management Feasibility Study Fact Sheet	Memo

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Commissioner Mark Samuelian
DATE: March 18, 2020

SUBJECT: REFERRAL TO THE LAND USE AND SUSTAINABILITY COMMITTEE TO DISCUSS POTENTIAL ADDITIONAL SUPPORT FOR MIAMI BEACH RESILIENCY FROM THE ARMY CORPS OF ENGINEERS.

ANALYSIS

The Army Corps of Engineers (ACOE) is helping Miami and the Keys with resiliency. This referral would explore additional support the ACOE may be able to provide the City of Miami Beach as well as highlight any potential implications from their ongoing work with City of Miami and the Keys.

As per a WLRN News article (see attached), the Army Corps of Engineers in response to Hurricane Irma's four - to six-foot storm surge to Biscayne Bay, has a tentative plan to deter such an event from occurring again via massive flood gates and walls. In addition, ACOE is outlining a \$3 billion strategy to protect the Keys (see attached Miami Herald article).

Given that beach re-nourishment is the current work of the Corps, this item asks that the City Administration:

- Advise the Commission as to how Miami Beach might get support/included as ACOE develops these plans
- Review ACOE work for Miami/ Keys and implications for Miami Beach

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

No

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Commissioner Mark Samuelian

ATTACHMENTS:

Description

- ▣ Army Corps of Engineers Assistance in Miami-Dade County
- ▣ Army Corps of Engineers Assistance in the Keys

Army Corps Has A Tentative Plan For Storm Surge In Miami-Dade: Flood Gates And Walls

By JENNY STALETOVICH · JAN 30, 2020

[Share](#)[Tweet](#)[Email](#)



Hurricane Irma sent a four- to six-foot storm surge across parts of Biscayne Bay, flooding Brickell Avenue.

MIAMI HERALD ARCHIVES

When Hurricane Irma made landfall in the Florida Keys in 2017, it sent a four- to six-foot storm surge to Biscayne Bay more than 100 miles away, flooding busy Brickell Avenue.

The U.S. Army Corps of Engineers now has a tentative plan to fix that: massive flood gates and walls that could include a two-mile stretch in the heart of downtown Miami.

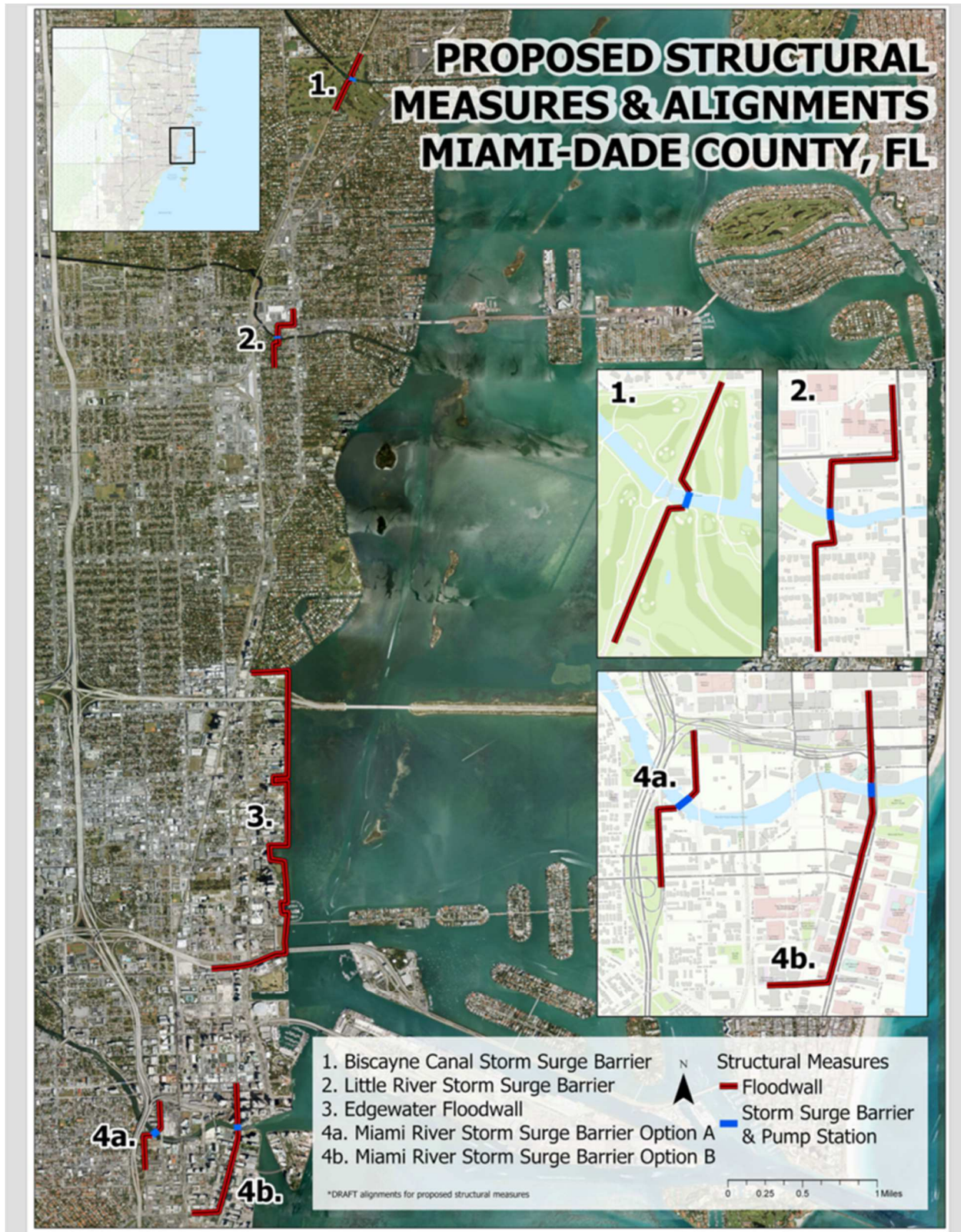
Earlier this month, Corps engineers briefed Miami-Dade officials on the progress on a \$3 million, three-year study that will determine a final plan.

While still in its early stages — a more detailed draft plan is due in the spring — the flood gates and walls extending into neighborhoods and across roads presented at a fall public meeting remain among the list of options. And that's drawing the scrutiny of local officials.

"We don't have any experience in Miami-Dade or in Florida with the kinds of barriers that are being described," Miami-Dade resiliency chief Jim Murley said. "They exist in New Orleans. They exist in Norfolk, places in New England."

It's a different story in South Florida, he said.

"When you put that down on the flat landscape of very urban South Florida, it raises all sorts of questions about evacuation, about where the wall is placed from the shoreline landward," he said.



Flood gates and walls are part of a plan to better protect Miami-Dade County from hurricane storm surge.

CREDIT U.S. ARMY CORPS OF ENGINEERS

Corps officials say that while the fortress-like walls are in the plan, placement and design details are far from final. At this point, project manager Holly Carpenter said the Corps is focusing only on general flood plains.

“On a block-by-block basis, the flood walls and surge barriers may change throughout the study and even more so as we get into the pre-construction, engineering and design phase,” she said, which would follow this feasibility study.

The structures roughed out in the tentative plan include a flood wall stretching more than two miles from PortMiami to the Julia Tuttle Causeway. Flood gates are being considered for the Miami River, Little River and Biscayne Canal, which would be attached to walls reaching into neighborhoods. They could also include pumps.

The plan is also taking a close look at seven neighborhoods where the Corps identified property vulnerable to repeat flooding.

“In other parts of the country, they're typically being done on much smaller geographic areas,” Murley said. “The size of the county meant that they couldn't do 100 percent.”

In those areas, single-story houses and other structures could be elevated. The government might also try to buy out property owners.

The agency plans to roll out the draft plan in April or May, when it will also unveil an environmental study looking at impacts. Once it obtains comments from the public, local officials, environmental groups and others, Carpenter said engineers will revise the plan and send it on for approval to the Corps' Chief of Engineers by 2021. From there, the plan goes to Congress for approval.

The lengthy process, similar to projects constructed in the ongoing Everglades restoration effort, could take years. And Carpenter warned that even if approved, only about 10 percent of the design work will be complete because of budgeting.

“At this point in the study, we're looking to see if those alternatives are economically justified,” she said.

If approved, the Corps and county would divide the cost, with the Corps picking up 65 percent. The county could also reject options, Murley said.

“Being able to fund everything we'd like to do so is certainly attractive to us,” he said.

While the plan so far focuses largely on built features, scientists and resiliency experts say improving natural barriers like wetlands and mangroves might ultimately be more beneficial. Both help clean water and stabilize fragile coastlines. So far, mangrove restoration is being considered only for a short stretch of shoreline north of Cutler Bay and south of the Deering Estate.

“We've made it real clear to the Corps that it's going to take a lot of discussion and input from our perspective. I think they heard us loud and clear on that,” Murley said. “We're certainly not going to take a position on these barriers until we have a lot better information.”

Surviving hurricanes, sea rise in Keys may mean \$3 billion in home buyouts, elevations

[BY ALEX HARRIS](#)

FEBRUARY 26, 2020 06:00 AM

Residents survey damage on Big Pine Key following Hurricane Irma

Danielle VanHoven arrives at her father's devastated home in Big Pine Key on Sunday, Sept. 17, 2017. Residents were allowed to return to their homes a week after Hurricane Irma struck the Florida Keys. BY AL DIAZ

A bird's eye look at the Florida Keys is all it takes to understand that little stands between the chain of islands and the sea.

A new federal study all but confirms that there are few big, structural options to keep the Keys safe from the stronger hurricanes and rising seas that climate change is expected to bring. The answer, it suggests, is a combination of elevation and retreat.

In a [presentation shown to Monroe County Commissioners](#) last week, the Army Corps of Engineers outlined a \$3 billion strategy to protect the Keys. The only new construction measure considered is adding additional rocks on either side of U.S. 1 in six key spots. The rest of the plan is a combination of elevating homes, businesses and essential buildings and “retreat” in the form of government-funded buyouts.

“It is less traditional than our usual coastal studies,” said Susan Layton, the Corps chief of planning and policy for the Norfolk District and lead for the Monroe County project. “You really cannot keep the water back, so really a lot more of this project is how do we react to the water and live with the water to make the Keys a viable place to live and make that lifestyle available for as many years as possible.”

In Miami-Dade, the federal engineering team is proposing dramatic construction fixes, including [10- to 13-foot walls along the coast](#), surge barriers at the mouths of rivers and thousands of home elevations and buyouts.

The Keys plan would skip the massive walls and instead pay to floodproof or even elevate all the “critical infrastructure” in the Keys, which includes hospitals, fire and police stations and water treatment facilities.

It’s unclear precisely how many private homes and businesses could face the prospect of elevation or buyouts. Army Corps officials offered estimates during an unrecorded webinar with Monroe County officials in January, but they were not included in last week’s presentation and Corps and county officials declined to disclose them.

“We don’t have numbers that we have enough confidence in to release,” said Layton.

Those numbers will include the 62 Keys properties already in line to sell their homes to the state after damage from 2017’s Hurricane Irma. The state has considered reopening the pot of money after considerable interest in the Keys. The homes are expected to be sold and demolished in about a year, although homeowners are allowed to back out of the process at any time.

An Army Corps of Engineers map depicting the six spots along U.S. 1 that could undergo shoreline stabilization to protect the island chain from hurricanes. *ARMY CORPS OF ENGINEERS*

But unlike the state buyout program, which will purchase homes sporadically around the Keys, the Corps plans to buy out a concentrated area to avoid “checkerboarding” of city services and flood protection.

“Part of our analysis is making sure they’re grouped appropriately and you’re not buying them here or there,” she said.

However, those buyouts could come with a catch.

If the county wants to tap into federal funds for buyouts, Army Corps policy mandates that homeowners targeted for buyouts will either have to voluntarily sell their property or Monroe would have to agree to seize and buy properties through eminent domain, an always controversial choice in a state with a Republican political leadership that has consistently opposed condemnations. Layton said that has been Corps policy since 2016 but acknowledges it’s a “sensitive topic.”

“We don’t ever go straight to condemnation. We always start with negotiating and coordinating with homeowners and looking for willing sellers,” she said. “It’s a lot of process before you would ever get to that point.”

Monroe officials appeared anxious about the possibility of using eminent domain. They asked the Corps to meet with all the cities in the region and get their feedback.

“What really disturbed me in the briefing was the concept of mandatory acquisition and eminent domain. I don’t know if we want to have the conversation now, if that’s a nonstarter for us,” said Monroe County Mayor Heather Carruthers.

Monroe County’s Chief Resilience Officer Rhonda Haag said county staff drafted a letter to the Corps asking to make the buyouts voluntary but it hasn’t been sent yet.

The only Corps project that’s been funded since the 2016 policy change is a \$13 million study of Mill Creek, Tenn. There, [the Corps identified 89 homes for buyouts](#).

An Army Corps of Engineers map depicting the hospitals, police stations and water treatment facilities that could be elevated or floodproofed to protect the island chain from hurricanes. *ARMY CORPS OF ENGINEERS*

The plan also didn’t examine the potential costs of elevating roads, not even U.S. 1. That decision would be made by Florida’s Department of Transportation.

At a December climate conference, the Keys debuted its initial estimates for raising roads high enough to stay dry in the face of rising seas. It was staggering — about \$60 million a mile. That price was high enough that officials admitted they can’t afford to raise every road, so they may need to turn to buyouts or creative solutions like using boats to commute.

Haag called this Army Corps project, combined with the county’s road raising strategy a “one, two punch” for the Keys in helping the region fight back against the effects of sea level rise.

The Army Corps will return to Monroe Commissioners in May for their feedback and to publish an official draft plan. That plan is open for public comment and won't be finalized until September 2021.

After that, it's up to Congress to approve and fund the plan.

"It could be a very long process. It's just the way the federal bureaucracy works," Haag said. "If we don't keep moving and we don't get in line then we wouldn't see federal funding for the plan and the projects associated with it."



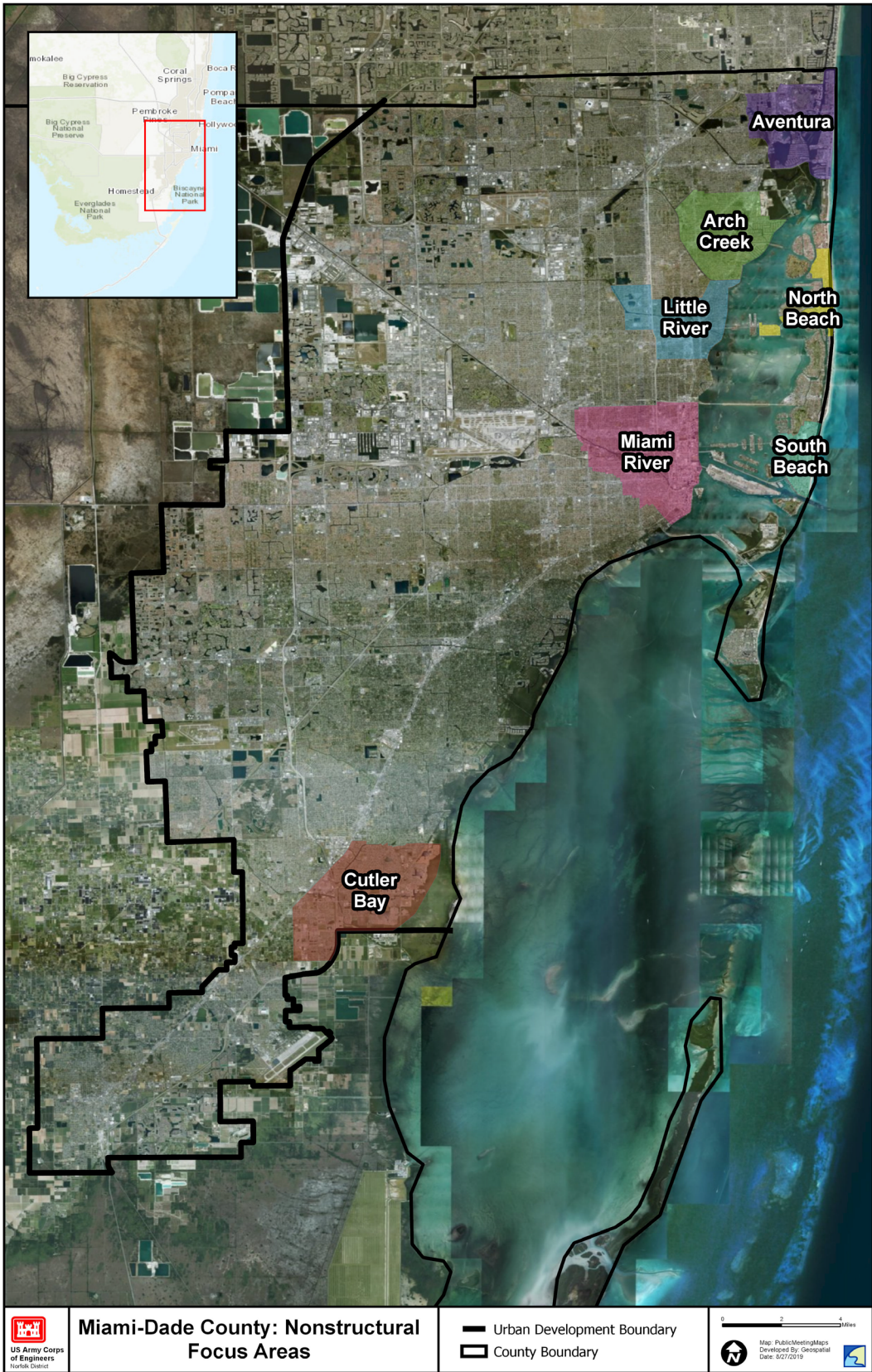
[ALEX HARRIS](#)
[305-376-5005](#)

Alex Harris covers climate change for the Miami Herald, including how South Florida communities are adapting to the warming world. She attended the University of Florida.

Study Background and Introduction

The Miami-Dade Back Bay Coastal Storm Risk Management (CSRM) Study is a comprehensive feasibility study to promote resiliency and reduce the risk of coastal storm damage. The study will develop and evaluate implementable CSRM structural, nonstructural, and natural and nature-based feature measures for Miami-Dade County which will be formulated to reduce risk to residents, industries, businesses, and infrastructures which are critical to the nation’s economy. Miami-Dade County has high levels of risk and vulnerability to coastal storms which will be exacerbated by combinations of sea level rise, saltwater intrusion, and climate change over the study period. A national economic development plan will be identified based on the solution that most reasonably maximizes the benefits compared to project costs. Benefits could include things such as avoided losses and reduced property damages. Costs could include elements such as construction costs, operation and maintenance, environmental mitigation, or real estate costs.

Study Area and Scope



Study Area

The study area is the entirety of the urbanized Miami-Dade County Back Bay area, which is located on the southeast coast of Florida. The county has a population of approximately 2.8 million people, making it the most populous county in Florida and the seventh most populous in the United States. There are 34 municipalities within the county, the largest of which is the City of Miami. The U.S. Army Corps of Engineers (USACE) Norfolk District maintains ongoing coordination with the non-Federal sponsor, Miami-Dade County, throughout the entire project timespan.

Study Scope

The scope of the study will focus on critical infrastructure and areas of the county that exhibit high levels of risk and vulnerability to coastal storms resulting in repetitive economic losses. The county has an urban development boundary (UDB) that is designed to limit urban sprawl in order to protect rural and natural resource areas. Project recommendations will focus on reducing flood risk to areas within the UDB. However, if critical infrastructure are located outside the UDB, these facilities will be assessed on a case by case basis. By focusing on the areas within the UDB the project will maximize benefits and avoid potential encouragement of future development outside the UDB.

Critical Infrastructure

Critical Infrastructure Categories

Critical infrastructure is distributed all throughout Miami-Dade County Back Bay and includes county, municipality, and non-public assets. USACE Norfolk and MDC coordinated to create a list of critical asset types to address within the UDB including:

- Fire Stations**
- Medical Facilities** – Significant hospital facilities accessible to the general public
- Police Stations** – Identified as an asset category owned by MDC and municipalities
- Potable Water Facilities**
- Emergency Shelters** – Identified locations for severe weather sheltering and recovery assistance
- Wastewater Facilities** – May include treatment plants and pump stations



Proposed Measures and Alternatives

Focus Area	Proposed Measures
Aventura	Nonstructural
Cutler Bay	Nonstructural + Mangrove Restoration
Little River	Surge Barrier + Nonstructural
Miami River	Surge Barrier + Floodwall + Nonstructural
North Beach	Nonstructural
South Beach	Nonstructural
Arch Creek	Surge Barrier + Nonstructural

What is a Measure?

A measure is a feature or an activity that can be implemented at a specific geographic site to address one or more project objectives. Measures are the building blocks of alternative plans.

Examples of Nonstructural Measures



ElevationRelocation

Feasibility Process and Study Schedule

SMART Study Process

The USACE Civil Works project planning process informs Congress as it makes decisions for authorizing and funding water resources investments for the nation. USACE SMART Planning is **S**pecific, **M**easurable, **A**ttainable, **R**isk informed, and **T**imely. A SMART Planning feasibility study includes three decision milestones as depicted in the graphic to the right. These milestones mark key planning decisions along the path to an effective and efficient study.

In addition to the planning decision milestones, there are several product milestones. The key product milestones for this study are the release of the draft report for public comment and the signed Chief’s report. The anticipated schedule for these SMART Planning feasibility study milestones is shown in the table below.



Milestone	Date Scheduled/Completed
Federal Cost Share Agreement Execution	October 2018
Alternatives Milestone	January 2019
Tentatively Selected Plan (TSP) Milestone	January 2020
Draft Report Released for Public Comment	March 2020
Agency Decision Milestone	June 2020
Chief of Engineer’s Report Signed	September 2021

The end of the feasibility study process is marked by the approval of a Chief’s Report, which provides the Assistant Secretary of the Army for Civil Works (ASA(CW)) with the findings of the feasibility study and recommends a Federal project for authorization. Once the Chief’s Report has been signed by the USACE Chief of Engineers, it is transmitted to the office of the ASA(CW) and Office of Management and Budget (OMB) for review. After the ASA(CW) and OMB approve, the Chief’s Report is sent to Congress, specifically the House Committee on Transportation and Infrastructure and Senate Committee on Environment and Public Works, to be authorized into law. Once authorized, Congress must appropriate funds for the project to be implemented. Construction of the recommended project can be expected to begin in approximately five-to-ten years.

Next Steps

- Documentation of public comments
- Completion of economic analysis of the alternatives being considered
- Decision of the tentatively selected plan and decision briefing at TSP milestone meeting in January 2020



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

Item 11.
COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee

FROM: Jimmy L. Morales, City Manager

DATE: May 26, 2020

TITLE: **PROPOSED FLOOR AREA RATIO (FAR) INCREASE FOR THE WOLFSONIAN-FLORIDA INTERNATIONAL UNIVERSITY SITE ON WASHINGTON AVENUE.**

ACTION REQUESTED:

Discuss the item and provide a recommendation on the proposed ordinances to the Planning Board.

ADMINISTRATION RECOMMENDATION:

Conclude the item and recommend that the Planning Board transmit the attached draft ordinances to the City Commission with a favorable recommendation.

HISTORY:

On May 13, 2020, at the request of Commissioner David Richardson, the City Commission referred the item to the Land Use and Sustainability Committee and the Planning Board (Item C4B).

ANALYSIS:

The Wolfsonian-FIU is proposing a renovation and expansion of its existing Museum at 1001 Washington Avenue. Due to the amount of floor area used for the main structure in the early 1990's, coupled with the citywide downzoning in the late 1990's, the site of the Wolfsonian-FIU is legal non-conforming in terms of allowable FAR. In order to accommodate this request, the Wolfsonian-FIU is seeking the following land use amendments, establishing the Wolfsonian Arts District, which are attached:

1. An LDR amendment to increase the maximum FAR in the CD-2 district for the Wolfsonian Arts District from 1.5 to 3.25
2. A companion Comprehensive Plan amendment to increase the intensity in the CD-2 district for the Wolfsonian Arts District from 1.5 to 3.25

The request for increasing the FAR is affected by Section 1.03(c) of the City Charter, which partially states:

The floor area ratio of any property or street end within the City of Miami Beach shall not be

increased by zoning, transfer, or any other means from its current zone floor area ratio as it exists on the date of adoption of this Charter Amendment(November 7, 2001), including any limitations on floor area ratios which are in effect by virtue of development agreements through the full term of such agreements, unless such increase in zone floor area ratio for any such property shall first be approved by a vote of the electors of the City of Miami Beach.

Since the current FAR limitation is 1.5, the increase to 3.25 would be subject to voter approval in a general referendum.

Attached are preliminary illustrations that provide a visual representation of the expansion contemplated by the Wolfsonian. Should the proposed increase in FAR be approved by the voters, a subsequent application to the Historic Preservation Board for Certificate of Appropriateness approval of the expansion would be required.

CONCLUSION:

The Administration recommends that the Land Use and Sustainability Committee endorse the proposal and recommend that the Planning Board transmit the proposed ordinances to the City Commission with a favorable recommendation.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Departments

Planning

ATTACHMENTS:

Description	Type
❑ Presentation Illustrations	Memo
❑ Comp Plan - DRAFT ORD	Memo
❑ LDR Amendment - DRAFT ORD	Memo

Wolfsonian Master Plan Development Concept

Background

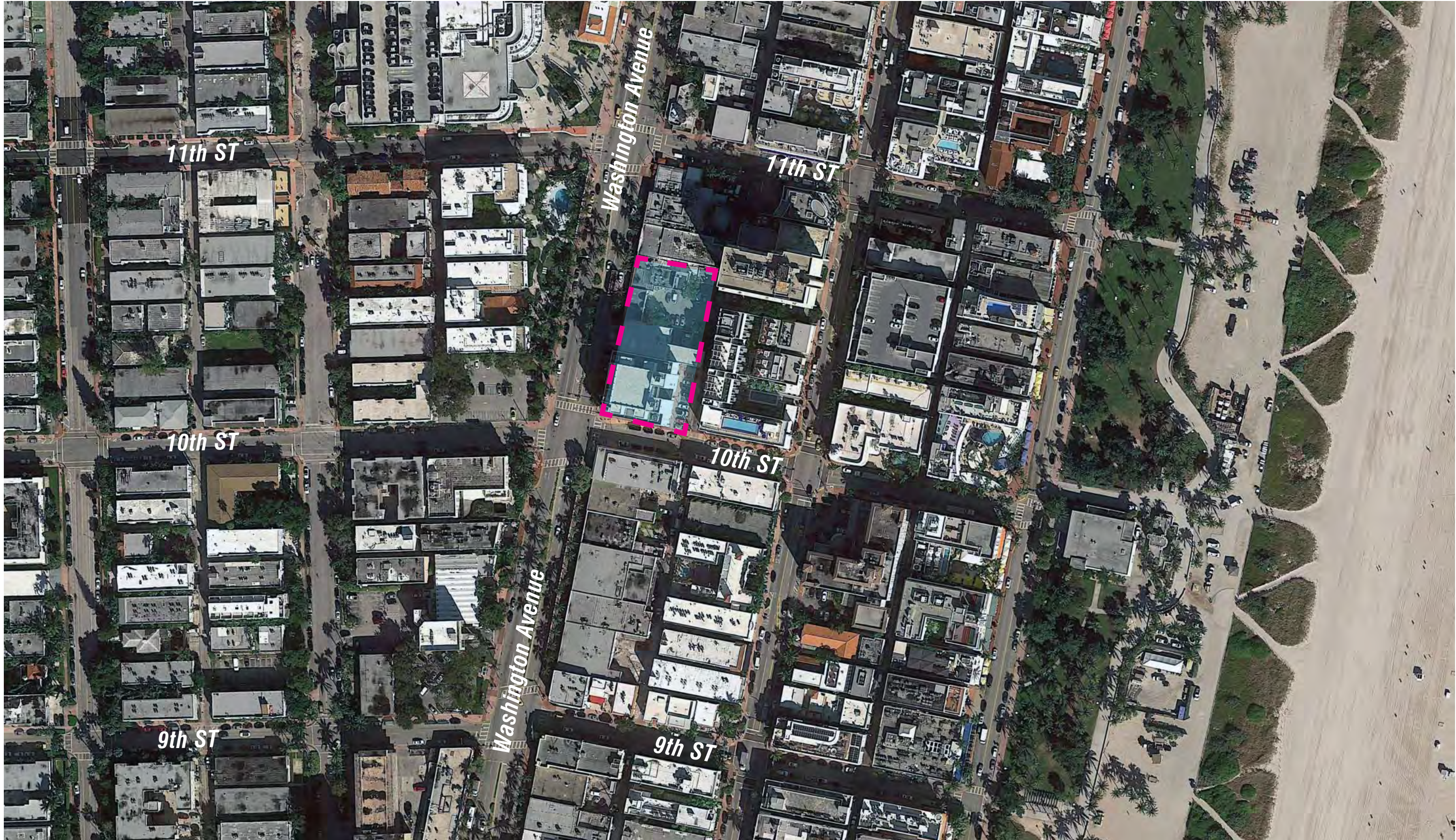
- November 2, 2004 – Miami-Dade County voters approved the \$2.9 billion “Building Better Communities” General Obligation Bond Program (BBC-GOB)
- BBC-GOB includes \$10 million to develop 25,000 square foot of newly publicly accessible space for the Wolfsonian
- December 2019 – Miami-Dade County requests the University but forth a Wolfsonian Master Plan associated with the \$10 million BBC-GOB funding for consideration by the end of calendar year 2020
- The Wolfsonian properties do not have sufficient FAR to realize the development necessary to achieve the addition of 25,000 sq. ft. of new publicly accessible space

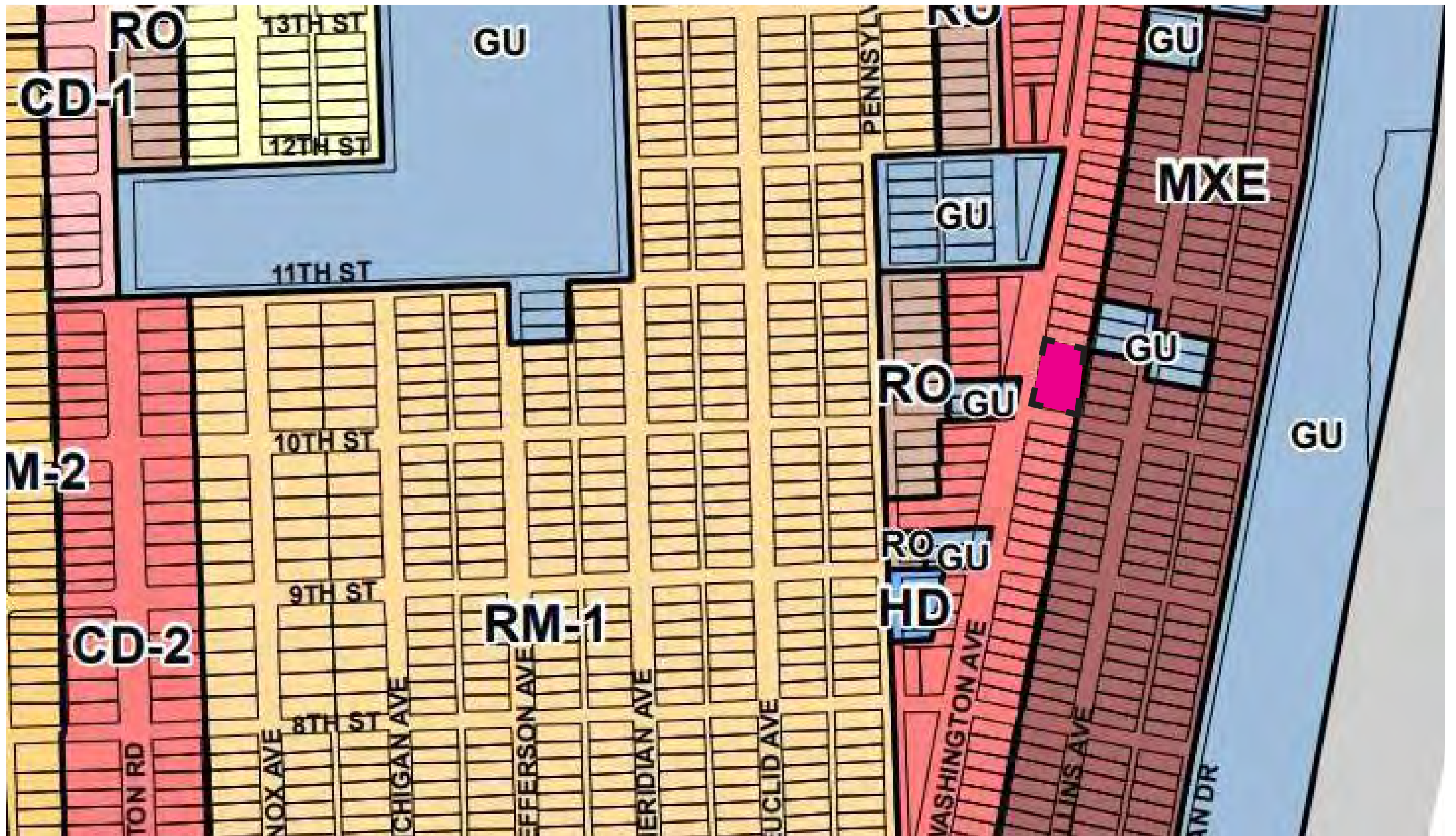
Master Plan Goals

- Enhance accessibility to The Wolfsonian's collection by **tripling our programmatic space and substantially increasing the number of collections on view** at any one time
- Create a **visionary new street and lobby presence** that eases potential barriers to entry and better integrates the museum into the neighborhood
- Open exciting **new avenues into educational and behind-the-scenes experiences** by way of state-of-the-art classrooms, studio environments, and a digital lab
- Bridge the gap between University faculty, museum leadership, and the community by establishing a **new center for The Wolfsonian Public Humanities Lab, a multi-disciplinary FIU Emerging Preeminent Program that engages the public in civic and cultural life**
- Improve facilities to **protect and preserve** museum collection

Design Guidance

- Significant increase of public programmatic space
- Flexible learning spaces and labs
- Optimize for visitor experience and operational efficiency
- Modest in dimension and scale
- Respectful of the tenets of Historic Preservation & Resiliency
- Inclusion of opportunities for curated amenities and spaces to complement the Wolfsonian visitor experience and bring vibrancy and engaging experiences to the community
- Financial Sustainability in Capital Cost and Ongoing Operations







1 WASHINGTON AVENUE

2 SOUTH END GATEWAY

3 CENTER DISTRICT

4 DREXEL & ESPAÑOLA

5 NORTH END GATEWAY

PUBLIC INFRASTRUCTURE INVESTMENTS

- INTERIM 'PILOT PROJECT' VS LONG TERM IMPROVEMENTS - (IE. PAINT FIRST, FOLLOW WITH IMPLEMENTING ALL INFRASTRUCTURE IMPROVEMENTS UNDER CIP OR CRA AS FUNDING BECOMES AVAILABLE)
- SIDEWALKS 'PAVEMENT TO PARKS' PROGRAM - INTRODUCING "PARKLETS"
- OPPORTUNITY FOR PARKING P3'S WITHIN CENTER DISTRICT ZONE
- ENHANCE EAST / WEST CONNECTION ALONG 11TH STREET

CATALYST PROJECT: PRIVATE INVESTMENT

- USES - HOTEL, OFFICE AND RETAIL
- RESIDENTIAL USES (?)
- PRESERVATION OF EXISTING HISTORIC BUILDINGS
- ADDRESS PARKING NEEDS VS. CODE REQUIREMENTS - CONSIDER OPTIONS

NEW CULTURAL DISTRICT

- THE WOLFSONIAN - EXPANDED ARTS & CULTURE PROGRAMMING
- NEW 'ARTS / FILM / VIDEO' / TECHNOLOGY INCUBATOR
- NEW CIVIC PARK / BIKE STATION AT MUNICIPAL PARKING LOT (AT CORNER OF 10TH & WASHINGTON, ACROSS FROM THE WOLFSONIAN)

DREXEL AS LOCAL PEDESTRIAN CONNECTOR

- PEDESTRIAN CONNECTION ALONG DREXEL BETWEEN ESPAÑOLA WAY AND 14TH STREET
- 1/2 MILE WALK BETWEEN FIU MBUS URBAN STUDIOS, NEW WORLD CENTER SOUNDSCAPE PARK AND CINEMATHEQUE

CATALYST PROJECT: PRIVATE INVESTMENT

- CONNECT WASHINGTON TO LINCOLN ROAD VIA "WOONERF" PUBLIC STREETScape IMPROVEMENTS (IE. T-SHAPED AREA AT WA / LINCOLN INTERSECTION, TOWARDS COLLINS - UP TO JAMES)
- CREATE NEW BUS HUB ON LINCOLN, EAST OF WASHINGTON
- PROVIDE PUBLIC ACCESS VIA DIAGONAL CONNECTOR BETWEEN LINCOLN ROAD AND WASHINGTON AVENUE THRU 420 LINCOLN BLOCK













The Wolfsonian

Miami Beach, Florida

May 9th, 2020

ZYSCOVICH
ARCHITECTS

100 N Biscayne Blvd . 27th Fl
Miami . FL 33132 . 2304
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f 305.577.4521

e info@zyscovich.com
w www.zyscovich.com



FIU The Wolfsonian

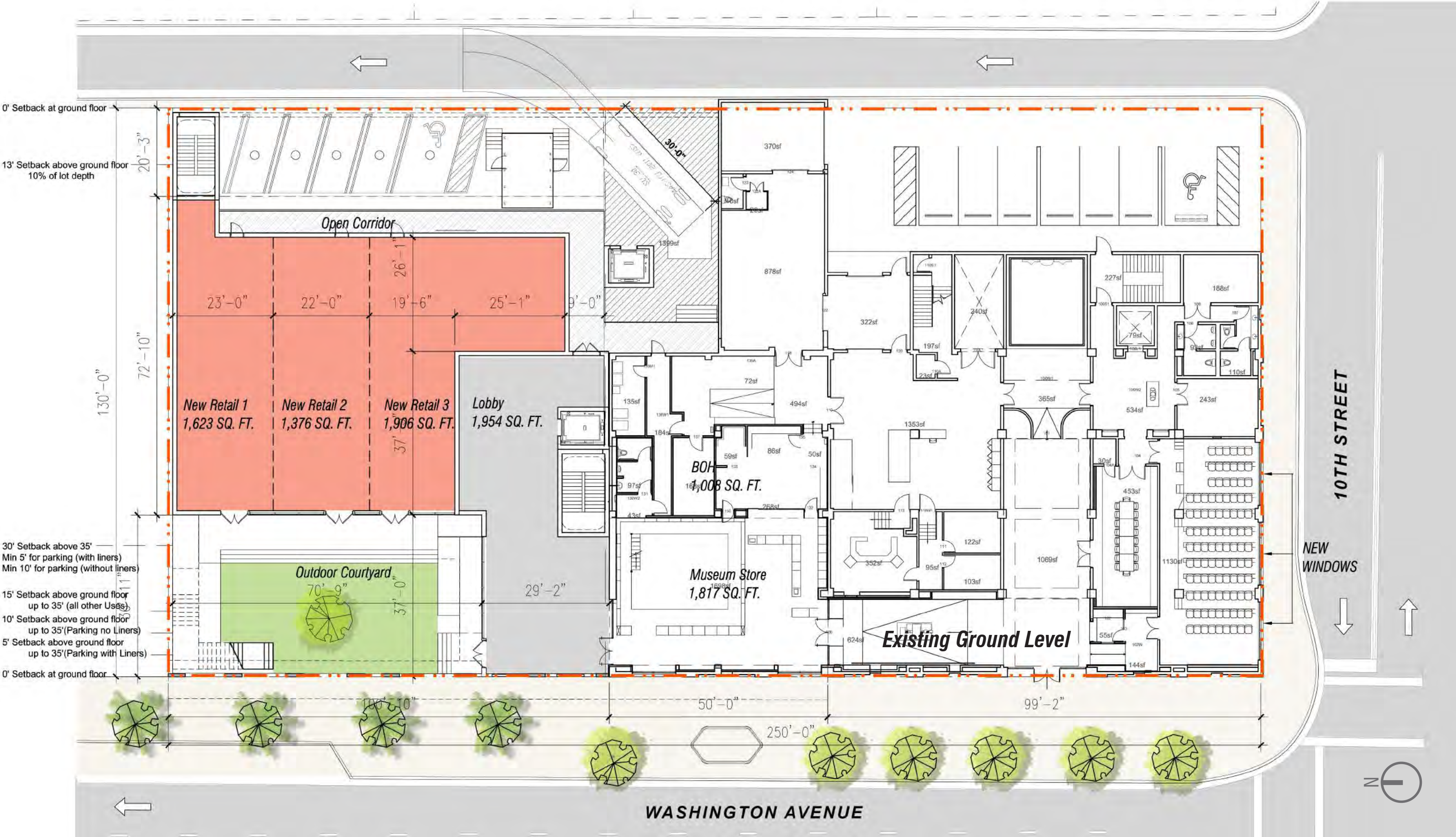
Miami Beach, Florida

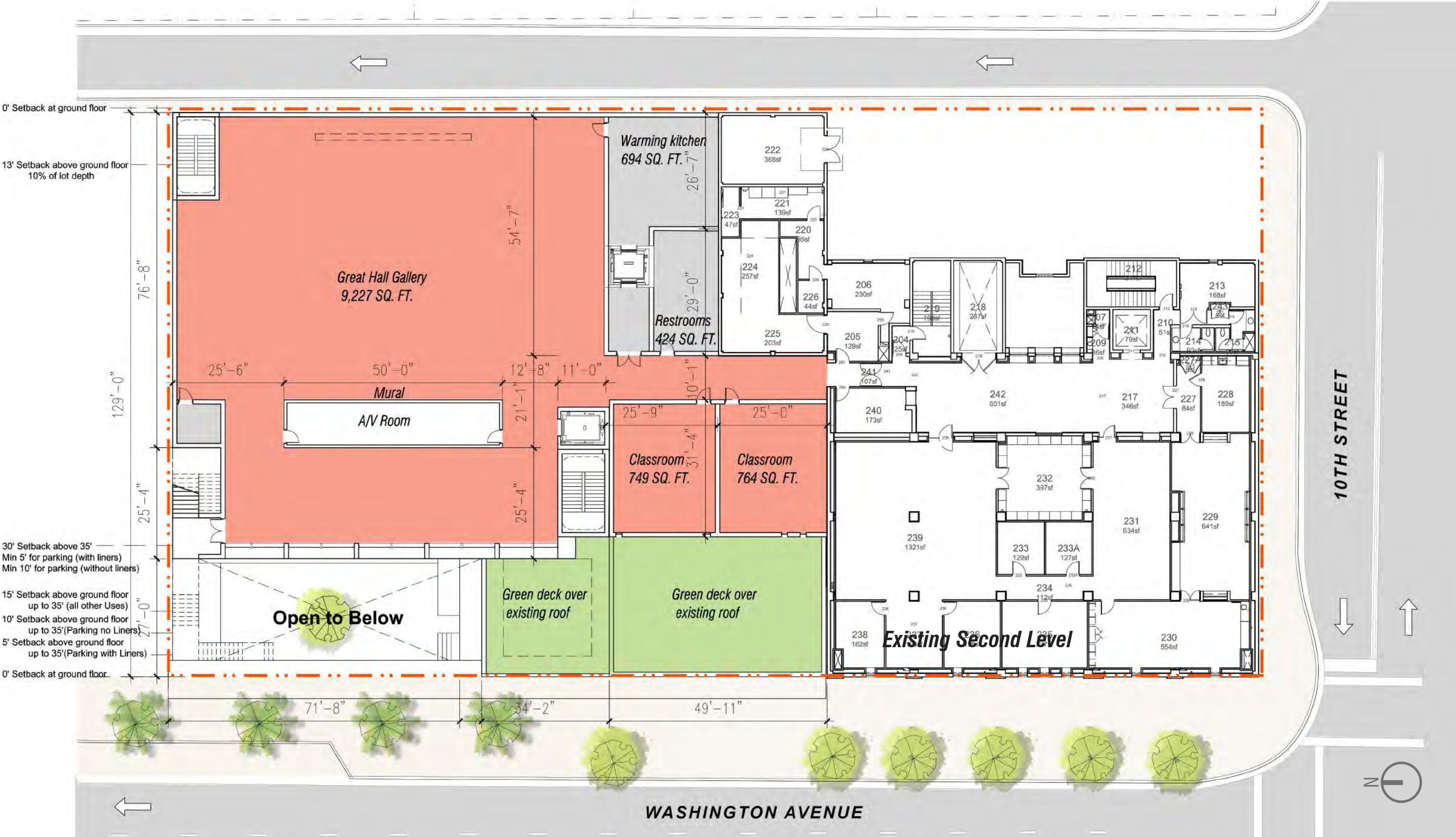
May 20th, 2020

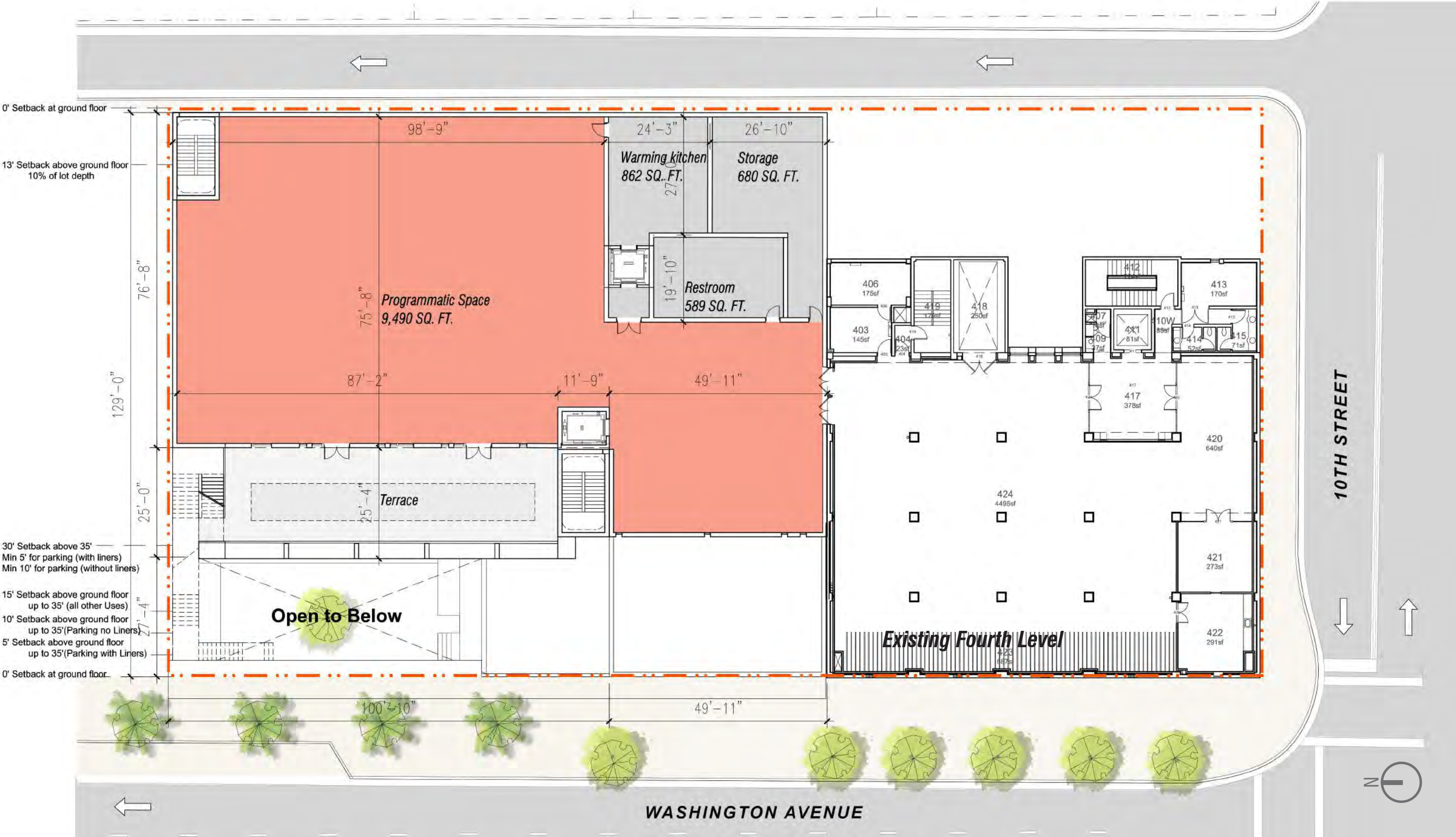
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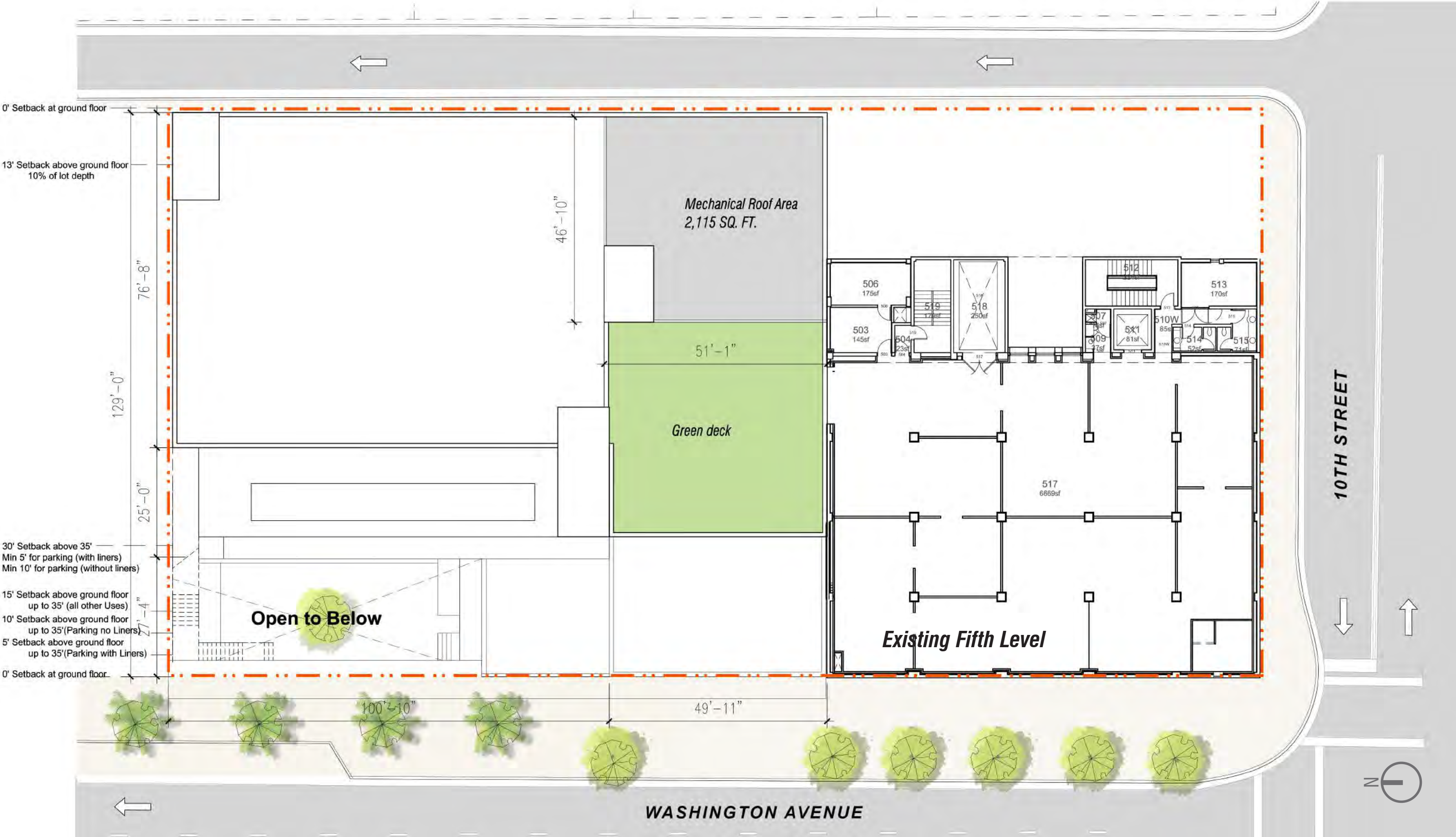
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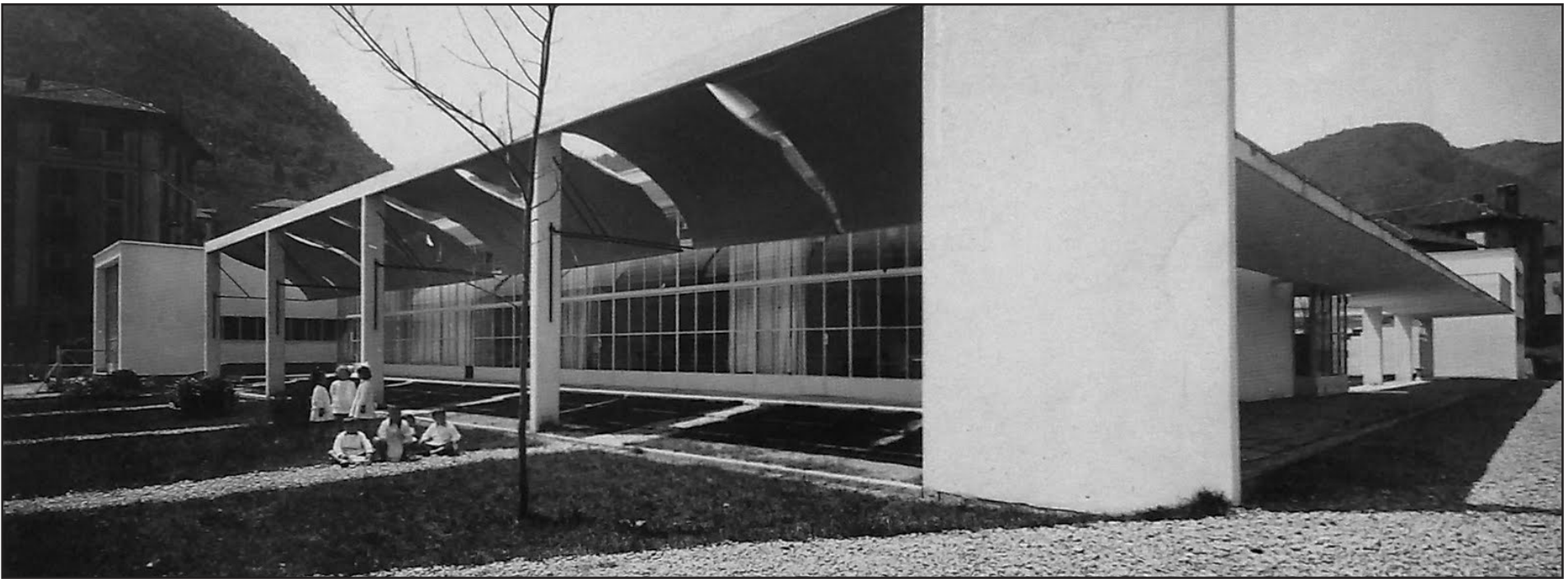






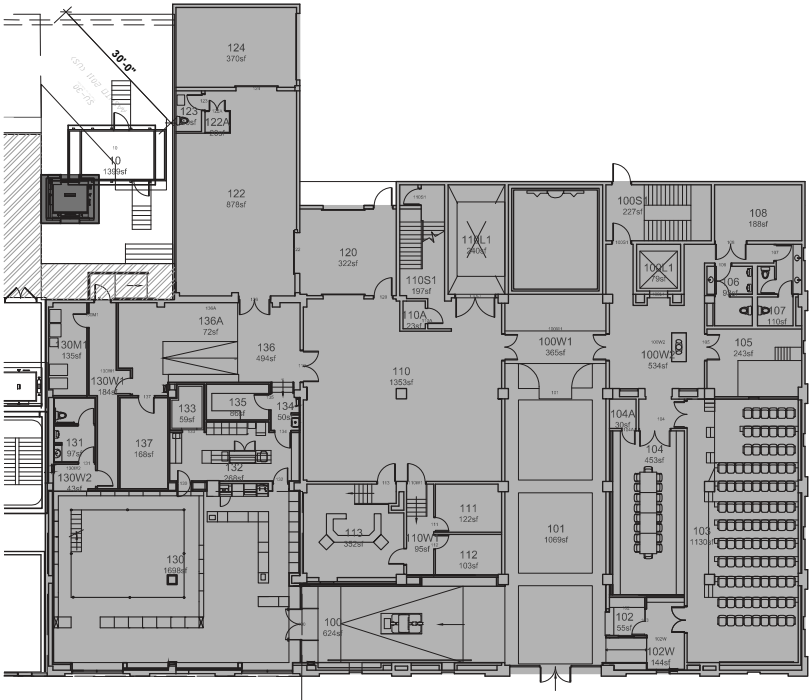




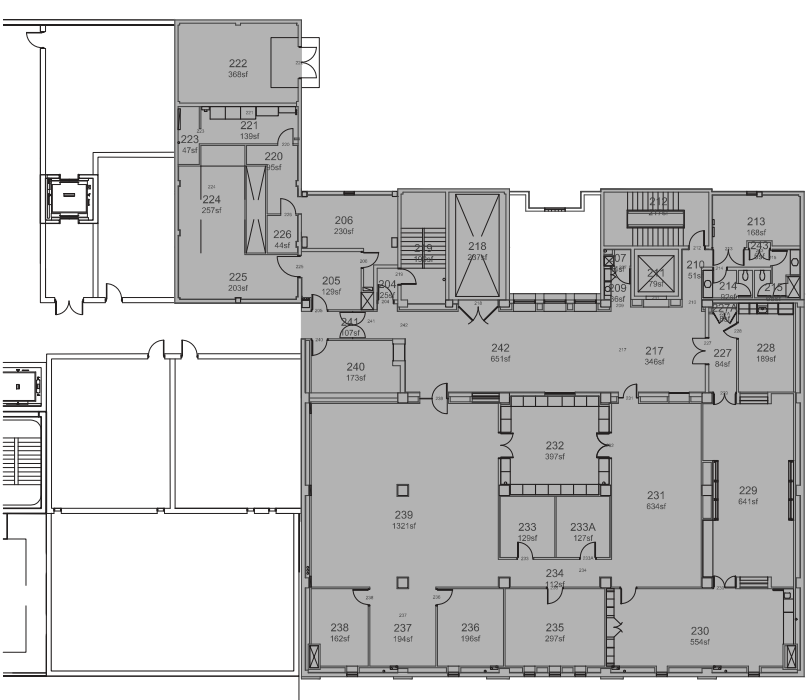




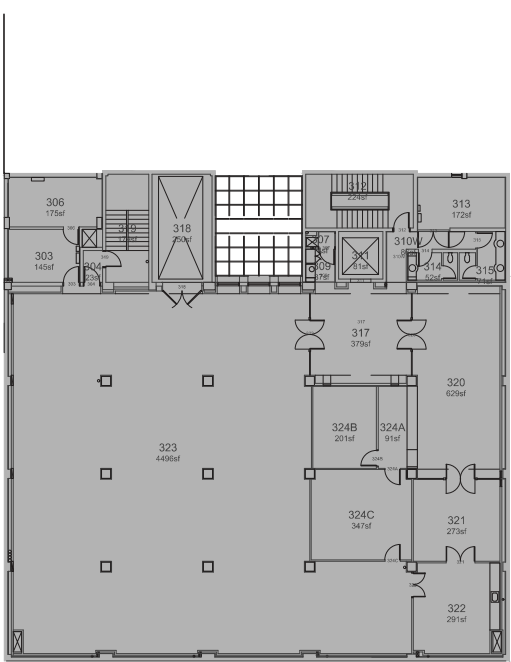
OPEN / GREEN SPACE



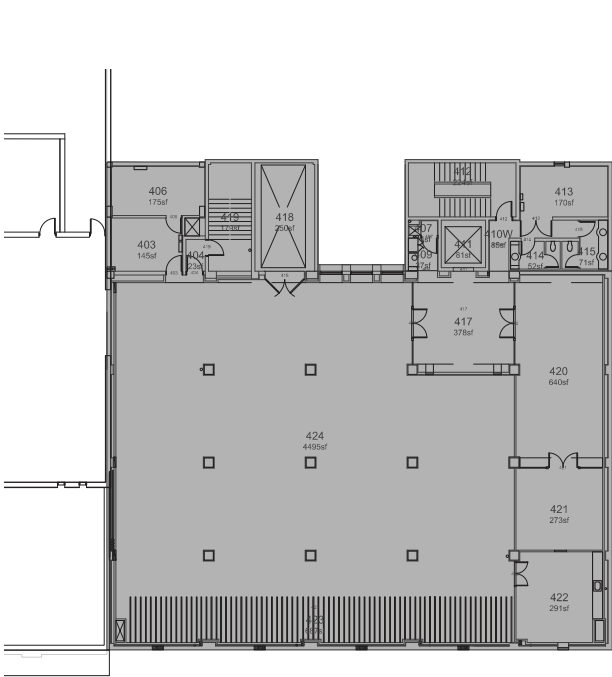
Ground Floor
Gross Area 14,647 SQ. FT.



Second Floor
Gross Area 10,461 SQ. FT.



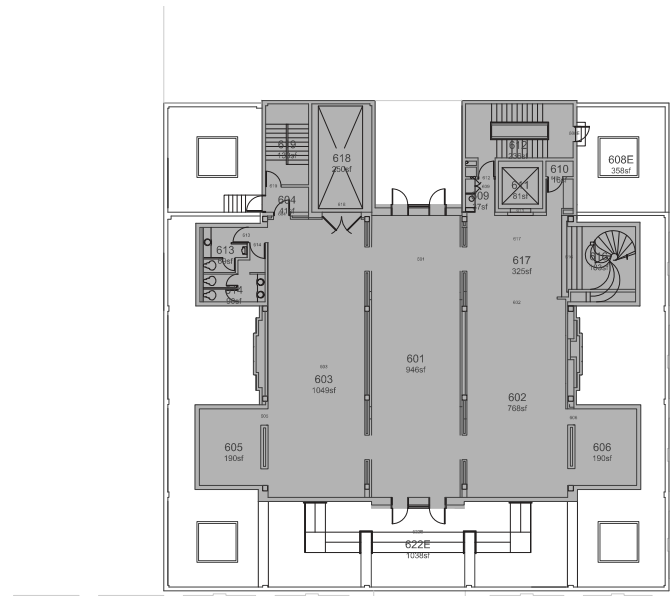
Third Floor
Gross Area 9,173 SQ. FT.



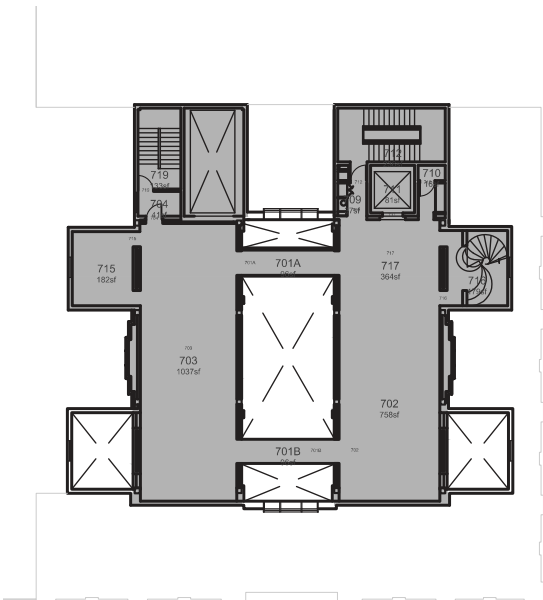
Fourth Floor
Gross Area 9,173 SQ. FT.



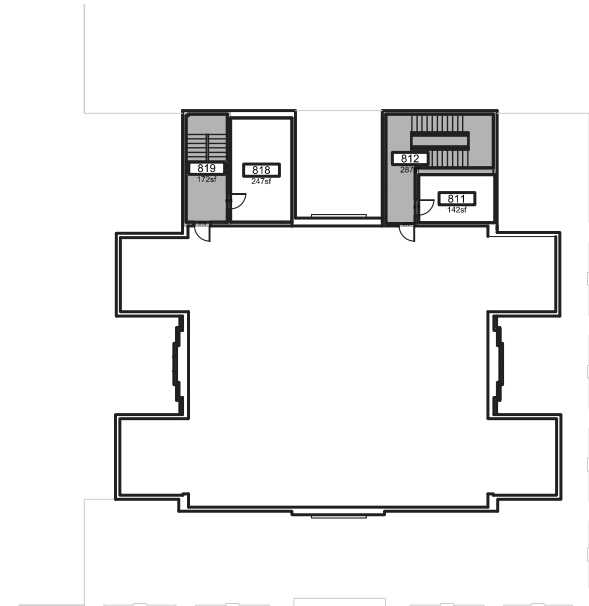
Fifth Floor
Gross Area 9,173 SQ. FT.



Sixth Floor
Gross Area 5,420 SQ. FT.

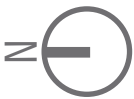


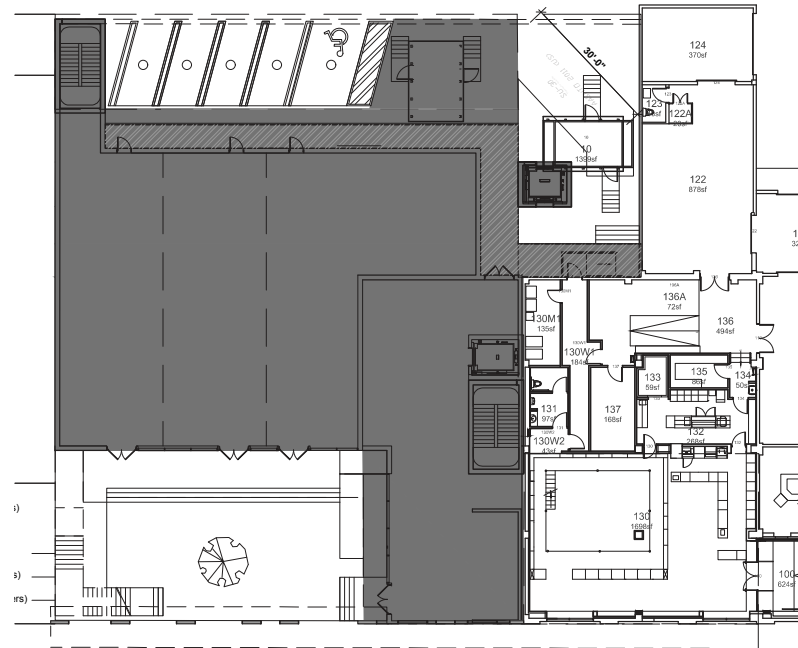
Seventh Floor
Gross Area 4,098 SQ. FT.



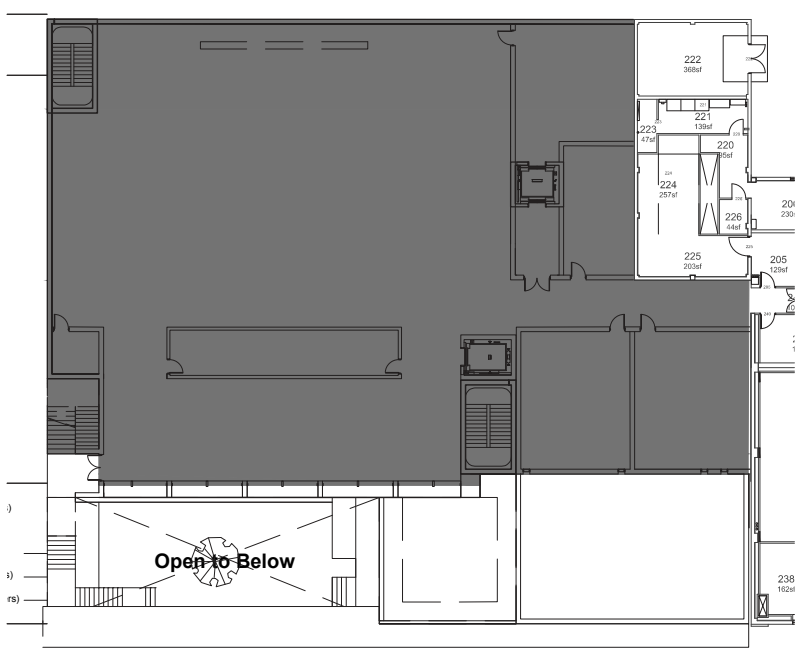
Eighth Floor
Gross Area 569 SQ. FT.

Existing FAR Summary
62,714 SF

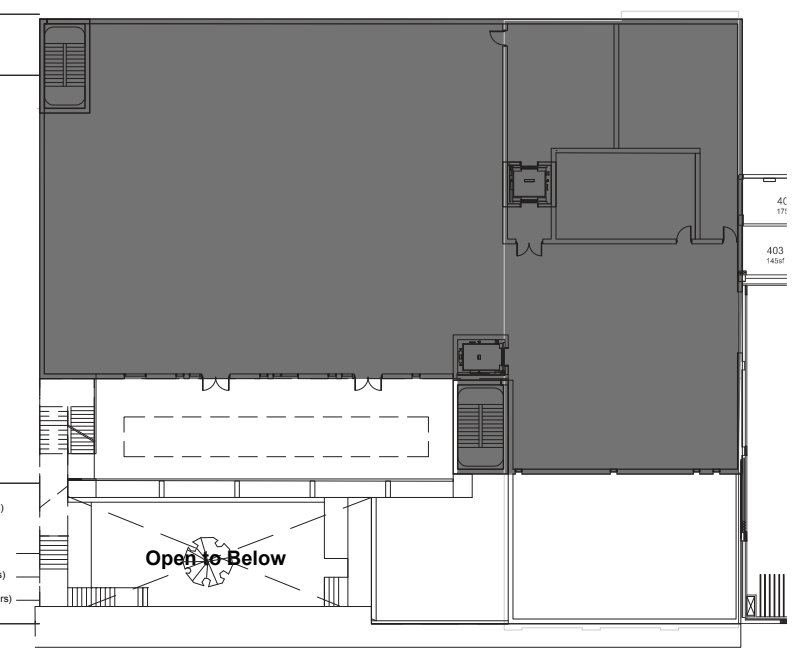




Ground Floor
Gross Area 9,528 SQ. FT.



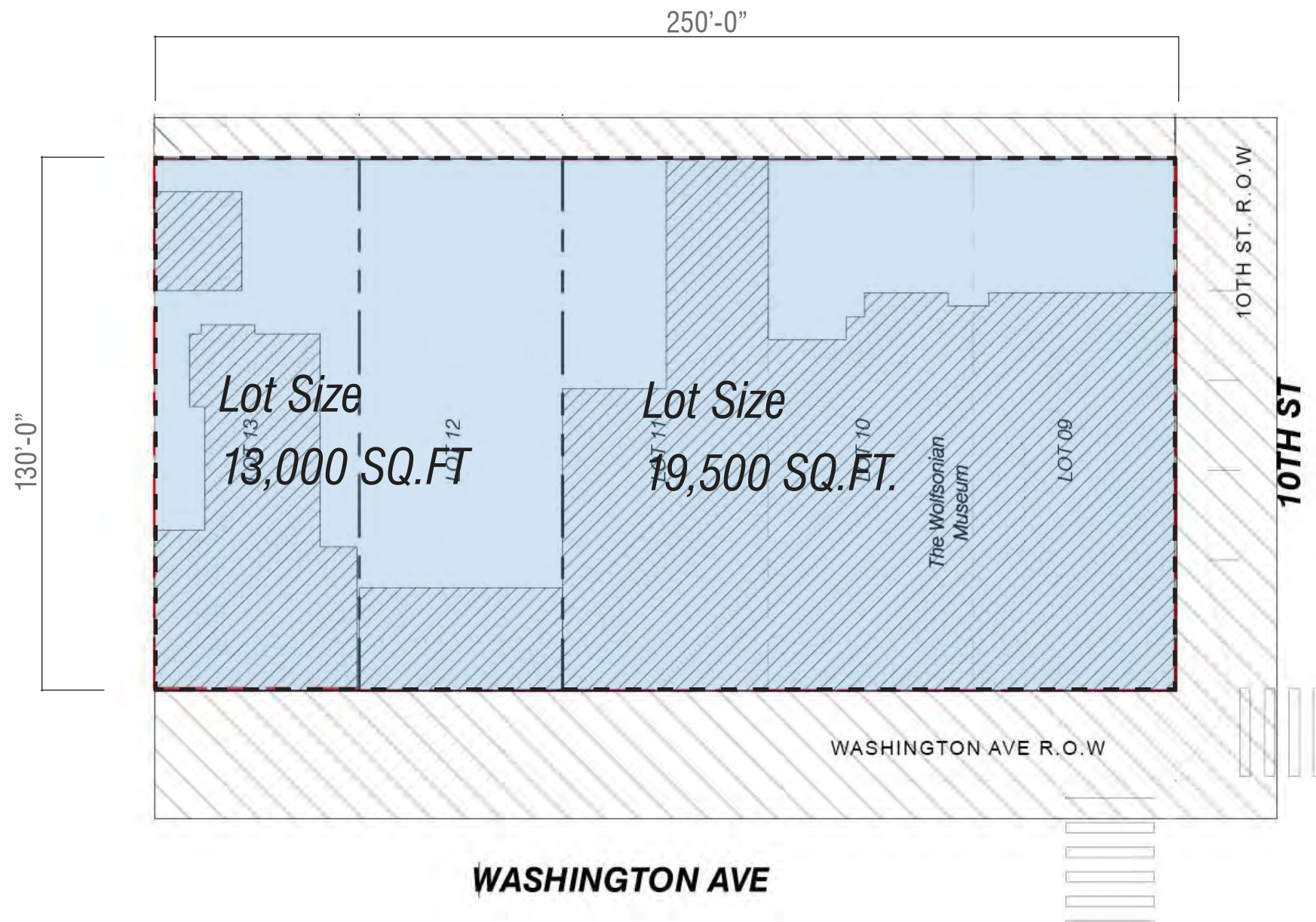
Second Floor
Gross Area 13,916 SQ. FT.



Third Floor
Gross Area 13,129 SQ. FT.

Addition FAR Summary
36,573 SF





Existing FAR Summary

62,714 SF

Addition FAR Summary

36,573 SF

FAR Grand Total

99,287 SF

(combined) Lot Size 32,500 SF
FAR=3.1



**WOLFSONIAN ARTS DISTRICT -
COMPREHENSIVE PLAN AMENDMENT**

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH 2040 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING THE “RESILIENT LAND USE ELEMENT,” OBJECTIVE RLU 1.1 ENTITLED “ESTABLISHMENT OF FUTURE LAND USE CATEGORIES,” AT POLICY RLU 1.1.9, ENTITLED “MEDIUM INTENSITY COMMERCIAL (CD-2),” TO INCREASE THE MAXIMUM FLOOR AREA RATIO (FAR) WITHIN THE “WOLFSONIAN ARTS DISTRICT;” AND DESIGNATING THE “WOLFSONIAN ARTS DISTRICT” ON THE FUTURE LAND USE MAP; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

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

WHEREAS, Miami Beach native Mitchell Wolfson Jr. amassed a world-class collection of artifacts, collectibles, and art that traces society’s transition during one of the greatest periods of growth and change humanity has ever known between 1850 and 1950, commonly referred to as the Modern Age; and

WHEREAS, the collection was originally stored and amassed in the Washington Storage Company building, a Mediterranean Revival building constructed in 1927 that is a beacon of history and culture in Miami Beach; and

WHEREAS, Mitchell Wolfson Jr. founded the Wolfsonian Foundation, which purchased the former Washington Storage Company building to showcase the collection for the benefit of the public, and to attract researchers and scholars from around the world to Miami Beach; and

WHEREAS, in 1992 renowned architects Mark Hampton and William Kearns masterfully renovated and expanded the Washington Storage Company building as a state-of-the-art museum and research center to serve as an iconic landmark of Miami Beach’s historic Art Deco District (hereinafter referred to as the “Wolfsonian”); and

WHEREAS, in 1997 the Wolfsonian was generously gifted to Florida International University, which greatly increased opportunities for community engagement, as well as expanded the Wolfsonian and Florida International University’s cultural and scholarly influence; and

WHEREAS, in 2009 and 2012 the Wolfsonian was recognized as a world-class cultural institution and awarded grants from the Andrew W. Mellon Foundation and James L. Knight Foundation to expand access to the collection and increase cultural enrichment opportunities both physically and online; and

WHEREAS, the City of Miami Beach seeks to enrich and sustain cultural institutions such as the Wolfsonian that solidify Miami Beach as a center of history, culture, and design; and

WHEREAS, in order to expand its programs, including children's and education programs, increase community and scholarly engagement with the arts, encourage greater online and physical access, and grow the collection, the Wolfsonian seeks to renovate and expand its prized Washington Avenue building; and

WHEREAS, the previous expansion and renovation that permitted the proliferation of the Wolfsonian as an influential cultural institution in combination with the zoning regulations applicable to the property depleted the development rights available for the planned and funded future expansion of the Wolfsonian; and

WHEREAS, the City previously created development regulations specific to Washington Avenue pursuant to the input and recommendations of the Mayor's Washington Avenue Blue Ribbon Task Force; and

WHEREAS, consistent with the City's efforts the Wolfsonian has contributed to the locally designated Historic District and the improvement of conditions on Washington Avenue; and

WHEREAS, the proposed expansion of the Wolfsonian presents a unique opportunity for the City to encourage engagement with the City's historic and artistic roots; and

WHEREAS, the Wolfsonian property is located within the CD-2 District that fronts on the east side of Washington Avenue and is uniquely situated to serve as the Wolfsonian Arts District; and

WHEREAS, the proposed zoning regulations applicable to the Wolfsonian Arts District will allow for increased Floor Area Ratio and modified setback requirements to reflect the unique opportunity for enhancement of a thriving cultural institution; and

WHEREAS, the proposed zoning regulations applicable to the Wolfsonian Arts District will not impact the surrounding properties and will incentivize establishment of arts and cultural institutions in the City; and

WHEREAS, the Wolfsonian-FIU is a major cultural institution located on Washington Avenue in the City of Miami Beach; and

WHEREAS, in November 2004, as part of the Building Better Communities General Obligation Bonds (BBC-GOB), Miami-Dade County voters approved \$10million for The Wolfsonian-FIU to add 25,000 square feet of new publicly accessible space; and

WHEREAS, The FIU-Wolfsonian is located in the CD-2 district which has an FAR limit of 1.5 for non-mixed use buildings; and

WHEREAS, in The FIU-Wolfsonian facility is a legal non-conforming building that exceeds the current FAR limits; and

WHEREAS, in order to comply with the BBC-GOB, The FIU-Wolfsonian facility will require additional FAR; and

WHEREAS, City Charter Section 1.03(c), requires that any increase in zoned FAR for any property in the City must be approved by a majority vote of the electors of the City of Miami Beach; and

WHEREAS, 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 amend the Comprehensive Plan to update the plan to be consistent with the vote of the residents relating to Cultural Institutions on Washington Avenue; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives and the vote of the electorate.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. The following amendments to the City's 2025 Comprehensive Plan Future Land Use Element are hereby adopted:

RESILIENT LAND USE ELEMENT

OBJECTIVE RLU 1.1: ESTABLISHMENT OF FUTURE LAND USE CATEGORIES

* * *

POLICY RLU 1.1.9 MEDIUM INTENSITY COMMERCIAL (CD-2)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new medium intensity commercial areas which serve the entire City.

Uses which may be Permitted: Various types of commercial uses including business and professional offices, retail sales and service establishments, eating and drinking establishments; apartment residential uses; apartment hotels; and hotels.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 100 dwelling units per acre.

Intensity Limits: a floor area ratio of 1.5 for commercial; 2.0 for residential or mixed use; 3.0 in the Wolfsonian Arts District.

SECTION 2. The “Wolfsonian Arts District” shall be designated on the 2040 Comprehensive Plan Future Land Use Map, for lots 9, 10, 11, 12, and 13, within Block 30, of the plat of Ocean Beach Addition No. 2, recorded in Plat Book 2, Page 56, of the Public Records of Miami-Dade County.

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. CODIFICATION.

It is the intention of the City Commission that this Ordinance be entered into the Comprehensive Plan, and it is hereby ordained that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word “ordinance” may be changed to “section” or other appropriate word. The Exhibits to this Ordinance shall not be codified, but shall be kept on file with this Ordinance in the City Clerk’s Office.

SECTION 6. TRANSMITTAL.

The Planning Director is hereby directed to transmit this ordinance to the appropriate state, regional and county agencies as required by applicable law.

SECTION 7. EFFECTIVE DATE.

If no challenge is timely filed, this ordinance shall take effect 31 days after the state land planning agency notifies the City that the plan amendment package is complete pursuant to Section 163.3184(3), Florida Statutes. If challenged within 30 days after adoption, the amendment will not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted amendment is in compliance.

PASSED and ADOPTED this ____ day of _____, 2020.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado City Clerk

First Reading: July 29, 2020

Second Reading: December __, 2020

(Sponsors: Commissioners David Richardson)

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

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 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," BY AMENDING SECTION 142-309, ENTITLED "WASHINGTON AVENUE DEVELOPMENT REGULATIONS AND AREA REQUIREMENTS," CREATING SECTION 142-309.1, ENTITLED "WOLFSONIAN ARTS DISTRICT," TO CREATE DEVELOPMENT REGULATIONS (INCLUDING FLOOR AREA RATIO, HEIGHT, AND SETBACK REGULATIONS) APPLICABLE TO CULTURAL INSTITUTIONS; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

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

WHEREAS, Miami Beach native Mitchell Wolfson Jr. amassed a word-class collection of artifacts, collectibles, and art that traces society's transition during one of the greatest periods of growth and change humanity has ever known between 1850 and 1950, commonly referred to as the Modern Age; and

WHEREAS, the collection was originally stored and amassed in the Washington Storage Company building, a Mediterranean Revival building constructed in 1927 that is a beacon of history and culture in Miami Beach; and

WHEREAS, Mitchell Wolfson Jr. founded the Wolfsonian Foundation, which purchased the former Washington Storage Company building to showcase the collection for the benefit of the public, and to attract researchers and scholars from around the world to Miami Beach; and

WHEREAS, in 1992 renowned architects Mark Hampton and William Kearns masterfully renovated and expanded the Washington Storage Company building as a state-of-the-art museum and research center to serve as an iconic landmark of Miami Beach's historic Art Deco District (hereinafter referred to as the "Wolfsonian"); and

WHEREAS, in 1997 the Wolfsonian was generously gifted to Florida International University, which greatly increased opportunities for community engagement, as well as expanded the Wolfsonian and Florida International University's cultural and scholarly influence; and

WHEREAS, in 2009 and 2012 the Wolfsonian was recognized as a world-class cultural institution and awarded grants from the Andrew W. Mellon Foundation and James L. Knight Foundation to expand access to the collection and increase cultural enrichment opportunities both physically and online; and

WHEREAS, the City of Miami Beach seeks to enrich and sustain cultural institutions such as the Wolfsonian that solidify Miami Beach as a center of history, culture, and design; and

WHEREAS, in order to expand its programs, including children's and education programs, increase community and scholarly engagement with the arts, encourage greater online and physical access, and grow the collection, the Wolfsonian seeks to renovate and expand its prized Washington Avenue building; and

WHEREAS, the previous expansion and renovation that permitted the proliferation of the Wolfsonian as an influential cultural institution in combination with the zoning regulations applicable to the property depleted the development rights available for the planned and funded future expansion of the Wolfsonian; and

WHEREAS, the City previously created development regulations specific to Washington Avenue pursuant to the input and recommendations of the Mayor's Washington Avenue Blue Ribbon Task Force; and

WHEREAS, consistent with the City's efforts the Wolfsonian has contributed to the locally designated Historic District and the improvement of conditions on Washington Avenue; and

WHEREAS, the proposed expansion of the Wolfsonian presents a unique opportunity for the City to encourage engagement with the City's historic and artistic roots; and

WHEREAS, the Wolfsonian properties are located within the CD-2 District that fronts on the east side of Washington Avenue and are uniquely situated to serve as the Wolfsonian Arts District; and

WHEREAS, the proposed zoning regulations applicable to the Wolfsonian Arts District will allow for increased Floor Area Ratio and modified setback requirements to reflect the unique opportunity for enhancement of a thriving cultural institution; and

WHEREAS, the proposed zoning regulations applicable to the Wolfsonian Arts District will not impact the surrounding properties and will incentivize the growth and success of arts and cultural institutions in the City; 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," at Article II, entitled "District Regulations," at Division 5, entitled "Commercial Medium Intensity District," of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

**CHAPTER 142
ZONING DISTRICTS AND REGULATIONS**

* * *

**ARTICLE II
DISTRICT REGULATIONS**

* * *

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

* * *

Sec. 142-309.1 – Wolfsonian Arts District

(a) The following regulations shall apply to properties that front Washington Avenue between 10th Street and 11th Street; in the event of a conflict between the provisions of this section and other provisions in this division, the criteria below shall apply:

- (1) The purpose of these regulations is to enrich and sustain a long-standing cultural institution that preserves history and offers educational opportunities to the residents of the City.
- (2) The maximum Floor Area Ratio shall be 3.25 for cultural institutions located on the east side of Washington, specifically on Lots 9, 10, 11, 12, and 13, within Block 30, of the plat of Ocean Beach Addition No. 2, recorded in Plat Book 2, Page 56, of the Public Records of Miami-Dade County.
- (3) The maximum building height shall be 75 feet.

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY.

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

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____ 2020.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

City Attorney

Date

First Reading: _____, 2020

Second Reading: _____, 2020

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