

MIAMI BEACH

City Commission Meeting

ADDENDUM MATERIAL 1

City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive

January 15, 2014

Mayor Philip Levine
Vice-Mayor Deede Weithorn
Commissioner Michael Grieco
Commissioner Joy Malakoff
Commissioner Micky Steinberg
Commissioner Edward L. Tobin
Commissioner Jonah Wolfson

City Manager Jimmy Morales
City Attorney Jose Smith
City Clerk Rafael E. Granado

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

ADDENDUM AGENDA

C4 - Commission Committee Assignments

C4G Referral To The Neighborhood/Community Affairs Committee - Discuss How We Can Make Nautilus Middle School The Best In The Country And/Or The Creation Of A Miami Beach Middle School.

(Requested by Commissioner Edward L. Tobin)

C4H Referral To The Planning Board - An Ordinance Amending The Land Development Regulations To Repeal Ordinance No. 2013-3799, Which Created An Additional Conditional Use To Permit Self-Storage In The CD-2 Zoning District Along The Alton Road Corridor.

(Requested by Commissioner Jonah Wolfson)

R9 - New Business and Commission Requests

R9L Discussion Regarding The Selection Of The Management Contract For The Tennis Facilities At North Shore Park And Flamingo Park.

(Requested by Commissioner Edward L. Tobin)

R9M Discussion Concerning Distributive Antenna System (DAS) Nodes On The City's Public Right-Of-Way.

(Requested by Commissioner Jonah Wolfson)



MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jimmy Morales, City Manager

FROM: Ed Tobin, Commissioner

DATE: January 9, 2014

SUBJECT: Agenda item for January 15th, 2014 City Commission Meeting

Please place on the January 15th City Commission Meeting a referral to Neighborhoods to discuss how we can make Nautilus Middle School the best in the country and/or the creation of a Miami Beach Middle School.

If you have any questions please do not hesitate to call our office.

Best Regards,

Dessiree Kane
on behalf of Commissioner Ed Tobin

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MIAMI BEACH

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

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jimmy Morales, City Manager

FROM: Jonah Wolfson, Commissioner

DATE: January 9, 2014

SUBJECT: **Agenda item for January 15, 2014 City Commission meeting – Referral to Planning Board for an amendment to the Land Development Regulations to repeal Ordinance 2013-3799, CD-2 Self Storage.**

Please place on the January 15, 2014 City Commission meeting agenda a referral to the Planning Board for an ordinance to amend the Land Development Regulations to repeal Ordinance No. 2013-3799 (copy attached). This Ordinance created an additional conditional use to permit self-storage in the CD-2 zoning district along the Alton Road corridor. With the changes to Alton Road resulting from the FDOT reconstruction project, and after reconsidering the best use of these properties in relation to the Flamingo Park neighborhood, I have concluded that allowing self-storage on this gateway property to Miami Beach was not well founded and should be repealed.

If you have any questions, please contact me.

CD-2 SELF STORAGE

ORDINANCE NO. 2013-3799

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 5, CD-2 "COMMERCIAL, MEDIUM INTENSITY DISTRICT," BY PERMITTING "SELF-STORAGE WAREHOUSES" AS A CONDITIONAL USE IN THIS ZONING DISTRICT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, a self-storage warehouse is categorized as an establishment engaged in renting or leasing secure space for self-storage such as rooms, compartments, lockers, containers or outdoor space where clients can store and retrieve their goods¹; and

WHEREAS, the CD-1, Low Intensity, zoning district, a less intense zoning classification than the CD-2, Commercial, Medium Intensity zoning district already allows for "Warehouses" as Conditional Uses; and

WHEREAS, it is appropriate to update the actual list of Conditional Uses within the CD-2, Commercial, Medium Intensity, zoning district by adding "Self-Storage Warehouses" as Conditional Uses; and

WHEREAS, changing the actual list of Conditional Uses within the CD-2, Commercial, Medium Intensity, zoning district by adding "Self-Storage Warehouses" as Conditional Uses is necessary to ensure that new development is compatible and in scale with the built environment, and is in the best interest of the City...

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

SECTION 1. City Code Chapter 142, "Zoning Districts and Regulations," Article II, "District Regulations," Division 5, CD-2 "Commercial, Medium Intensity District," Section 142-303, "Conditional Uses," is hereby amended as follows:

Sec. 142-303. Conditional Uses.

The conditional uses in the CD-2 commercial, medium intensity district are adult congregate living facilities; funeral home; nursing homes; religious institution; pawnshops; video game arcades; public and private institutions; schools; any use selling gasoline; new construction of structures 50,000 square feet and over (even when divided by a district boundary line), which review shall be the first step in the process before the review by any of the other land development boards; outdoor entertainment establishment; neighborhood impact establishment; open air entertainment

¹ U.S. Census Bureau, "Industry Statistics Sampler," www.census.gov/econ/industry/def (5/4/2011)

establishment; self-storage warehouses; and storage and/or parking of commercial vehicles on a site other than the site at which the associated commerce, trade or business is located. See section 142-1103.

For purposes of this section, in addition to the Conditional Use criteria in Section 118-192 (a), self-storage warehouses shall only be permitted to be considered by the Planning Board as a Conditional Use for properties located within a CD-2 district along Alton Road between 6th Street and 11th Street. Additionally, the minimum distance separation between self-storage warehouses shall be 300 feet and self storage warehouses shall follow the Development Regulations for "self-storage warehouse" in Section 142-306 and the Setback Requirements in 142-307.

SECTION 2. City Code Chapter 142, "Zoning Districts and Regulations," Article II, "District Regulations," Division 5, CD-2 "Commercial, Medium Intensity District," Section 142-306, "Development Regulations," is hereby amended as follows:

Sec. 142-306. - Development regulations

The development regulations in the CD-2 commercial, medium intensity district are as follows:

Maximum Floor Area Ratio	Minimum Lot Area (Square Feet)	Minimum Lot Width (Feet)	Minimum Apartment Unit Size (Square Feet)	Average Apartment Unit Size (Square Feet)	Maximum Building Height (Feet)	Maximum Number of Stories
1.5	Commercial—None Residential—7,000	Commercial—None Residential—50	Commercial—N/A New construction—550 Rehabilitated buildings—400 Non-elderly and elderly low and moderate income housing: See section 142-1183 Hotel unit: 15%: 300—335 85%: 335+	Commercial—N/A New construction—800 Rehabilitated buildings—550 Non-elderly and elderly low and moderate income housing: See section 142-1183 Hotel units—N/A	50 (except as provided in section 142-1161. <u>Self-storage warehouse – 40 feet, except that the building height shall be limited to 25 feet within 50 feet from the rear property line for lots abutting an alley; and within 60 feet from a residential district for blocks with no</u>	5 (except as provided in section 142-1161 <u>Self-storage warehouse – 4.</u>

					alley.	
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Notwithstanding the above regulations, the maximum floor area ratio (FAR) for "self-storage warehouse" shall be 1.5. The floor area ratio provision for mixed use buildings in section 142-307(d)(2) shall not apply to self-storage warehouse development.

SECTION 3. City Code Chapter 142, "Zoning Districts and Regulations," Article II, "District Regulations," Division 5, CD-2 "Commercial, Medium Intensity District," Section 142-307 "Setback requirements," is hereby amended as follows:

(a) The setback requirements for the CD-2 commercial, medium intensity district are as follows:

	Front	Side, Interior	Side, Facing a Street	Rear
At-grade parking lot on the same lot	5 feet	5 feet	5 feet	5 feet If abutting an alley—0 feet
Subterranean	0 feet	0 feet	0 feet	0 feet
Pedestal and tower (non-oceanfront)	0 feet Residential uses shall follow the RM-1, 2, 3 setbacks (See sections 142-156, 142-218 and 142-247)	10 feet when abutting a residential district, otherwise none Residential uses shall follow the RM-1, 2, 3 setbacks (See sections 142-156, 142-218 and 142-247)	10 feet when abutting a residential district, unless separated by a street or waterway otherwise none Residential uses shall follow the RM-1, 2, 3 setbacks (See sections 142-156, 142-218 and 142-247)	5 feet 10 feet when abutting a residential district unless separated by a street or waterway in which case it shall be 0 feet. Residential uses shall follow the RM-1, 2, 3 setbacks (See sections 142-156, 142-218 and 142-247)
Pedestal and tower (oceanfront)	Pedestal—15 feet Tower—20 feet + 1 foot for every 1 foot increase in height above 50 feet, to a maximum of 50 feet, then shall remain constant. Residential uses shall follow the RM-1, 2, 3 setbacks (See sections 142-156, 142-218 and 142-247)	Commercial uses—10 feet Residential uses shall follow the RM-1, 2, 3 setbacks (See sections 142-156, 142-218 and 142-247)	Commercial uses—10 feet Residential uses shall follow the RM-1, 2, 3 setbacks (See sections 142-156, 142-218 and 142-247)	25% of lot depth, 75 feet minimum from the bulkhead line whichever is greater Residential uses shall follow the RM-1, 2, 3 setbacks (See sections 142-156, 142-218 and 142-247)

(b) The tower setback shall not be less than the pedestal setback.

- (c) Parking lots and garages: If located on the same lot as the main structure the above setbacks shall apply. If primary use the setbacks are listed in subsection 142-1132(n).
- (d) Mixed use buildings: Calculation of setbacks and floor area ratio:
 - (1) Setbacks. When more than 25 percent of the total area of a building is used for residential or hotel units, any floor containing such units shall follow the RM-1, 2, 3 setback regulations.
 - (2) Floor area ratio. When more than 25 percent of the total area of a building is used for residential or hotel units, the floor area ratio range shall be as set forth in the RM-2 district.
 - (3) The maximum floor area ratio (FAR) for "self-storage warehouse" shall be 1.5. The floor area ratio provision for mixed use buildings in section 142-307(d)(2) above shall not apply to self-storage warehouse development.
- (e) Notwithstanding the above setback regulations, "self-storage warehouse" in this district shall have the following setbacks:
 - (1) Front – 5 feet.
 - (2) Side facing a street – 5 feet.
 - (3) Interior side – 7.5 feet or 8 percent of the lot width, whichever is greater.
 - (4) Rear - for lots with a rear property line abutting a residential district the rear yard setback shall be a minimum of 25 feet; for lots with a rear property line abutting an alley the rear setback shall be a minimum of 7.5 feet.

SECTION 4. City Code Chapter 142, "Zoning Districts and Regulations," Article II, "District Regulations," Division 5, CD-2 "Commercial, Medium Intensity District," Section 142-308 " Additional regulations for new construction," is hereby amended as follows:

- (a) In the CD-2 district, all floors of a building containing parking spaces shall incorporate the following:

* * *

- (b) In the CD-2 district, each side of the first floor frontage of a self-storage warehouse building facing a street or sidewalk, shall include office, retail or commercial uses. Not less than 60% of each street frontage shall consist of office, retail or commercial uses, and the remaining portion of each street front shall consist of non-commercial, recessed display areas or similar treatment. The Design Review Board or Historic Preservation Board, as applicable, may permit a lesser amount of office, retail or commercial frontage, if it is determined that site conditions warrant a reduction. In the event a lesser portion of office, retail or commercial space is permitted, the remaining portion of each street front shall consist of non-commercial, recessed display areas or similar treatment.

SECTION 5. Repealer.

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

SECTION 6. 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 7. Severability.

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

SECTION 8. Effective Date.

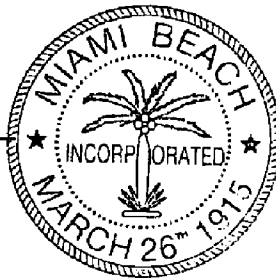
This Ordinance shall take effect ten days following adoption.

PASSED and ADOPTED this 8th day of May, 2013.

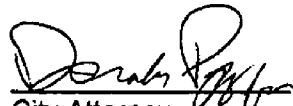


MAYOR

ATTEST:


CITY CLERK



APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION


City Attorney 

5/14/13
Date

Underscore denotes new language

First Reading: February 6, 2013

Second Reading: May 8, 2013

Verified by: 
Richard G. Lorber, AICP, LEED AP
Acting Planning Director

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MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

TO: Jimmy Morales, City Manager

FROM: Ed Tobin, Commissioner

DATE: January 9, 2014

SUBJECT: Agenda Item for January 15, 2014 City Commission Meeting

Please place on the January 15th City Commission Meeting a discussion and action item regarding the selection of the management contract for the tennis facilities at North Shore Park and Flamingo Park to include:

- Status and significance of old RFP following the September 2013 Commission meeting;
- Present posture and status of the tennis management contract and
- The City Commission's options available for selection of a long term management contract for these facilities.

If you have any questions please do not hesitate to call our office.

Best Regards,

Dessiree Kane
on behalf of Commissioner Ed Tobin

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MIAMI BEACH

OFFICE OF THE MAYOR AND COMMISSION

MEMORANDUM

To: Jimmy Morales, City Manager

From: Jonah Wolfson, Commissioner

Date: January 9, 2014

Re: **Commission Agenda Discussion Item**

Please place on the January 15, 2014, Commission Agenda a Discussion Item for the following issue:

Distributive Antenna System (DAS) Nodes On The City's Public Right-Of-Way

Please feel free to contact my Aide, Brett Cummins at x6437, if you have any questions.

JW

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