



MIAMI SHORES

DEPARTMENT OF PLANNING & ZONING
 10050 NE 2nd Avenue
 Miami Shores FL 33037-2304
 www.miamishoresvillage.com

David A. Dacquisto AICP, Director
 dacquistod@msvfl.gov
 305-795-2207 Ext: 4864

VILLAGE COUNCIL PUBLIC HEARING			
Miami Shores Village Town Hall Council Chambers 10050 NE 2nd Avenue Miami Shores			
Hearing Date		First Reading: September 12, 2017 Second Reading: October 3, 2017	
Subject		Miami Shores Downtown "Architectural Design Manual"	
Action Required		Review and consider the planning board recommendation to village council on the adoption of the Miami Shores Downtown "Architectural Design Manual" and code amendments to adopt and implement the manual	
Staff Report		David A. Dacquisto AICP, Director	Report Date August 17, 2017

Background

The village council heard a presentation on the Miami Shores Downtown "Architectural Design Manual" on November 15 and December 5, 2016. Council forwarded the Miami Shores Downtown "Architectural Design Manual" to the planning board with a request for a recommendation on the manual and possible code amendments to adopt and implement the manual.

The planning board held a workshop on February 9, 2017 to discuss the "Architectural Design Manual."

The board discussed the matter at a public hearing on February 23, 2017. The item was again hearing at a public hearing on March 23, 2017. The item was again hearing at a public hearing on April 27, 2017. The item was heard at a workshop June 14, 2017. The item was again hearing at a public hearing on June 22, 2017.

RMA was present numerous times to make a presentation on the Miami Shores Downtown "Architectural Design Manual," that they had drafted.

Staff recommends that for greater clarity and certainty the uses dance studio, exercise studio be added to the prohibited class of Personal Care Operations. Child care, tutoring, training facility, adult and youth educational and hobby classes are already listed and as adult and youth educational and hobby classes are prohibited, the addition to the list of dance studio, exercise studio just clarifies that they are included in list without wondering if they are included under educational and hobby classes.

Beauty salons and barber shops are listed as Personal Care Operations but were not listed as prohibited on the main floor by the consultants.

Recommendation

The planning board after hearing from the public and considerable discussion voted to recommend to the village council adoption of the Miami Shores Downtown "Architectural Design Manual," and

to amend the zoning code adding a new Division 22 Miami Shores Downtown District to adopt and to implement the manual.

Proposed Amendment

The downtown is zoned B1 however there is also B1 on Biscayne so it is not possible to just amend the B1 for the manual. This amendment creates the Miami Shores Downtown District and special provisions applicable only to that district.

ARTICLE V. SUPPLEMENTARY REGULATIONS

DIVISION 22. MIAMI SHORES DOWNTOWN DISTRICT

Sec. 545. Purpose.

This division is intended to provide for orderly and quality development within the “Miami Shores Downtown District,” hereafter referred to as the Miami Shores Downtown District (MSDD), consistent with the design principles of the “Downtown Miami Shores Village, Architectural Design Manual,” hereafter referred to as the Architectural Review Manual (ARM) and the “downtown design manual.” This will protect the general health, safety, and welfare of the community by making efficient use of the land, which is consistent with the visual character and vision of the community.

- (1) Design requirements and guidelines, and the code of ordinances are critical tools in guiding private development in a way that realizes the communities’ goals and objectives. These design requirements and guidelines, and special zoning code provisions are intended to:
 - a. Cultivate a community identity, create an image and coordinate the visual aesthetic of the downtown;
 - b. Raise the level of community expectations for the quality of the built environment;
 - c. Respect the need for continued re-investment in the downtown;
 - d. Foster the attractiveness and functional utility of the downtown as a place to live and work;
 - e. Balance parking needs with an accessible, walkable pedestrian-oriented environment;
 - f. Ensure that new developments maintain or improve neighborhood character and livability;
 - g. Promote economic vitality and preserve and protect property value;
 - h. Communicate these purposes to the applicant and to assist the applicant in achieving these purposes; and
 - i. Provide clear objectives for those starting on the planning and design of projects in the downtown as identified in Sec. 546.

Sec. 546. Scope.

The provisions of the Architectural Design Manual apply to private parcels located within the “Miami Shores Downtown District” defined as the B1 zoned properties abutting on

NE 2nd Avenue or the adjoining side streets, and located between NE 101st Street and NE 94th Street.

Sec. 547. Architectural Design Manual adopted.

The “Downtown Miami Shores Village, Architectural Design Manual” as amended is hereby adopted and made part of this ordinance and shall apply to all property in the Miami Shores Downtown District as described in Sec. 546. Building design and construction must conform with the Architectural Design Manual and design and construction that does not conform is prohibited.

The requirements and guidelines within the ADM are the minimum standards and where the specific requirements of the code of ordinances vary or conflict with the regulations contained in the Miami Shores Village Code of Ordinances, the stricter provisions shall apply.

Sec. 548. Miami Shores Downtown District land use restrictions.

- (1) The goals of the Architectural Design Manual are supported by Miami Shores Downtown District development and first floor land uses that:
 - a. Encourage active uses at the street level.
 - b. Generate pedestrian activity throughout the day and in the evening.
 - c. Restrict purely daytime uses from locating at street level.
 - d. Prohibit incompatible uses.

- (2) The following land uses are incompatible with the goals and purpose of this division for Miami Shores Downtown District development and are prohibited:
 - a. Engraver,
 - b. Firearms and accessories,
 - c. Flooring store, greater than 5,000 sf
 - d. Furniture store, greater than 5,000 sf
 - e. Sporting goods store, greater than 5,000 sf
 - f. Stationary, office supply store, greater than 5,000 sf
 - g. Toys, hobbies and crafts store, greater than 5,000 sf
 - h. Dry cleaner, except drop-off only.
 - i. Employment agency.

- (3) The following land uses are incompatible with the goals and purpose of this division for Miami Shores Downtown District development and are prohibited at street level facing NE 2nd Avenue:
 - a. Health-care operations; Clinical laboratories, Dentist, General medical clinic, Optical services and supplies, Physicians, X-ray/medical imaging facility.
 - b. Office
 - c. Personal care operations: Child care, dance studio, exercise studio, tutoring, training facility, adult and youth educational and hobby classes.
 - d. Professional operations: Accountants, actuaries, Advertising agency, Appraisers, Architects, Attorneys, Banking-financial, Communications, Insurance Adjusters, Investigators, Investment services, Real estate, Tax services.

Sec. 549. Parking standards in the Miami Shores Downtown District.

Notwithstanding anything in the Miami Shores Village code of ordinances to the contrary, the provisions of this section shall apply to parking in the Miami Shores Downtown District:

- (1) Minimum off-street parking schedule requirement by usage.
 - a. Banks, 1 space / 300 sf
 - b. Government buildings, 1 space / 500 sf
 - c. Office (non-medical), 1 space / 400 sf
 - d. Medical office, 1 space / 400 sf
 - e. Retail, 1 space / 300 sf
 - f. Restaurant, takeout, 1 space / 300 sf
 - g. Restaurant, sit-down, 1 space / 4 seats or 1 space / 300 sf of total area, whichever is less
- (2) Off-site parking facilities for required or additional parking may be located anywhere in the Miami Shores Downtown District and up to one-quarter mile outside the district on B1 District and CF District zoned properties.
 - a. Existing parking lots are not required to comply with landscape and screening requirements until such time as the site is redeveloped.
- (3) Valet parking in conjunction with Sec. 549 (2) may be used to provide up to 100% of required parking.

Sec. 550. Design Review within the Miami Shores Downtown District.

Design review is required for all new developments and all redevelopments that equal or exceed 50% of the building value, and all exterior changes requiring a building permit. Prospective applicants must engage in a "Pre-Application Review" meeting with planning and building staff prior to the submission of a zoning permit or building permit application or zoning permit.

Sec. 551. Design review process.

- (1) Planning board review.
 - a. All new construction and all renovations that equal or exceed 50% of the building value before the renovation require review and approval by the planning board prior to an application for building permits.
 - b. The planning board will review for compliance with the Architectural Review Manual in addition to all other code of ordinance requirements.
 - c. Applicant must complete a planning board application and submit the form to the planning department with all required information in sufficient detail to verify compliance with the ARM and all requirements of the code of ordinances.
- (2) Administrative review for projects not subject to planning board review.
 - a. All exterior changes requiring a building permit that are not subject to planning board review require administrative review and approval by the building official and planning director.

- b. The planning director will review for compliance with the Architectural Review Manual in addition to all other code of ordinance requirements, and the building official will review for building code compliance.
 - c. Applicant must complete a building permit application and submit the application to the building department with all required information in sufficient detail to verify compliance with the ARM and building code compliance.
- (3) Referral to planning board.
- a. The planning director may refer any application subject to administrative review to the planning board for review.
 - b. An applicant may waive administrative review and request that their project be referred to the planning board for review.
 - c. An applicant may appeal the decision of the planning director to the planning board.

Sec. 552. Design review criteria.

An application received pursuant to the provisions of this Division shall be reviewed in accordance with the Architectural Design Manual regulations and guidelines as amended, adopted under Sec. 547, and any supplemental requirements and guidelines adopted by the Village Council.

- (1) Requirements and guidelines.
 - a. The Architectural Review Manual consists of requirements and guidelines. Development must comply with all requirements. Guidelines provide methods to achieve compliance with the requirement. If the project does not conform to the design criteria, the board and/or staff will indicate the requirements that have not been met.
- (2) Illustrations.
 - a. Illustrations are intended to be in harmony with their accompanying text. In the event of conflict between text and an illustration, the text shall govern.

Sec. 553. Imposition of conditions.

The planning board, and the building official and planning director in the case of administrative approval have the authority to impose such approved conditions and safeguards as deemed necessary to protect and enhance the health, safety, and welfare of the surrounding area, and to insure that the proposed project for which design review approval is sought, fully meets the criteria as set forth in this Division.

Sec. 554. Appeal of planning board decision.

Any person aggrieved by any decision of the planning board under the provisions of Article VI or Article VII may appeal to the village council as prescribed in Sec. 800.