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MEMO

To: Planning, Zoning and Appeals Board Members

From: Jeremy Calleros Gauger, Deputy Director - Planning Department

Date: May 2, 2018

Subject: NCD-2 and NCD-3 Amendments (3730)

PZAB members:

A long public process produced the language presented to this board on April 4, 2018 and April 18, 2018. The item was continued to May 2, 2018. PZAB identified the main concerns cited at the public hearings: **Intent language, merging NCD-2 and NCD-3, ADU regulations, and FLR limitations.**

Based on public comments and direction from the Board, Planning staff hosted a fourth community meeting on Saturday, April 28, 2018. The meeting was attended by over 50 community stakeholders including residents, property owners, architects, and developers. Participants were asked to discuss the three main concerns identified at the PZAB meeting. Each table was directed to document consensus regarding each topic by identifying pros and cons for each policy proposal. The results varied but additional consensus was identified for all three policies.

Staff is proposing modifications to the proposed language based on an analysis of the public meeting. These modifications align the proposed language with expressed community goals.

Intent Language:

Current Version: Combined NCD-2 and NCD-3: Originally staff had recommended combining NCD-2 Village West Island and Charles Avenue and NCD Coconut Grove after identifying extensive overlap in goals and objectives among both communities.

Modified Version: Keep separate NCD's: Propose NCD Coconut Grove & NCD Village West Island District. Staff supports maintaining two separate NCDs with similar regulations but different intent language, heritage protections, and ADU regulations.

Ancillary Dwelling Units (ADU) Regulations:

Current Version: ADU's are allowed by right in all lots over 7500 square feet and any historically designated property in the entirety of Coconut Grove.

Modified Version: Allow ADU's by right in lots over 15,000 sqft with parking on-site in NCD-CG. Allow ADU's by right in all of NCD-Village West Island District. In addition, any historic structure 1,200 sqft may count as the ADU and an additional structure may be built on-site which may count as the principal dwelling.

FLR Limitations:

Current Version: T3-R: 0.5 by right with 0.65 allowed by providing large trees. T3-O: 0.75 by right with 0.90 allowed by providing large trees.

Proposed Version: This item remains the most controversial item with the least consensus. Based on further community input, staff recommends further limitations on FLR with no bonus program, while maintaining large canopy tree requirements.

The main modifications to the proposed language are directly derived from the April 28th, 2018 community meeting and public comments made at the PZAB hearings. As stated above, the three main modifications are: **merge of NCD-2 and NCD-3, ADU regulations, and FLR limitations.**

In addition, there are number of less controversial modifications on which we have developed language, but have currently omitted to reduce the complexity of the number of drafts circulating. We intend to include the following:

1. Roof deck reductions: 5.3.2.e Extensions count towards FLR, deck set back 5' all around. No roofed extensions on lots <10k sqft. (May be accessed by exterior stair).
2. 5.3.4 clarify carports in the first layer, as encroachment.
3. Trellises for horizontal screening at T3, T5/6 adjacencies.
4. Max one garage door facing the street, (or % of lot for secondary frontages).
5. Include parking diagrams
6. Clarify status of botanical gardens
7. FLR for schools or churches in T3 exceptions
8. Add neighborhood to title
9. Include definitions for
 - o Lot coverage
 - o FLR
 - 5.3.1.c FLR may not be larger on second floor
 - 5.3.2.a.3 delete Trellises and Gazebos
 - o Green Space
10. Demolition by WARRANT not Waiver
11. Require specimen tree for every 25' of frontage not 15'
12. Height reductions on T3s
 - o Roof extensions only >10ksf lots?
13. Second story should not be allowed to encroach first layer
14. Move mixed use cultural and market district to specialty districts
15. Charles Ave protections expanded to Thomas + Franklin + Marler?
16. Facelift on Design Guidelines – add as an exhibit
17. Clarify what Large Scale Retail includes
18. Allow similar rules for residential parking as exist for commercial parking within the BID

Best Regards,

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