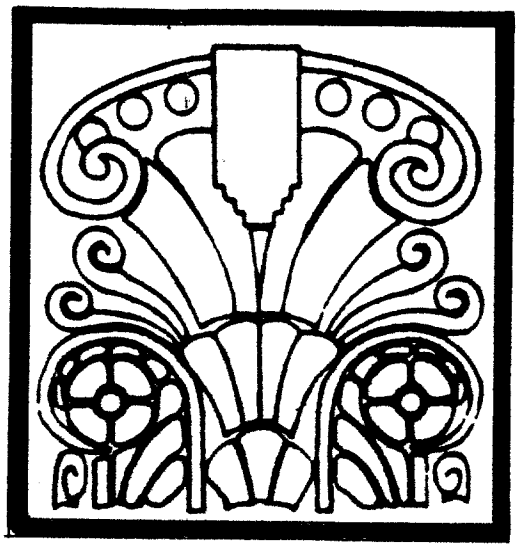
OCEAN DRIVE / COLLINS AVENUE

HISTORIC PRESERVATION DISTRICT

DESIGNATION REPORT



CITY OF MIAMI BEACH PLANNING DEPARTMENT

MARCH 1986

OCEAN DRIVE/COLLINS AVENUE HISTORIC DISTRICT

DESIGNATION REPORT

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I. REQUEST

At its November 14, 1985 meeting, the Miami Beach Historic Preservation Board voted to nominate the area bordered by 6th Street on the south, the Erosion Control Line on the east, Collins Court on the west, and roughly, 16th Street on the north for historic preservation district designation. The first step in the designation process was the preparation of a preliminary evaluation to determine the nominated district's general conformance with the criteria for designation listed in Section 22-5(B) of the Zoning Ordinance.

At its January 3, 1986 meeting, the Historic Preservation Board reviewed the preliminary evaluation and directed staff to proceed with preparation of this designation report.

II. DESIGNATION PROCESS

The process of historic designation is delineated in Section 22-5(A) of the Miami Beach Zoning Ordinance. An outline of this process is provided below:

Step One: A request for designation is made either by the Historic Preservation Board, other agencies and organizations as listed in the Ordinance, or the property owners involved.

Step Two: The Planning Department prepares a preliminary evaluation and recommendation for consideration by the Board.

Step Three: The Historic Preservation Board reviews the evaluation to determine compliance with the criteria for designation and then votes to direct the Planning Department to prepare a designation report.

The designation report is a complete historical and architectrual analysis of the proposed district or site. The report 1) serves as the basis for a recommendation for nominatin by the Board; 2) describes review guidelines to be utilized by the Board when a Certificate of Appropriateness is requestd; and 3) will also serve as an attachment to the Zoning Ordinance creating the new zoning district.

Step Four: The designation report is presented to the Board at a public hearing during a regularly scheduled meeting. If the Board determines that the proposed designation meets the intent and criteria set forth in the Ordinance, they transmit a recommendation to the Planning Board.

Step Five: The Planning Board processes the proposed designation as a Zoning Ordinance amendment.

As such, the Planning Board will hold a public hearing on the proposed designation and, subsequently, transmit its recommendation to the City Commission.

Step Six: The City Commission may, after two (2) public hearings, adopt the amendment to the Zoning Ordinance, which thereby designates the Historic Preservation District (or site).

III. PLANNING DEPARTMENT ANALYSIS

1. GENERAL INFORMATION

Location: The area is generally bounded by:

Erosion Control Line on the east; 6th Street on the south; Collins Court on the west; and the extension of the north lot lines of Lots 4 and 16, Blk 55, Fisher's First Subdivision of Alton Beach (FFSAB) on the north.

For detailed area, see attached map and legal description.

Present owners: Multiple owners, a complete list is available from Miami Beach Planning Department.

Present use: The majority of properties are currently in residential and hotel use. In addition, there are limited commercial uses.

Present zoning: In approximate order of total land area:

RM-125:	Multiple family, high density
MU:	Municipal Use
C-4:	Business
C-5:	General Business

Proposed zoning: Mixed Use Entertainment in place of the existing RM-125.

2. STATEMENT OF SIGNIFICANCE

A. Historical: The Ocean Drive/Collins Avenue Historic District is highly representative of a distinct period in Miami Beach's history. The area's development pattern and architecture is reflective of its physical setting, prevelent architectural styles of the 1930's, the aspirations of its original developers, and the changing economic conditions of the nation and the local community.

Nearly all of the proposed district's original plat, up to 15th Street, was first recorded by the Lummus Brothers' Ocean Beach Realty Company in 1912. The smaller portion to the north was recorded by Carl Fisher's Alton Beach Realty Company early in 1914.

The Lummus brothers had acquired all of this property from John Collins and had participated in several activities to promote development. Some of these promotions included investing with Collins in a bridge to the mainland, construction of the area's first streets and sidewalks, and a land

give-away scheme to individuals who would agree to build houses on the property.

The area itself was subdivided using a strict grid pattern with relatively small 50 x 130 foot lots and access via streets with 50-60 foot rights-of-way. The intended use for these properties was for development of small seaside cottages and related commercial uses and, accordingly, J.N. Lummus built his own house at 12th Street and Ocean Drive. As an additional amenity to their oceanside property, The Lummus brothers sold the beachfront portion, (eastward of Ocean Drive) to the City for $40,000 in 1915.

Bathing casinos, such as Hardie's and Smith's in South Beach and the Miami Beach Casino at 22nd Street (all constructed prior to 1915), were a major attraction for the residents of the Miami mainland. It was near these casinos that the first modest hotel, rooming houses, small apartments, lunch counters, and small stores were developed.

Even after the sale of a second portion of their holdings (west of Washington Avenue) to Carl Fisher, the Lummuses retained control over nearly half of South Beach, and all of the oceanfront portion. In contrast to Carl Fisher, the Lummuses continued with their promotion to the middle class. Accordingly, "This territory, with its small houses, public beach and bathing casinos never lost its proletarian character."[1]

> "The Lummuses short of cash, with other businesses to manage, were not about to restrict anything on Ocean Beach. Anyone white and reasonably law-abiding could do pretty much what he pleased with his property, if he met the payments."[2]

This was very different from Fisher's development to the north. Fisher made extensive use of deed restrictions to control the size, type, architecture, and use of buildings. "An easygoing laissez-faire attitude prevailed on the Lummus property, giving South Beach a much more relaxed, though much less ritzy, atmosphere from the very beginning."[3] This development was very different in spirit from Fisher's fancy hotels, polo fields and golf courses for the wealthy.

Through the early 1920's, development was taking shape on South Beach. This development frequently took the form of the seaside bungalows; but, increasingly, development was becoming more ambitious as hotels began to take hold. It was in this period that the Ocean Drive hotel (760 Ocean Drive; 1925), Casa Grande (834 Ocean Drive; 1923), Martha Hill Apartments (850 Ocean Drive; 1922), The Collins Hotel (609 Collins Avenue; 1923), and the "El Patio" Apartments (1350 Collins Avenue; 1922) were constructed.

However, the most intensive period of development took place from the mid 1930's until WWII, following the disasterous years from the 1926 Hurricane through the Depression. It was during this period that the single

family residences were demolished, and the low-to-mid rise Art Deco seasonal hotels were constructed.

B. Architectural: The primary visual image of the Ocean Drive/Collins Avenue District is imprinted with architectural styles commonly grouped under the category of Art Deco. The area was planned and developed as a resort mecca and built-up in a relatively short period of time. The result is visual cohesiveness and a high concentration of distinct resort architecture typical of the fashionable style of the 1930's period. The overall site development and layout of structures was influenced by the proximity to Lummus Park and the ocean. With an open front terrace, a standard design feature, the buildings were clearly designed to take advantage of the beach.

Locally, the term Art Deco has become synonomous with the many different architectural styles of the 1930's. These include Moderne, Streamline Moderne and Depression Moderne. Also visible on Ocean Drive and Collins Avenue are fine examples of other popular resort architectural styles of approximately the same period such as Mediterranean and Colonial Revival. Many buildings show combinations of more than one style.

In brief, the Art Deco style, as seen in the proposed district, was the contemporary architecture of the 1930's. This period represented a break with the predominantly classical architecture prevalent throughout Dade County in the 1920's. As with the Post-Modern movement of the 1980's, the Art Deco style incorporated classical themes (such as Egyptian and Mayan) in a thoroughly modern context. Common elements of the early Art Deco style are a strong verticality, angular forms, ornamentation in relief, and symmetry of fenestration. Examples include the Cavillier (1320 Ocean Drive; 1936), and the Marlin Hotel (1200 Collins Avenue; 1939).

In the later streamline buildings, there is a strong industrial influence in the use of materials such as chrome and glass block. The building forms are rounded and simplified similar to the aerodynamic design of automobiles, trains and airplanes of that time. There is a simplification of ornamentation as well in the form of raised banding (called racing stripes) which takes the place of elaborate friezes seen on earlier buildings. The streamline buildings, while still possessing a strong vertical emphasis, utilize more horizontal elements in their design. Examples include the Cardoza Hotel (1300 Ocean Drive; 1939) and the Essex House Hotel (1001 Collins Avenue; 1938).

The Ocean Drive and Collins Avenue buildings of the 1930's have several elements in common which result in an overall image referred to as Tropical Deco or Miami Beach Deco. These elements utilize tropical and nautical symbols which reinforce the popular image of the seaside resort. Palm fronds, fish, flamingos, and waves were popular subjects for building ornamentation as were port hole windows and ship-like pipe railings. Of a more practical nature, the cantilever window shades called "eyebrows" and

the deep, covered terraces which create a uniform street scale are well designed for the local climate. Another frequently used element is the elaborate finial, or crowning ornament, present on several buildings on Collins Avenue, which presents a futuristic image implying that Miami Beach in the 1930's was not only a tropical resort, but a thoroughly contemporary one, relatively untouched by the depression which gripped the rest of the country.

Constructed somewhat later, from 1939 to 1941, the hotels north of 15th street utilize similar design principles, but on a more impressive scale. Larger lots and direct ocean frontage created the setting for the next phase of resort architecture where buildings contained more private amenities; such as restaurants, nightclubs, and private pools and beaches.

The buildings emphasize the vertical elements on the front (west) elevations, and some (the St. Moritz, Shorecrest, and the Sands) also have tower-like appurtences to increase the sense of building height. This evolution of local Art Deco architecture toward the skyscraper hotel continued until WWII when construction activities stalled and ended shortly after the war when the international style began to take hold.

3. RELATION TO ORDINANCE CRITERIA

In Accordance with Section 22-5(B) of the Zoning Ordinance, eligibility for designation is determined on the basis of compliance with listed criteria. There are two levels of criteria. The first level is referred to as a Mandatory Criteria, which is required of all nominated sites or districts. The second level is referred to as Review Criteria. In compliance with at least one of several listed criteria is required. The Ocean Drive/Collins Avenue Historic District is eligible for designation as it complies with the criteria as outlined below.

A. Mandatory Criteria

Integrity of location, design, setting, materials, workmanship, and association.

Staff finds the nominated district to be in conformance with the mandatory criteria for the following reasons:

1. The nominated district is located within a National Register Architectural District;

2. The district is the primary tourist/hotel area constructed in the 1930's within the Architectural District and is thus a definable area based on land use;

3. The area possesses high consistency in architectural style, scale, setback, and materials; and

4. The area is dependant on, and well integrated with, the adjacent public oceanfront.

B. Review Criteria

Staff finds the nominated district in conformance with the following review criteria:

1. Association with events that have made a significant contribution to the broad patterns of our history:

   The nominated district was the primary tourist/hotel area during the 1930's and 1940's, during which time Miami Beach was established as a premiere oceanfront resort city. Thus, this area and the individual buildings contained within, significantly contributed to the history and development of the City.

2. Embody the distinctive characteristics of a type, period, or method of construction:

   The nominated district contains a high concentration of buildings in the Art Deco-Moderne style. Also present are examples of the Mediterranean Revival style and many transitional (containg elements of both styles) buildings. These styles represent the dominant local architectural styles in the mid to late 1920's through the 1940's.

3. Possesses high artistic values:

   The Art Deco-Moderne, as well as the Mediterranean Revival buildings within the nominated district, possess artistic value in building form and detail ornamentation.

4. Represent the work of a master:

   Many of the local "master" architects are represented in the nominated district including Henry Hohauser, L. Murray Dixon, and Kiehnel and Elliot.

5. Significant entity whose components may lack distinction:

   Consistency in land use, architectural style, scale, and period of development within the nominated district has created a significant example of twentieth century oceanfront resort architecture. Although some individual buildings are not of outstanding design, they and Lummus Park contribute to the overall quality of the nominated district.

4. PLANNING CONTEXT

A. Present Trends and Conditions - The proposed Ocean Drive/Collins Avenue Historic District was the focus of Miami Beach's tourism and resort industry from the late 1920's through the early 1940's. The district has

survived the economic decline of a changing travel industry relatively intact, if somewhat deteriorated both physically and economically. As a result of a shift to a secondary market (that of an elderly, poorer, and more transient group of permanent and seasonal "one room apartment" dwellers) the historic buildings within the proposed district have remained to some extent occupied and in use. To a large degree, these demographic and economic conditions persist; however, in recent years, a new direction has taken shape.

Recognizing both the area's potential to make a significant economic change in terms of its market, and the aesthetic value of its rich historic and architectural heritage, the City, private citizens, and property owners have initiated efforts to improve and revive the neighborhood with historic preservation as the guiding principle. For its part, the City has embarked on a major planning effort which is described in detail in Ocean Drive: A Planning and Urban Design Strategy. This plan incorporates an extensive set of public improvements for Ocean Drive, the numbered cross streets, and Lummus Park. Designed to enhance the historic image of the area, these improvements include new streets, sidewalks, lighting, signage, street furniture, landscaping, and an extension of the Beachfront Park and Promenade. In addition, the zoning and other land use regulations are being revised in order to allow the smaller historic hotels to compete in the current tourist market with placement of outdoor recreation and entertainment uses, cafes and restaurants. Design guidelines for appropriate rehabilitation of the area's historic structures have also been established and several business assistance programs have been proposed.

This plan was developed both in response to current preservation activities and as an incentive to new rehabilitation projects. Area buildings which have recently undergone or are currently undergoing rehabilitation include the Carlyle Hotel (1250 Ocean Drive), the Cardozo (1300 Ocean Drive), the Waldorf Towers (860 Ocean Drive), the Locust Apartments (818 Ocean Drive), and the Alamac (1308 Collins Avenue). In this way, public and private efforts are being directed towards the goal of establishing this district (including Ocean Drive, Lummus Park, and Collins Avenue) as a popular tropical historic resort and recreation area which will attract tourists, day visitors, and new residents.

B. Conservation Objectives: Historic Designation would serve to compliment and reinforce the efforts currently being made by the City, citizens, and property owners to revitalize the area through preservation. The City's plan Ocean Drive: A Planning and Urban Design Strategy outlines an ambitious program of zoning and public improvements intended to promote and guide preservation, rehabilitation, and development of new compatible uses.

Historic designation, linked with this planning program, will aid in the achievement of several important goals for the district which include:

1. to preserve its character and architectural integrity;

2. to safeguard district buildings, streetscape, and open space from undesirable alteration;

3. to enable the Ocean Drive/Collins Avenue District to serve as the model in a continued program to encourage and develop historic preservation opportunities throughout the City; and

4. to promote the economic viability of the hotels and businesses in the proposed district through appropriate rehabilitation, public improvements, and compatible new uses and to demonstrate the viability of preservation as a means to successful neighborhood revitalization.

IV. PLANNING DEPARTMENT RECOMMENDATION

1. DISTRICT BOUNDARIES

A. The Planning Department recommends the Historic Preservation Board vote in favor of the designation of the Ocean Drive/Collins Avenue Historic Preservation District to be established within the following boundaries:

South: Centerline of 6th Street

The Department recommends 6th Street as the southern boundary as it is also the boundary of the National Register District. Ocean Drive and Collins Avenue architecture is consistent through 6th Street, but Historic District Regulations would conflict with South Pointe Re-development goals and regulations if a more southernly boundary was selected.

East: the Erosion Control Line

The Department recommends the Erosion Control Line as the eastern boundary as it contains Lummus Park and the complete sites of the north Collins Avenue buildings, it is the line separating municipal and private ownership from State ownership of the beach, and (due to State regulations) it is unlikely that any future construction will occur east of this line.

North: Centerline of 16th Street

The Department recommends the centerline of 16th Street rather than the Historic Preservation Board's original recommendation of a boundary north of 16th Street because 1) the City parking lots and vacant land comprises 52.4% of the total area; and 2) the centerline of 16th Street is the boundary of the RM-125 and C-4 districts.

West: Collins Court or the western property lines of all buildings abutting Collins Avenue from 6th Street to 16th Street.

For the reasons stated more fully within the report, the Department recommends Collins Avenue be included in the designation of any

Ocean Drive district. The buildings on Collins Avenue were developed during the same period, by the same architects, and for the same use as Ocean Drive. Collins Avenue contains buildings of equal architectural quality as Ocean Drive and are of the same styles and scale. The two streets functioned jointly as the tourist/hotel district of Miami Beach in the 1930's. The recommended boundary ensures all Collins Avenue sites are included within the district.

2. Review Standards

In accordance with Section 22-5(A)(3) of the Zoning Ordinance, the Planning Department recommends the Secretary of the Interior Standards for Rehabilitation of Historic Structres be adopted as the review standards for buildings within the Ocean Drive/Collins Avenue Historic Preservation District.

FOOTNOTES

1. Polly Redford, Billion-Dollar Sandbar (New York: E.P. Dutton & Co., Inc., 1970). p. 94

2. IBID. p. 96

3. IBID.

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1. City of Miami Beach Development Services Division
   Building Card Files

2. City of Miami Beach Planning Department
   Historic Preservation Computer Data Base, 1985.

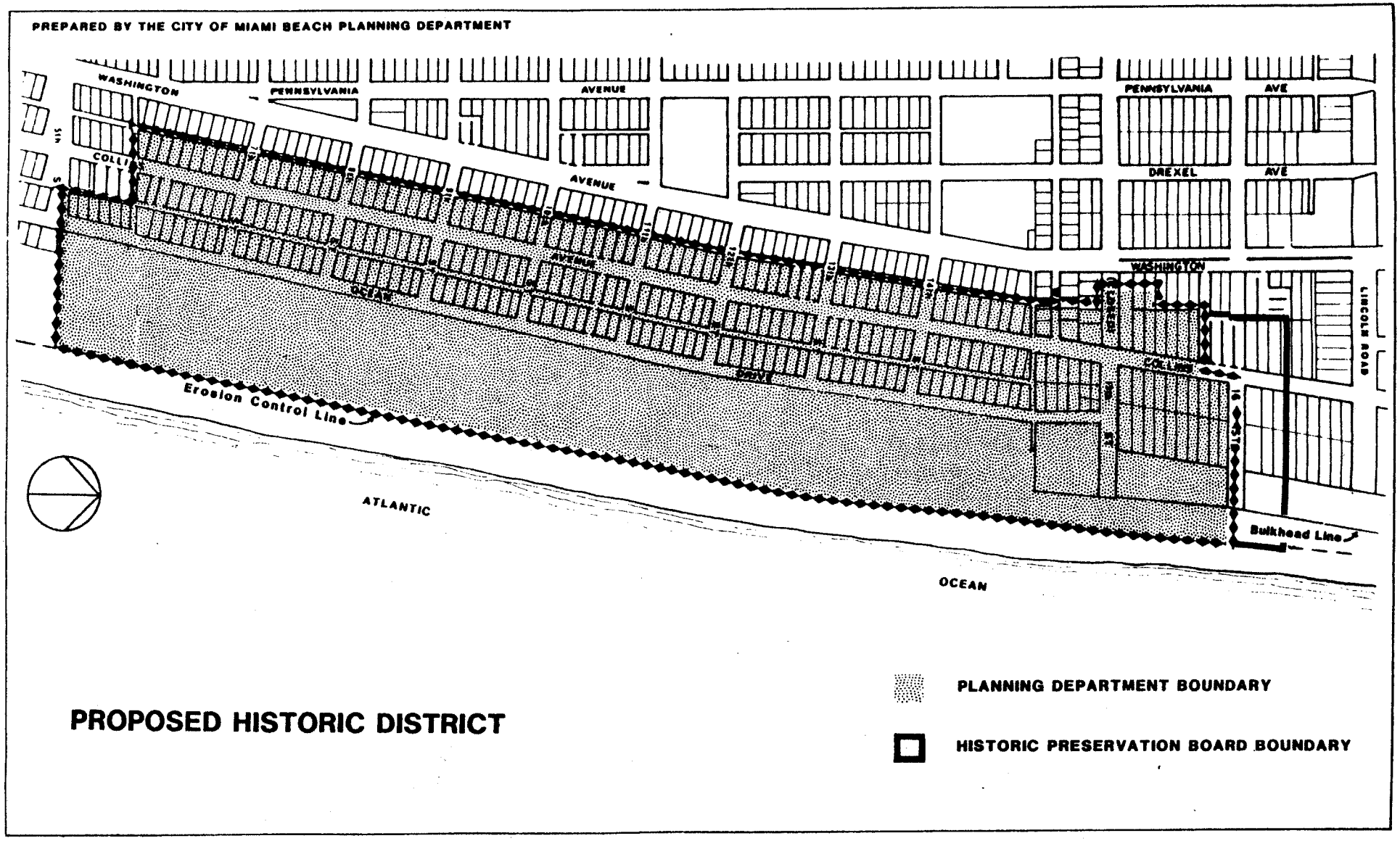
3. Lummus, J.N. The Miracle of Miami Beach.
   Miami: Miami Post Publishing Co., 1952.

4. Redford, Polly. Billion Dollar Sandbar.
   New York: E.P. Dutton & Co., Inc., 1970.

5. Rickles, Richard S., ed. Ocean Drive: A Planning and Urban Design Strategy.
   Miami Beach: City of Miami Beach Planning Department, 1984.

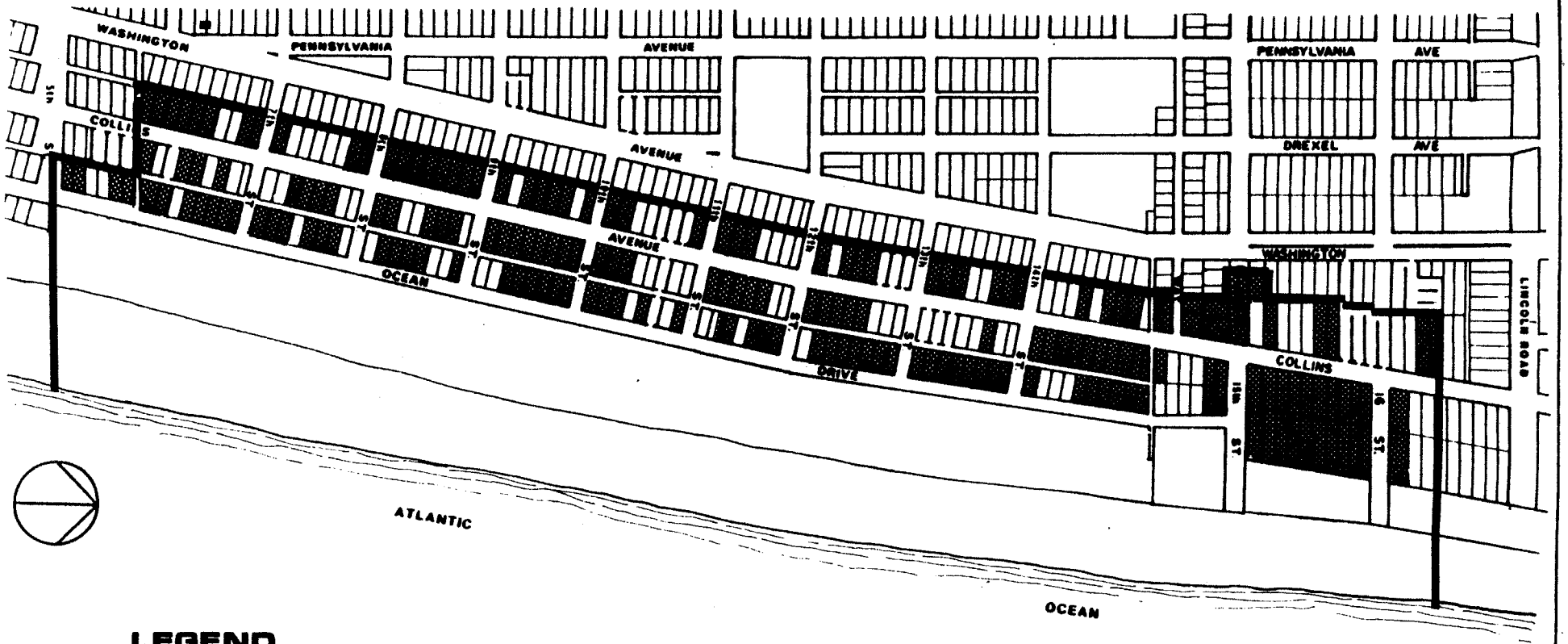
LEGAL DESCRIPTION

Beginning at the intersectin of the centerlines of 6th Street and Collins Court. Proceed east along centerline of 6th Street to the Erosion Control Line as described in plat book 105 page 62, Public Records of Dade County. Proceed north along the Erosion Control Line to the intersection of the eastern extension of the center line of 16th Street. Proceed west along said line to the intersection of the centerline of Collins Avenue, proceed south along said line to the intersection of the north lot line of Lot 7, Blk 57, Fisher's First Subdivision of Alton Beach Proceed west along said line to the intersection of the west boundary of said lot. Proceed south to the intersection of the centerline of Lot 19, Blk 57, Fisher's First Subdivision of Alton Beach. Proceed 75 feet west along said centerline. Proceed south to north lot line of Lot 4, Blk 76 (Fisher's First Subdivision of Alton Beach). Proceed south until the north lot line of Lot 2, Blk 2-A, Espanola Villas. Proceed west to west lot line of said lot. Proceed south to centerline of Espanola Way. Proceed west along said centerline to the centerline of Collins Court and thence south along said centerline to point of beginning.



PROPOSED HISTORIC DISTRICT

PREPARED BY THE CITY OF MIAMI BEACH PLANNING DEPARTMENT



LEGEND

CONTRIBUTING 73%

THOSE BUILDINGS WITH SIGNIFICANT ARCHITECTURAL/HISTORIC MERIT WHICH ADD TO THE SPECIAL ARCHITECTURAL QUALITY OF THE DISTRICT

NON-CONTRIBUTING 27%

ORDINANCE NO: 86-2511

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO. 1891; PROVIDING FOR AN AMENDMENT TO SECTION 3-2, CREATING A NEW DEFINITION ENTITLED "ARCHITECTURAL DISTRICT" AND "OCEAN DRIVE PLAN"; CREATING SECTION 6-22 MIXED USE ENTERTAINMENT DISTRICT WHICH IS DESIGNATED TO ENCOURAGE LOW RISE HOTEL AND APARTMENT REHABILITATION AND NEW CONSTRUCTION THAT IS CONSISTENT WITH THE "OCEAN DRIVE: A PLANNING AND URBAN DESIGN STRATEGY" AS ADOPTED BY THE CITY COMMISSION; THAT SAID REGULATIONS AFFECT PROPERTIES WITHIN AND ABUTTING THE FOLLOWING AREAS: 5TH TO 15TH STREETS ON OCEAN DRIVE, 6TH TO 16TH STREETS ON COLLINS AVENUE, AND 15TH STREET FROM OCEAN DRIVE TO COLLINS AVENUE; THAT SAID REGULATIONS INCLUDE DEVELOPMENT STANDARDS PERTAINING TO PERMITTED AND ACCESSORY USES, FLOOR AREA RATIO, DENSITY, LOT COVERAGE, PARKING, MAXIMUM PERMITTED BUILDING HEIGHT, SETBACKS; PROVIDING FOR AN AMENDMENT TO SECTION 11 PERTAINING TO SIGN REGULATIONS IN THE MIXED USE ENTERTAINMENT DISTRICT: PROVIDING FOR ALL APPLICATIONS FOR A BUILDING PERMIT BE REVIEWED BY THE DESIGN REVIEW BOARD PURSUANT TO SECTION 21 OF THE ZONING ORDINANCE; REQUIRING SIGNS, FENCES AND WALLS BE PLACED UNDER DESIGN REVIEW AND PERMITTING THE PLANNING DIRECTOR TO CONSIDER SAME PURSUANT TO THE SPECIAL REVIEW PROCEDURES; PROVIDING FOR AN AMENDMENT TO THE CITY'S OFFICIAL ZONING MAP BY EXCLUDING LAND (SEE ATTACHED MAP AND LEGAL DESCRIPTION) FROM THE RM-125 MULTIPLE FAMILY HIGH DENSITY DISTRICT, AND C-PS2, GENERAL MIXED-USE COMMERCIAL PERFORMANCE STANDARD, AND INCLUDING SAME IN THE MIXED USE ENTERTAINMENT DISTRICT; PROVIDING FOR AN AMENDMENT TO SECTION 22-4, CONCERNING POWERS AND DUTIES OF THE HISTORIC PRESERVATION BOARD; PROVIDING FOR AN AMENDMENT TO SECTION 7 PERTAINING TO OFFICES IN THE RM-60 PORTION OF THE ARCHITECTURAL DISTRICT; AND AMENDING SECTION 22-5 BY DESIGNATING THE FOLLOWING AREAS AS LOCAL HISTORIC DISTRICTS: RM-60/HPD-1 PROPERTIES ABUTTING ESPANOLA WAY FROM COLLINS AVENUE TO JEFFERSON AVENUE AND MXD/HPD-2 PROPERTIES ABUTTING OCEAN DRIVE FROM 5th to 15th STREETS AND COLLINS AVENUE FROM 6th to 16th STREETS, EXCLUDING THE SOLYMAR/WHITE HOUSE PROPERTY: PROVIDING FOR INCLUSION WITHIN THE ZONING ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MIAMI BEACH,FLORIDA:

~~Dashed Words~~ = Deleted Language
Underlined Words = New Language
Sections 6 - 22 = New Language

Section 1: That Section 3 and Subsection 3-2 of Ordinance No. 1891 is hereby amended to read as follows:

3-2 ARCHITECTURAL DISTRICT: That area listed on the National Register of Historic Places, as of May 14, 1979, in accordance with the National Preservation Act of 1966 as amended and in the Florida Master Site File under number 8-DA 1048 as the "Miami Beach Architectural District".

OCEAN DRIVE PLAN: The document prepared by the City of Miami Beach Planning Department, adopted by the City Commission on February 6, 1985 and officially titled "Ocean Drive: A Planning and Urban Design Strategy".

Section 2: That Section 22, Subsection 22-4, A-5 of Ordinance No. 1891 is hereby amended to read as follows:

22-4 HISTORIC PRESERVATION BOARD

There is hereby created a Miami Beach Historic Preservation Board for the purposes of carrying out the provisions of this Section. The Board shall have the authority to recommend the designation of areas, places, buildings, structures, landscape features, archeological sites and other improvements or physical features as individual sites, districts or archeological zones that are significant to the City's history, architecture, archeology or culture, or possess an integrity of location, design, setting, material of workmanship in accordnace with the goals of this Section.

A. Powers and Duties - The Board shall:

1. Recommend to the Planning Board and City Commission the designation of historic sites or districts;

2. Prepare and recommend for adoption specific guidelines for each designated site or district to be used to evaluate the appropriateness and compatibility of proposed alteration or development within designated sites or districts;

3. Issue or deny Certificates of Appropriateness and Certificates to Dig, in accordance with procedures specified in this Section;

4. Promote the preservation of historic properties by granting special incentives to property owners in accordance with law, including but not limited to transfer of development rights, floor area bonuses, special use exceptions, and by administering financial assistance, loans and grants;

5. The Historic Preservation Board shall ~~have the authority to waive with or without conditions the parking, setback, height, signage, density and floor area ratio requirements of the underlying zoning district of those properties designated as an historic site or district.~~ advise the Zoning Board of Adjustment with regard to variances associated with properties designated as an historic site or within a local historic district. ~~The Board shall have the specific authority, notwithstanding any other provisions of the City Code, to grant owners: (1) a maximum of 25% increase in maximum permitted floor area ratio; (2) the right to operate accessory commercial use establishments within the designated structures.~~ The Zoning Board of Adjustment, in consideration of the Historic Preservation Board's recommendation, shall only ~~grant approval of #1 and #2 above to property owners in conjunction with an application for a Certificate of Appropriateness establishing that physical improvements will result in significant historic rehabilitation, renovation or preservation,~~ approve variances when the work will result in the restoration of structures in a manner that is substantially consistent with the United States Secretary of the Interior's Standards as amended. ~~In exercising this authority granted in this provision, the Board shall utilize the standards established in Section 17-6(A)(2) of the Ordinance.~~

6. The Historic Preservation Board shall have the authority to grant Certificates for Transfer of Development Rights (TDR) to property owners of individual sites or owners of properties within districts designated as an historic site or district. The exercise of this authority shall be in accordance with the criteria for Transfer of Development Rights as shall be enacted by the City Commission;

7. Facilitate the redevelopment of historic sites and districts by directing the Department of Planning to provide advisory and technical assistance to property owners, applicants for Certificates of Appropriateness and other City departments;

8. The Board shall make and prescribe by-laws and application procedures which are reasonably necessary and appropriate for the proper administration and enforcement of the provisions of this chapter. Such rules and regulations shall conform to the provisions of this Section and shall not conflict with the Constitution and general laws of the State of Florida, the South Florida Building Code, except as provided in Section 22 of this Ordinance, and shall govern and control procedures, hearings and actions of the Board. No such rules and regulations shall become effective until a public hearing has been held upon the proposed rules and regulations and any amendments or modifications thereto, and filed with the Clerk of the Commission. The Board shall prescribe forms for use by applicants in compliance with the provisions of this Section The Board may authorize any one of its members to administer oaths and certify to official acts.

Section 3: That Section 22, Subsection 22-5, C-4 of Ordinance No. 1891 is hereby amended to read as follows:

4. All sites and districts designated as historic sites and districts shall be delineated on the City's zoning map pursuant to Section 23-10(c) of this Ordinance as an Overlay District. Such sites and districts include:

a. MU/HPS-1: Old City Hall - 1130 Washington Avenue
Block 23, Ocean Beach Addition No.3, as recorded in Plat Book 2, at page 31 of the Public Records of Dade County, Florida.

b. CCC/HPS-2: 21st Street Recreation Center - 2100 Washington Avenue
Beginning at intersection of west right of way of Washington Avenue and south boundary of Collins Canal in Section 27, Range 42 east, Township 53 south, from point of beginning, then south 510 ft.; west 165 ft.; north 45 degrees to west 115 ft.; north 160 ft.; west 140 ft.; north 70 ft.; northeast along south boundary of Collins Canal, 435 ft. to point of beginning.

c. C-5, RM-60/HPD-1. All properties fronting or abutting Espanola Way, including all of Blocks 2-A and 2-B Espanola Villas, Blocks 3-A, 3-B, 4-A, 4-B, 5-A, 5-B, 6-A, 6-B, 7-A and 7-B, First Addition to Espanola Villas, and lots 1 - 4, a re-subdivision of that unnumbered tract lying west of Blocks 7-A and 7-B and Espanola Way in First Addition to Espanola Villas.

d. MXD/HPD-2: Ocean Drive from 5th to 15th Streets and Collins Avenue from 6th to 16th Streets and 15th Street from Ocean Drive to Collins Avenue, excluding the following parcels of land:

Lots 1 through 4 of Harrison & Hayes Subdivision; also,

Those portions of Lots 1 and 2, Block 77, Fishers 1st Subdivision of Alton Beach lying east of the easterly boundary of Ocean Drive; also,

That tract of land beginning at the northeast corner of Block 77, Fishers 1st Subdivision of Alton Beach thence running northeasterly 35.49', continuing the easterly line of Block 77, Fishers 1st Subdivision of Alton Beach, thence easterly to the established bulkhead line, thence southwesterly following the established bulkhead line to the northeast corner of Lot 1, Harrison & Hayes Subdivision, thence westerly along the northerly line of Lot 1, Harrison & Hayes Subdivision to the southeast corner of Block 77, Fishers 1st Subdivision of Alton Beach, thence northeasterly 101.4' along the easterly line of Block 77, Fishers 1st Subdivision of Alton Beach to the point of beginning.

Section 4: That Section 6 Subsection 6-22 of Ordinance No. 1891 is hereby created to read as follows:

6-22 MIXED USE ENTERTAINMENT DISTRICT

A. District Purpose - These regulations are designed to encourage the substantial restoration of existing structures and allow for new construction in accordance with the City's guidelines as presented in the Ocean Drive Plan as adopted by the City Commission and shall substantially comply with the U.S. Secretary of the Interior Standards for Rehabilitation of Historic Buildings as amended.

B. Uses Permitted - No land, water or structure may be used, in whole or in part, except for one or more of the following permitted uses:

1. Hotel
2. Apartment
3. Apartment/Hotel
4. Mixed Use buildings are only permitted on Ocean Drive between 5th and 15th Street and may have any combination of retail, office (medical or dental related offices are prohibited), dwelling or sleeping units based upon the following mandatory criteria:

   a. The building shall be substantially rehabilitated and comply with the building, fire and design recommendations as listed in paragraph 6-22,C.

   b. The building shall contain no more than two stories on two platted lots, unless it has a courtyard that is open to the sky, with or without a translucent roof and surrounded by a structure on all four sides. New additions within the required setback area are permitted.

   c. The building shall contain a night club, cabaret, bar, outdoor cafe or restaurant on the ground floor and/or on the porch, if one exists. The minimum seating requirement shall not be less than required by State statutes regulating liquor licenses for businesses .

   d. Off-street parking shall be provided for the floor space associated with offices and retail uses in compliance with the requirements of Section 9. The alternate parking provisions as listed in Section 6-22, E-4d (1-2), are not applicable for office or retail uses.

   e. There shall be no more than one mixed use building per block.

C. Accessory Uses - Properties having a property line on Ocean Drive from 5th to 15th Street or 15th Street between Collins Avenue and Ocean Drive, or properties on the east side of Collins Avenue from 15th to 16th Streets, shall be permitted to have accessory uses listed below only if the renovation plans for the building indicate that the entire structure shall conform to the South Florida Building Code, the the City's Minimum Housing and Commercial Properties Standards, and National Fire Prevention Administration Code. If the plans do not indicate such level of work, then accessary uses are not permitted. All construction shall be done in a manner that is substantially consistent with the design recommendations in the Ocean Drive Plan and the U.S. Secretary of Interior Standards for Rehabilitation of Historic Buildings as amended. The location of entrances, exits and signage are subject to approval by the Design Review Board and are not regulated in Section 7-2.

1. Permitted Accessary Uses in Hotels:

   a. Those accessory uses that are customarily associated with the operation of a hotel. The amount of retail space shall not exceed 75 sq. ft. per sleeping unit;

   b. Hotels may have offices not associated with the operation of a hotel; however, the ground floor space and porch, if one is present, shall contain one of the following: night club, restaurant, outdoor or indoor cafe. The floor space associated with offices shall not exceed 35 sq. ft. per hotel unit; Medical or dental related offices are prohibited;

   c. Restaurants, outdoor cafes, sidewalk cafes;

   d. Solarium, sauna, exercise studio, health club or massage service by an individual licensed by the State of Florida or other appropriate agencies;

e. Antiques, bookstore, art/craft galleries, artist studios;

f. Alcohol beverage sales as per Section 14 of this Ordinance;

2. Permitted Accessory Uses in Apartment/Hotels:

a. Apartment hotels may have the same accessory uses as hotels if a minimum of 75% of the total number of units are sleeping units; and

b. Accessory uses for apartment buildings as listed in Section 6-22, C-3

3. Permitted Accessory Uses In Apartment Buildings.

a. Sundry shops shall be limited to the sale of tobacco and tobacco products, magazines, newspapers, candies, sodas, suntan oils, patent medicines, milk, bread, eggs, tea and coffee or similar items. The total aggregate floor area shall not exceed 35 sq.ft. per dwelling unit.

b. Restaurants, outdoor cafe, sidewalk cafes with alacholic beverqge sales or the Section 14 of this Ordinance.

c. Solarium, sauna, exercise studio, health club or massage service by an individual licensed by the State of Florida or other appropriate agencies;

When not addressed below, the regulation of accesory uses for properties on Collins Avenue from 6th to 15th Streets and on the west side of Collins Avenue from 15th to 16th Streets shall be pursuant to Section 7-2 and 7-3B of this Ordinance.

1. Offices are permitted to comprise a maximum of 50% of the floor area of the building. However, those offices that are medical or dental related are prohibited.

2. The building shall be listed as a Contributing Structure on the National Register for Historic Places Nomination Form or on the Miami Beach Historic Properties Data Base as maintained in the Planning Department.

3. Renovation plans for the building shall indicate that the entire structure shall conform to the South Florida Building Code, National Fire Prevention Administration Code, the City's Minimum Housing and Commercial Property Standards.

4. Architectural plans shall substantially comply with the U.S. Secretary of the Interior Standards for Rehabilitation of Historic Buildings as amended. This determination shall be made by the Planning Director and prior to the issuance of a building permit.

5. These regulations shall only apply to existing structures. Office space located in new structures is prohitibed.

6. The minimum floor area of a dwelling unit shall be 400 sq. ft. while the average of all the dwelling units shall be 600 sq. ft. Sleeping units shall have at least 400 sq. ft.

7. Failure to comply with each of the regulations shall automatically result in a denial of the application.

8. For purposes of this section, Conditional Uses shall be considered an an accessory use to hotels and reviewed pursuant to the procedures as listed in Section 7. The following are Conditional Uses: outdoor cafes, nightclubs or restaurants. Bars and cabarets are prohibited. Buildings which have Conditional Uses must comply with the South Florida Building Code, the City's Housing and Commercial Property Standards, and National Fire Prevention Administration code and the U.S. Secretary of Interior Standards for Rehabilitation of Historic Buildings as amended. The above list of Conditional Uses are not required to meet the provisions as listed in Section 7-2 and 7-3B of this Ordinance.

D. Design Review Process - No building permit shall be issued unless the architectural plans were approved under the City's Design Review Board procedures. The decision to approve the project shall be based upon a

determination that the architectural plans comply with the criteria as set forth in Section 21 of this Ordinance, consistent with the Ocean Drive Plan and substantial compliance with the U.S. Secretary of the Interior Standards for Rehabilitation of Historic Buildnigs as amended.

E. Development

1. Floor Area Ratio - 1.0; however, the Design Review Board may approve a development with a maximum floor area ratio of 3.0 if the project reflects an exceptional achievement in urban design based upon the design guidelines as presented in Ocean Drive Plan and the U.S. Secretary of the Interior Standards for Rehabilitation of Historic Buildings as amended. The specific bonus shall be based on the below formula:

Lowest permitted F.A.R.	1.0
Architectural Elements	Bonus pts upt to
- construct a front porch the full width of the building	0.5 pts
- design building to have the same window/floor heights as typicall constructed on the street	0.5 pts
- utilize similar building materials (stucco surface, pipe railings, windows, etc.)	0.25 pts
- maintain scale and building mass, stagger height above three floors, repeat rythm of building widths	0.5 pts
- utilize tropical landscape to reduce impact of the building	0.25 pts
Maximum permitted F.A.R.	3.0

2. Density and Lot Coverage - None

3. Minimum Floor Area Per Unit

	OCEAN DRIVE		COLLINS AVENUE	
TYPE	MIN. SIZE	AVG. SIZE	MIN. SIZE	AVG. SIZE
Sleeping Unit	200 s.f.	N/A	400 s.f.	N/A
Dwelling Unit	400 s.f.	600 s.f.	400 s.f.	600 s.f.

N/A = not applicable MIN. = minimum AVG. = average s.f.= square foot

4. Required Parking For Primary or Accessory Uses

a. Sleeping Unit - one (1) space per two units.

b. Dwelling Unit - one (1) space per unit.

c. Accessory Uses - Except for meeting rooms, conference rooms, ballrooms, banquet rooms, nightclubs or similar uses, the parking requirements shall be one-half (1/2) of the requirement as listed in Section 9 of this Ordinance. The requirement for meeting rooms, banquet rooms, conference rooms, nightclubs or similar uses shall be determined by the maximum occupancy calculation based on a standard of one (1) space per fifteen (15) square feet of available floor area for seating.

d. If parking facilities are not provided on site, one or more of the following methods may be used to satisfy the parking requirements as listed in Section 9 of this Ordinance:

(1) Provision of the required parking spaces may be substituted through the payment of an impact fee. The fee is based on the prevailing cost of parking decals. The impact fee formula is one decal (cost of) equals two required parking spaces. Payment shall be in the form of cash in lieu of parking decals - one space equals the cost of one decal. Funds generated in this manner shall be deposited in a City account specifically established to provide parking and related improvements in the Ocean Drive area. The first payment shall be received prior to the issuance of a building permit; however, the effective date of the first payment shall commence upon the issuance of a Certificate of Occupancy or Occupational License whichever is earlier and be valid for one (1) year. The second and subsequent payments shall be received annually on the anniversary of the date the Certificate of Occupancy or Occupational License (whichever is earlier) was received.

Funds generated in this manner shall be deposited in a City account specifically established to provide parking and related improvements in the Ocean Drive area.

(2) A joint venture agreement with the City or a private individual in which a designated number of parking spaces in a parking facility is specifically reserved for use by the applicant. Agreements regulating privately owned parking facilities shall be approved by the City Commission. All such agreements shall be filed against the property and recorded in the Circuit Court.

(3) Required parking may be provided on a valet basis in at-grade lots pursuant to the setback requirements as listed in paragraph 7 of this subsection.

Should alternative number one above be selected, the applicant has a two year moratorium on payments measured from the date the certificate of occupancy or certificate of use is issued. Should alternative number two or three be selected, a Certificate of Occupancy or Occupational License shall not be issued until the parking spaces are provided.

5. For purposes of Paragraph 6, 7, and 8 below, the term "Oceanfront Building or Lot" shall apply to any building or lot adjacent to the beach and having an Erosion Control Line as a property line. Any building or lot that does not have an Erosion Control Line as a property line shall be considered as a "Non-Oceanfront Building or Lot".

6. Maximum Building Height - 100 feet for non-oceanfront buildings and 150 feet for oceanfront buildings.

7. Setbacks For Non-Oceanfront Buildings

a. Front Yard

(1). Zero setback if the building is 40 ft. in height or less and includes a 20 ft. deep covered front porch running substantially the full length of the building front to be used for seating in association with indoor/outdoor cafes, bars, nightclubs, restaurants or cabarets.

(2) 20 ft. setback if the building does not include a front porch as described above or is greater than 40 ft. in height.

(3) For those buildings greater than 40 ft. in height, a one-story front porch as described in a(1) above may be constructed within the front yard setback.

b. Interior Side Yard shall be determined as indicated below:

(1) Buildings less than 40 ft. in height - each interior side yard shall be 10% of the lot width.

(2) Buildings greater than 40 ft. in height - each interior side yard shall be 15% of the lot width.

(3) Side yards facing a street shall have a setback of 10% of the lot width plus 5 ft.

c. Rear yard - 10 ft.

d. Subterranean - 0 ft., for that portion of the structure below grade. Otherwise the setback shall be as indicated above.

e. Setback requirements for parking lots shall be provided as setforth above and not as listed in Section 10 of this Ordinance.

8. Required Setbacks For Oceanfront Buildings

a. Front 50 ft.; however sculptures, fountains or architectual features when approved by the Design Review Board are permitted in the required front yard.

b. Interior side-15% of the lot width; side facing a street-15% of the lot width plus 5 ft.

c. Rear - as listed in Section 8-C of this Ordinance and MF-1.

d. Subterranean - 0 ft. for that portion of the structure below grade. Otherwise the setback shall be the same as indicated above.

Section 5: That Section 11, Subsection 11-2J of Ordinance No. 1891 is hereby created to read as follows:

11-2J **SIGNS PERMITTED IN THE MIXED USE ENTERTAINMENT DISTRICT:**

1. Flat and marquee signs which indicate primary or accessary uses are permitted; all other types of signage and copy is prohibited.

2. Flat and marquee sign regulations:

a. The design and copy of all signage shall be compatible with the architecture of the building and be substantially compatible with the design recommendations in the Ocean Drive Plan and the U.S. Secretary of Interior Standards for Historic Buildings as amended.

b. The architectural detailing of the building shall not be obscured by signage; however, this section is not intended to prevent signage on buildings where architectural elements were intended for such signage. The maximum permitted signage shall be determined by the Design Review Board, but shall not exceed the available space for signage as provided for or within the architectural detailing.

c. There shall be only one (1) sign per street frontage indicating the principle use and one (1) sign per street frontage indicating accessory uses.

d. With the exception of item 11-2, J-2b above, the maximum size of a sign indicating the presence of a principle use shall not exceed 40 sq. ft. The maximum area of accessory use signage shall not exceed one-half (½) of the size of the principle use sign.

e. Signs indicating the presence of office space on Collins Avenue shall be limited to one sign per street frontage with an area not exceeding 8 sq. ft. The sign shall only be permitted on the building.

Section 6: That Section 21 Subsection 21-3A of Ordinance No. 1891 is hereby amended to read as follows:

21-3 **APPLICABILITY AND EXEMPTIONS**

A. Applicability

All building permits pertaining to the exterior of a building or structure for new construction, alterations or additions to existing buildings, including fences, parking lots, walls and signage whether new or change of copy, within the following design review areas shall be subject to review ~~by~~ under the Design Review ~~Board~~ procedures. No building permit shall be issued without the express

written approval by the Design Review Board or as otherwise provided for in these regulations for the following areas:

1. ~~Structure or building located~~ Between the oceanfront bulkhead line and the erosion control line;

2. ~~Structure or building~~ Within the fifty (50) foot bulkhead rear yard setback for oceanfront lots;

3. ~~Structure or building~~ Within the Mixed Use Entertainment District (MXE), Marine Districts (MD) I and II, the Municipal Use (MU) District, and Convention Center (CCC) District, except for the following projects which have been either conceptually approved and submitted to the City Commission for consideration prior to the effective date of this subsection; The Convention Center Expansion, Theater of the Performing Arts (TOPA), Miami Beach Marina, South Pointe Park and Specialty Restaurant, Island View Park, Police and Justice Center, 21st Street Recreation Center and Fire Station No. 2;

4. Any City owned structure or building regardless of the zoning district classification; and,

5. ~~Any use structure or building located~~ Within a designated redevelopment area.

Section 7: That Section 21, Subsection 21-5 of Ordinance No. 1891 is hereby amended to read as follows:

21-5F **SPECIAL REVIEW PROCEDURE**

For minor work that is visible from a public way or work which affects the exterior of the building which is associated with alterations and additions to existing buildings; or the construction, repair or alteration of new or existing walls, at-grade parking lots, fences and signage including change of copy, the Planning Director or his designated representative, upon the written authorization of the Chairman of the Design Review Board, shall have the authority to approve, approve with conditons or deny an application on behalf of the Design Review Board. Appeal of the Planning Director's finding shall be to the Board and scheduled at the next regular meeting date.

Section 8: That Section 7 Subsection 7-3B of Ordinance No. 1891 is hereby created to read as follows:

7-3B

Professional office space as defined in paragraph one (1) below, if located on the ground floor of a building in the RM-60 portion of the Architectural District, may be considered pursuant to the Conditional Use process and guidelines:

1. Professional offices such as architect, attorney, certified public accountant, interior design. Other offices may be considered based upon the below criteria:

   a. Number of employees
   b. Frequency of client visits

   However, medical and dental related offices are prohibited.

2. The building is listed as a Contributing Structure on the National Register for Historic Places Nomination Form or on the Miami Beach Historic Properties Data Base as maintained in the Planning Department.

3. Office space shall occupy no more than 25% of the ground floor area. Offices are not permitted elsewhere in the building.

4. Renovation plans for the building shall indicate that the entire structure shall conform to the South Florida Building Code, National Fire Prevention Administration Code, and the City's Minimum Housing and Commercial Property Standards.

5. Architectural plans shall substantially comply with the design guidelines presented in the U.S. Secretary of the Interior Standards for Rehabilitation of Historic Buildings as amended.

6. These regulations shall only apply to existing structures. Office space located in new structures is prohibited.

7. The dwelling units shall have an average floor area of 600 sq. ft, and no dwelling unit shall be less that 400 sq. ft.

8. One sign indicting the presence of the accessory use shall only be permitted on the building exterior with a sign area not to exceed two (2) sq. ft.

9. The building shall occupy no more than one platted lot.

10. The parking requirements for commercial space shall be pursuant to Section 6-22, E-4 or provided on-site based upon the requirements as listed in Section 9. However, all existing parking spaces shall be retained on the lot.

11. Failure to comply with each of the regulations shall automatically result in a denial of the application.

Section 9: That Section 23, Subsection 23-10 of Zoning Ordinance No. 1891 is hereby amended to read as follows:

23-10 **MAPS**

Designation of Zoning Districts, MF Districts, Overlay Zones on the Official Zoning Map. The Official Zoning Map shall indicate the location of Zoning Districts, MF Districts and Overlay Zones. The below table explains the symbols used for each designation:

A. Explanation of Symbols

ZONING DISTRICTS

Symbol	Use	Density (U/A)
RS-1	Single Family Residential	as specified
RS-2	Single Family Residential	as specified
RS-3	Single Family Residential	as specified
RS-4	Single Family Residential	as specified
RM-14	Multiple Family Low Density	14
RM-24	Multiple Family Medium Low Density	24
RM-60	Multiple Family Medium Density	60
RM-100	Multiple Family Medium High Density	100
RM-125	Multiple Family High Density	125
PUD	Planned Unit Development Res. District	as specified
C-1	Neighborhood Business	60
C-2	General Office	100
C-3	Central Business	125
C-4	Business	125
C-5	General Business	100
C-6	Intensive Commercial	-0-
RH	Hospital District	-0-
MR	Marine Recreational	-0-
MU	Municipal Use	-0-

HM	Hotel-Motel	220
CCC	Convention Center District	as specified
MD-I	Marine District	-0-
MD-II	Marine District	-0-
NH	Nursing Home District	as specified
R-PS1	Residential Medium Low	N/A
R-PS2	Residential Medium Density	N/A
R-PS3	Residential Medium High Density	N/A
R-PS4	Residential High Density	N/A
C-PS1	Commercial Limited Mixed Use	N/A
C-PS2	Commercial General Mixed Use	N/A
C-PS3	Commercial Intensive Mixed Use	N/A
C-PS4	Commercial Intensive Phased Bayside Mixed Use	N/A
MXE	Mixed Use Entertainment District	N/A

Note: Except as otherwise provided in Section 6-16, all city owned properties are zoned MU although they may not be designated on the map.

N/A - means not applicable
As specified - means refer to the specific zoning district for density regulations.

Section 10: That the following parcel of land (see attached map) bounded on the south by 5th Street from Ocean Drive to Ocean Court and 6th Street from Ocean Court to Collins Court, on the west by Collins Court, on the north by 16th Street, and on the east by Ocean Drive, is hereby excluded from the RM-125 Multiple Family High Density District and C-PS2, Commercial Performance Standard, and is included in the Mixed Use Entertainment District, and that the corresponding MF District regulations for this area is hereby excluded except for as provided in Section 6-22, E-8. This includes: (see attached map-references to streets, drives, and courts mean to the centerline):

All of blocks 11, 12, 13, and Lots 1 through 10 of Block 34, Lots 1 through 8 of Block 33, Lots 1 through 8 of Block 32, all in Ocean Beach Addition #1; also,

All of Blocks 14, 15, 16, 17, 18, 19, and Lots 1 through 8 of Block 31, Lots 1 through 8 of Block 30, Lots 1 through 7 of Block 29, Lots 1 through 8 of Block 28, Lots 1 through 8 of Block 27, Lots 1 through 9 of Block 26, all in Ocean Beach Addition #2; also,

Lots 1, 2, and east 17.5' of Lot 3, all less the north 8.65' of Block 2-B, and Lots 1 and 2 of Block 2-A, all in Espanola Villas Subdivision; also,

Lots 5 through 12 of Harrison & Hayes Subdivision; also,

All of Block 56, and Lots 1 through 7 of Block 57, all in Fishers 1st Subdivision of Alton Beach; also,

Lots 1 and 2 of Block 76, and that part of 15th Street closed lying north of Lots 1 and 2 of Block 76, beginning at the north east corner of Block 76, thence running westerly along the northerly line of Block 76, 155.21', then north perpendicular to the northerly line of Block 76, 145.0' to a point bisecting the eastern lot line of lot 19, Block 57, then 75.0' west, then 145.0' south, then east 230.21' back to the point of beginning; all in Fishers 1st Subdivision of Alton Beach; also,

Lots 3 and 4, and part of Lots 1 and 2 west of Ocean Drive extended Block 77, beginning at a point on the northerly line of Block 77, 116.05' east of north west corner of Block 77, thence running southerly 100' thence east 116.05' thence northerly along the westerly line of Ocean Drive 100' thence westerly along the northerly line of Block 77, 116.05' to point of beginning, all in Fishers 1st Sub. of Alton Beach; also,

Part of Lots 1 to 4 west of Ocean Drive extended Block 77, beginning at point on northerly line Block 77, 116.05' east of northwest corner Block 77, thence running southerly 100', thence east 116.05' thence northerly along westerly line Ocean Drive 100', thence westerly along northerly line Block 77, 116.05' to point of beginning; all in Fishers 1st Subdivision of Alton Beach; also,

Lots 1 through 4 of Harrison & Hayes Subdivision; also,

Those portions of Lots 1 and 2, Block 77, Fishers 1st Subdivision of Alton Beach lying east of the easterly boundary of Ocean Drive; also,

That tract of land beginning at the northeast corner of Block 77, Fishers 1st Subdivision of Alton Beach thence running northeasterly 35.49', continuing the easterly line of Block 77, Fishers 1st Subdivision of Alton Beach, thence easterly to the established bulkhead line, thence southwesterly following the established bulkhead line to the northeast corner of Lot 1, Harrison & Hayes Subdivision, thence westerly along the northerly line of Lot 1, Harrison & Hayes Subdivision to the southeast corner of Block 77, Fishers 1st Subdivision of Alton Beach, thence northeasterly 101.4' along the easterly line of Block 77, Fishers 1st Subdivision of Alton Beach to the point of beginning.

Section 11: INCLUSION IN ZONING ORDINANCE NO. 1891

It is the intention of the City Commission, and it is hereby ordained that the provisions of the Ordinance shall become and be made a part of the City of Miami Beach Zoning Ordinance No. 1891 as amended; that the section 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 12: **REPEALER.** All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

Section 13: **SEVERABILITY.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such hold shall not affect the validity of the remaining portions of this Ordinance.

Section 14: **EFFECTIVE DATE.** This Ordinance shall take effect ten (10) days after adoption, on August 2, 1986.

PASSED AND ADOPTED this 23rd day of July, 1986.

MAYOR

ATTEST:

City Clerk
1st Reading - July 9, 1986
2nd Reading - July 23, 1986
RWP:JK:rw:cmf
7/1/86
Zoning Ord Prop.

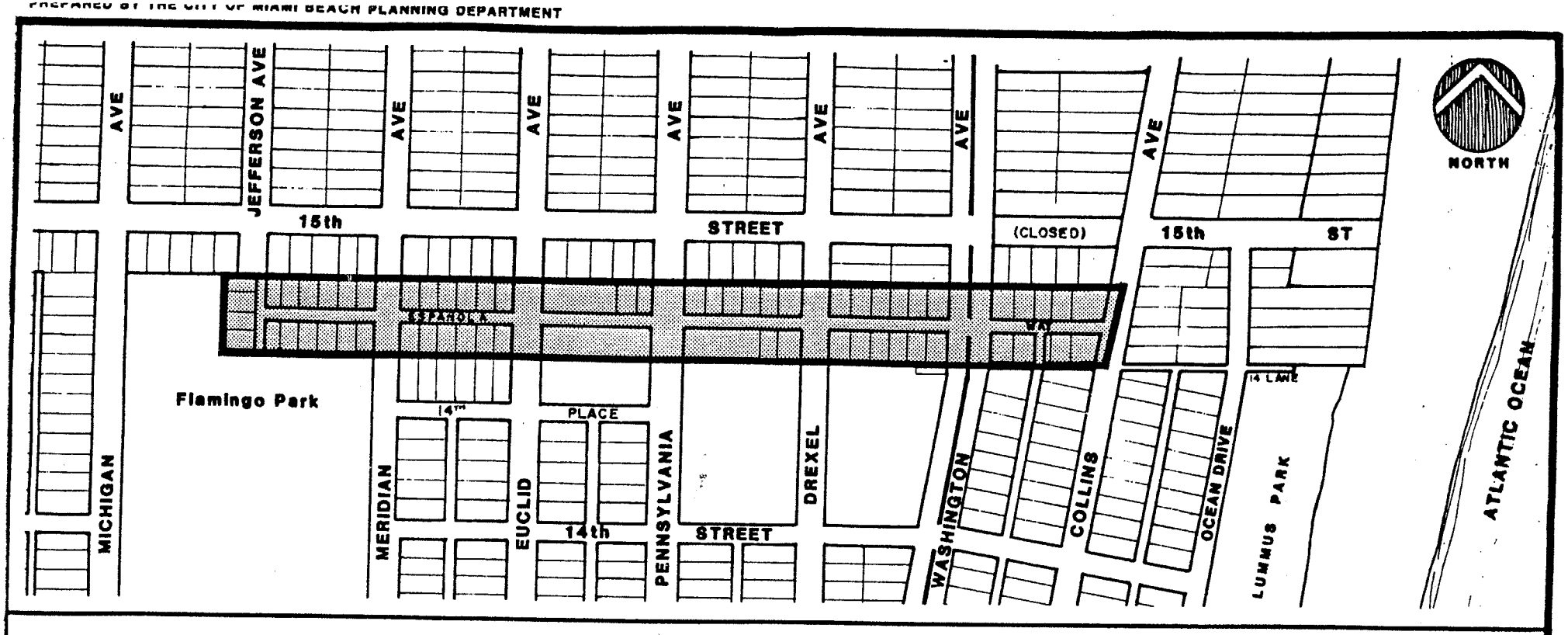
FORM APPROVED
LEGAL DEPT.
By M. Louise Barnett
Date 7-17-86

PLANNING BOARD SUBCOMMITTEE
Keith Kovens
Neisen Kasdin
Norman Frank

HISTORIC PRESERVATION BOARD SUBCOMMITTEE
Dorris Meyers
Nancy Liebman
Les Beilinson

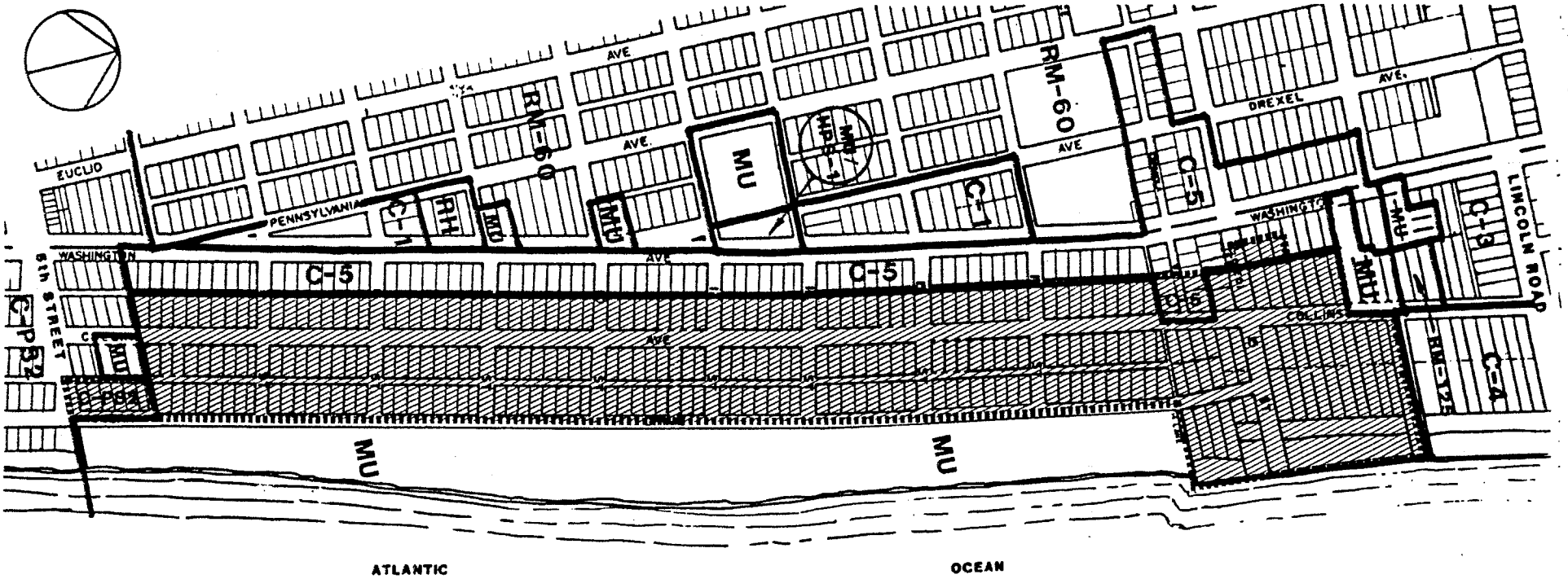
OCEAN DRIVE PROPERTY OWNERS ASSOC.
Keith Swenson
Jack Nomkin
Sandra Cook

PREPARED BY THE CITY OF MIAMI BEACH PLANNING DEPARTMENT



PROPOSED HISTORIC DISTRICT - C-5, RM-60 / HPD-1

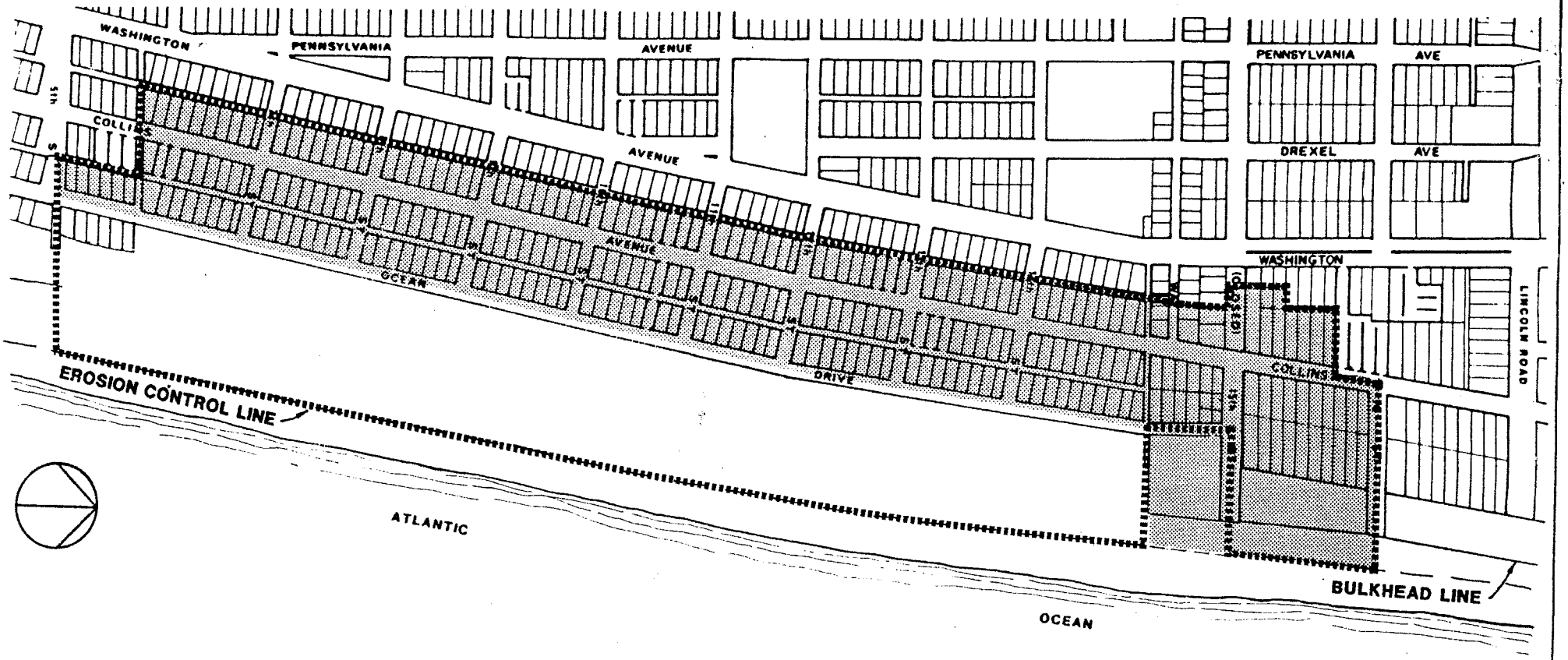
PREPARED BY THE CITY OF MIAMI BEACH PLANNING DEPARTMENT



EXISTING ZONING - C-5, RM-125, C-PS2

PROPOSED ZONING - MX-E MIXED USE ENTERTAINMENT DISTRICT

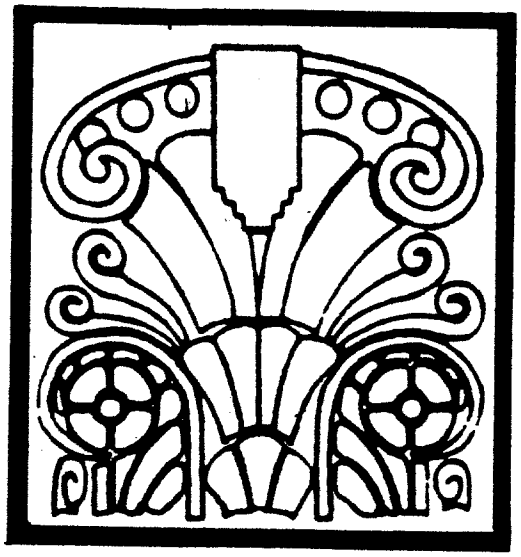
PREPARED BY THE CITY OF MIAMI BEACH PLANNING DEPARTMENT



PROPOSED MXE - MIXED USE ENTERTAINMENT DISTRICT

PROPOSED HPD-2 OCEAN DRIVE / COLLINS AVE HISTORIC DISTRICT

OCEAN DRIVE / COLLINS AVENUE HISTORIC DISTRICT
EXPANDED DISTRICT DESIGNATION REPORT



Prepared by:
City of Miami Beach
Department of Historic Preservation and Urban Design

May 1992

OCEAN DRIVE/COLLINS AVENUE HISTORIC DISTRICT

Expanded District Designation Report

I. REQUEST

In July 1986, the City Commission adopted Ordinance No. 86-2511 designating the Ocean Drive/Collins Avenue Historic District. This district, and the concurrent designation of the Espanola Way Historic District, became the first neighborhoods within the National Register Architectural District to be placed under the regulations and protection of the local historic preservation ordinance. Although the preservation community pressed for local designation of the entire Architectural District, the Administration pursued an incremental course, designating individual neighborhoods within the larger Architectural District. It was the intent of the Administration to introduce preservation gradually into the community to demonstrate the benefits of preservation, and to allay the concerns of property owners and developers. This approach continued with the designation of the Flamingo Park and Museum Historic Districts in 1990. With these latest designations, the majority (+-78%) of the Architectural District was locally designated leaving only small pockets and single streets without preservation protection (see Exhibit 1).

At the December 5, 1991, the Historic Preservation Board, citing the positive impact preservation has had, nominated the remaining portions of the Architectural District for local historic designation. At its January 2, 1992 meeting, the Board adopted a preliminary review of the nominated areas, finding them to be in general compliance with the criteria for designation listed in Section 19-5 of the Zoning Ordinance and directed staff to prepare a designation report. It was the opinion of the City Attorney and with the consent of the Board to combine the nominated areas with their adjacent or most similar designated local district, thus expanding the boundaries of the local districts until they match the boundaries of the Architectural District.

The Ocean Drive/Collins Avenue Historic District is proposed to be expanded to include the White House/Solymar site and the east side of Collins Avenue from 16th Street to 22nd Street. This district would then contain all oceanfront property within the Architectural District (see Exhibit 2).

II. DESIGNATION PROCESS

The process of historic designation is delineated in Section 19-5 of the Miami Beach Zoning Ordinance. An outline of this process is provided below:

Step One: A request for designation is made either by the City Commission, Historic Preservation Board, other agencies and organizations as listed in the Ordinance, or the property owners involved.

Step Two: The Historic Preservation and Urban Design Department prepares a Preliminary Review and recommendation for consideration by the Board.

Step Three: The Historic Preservation Board considers the Preliminary Review to determine general compliance with the criteria for designation and then votes to direct the Historic Preservation and Urban Design Department to prepare a designation report.

The designation report is a historical and architectural analysis of the proposed district or site. The report 1) serves as the basis for a recommendation for designation by the Board; 2) describes review guidelines to be utilized by the Board when a Certificate of Appropriateness is requested; and 3) will serve as an attachment to the Zoning Ordinance.

Step Four: The designation report is presented to the Board at a public hearing. If the Board determines that the proposed designation meets the intent and criteria set forth in the Ordinance, they transmit a recommendation in favor of designation to the Planning Board.

Step Five: The Planning Board will hold a public hearing on the proposed designation as a Zoning Ordinance amendment and, subsequently, transmit its recommendation to the City Commission.

Step Six: The City Commission may, after two (2) public hearings, adopt the amendment to the Zoning Ordinance which thereby designates the Historic Preservation Site or District.

III. ANALYSIS

1. GENERAL INFORMATION

Location: The current Ocean Drive/Collins Avenue Historic District is generally bounded by:

Erosion Control Line on the east; 5th Street from ECL to Ocean Court and 6th Street from Ocean Court to Collins Court on the south; Collins Court on the west; and the extension of the north lot lines of Lots 4 and 16, Blk 55, Fisher's First Subdivision of Alton Beach (FFSAB) and the centerline of 16th Street on the north (excluding that property known as the White House/Solymar site).

The expanded Ocean Drive/Collins Avenue Historic District is generally bounded by:

Erosion Control Line in the east; 5th Street from the ECL to Ocean Court and 6th Street from Ocean Court to Collins Court on the south; Collins Court between 6th and 16th Street and the centerline of Collins Avenue between 16th and 22nd Street on the west; and the centerline of 22nd Street on the north.

A map of the expansion area is seen in Exhibit 2. A legal description of the expanded district is included in Appendix A.

Present owners: Multiple owners, a complete list is available from Miami Beach Historic Preservation and Urban Design Department.

Present use: The majority of properties are currently in residential, commercial, and hotel use.

Present zoning: The majority of the nominated district is zoned MXE, Mixed-Use Entertainment (a zoning map is attached as Exhibit 3). This district is intended to encourage the substantial rehabilitation of existing structures and allow for construction of new structures. MXE Districts are characterized by having a concentration of historic structures and strong pedestrian activity. The base Floor Area Ratio (F.A.R.) is 1.5 and can be increased to a maximum of 3.0, with design bonuses. If the project is a hotel, the maximum F.A.R. is 3.5. Local historic designation does not change the F.A.R.

Other zoning districts included within the nominated district include:

CD-3 Commercial, High Intensity: this district is designed to accommodate a highly concentrated business core in which activities serving the entire City are located.

GU Government Use: this district contains any land owned by the City or other governmental agency.

2. STATEMENT OF SIGNIFICANCE

A. Historical: The expanded Ocean Drive/Collins Avenue Historic District is highly representative of a distinct period in Miami Beach's history. The area's development pattern and architecture is reflective of its physical setting, prevalent architectural styles of the 1930s through the 1940s, the aspirations of its original developers, and the changing economic conditions of the nation and the local community.

The southern portion of the expanded district's original plat, up to 14th Street, was recorded by the Lummus Brothers' Ocean Beach Realty Company in 1913 and 1914. The portion to the north was recorded by Carl Fisher's Alton Beach Realty company early in 1914.

The Lummus brothers, J.E. (James Edward) and J.N. (John Newton), first came to south Florida to establish commissaries for Henry Flagler's East Coast Railroad. In 1912 they acquired 605 acres of the Lum Coconut Plantation as well as additional parcels giving them control of all of what would become Miami Beach south of 14th Street. The Lummus brothers believed this property would be used for recreation, not agriculture.

Bathing casinos, such as Hardie's and Smith's at the southern end of the City and the Miami Beach Casino at 22nd Street (all constructed prior to 1915), were a major attraction for the residents of the Miami mainland. It was near these casinos that the first modest hotel, rooming houses, small apartments, lunch counters and small stores were developed.

The area itself was subdivided using a strict grid pattern with relatively small 50 x 130 foot lots and access via streets with 50-60 foot rights-of-way. The intended use for these properties was for development of small seaside cottages and related commercial uses and, accordingly, J.N. Lummus built his own house at 12th Street and Ocean Drive. As an additional amenity to their oceanside property, the Lummus brothers sold the beachfront portion (eastward of Ocean Drive) to the City for $40,000 in 1915.

Even after the sale of a second portion of their holdings (west of Washington Avenue) to Carl Fisher and the Miami Ocean View Company, the Lummuses retained control over nearly half of south Beach, and all of the oceanfront

portion. In contrast to Carl Fisher, the Lummuses continued with their promotion to the middle class. Accordingly, "This territory, with its small houses, public beach and bathing casinos never lost its proletarian character."[1]

The land north of 14th Street was also originally developed for agricultural purposes by Esra Osborn and Elnathan Field of Red Bank, New Jersey. In the 1880s, Osborn and Field purchased a 65 mile strip of land along the ocean beginning at the Lum Plantation (approximately 14th Street) and extending north to present day Jupiter. When the initial attempts at coconut farming failed, John Syles Collins (a New Jersey farmer and investor in the Osborn/Field plantation) bought out Osborn for control of approximately 1675 acres of land north of present day 14th Street, ocean to bay. Collins and Field then utilized the property for the farming of avocadoes and other crops. In 1909 Field sold his percentage to Collins making him sole owner of the property.

Collins proposed construction of a bridge connecting his farm to the Miami mainland. Needing funds to complete the bridge project, Collins borrowed $10,000 from the Southern Bank and Trust Company (J.N. Lummus, President) and $15,000 from the Bank of Bay Biscayne (J.E. Lummus, President). When more money was needed, Standard Oil attorney, Frank Shutts, suggested his friend Carl Fisher loan Collins the money to complete the bridge.

Carl Graham Fisher, millionaire developer of the Indianapolis Speedway and Prest-o-Lite Headlight Company had retired to Miami. It is said that Fisher had grown restless in retirement and, in response to Shutts' suggestion, loaned Collins $50,000. He received, as a bonus on the loan, 200 acres of Collins' land from present day 14th Street to 19th Street, ocean to bay.

The expanded district includes the developments of Lummus, Collins and Fisher, three of the most important pioneer developers of Miami Beach. The northern portion of the district was first platted by Collins' Miami Beach Improvement Company on February 10, 1916 (19th Street north to 27th Street).

Thomas J. Pancoast, Collins' son-in-law, had been Vice President and junior partner in the Collins and Pancoast Company of Merchantville, New Jersey. He first came to

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[1]Redford, Billion Dollar Sandbar: A Biography of Miami Beach, pg. 94.

inspect the family property in South Florida in 1911. In 1912, Pancoast, Irving Collins, and John Collins formed the Miami Beach Improvement Company. Irving Collins and Thomas Pancoast would also be associated with Carl Fisher in the Miami Bay Shore Company which constructed the City's largest hotels on Biscayne Bay.

The first road through the expanded district was Collins Avenue (originally known as Atlantic Boulevard), in 1913, paid for by Dade County, J.N. Lummus, and Carl Fisher. Lummus, Fisher, and Collins paid the Miami Electric Company to have the first electrical lines laid across Biscayne Bay. Drinking water was obtained from 14 foot deep wells, pumped by windmill. Sewage disposal was by septic tanks.

The layout of blocks and streets remaining in the expanded district is consistent with the original developments. Land use surrounding and within the district evolved as development pressures increased from the boom-time 1920s into the even more successful 1930s and 1940s.

Originally, in both the Fisher and Collins developments north of 15th Street, Collins Avenue was predominantly single family. Photo aerials from 1921 and 1927 indicate the presence of large estate type residences north of 15th Street on both sides of Collins Avenue and to the west. Some of the residents were H.R. Duckwald, F.A. Seiberling, Carl Fisher, and Arthur Newby. Later aerial photographs indicate that many of these residents remained into the 1940's, some converted to hotels and office buildings.

In the 1930s, the development of property within the expanded district reflected the character of Miami Beach in the post-depression recovery period. Numerous small hotels and apartment buildings, designed in the Moderne style, were rapidly built to attract the growing numbers of middle class tourists. By 1935, the building activity on Miami Beach surpassed that of the boom periods of the 1920's. In 1935, Miami Beach had $9,487,350 in construction, ninth among all cities in the United States.[2] In 1935, the Florida census stated that there were 13,330 permanent residents and 60,000 winter residents in Miami Beach.[3] This would reach 18,000 and 75,000 respectively, by 1940.

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[2] Polk, City Directory, 1937, p.14.

[3] Ibid, p.16.

During World War II, Miami Beach was a primary training center for the Army Air Corps. In and around the expanded district was a concentration of buildings housing the Air Technical Service Command and a concentration of Army Ground and Service Forces Redistribution Stations. It is estimated that 20% of all Army Air Corps troops were trained in Miami Beach.[4]

A major feature of the expanded district is the eastern portion of Collins Park, containing a 247 space beachfront parking lot. John Collins and the Miami Beach Improvement Company deeded the land to the City of Miami for Park purposes in 1913 (the City of Miami Beach not yet incorporated). During its ownership , the City of Miami made some $1500 in property improvements. In April of 1920, citing difficulties in maintaining a park outside its City limits, Miami sold the property back to the Miami Beach Improvement Company for $1,000. Four months later, the property was sold to the City of Miami Beach for $1.

The original design of Collins Park was a symmetrical arrangement of walks and hedges with specimen trees place in informal groups. Early photo aerials indicate the west portion of the park was completed by 1927, the eastern portion was not completed until the 1930's. By 1941, the eastern portion had been converted from a park to a parking lot. The central walkway which extended from the library building, across Collins Avenue to the beach remains.

In the 1950's, newer and larger hotels were developed in areas north of the nominated district. This was the beginning of the resort hotel, complete with numerous restaurants, nightclubs, shops, and private beaches. As these new hotels drew tourists from southern Miami Beach, the nightclubs and restaurants closed or were converted to other uses, and the hotels and apartments changed to an older and poorer clientele. Minimal improvement was performed on the buildings and serious deterioration occurred. However, in the last five to ten years trends favoring historic preservation and entertainment establishments have encouraged substantial rehabilitation in the area.

The east side of Ocean Drive, including Lummus Park and the Solymar/White House site at 1446 Ocean Drive, is an integral part of the Ocean Drive/Collins Avenue Historic District and part of the early oceanfront hotel

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[4] Redford, p.219

development pattern. With the exception of the Solymar/White House site, all of the oceanfront properties including vacant lots, from 15th to 16th Streets, are presently within the Ocean Drive/Collins Avenue local historic district. The oceanfront properties from 16th to 22nd Streets have also been nominated as part of the larger Ocean Drive/Collins Avenue local historic district because, like the Solymar/White House site, they are part of the historic hotel development pattern which occurred along the ocean.

There are vacant parcels in each of the locally designated historic districts. These vacant lots are counted as non-historic in the calculation for percentage of historic buildings. The vacant properties are important as future development can impact the integrity of the historic district. It should be noted that when considering the designation of a district, the criteria for designation are applied to the overall district - not to any particular site.

B. Architectural: The primary visual image of the Ocean Drive/Collins Avenue District is imprinted with architectural styles commonly grouped under the category of Art Deco. The area was planned and developed as a resort mecca and built-up in a relatively short period of time. The result is visual cohesiveness and a high concentration of distinct resort architecture typical of the fashionable style of the 1930s-1940s period. The overall site development and layout of structures was influenced by the proximity to Lummus Park and the ocean. With an open front terrace, a standard design feature, the buildings were clearly designed to take advantage of the beach.

Locally, the term Art Deco has become synonymous with the many different architectural styles of the 1930s. These include Moderne, Streamline Moderne and Depression Moderne. Also visible on Ocean Drive and Collins Avenue are fine examples of other popular resort architectural styles of approximately the same period such as Mediterranean and Colonial Revival. Many buildings show combinations of more than one style.

In brief, the Art Deco style, as seen in the expanded district, was the contemporary architecture of the 1930s and 1940s. This period represented a break with the predominantly traditional architecture prevalent throughout Dade County in the 1920s. As with the Post-Modern movement of the 1980s, the Art Deco style incorporated historical themes (such as Egyptian and

Mayan) in a thoroughly modern context. Common elements of the early Art Deco style are a strong verticality, angular forms, ornamentation in relief, and symmetry of fenestration. Examples include the Cavalier (1320 Ocean Drive), the Delano Hotel (1685 Collins Avenue), the Ritz Plaza Hotel (1701 Collins Avenue) and the Dempsey Vanderbilt, now the Sasson Hotel (2009 Collins Avenue).

In the streamline buildings, there is a strong industrial influence in the use of materials such as chrome and glass block. The building forms are rounded and simplified similar to the aerodynamic design of automobiles, trains and airplanes of that time. There is a simplification of ornamentation as well in the form of raised banding (called racing stripes) which take the place of elaborate friezes seen on earlier buildings. The streamline buildings, while still possessing a strong vertical emphasis, utilize more horizontal elements in their design. Examples include the Cardozo Hotel (1300 Ocean Drive), the Essex House Hotel (1001 Collins Avenue) and the Raleigh Hotel (1773 Collins Avenue).

The Ocean Drive and Collins Avenue buildings of the 1930s and 1940s have several elements in common which result in an overall image referred to as Tropical Deco or Miami Beach Deco. These elements utilize tropical and nautical symbols which reinforce the popular image of the seaside resort. Palm fronds, fish, flamingos and waves were popular subjects for building ornamentation as were port hole windows and ship-like pipe railings. Of a more practical nature, the cantilever window shades called "eyebrows" and the deep, covered terraces which create a uniform street scale are well designed for the local climate. Another frequently used element is the elaborate finial, or crowning ornament, present on several buildings on Collins Avenue, which presents a futuristic image implying that Miami Beach in the 1930s was not only a tropical resort, but a thoroughly contemporary one, relatively untouched by the depression which gripped the rest of the country.

There is a strong consistency in scale in the expanded district. Between 5th and 15th Street, most of the buildings are two to three stories in height (with a few notable exceptions). The hotels north of 15th Street utilize similar design principles, but on a more impressive scale. Larger lots and direct ocean frontage created the setting for the next phase of resort architecture where buildings contained more private amenities; such as restaurants, nightclubs and private pools and beaches.

The buildings emphasize the vertical elements on the front (west) elevations and some (the St. Moritz, Delano and the National) also have tower-like appurtenances to increase the sense of building height. This evolution of local Art Deco architecture toward the skyscraper hotel continued until WWII when construction activities stalled and ended shortly after the war when the international style began to take hold.

3. RELATION TO ORDINANCE CRITERIA

In accordance with Section 19-5(B) of the Zoning Ordinance, eligibility for designation is determined on the basis of compliance with listed criteria. There are two levels of criteria. The first level is referred to as Mandatory Criteria, which is required of all nominated sites or districts. The second level is referred to as Review Criteria. Compliance with at least one of several listed review criteria is required. The expanded Ocean Drive/Collins Avenue Historic District is eligible for designation as it complies with the criteria as outlined below.

A. Mandatory Criteria

Integrity of location, design, setting, materials, workmanship and association.

Staff finds the expanded district to be in conformance with the mandatory criteria for the following reasons:

1. The expanded district is located within the National Register Architectural District. Designation of the expansion areas is consistent with the intent to include all areas within the boundaries of the Architectural District under local historic preservation regulations.

2. The district is the primary tourist/hotel area constructed in the 1930s and 1940s within the Architectural District and is thus a definable area based on land use.

3. The expanded district contains 130 buildings, or 60% of total sites, listed as historic in the Miami Beach Historic Properties Database. In addition, 38 buildings listed as conforming brings the total to 76% buildings which are either historic or conforming to the historic character and scale of the expanded district.

4. The area possesses high consistency in architectural style, scale, setback and materials.

5. The area possesses outstanding examples of the Art Deco architectural style, including quality workmanship and design.

6. The area is dependent on and well integrated with the adjacent public oceanfront;

7. The expanded district is associated with the three most important pioneer developers of Miami Beach: the Lummus brothers, John Collins and Carl Fisher.

B. Review Criteria

Staff finds the nominated district in conformance with the following review criteria:

1. Association with events that have made a significant contribution to the broad patterns of our history:

   The expanded district was the primary tourist/hotel area during the 1930s and 1940s, during which time Miami Beach was established as a premier oceanfront resort city. Thus, this area and the individual buildings contained within, significantly contributed to the history and development of the City.

2. Embody the distinctive characteristics of a type, period, or method of construction:

   The expanded district contains a high concentration of buildings in the Art Deco style. Also present are examples of the Mediterranean Revival style and many transitional (containing elements of both styles) buildings. These styles represent the dominant local architectural styles in the mid to late 1920s through 1940s.

3. Possesses high artistic values:

   The Art Deco, Moderne and the Mediterranean Revival buildings within the nominated district, possess artistic value in building form, detail ornamentation, interior design and site features.

4. Represent the work of a master:

   In the context of the expanded district, the term "master" shall relate to architects. The determination of master status is based on the quality, quantity and relative importance of the buildings designed by a given architect. The

buildings evaluated to make this determination need not be located within the nominated district, or even within the City of Miami Beach or Dade County; however, an architect who was particularly influential in determining the character of buildings within the City would have additional importance.

Many of the local "master" architects are represented in the expanded district including Henry Hohauser, L. Murray Dixon, and Kiehnel and Elliot.

5. Significant entity whose components may lack distinction:

Consistency in land use, architectural style, scale and period of development within the expanded district has created a significant example of twentieth century oceanfront resort architecture. Although some individual buildings are not of outstanding design, they and Lummus Park contribute to the overall quality of the nominated district.

4. PLANNING CONTEXT

A. Present Trends and Conditions - In the years since the initial historic designation of the Ocean Drive/Collins Avenue District, there has been significant improvement in this area. Public improvements such as the redesign of the Ocean Drive right-of-way and the redesign of Lummus Park have been matched by substantial private sector investment in the rehabilitation of existing buildings (both historic and non-historic) and compatible new construction. More than 200 buildings within the Architectural District (75 of which are within the expanded district) have been reviewed for substantial rehabilitation or new construction. Hundreds more have had minor or cosmetic improvements. Such private investment has occurred throughout Ocean Drive, Collins Avenue and the proposed expansion area on Collins Avenue. The proposed expansion of the Ocean Drive/Collins Avenue Historic District is consistent with current land-use, neighborhood character and regulations of the surrounding area.

At the time of the initial designation of the Ocean Drive/Collins Avenue District, certain areas were left out of the district even though their historic significance was recognized. The primary reasons for the exclusion was to encourage the development of a convention center hotel on the ocean in close proximity to the convention center. It was believed that such a

hotel was necessary for the success of the convention center, but because of its size, character and/or potential location (the necessity for demolition of existing buildings), a convention center hotel could not be integrated within a designated historic district.

Since that time, the Administration has met with representatives of both the preservation and hotel development communities and believes that it is possible, through negotiation, to meet the needs of both. A plan for the area surrounding the convention center is being developed which will study means of integrating new hotel development within the district and preserving, to the greatest extent possible, existing historic resources. Development of a convention center hotel(s) within the context of the historic district recognizes and takes advantage of the positive image the historic district has given greater Miami. The international media attention received by the historic district will be a powerful marketing tool for this important hotel development.

B. Conservation Objectives: Historic designation would serve to compliment and reinforce the accomplishments and continued efforts currently being made by the City, citizens and property owners to revitalize the area through preservation.

Historic designation will aid in the achievement of several important goals for the district which include:

1. to preserve its character and architectural integrity;

2. to safeguard district buildings, streetscape and open space from undesirable alteration;

3. to enable the Ocean Drive/Collins Avenue District to serve as the model in which compatible contemporary visitors' facilities can be successfully integrated into a functioning historic district; and

4. to promote the economic viability of the hotels and businesses in the proposed district through appropriate rehabilitation, public improvements and compatible new uses and to demonstrate the viability of preservation as a means to successful neighborhood revitalization.

IV. HISTORIC PRESERVATION AND URBAN DESIGN DEPARTMENT RECOMMENDATION

1. **Criteria for Designation:** The Department finds the expanded district in compliance with the Mandatory Criteria and Review Criteria (numbers 1 through 6) as listed in Section 19-5(B) of the Zoning Ordinance.

2. **District Boundaries:** The Department recommends the Historic Preservation Board recommend historic district designation, in accordance with Section 19-5 of the Miami Beach zoning Ordinance 89-2665 of the expanded district with boundaries shown in Exhibit 2 and more fully described in Appendix A.

3. **Areas Subject to Review:** All building elevations and public/semi-public interior areas, site and landscape features, public open space and public right-of-way. Regular maintenance of public utilities, drainage and mechanical systems, sidewalks and roadways shall not require a Certificate of Appropriateness.

   Vacant lots would be included within the designated historic district. The Zoning Ordinance section which provides for a maximum six-month hold on building permits is being removed from the Ordinance (amendments in process). Until then, requests for Accelerated Certificates of Appropriateness will be heard under the provision of the Ordinance. This means that three members of the Historic Preservation Board will sit with the Design Review Board to review new construction. This approach protects the integrity of the local historic districts by including all properties within the designation.

4. **Review Guidelines:** The Historic Preservation and Urban Design Department recommends the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitation of Historic Buildings, as amended, be the standards for review of projects in the expanded district.

Appendix A

Expanded Ocean Drive/Collins Avenue Historic District Legal Description

Commence at the intersection of the center line of 5th Street and the East right-of-way line of Ocean Drive, said intersection being the POINT OF BEGINNING; thence run Easterly, along the extension of the center line of 5th Street for a distance of 365.00 feet to a point located on the Erosion Control Line; thence run Northerly, along the Erosion Control Line for a distance of 314.98 feet to a point, said point located 330.00 feet Easterly of the East right-of-way line of Ocean Drive and along the Easterly extension of the South right-of-way line of 6th Street; thence run Northerly, along the Erosion Control Line for a distance of 2693.64 feet to a point located on the Easterly extension of the center line of 12th Street and being 330.00 feet Easterly of the East right-of-way line of Ocean Drive; thence continue Northerly, along the Erosion Control Line for a distance of 1479.65 feet to a point located 288.00 feet Easterly of the East right-of-way line of Ocean Drive and along the Easterly extension of the North right-of-way line of 14th Lane; thence run Northerly, along the Erosion Control Line for a distance of 819.35 feet to a point located on the Easterly extension of the South line of Lot 10, Block 56, FISHER'S FIRST SUBDIVISION OF ALTON BEACH, recorded in Plat Book 2, at Page 77, Public Records of Dade County, Florida and measured 175.00 feet from the Southeast corner of said Lot 10 along the above mentioned course; thence continue Northerly, along the Erosion Control Line for a distance of 1279.11 feet to a point, said point located on the Easterly extension of the North right-of-way line of 17th Street and 205.00 feet from the Southeast corner of Lot 1, Block 28, FISHER'S FIRST SUBDIVISION OF ALTON BEACH, recorded in Plat Book 2, Page 77, Public Records of Dade County, Florida; thence run Northerly, along the Erosion Control Line for a distance of 557.49 feet to a point located 642.20 feet Easterly of the East right-of-way line of Collins Avenue, measured along the center line of 18th Street and its Easterly extension; thence run Northerly, along the Erosion Control Line for a distance of 316.28 feet to a point, said point located 604.59 feet Easterly of the East right-of-way line of Collins Avenue measured along the South right-of-way line of 20th Street and its Easterly extension; thence continue Northerly, along the Erosion Control for a distance of 746.69 feet to its intersection with the center line of 22nd Street and 596.49 feet (along said center line) easterly of the East right-of-way line of Collins Avenue; thence run Northwesterly, along the center line of 22nd Street for a distance of 626.45 feet to a point located on the intersection of the center line of Collins Avenue; thence run Southerly, along the center line of Collins Avenue for a distance of 917.98 feet to a point, thence continue Southerly, along the center line of Collins Avenue for a distance of 2388.81 feet to a point, said point being the intersection of the center line of Collins Avenue and the Easterly extension of the North line of Lot

7, Block 57, FISHER'S FIRST SUBDIVISION OF ALTON BEACH, recorded in Plat Book 2, Page 77, Public Records of Dade County, Florida; thence run Westerly, along the North line of said Lot 7 and its Easterly extension for a distance of 271.56 feet to a point, said point being the Northwest corner of the above mentioned Lot 7; thence run Southerly, along the West line of Lots 1 thru 7 of said Block 57 and its Southerly extension for a distance of 420.00 feet to a point, said point being located on the North line of Block 76, FISHER'S FIRST SUBDIVISION OF ALTON BEACH, Plat Book 2, Page 77, Public Records of Dade County, Florida; thence run Easterly, along the North line of said Block 76 for a distance of 5.00 feet to a point; thence run Southerly, along the West line of Lot 2 of the above mentioned Block 76 for a distance of 100.00 feet to a point; thence run Easterly, along the South line of said Block 76 and its Easterly extension for a distance of 175.87 feet to a point located on the center line of Collins Avenue; thence run Southerly, along the center line of Collins Avenue for a distance of 177.67 feet to the point of intersection with the Easterly extension of the center line of 14th Lane; thence run Westerly, along the center line of 14th Lane and its Easterly extension for a distance of 192.70 feet to the point of intersection with the center line of Collins Court; thence run Southerly, along the center line of Collins Court for a distance of 1370.86 feet to a point; thence continue Southerly, along the center line of Collins Court for a distance of 2739.34 feet to a point, said point located on the center line of 6th Street; thence run Easterly, along the center line of 6th Street for a distance of 369.64 feet to the point of intersection with the center line of Ocean Court; thence run Southerly along the center line of Ocean Court for a distance of 333.70 feet to a point, said point located on the center line of 5th Street as shown on FREDMAN AND COPE, Plat Book 4, Page 83, Public Records of Dade County, Florida; thence run Easterly, along the center line of 5th Street for a distance of 200.21 feet to the POINT OF BEGINNING.

Said lands located, lying and being in the City of Miami Beach, Florida.

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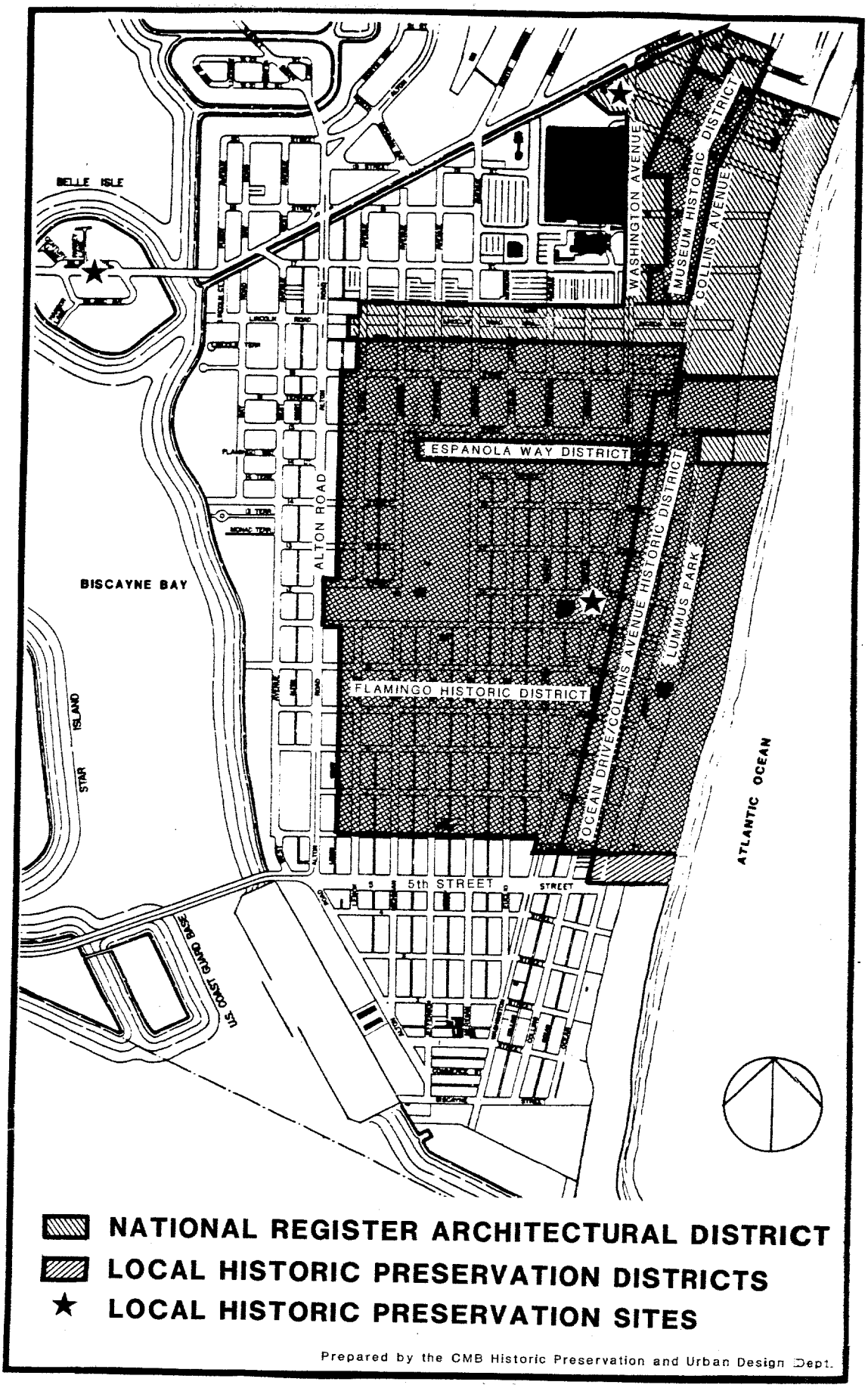
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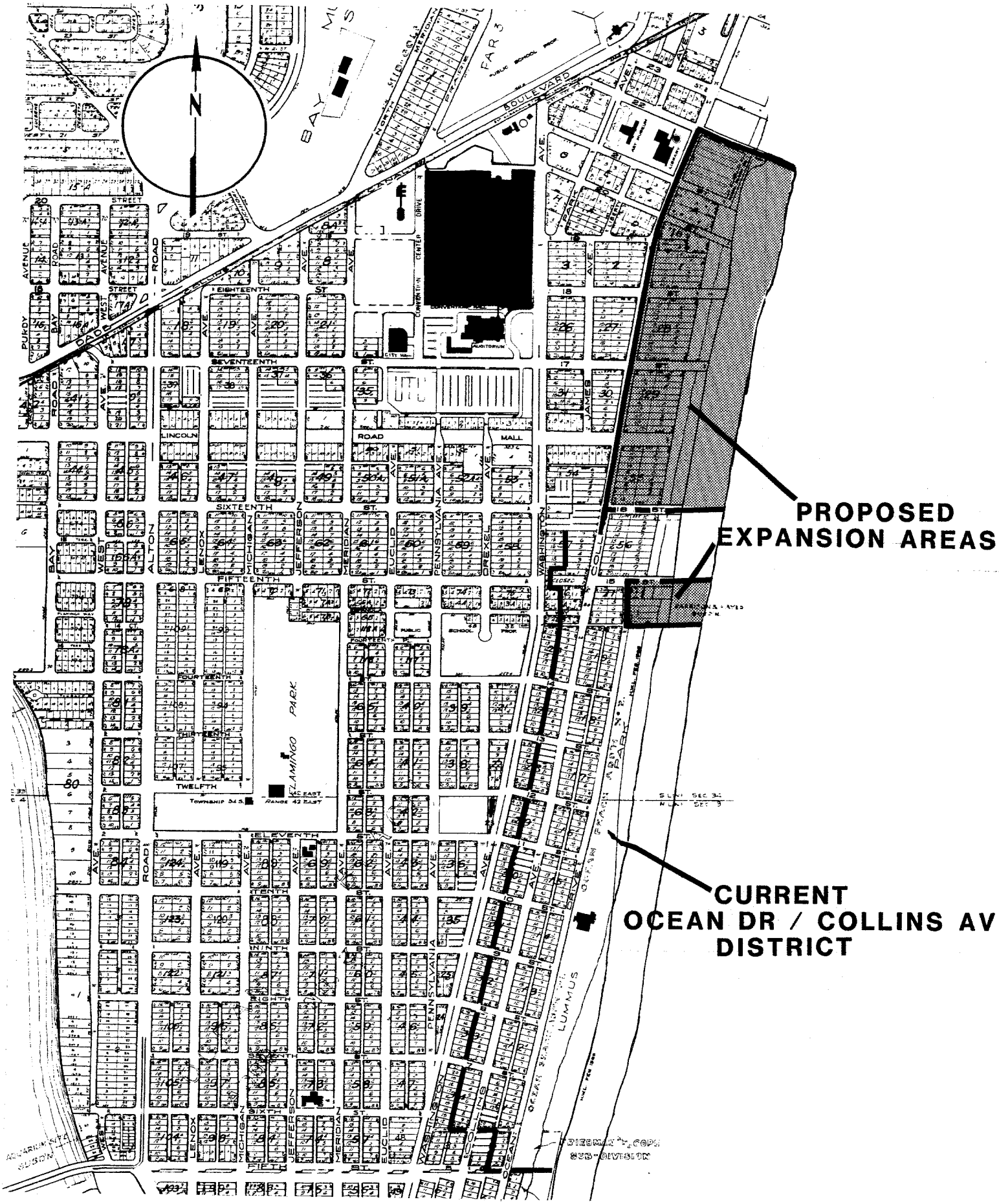
BISCAYNE BAY
STAR ISLAND
US COAST GUARD BASE
ALTON ROAD
5th STREET
WASHINGTON AVENUE
COLLINS AVENUE
MUSEUM HISTORIC DISTRICT
ESPANOLA WAY DISTRICT
OCEAN DRIVE/COLLINS AVENUE HISTORIC DISTRICT
LUMMUS PARK
FLAMINGO HISTORIC DISTRICT
ATLANTIC OCEAN
NATIONAL REGISTER ARCHITECTURAL DISTRICT
LOCAL HISTORIC PRESERVATION DISTRICTS
LOCAL HISTORIC PRESERVATION SITES
Prepared by the CMB Historic Preservation and Urban Design Dept.

EXHIBIT 1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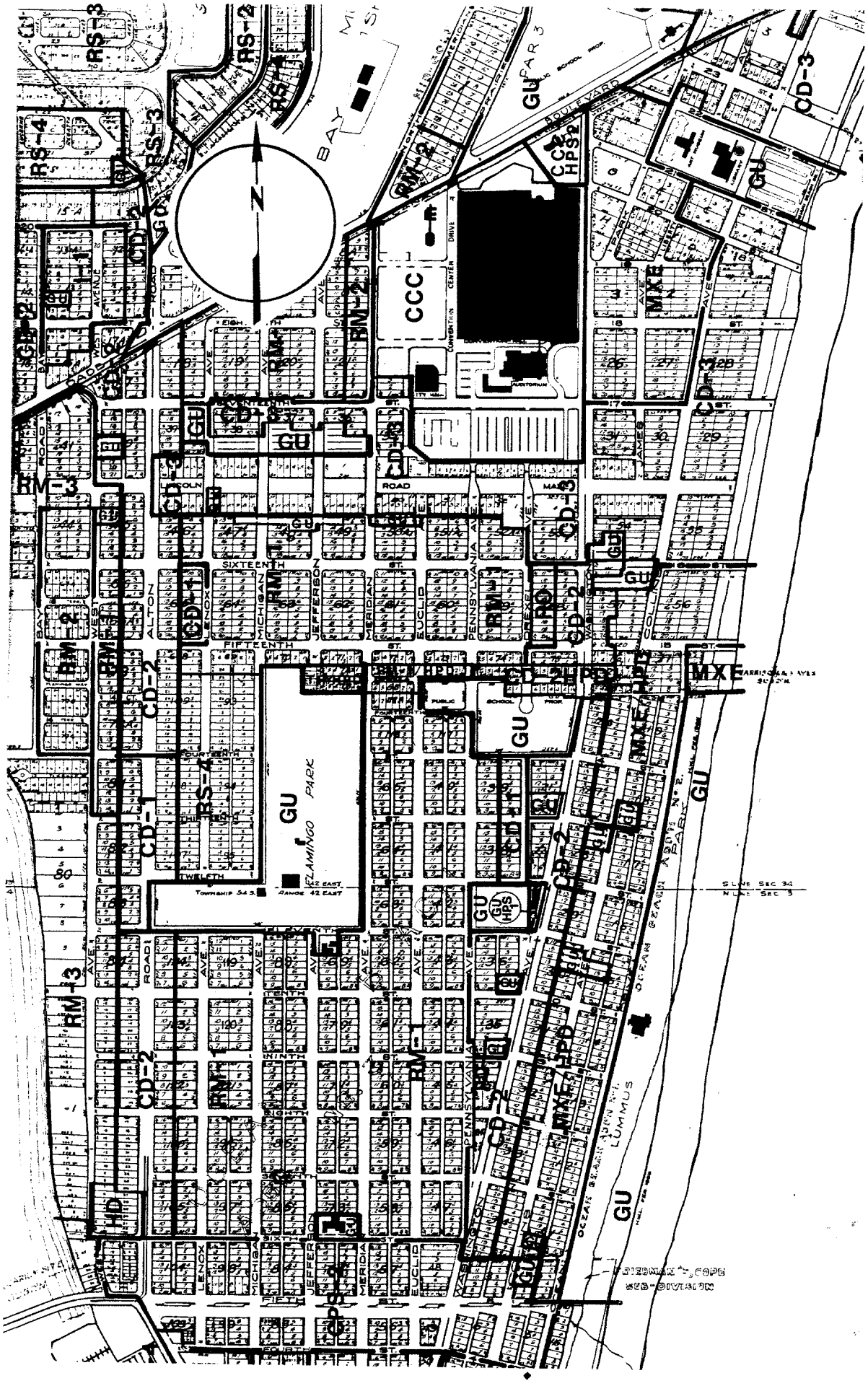
MERIDIAN
EUCLID
MICHIGAN
LENOX
ALTON
WEST
BAY
PURDY
AVENUE
STREET
CITY MAIL
AUDITORIUM
CONVENTION CENTER DRIVE
PUBLIC SCHOOL PROP.
TOWNSHIP 54 S.
RANGE 42 EAST
OCEAN FRAMES PARK
FRIEDMAN & COPE SUB-DIVISION

EXHIBIT 2



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RANGE 42 EAST
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OCEAN BEACH ADDN No 2
LUMMUS
FIFTH
FRIEDMAN & COPE SUB-DIVISION

EXHIBIT 3

ORDINANCE NO. 92-2821

AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING COMPREHENSIVE ZONING ORDINANCE NO. 89-2665; AMENDING SECTION 19, "HISTORIC PRESERVATION BOARD AND HISTORIC DISTRICT REGULATIONS," AMENDING SUBSECTION 19-5, ENTITLED "DESIGNATION OF HISTORIC PRESERVATION SITES OR DISTRICTS" BY EXPANDING THE EXISTING LOCALLY DESIGNATED HISTORIC DISTRICTS TO INCLUDE ALL AREAS WITHIN THE MIAMI BEACH ARCHITECTURAL DISTRICT LISTED IN THE NATIONAL REGISTER OF HISTORIC PLACES; PROVIDING FOR INCLUSION IN THE ZONING ORDINANCE; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on May 18, 1992, the City's Historic Preservation Board held a public hearing and voted in favor of expanding the City's locally designated Historic Districts to include all areas within the Miami Beach Architectural District which are located within the National Register of Historic Places; and

WHEREAS, the City of Miami Beach Planning and Zoning Department has recommended the amendment to the City's Comprehensive Zoning Ordinance contained herein; and

WHEREAS, the City's Planning Board has also recommended that the City Commission pass this amendment to the Zoning Ordinance; and

WHEREAS, this amendment is deemed necessary to protect and enhance the character of the properties located within the Miami Beach Architectural District as listed in the National Register of Historic Places; and

WHEREAS, the City Commission believes that the amendments contained herein are necessary to the welfare of the citizens of the City of Miami Beach, Florida.

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

SECTION 1. That Subsection 19-5, of Zoning Ordinance No. 89-2665, entitled "Designation of Historic Preservation Sites or Districts" is hereby amended as follows:

19-5 DESIGNATION OF HISTORIC PRESERVATION SITES OR DISTRICTS

* * *

C. **Historic Preservation Designation**

* * *

6. All Sites and districts designated as Historic Sites and Districts shall be delineated on the City's zoning map pursuant to Section 21-8, Maps, of this Ordinance, as an Overlay District. Such Sites and districts include:

* * *

d. MXE/HPD-2: ~~Ocean Drive from 5th to 15th Streets and Collins Avenue from 6th to 16th Streets and 15th Street from Ocean Drive to Collins Avenue, excluding the following parcels of land:~~ The Ocean Drive/Collins Avenue Historic District is generally bounded by the centerline of 5th Street from the Erosion Control Line to Ocean Court; centerline of Ocean Court to 6th Street; and the centerline of 6th Street from Ocean Court to Collins Court on the south; Collins Court (as extended) from 6th Street to the northern edge of Lot 7, Block 57 of Fisher's First Subdivision of

Alton Beach then east to the centerline of Collins Avenue; and the centerline of Collins Avenue to 22nd Street on the west; the centerline of 22nd Street on the north; and the Erosion Control Line on the east. A complete legal description is included in the designation report.

~~Lots 1 through 4 of Harrison & Hayes Subdivision; also, Those portions of Lots 1 and 2, Block 77, Fishers 1st Subdivision of Alton Beach lying east of the easterly boundary of Ocean Drive; also,~~

~~That tract of land beginning at the northeast corner of Block 77, Fishers 1st Subdivision of Alton Beach thence running northeasterly 35.49', continuing the easterly line of Block 77, Fishers 1st Subdivision of Alton Beach, thence easterly to the established bulkhead line, thence southwesterly following the established bulkhead line to the northeast corner of Lot 1, Harrison & Hayes Subdivision, thence westerly along the northerly line of Lot 1, Harrison & Hayes Subdivision to the southeast corner of Block 77 Fishers 1st Subdivision of Alton Beach, thence northeasterly 101.4' along the easterly line of Block 77, Fishers 1st Subdivision of Alton Beach to the point of beginning.~~

e. **GU, RS-3, RS-4/HPD-3**: The east side of Collins Avenue to the Erosion Control Line from 77th Street to 79th Street. (All of Blocks 5, 6, 11 and 12 of Altos Del Mar No. 1 Subdivision). Those properties which are owned by the State of Florida or the City of Miami Beach shall retain their GU Government Use District Zoning designation. Those properties which are privately-owned shall retain their Single Family Zoning District classification of RS-3 or RS-4, respectively. Development within the Historic District whether on City, State, or privately owned Lots, shall be reviewed by the Planning Board and approved by the City Commission pursuant to the Conditional Use procedures as set forth in Section 17-3 of this Ordinance.

f. **RM-1, CD-2, CD-3, RO, GU/HPD-4**: Flamingo Park Historic Preservation District, generally bounded by the centerline of 6th Street on the south; centerline of Lenox Court (as extended) on the west including lots 7 and 8, Block 46 Commercial Subdivision and excluding Lots 1-6 Block 46, Commercial Subdivision; centerline of Lincoln Lane ~~South~~ North ~~(excluding all properties having a property line on Lincoln Road)~~ on the north; ~~centerline of Collins Avenue~~ and Ocean Drive/Collins Avenue Historic District ~~(between 16th Street and Lincoln Road, excluding all properties having a property line on Lincoln Road)~~ on the east; and, excluding properties within the Espanola Way Historic District. (Complete legal description available on file with the designation report).

g. **MXE, CD-3, GU/HPD-5**: Museum Historic Preservation District, generally bounded on the south by Lincoln Lane North ~~(excluding all properties with a property line on Lincoln Road, and Lots 1, 2 and 3 of Block 30 Alton Beach First Subdivision)~~, the centerline of ~~block between James Avenue and~~ Washington Avenue on west; ~~(from Lincoln Lane North to 17th Street) and the centerline of James Avenue (from 17th Street to 19th Street) and the centerline of Park Avenue (from 17th Street to 22nd Street)~~and Collins Canal on north ~~on the west~~; the centerline of ~~22nd Street~~ 23rd Street, including all properties fronting on or having a property line on 23rd Street, on the north; and, the centerline of Collins Avenue on the East (Complete legal description available on file with the designation report).

7. Compliance with all other zoning regulations is required when not specifically addressed in this Section.

SECTION 2. INCLUSION IN ZONING ORDINANCE NO. 89-2665. 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 City of Miami Beach Zoning Ordinance No. 89-2665 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 3. REPEALER. That all Ordinances or parts of Ordinances in conflict herewith be and the same are herewith 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 on the 14th day of November, 1992.

PASSED and ADOPTED this 4th day of November, 1992.

MAYOR

ATTEST:

Richard E. Brown

CITY CLERK

1st reading 10/21/92
2nd reading 11/4/92

Underlined words = new language
~~Strike out~~ = deleted language

DJG/JGG
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FORM APPROVED
LEGAL DEPT.
By JCD
Date 9-30-92