

1st Reading: June 27, 1990
2nd Reading: February 13, 1991
PUBLIC HEARING: February 13, 1991

ORDINANCE NO. 91-2

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OPA-LOCKA AMENDING ARTICLE 6 OF THE CITY OF OPA-LOCKA'S LAND DEVELOPMENT REGULATION CODE BY ESTABLISHING AN ARABIAN/MOORISH MOTIF DISTRICT WITHIN THE CITY OF OPA-LOCKA; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF OPA-LOCKA, FLORIDA:

SECTION 1- Section 6.14 of the Land Development Regulation Code of the City of Opa-locka is hereby enacted as follows:

Section 6.14

CITY OF OPA-LOCKA ARABIAN MOTIF ARCHITECTURAL REGULATIONS

SECTION A - PURPOSE. The purpose of these regulations is to encourage and expand the creative use of the Arabian Motif Architectural style. The use of Arabian Motif Architectural design in the construction of new buildings, and in the renovation or additions of existing buildings, will enhance the image of the City by providing a visual linkage between contemporary development and the City's unique thematic appearance.

SECTION B - APPLICABILITY.

a) These regulations shall be applicable and available to any property owner who chooses to construct, reconstruct or restore a building using the Arabian Motif Architectural style as described herein provided such property is located within an "A", or "C" Use District and is located within the following described areas:

1. An area described as all properties facing Opa-locka Boulevard from 17th Avenue to LeJune Road.
2. An area described as all properties facing LeJeune Road from 151st Street to 127th Street.
3. An area described as all properties facing Douglas/ LeJeune Connector from 151st Street to 127th Street.
4. An area described as all properties facing 22nd Avenue from Opa-locka Boulevard to 151 Street.
5. An area described as all properties facing 27th Avenue from 127th Street to 151st Street.

b) Properties which are located within the above described eligible areas and which are also abutting or across a street, waterway, or alley from a single-family or duplex zone district must receive special locational approval of the City Commission, after a public hearing of the Planning Council, in order to use the regulations, bonuses, or special allowances provided herein. The procedure for receiving special locational approval is specified in Section A (c).

c) All regulations of the underlying use districts shall remain in effect, provided, however, where a conflict exists between the development bonuses and special allowances provided in this chapter, and the regulations and standards in other sections of this Code, the development bonuses and special allowances provided herein shall supersede, unless specified to the contrary herein.

SECTION C - DESIGN ELEMENTS OF THE ARABIAN MOTIF ARCHITECTURAL STYLE. The design elements of the Arabian Motif architectural style are characterized by, but not limited to, the following existing buildings.

1. Opa-locka City Hall, 777 Sharazad Boulevard
2. Hurt Building, 490 Ali Baba Avenue
3. Opa-locka Bank Building (First Baptist Church)
940 Caliph Street
4. Helm Stores and Apartments, 1201-17 Sharazad Boulevard
5. King Truck Factory and Showroom, 951 Superior Street
6. Root Building, 111 Perviz Avenue
7. Higgens Duplex, 1210-12 Sesame Street
8. Tabor Duplex, 1214-16 Sesame Street
9. Baird House, 401 Dunad Avenue
10. Cravaro House, 1011 Sharar Avenue
11. Crouse House, 1156 Pen Street
12. Etheredge House, 915 Sharar Avenue
13. Griffiths House, 826 Superior Street
14. Maislio House, 1141 Jann Avenue
15. Helms House, 721 Sharar Avenue
16. Tinsman House, 110 Peri Street

17. Tooker House, 811 Dunad Avenue
18. Wheeler House, 1035 Dunad Avenue
19. Long House, 613 Sharar Avenue

The Arabian Motif architectural character and the detailed description of the above buildings shall be contained within an illustrated document entitled "Arabian Motif Architectural Style Guide," as adopted by Resolution of the City Commission. Adherence to the principles of the design elements shall form the basis of judgment in determining the appropriateness of new construction or restoration in the Arabian Motif Architectural style.

SECTION D - ELIGIBLE FOR DEVELOPMENT BONUSES AND SPECIAL ALLOWANCES

a) In order to encourage the creative use of Arabian Motif architectural style, the following buildings are eligible to earn development bonuses and special allowances:

1. New buildings voluntarily constructed in the Arabian Motif architectural style in accordance with the design elements described in Section C and approved by the Board of Architects. All such buildings shall be eligible for the development bonuses and/or special allowances specified in Section E.

2. Existing buildings which were not designed in Arabian Motif architectural style and through substantial and appropriate exterior renovation are voluntarily converted to the Arabian Motif architectural style and approved by the Board of Architects. All such buildings shall be eligible for the development bonus specified in Section F.

3. Existing Arabian Motif style buildings and significantly altered building which were originally designed in the Arabian Motif architectural style and are voluntarily subject to substantial and appropriate exterior restoration and approved by the Board of Architects. All such buildings shall be eligible for the development bonus specified in Section F.

- a. The determination of appropriate exterior restoration shall be based upon documentary evidence of the original design features where such evidence is available.

- b) For the purposes of determining eligibility for a development bonus the term "substantial exterior renovation or restoration" of an existing building shall be defined as being improvements costing 15% or more of the appraised value of the structure. The applicant shall be responsible for submitting an up-to-date appraisal so that the Building Official can certify the appraisal value and construction costs.

c) For the purpose of determining eligibility for a development bonus the term "appropriate exterior renovation or restoration" shall be defined as improvements which are consistent with the design elements described in Section C herein and approved by the Board of Architects.

SECTION E - SPECIFIC DEVELOPMENT BONUS AND SPECIAL ALLOWANCES FOR NEW BUILDING CONSTRUCTION.

a) The appropriate use of Arabian Motif Architectural style in new building construction will earn a development bonus shown as Development Category #1 on the schedule designated "Development Bonus and Special Allowances for New Building Construction, Table 1."

b) The construction of a new building in an appropriate Arabian Motif Architectural style may also be eligible to incorporate certain design elements, pedestrian amenities, and uses which will earn additional bonuses or special allowances shown as Development Categories 2 thru 7 on the schedule designated "Development Bonuses and Special Allowances for New Building Construction, Table I."

SECTION F - SPECIFIC DEVELOPMENT BONUS FOR EXISTING BUILDINGS.

a) Existing buildings which are not designed in the Arabian Motif architectural style and are appropriate converted to the Arabian Motif architectural style and in accordance with the provisions of Section D will earn a development bonus credit as shown on the schedule designated "Development Bonuses for Existing Buildings, Table II."

b) Existing buildings which were originally designed in the Arabian Motif architectural style and which are subject to substantial and appropriate exterior restoration in accordance with the provisions of Section D will earn a development bonus credit as shown on the schedule designated "Development Bonuses for Existing Buildings, Table II."

SECTION G - DETERMINATION OF DEVELOPMENT BONUSES FOR APARTMENT BUILDINGS, HOTELS AND APARTMENT HOTELS.

a) Development bonuses for apartment buildings, hotels or apartment hotels may be used to provide additional floor area and additional permitted units in accordance with the following:

1. The total of the bonus square footage earned by compliance with the provisions specified in Sections E and F (Tables I and II) may be added to maximum allowable floor area.

2. In determining the number of units (density) requirements as set forth in this Code, the building site area shall be the total of the actual building site area plus the bonus square footage accumulated.

SECTION H - LIMITATIONS ON THE USE OF DEVELOPMENT BONUSES ACCUMULATED.

a) The total bonus square foot floor area earned for commercial uses by compliance with the provisions specified in Table I or Table II (Sections E and F) may be added as a matter of right to the building site earning the bonuses subject to the following limitation: Total maximum square footage which can be added to a new building or to a qualified existing building may not exceed 50% of the area of the building site.

b) Floor area or ground area used to calculate bonus credits under one category shall be precluded from being counted toward bonus credits for a second category.

c) The additional units for apartment buildings, hotels or apartments earned by compliance with the provisions in Table I or Table II (Sections E and F) may be added as a matter of right to the building site earning the bonus subject to the following limitation: total maximum number of units which can be added to a new building or to a qualified existing building may not exceed 25% more than the number of units which would otherwise be provided in this Code.

SECTION I - SPECIAL ALLOWANCES PERTAINING TO HEIGHT AND OFF-STREET PARKING.

a) Bonus square foot floor area or additional units may be used to provide additional height beyond maximum allowable heights of a new building or a qualified existing building; provided, however, in no event shall any building exceed the maximum allowable height by more than two (2) stories in a three(3) story zone, four (4) story zone, or six(6) story zone, and three(3) stories in a thirteen (13) story zone. Each story above the maximum allowable height which is permitted by this Section shall be limited to twelve (12) feet for each story.

b) Within the Central Business District as defined in this Code:

1. Any new building construction or restoration/renovation of an existing building which is developed in accordance with the provisions of this section shall be exempted if the Floor Area Ratio (F.A.R.) of such building does not exceed 1.45. Such exemptions shall only be effective if the building has earned development bonuses or special allowances as specified in this Section.

2. Any restoration/renovation of an existing building located on property facing Opa-locka Boulevard having a height of three stories or less, which is restored/renovated in accordance with the provisions of this section, may provide all or part of the required off-street parking on site, or in lieu thereof, may pay a special assessment fee in the amount of Five Thousand Dollars (\$5,000.00) for each required off-street parking space not provided. (The amount of such fee shall be subject to periodic review and adjustment by the City commission). The fee shall be paid into a special assessment fund established to the Code of the City of Opa-locka, which fund shall be dedicated toward and used exclusively for the development of off-street parking solutions in the Central Business District.

SECTION J - REVIEW OF ARABIAN MOTIF ARCHITECTURAL PLANS.

a) Board of Architects Preliminary Approval: An applicant for new construction or restoration or renovation of an existing building using the Arabian Motif Architectural style which will earn development bonuses or special allowances as specified in this Section will submit plans in accordance with the procedures specified in this Code:

1. Pursuant to this Code, all plans affecting designated historic landmarks must receive a certificate of appropriateness from the Historic Preservation Board prior to submittal to the Board of Architects.

2. The Board of Architects shall review all submitted plans to determine if appropriate Arabian Motif architectural construction is based upon adherence to the principles of the design elements specified in Section C herein.

3. In reviewing plans to restore or renovate a Arabian Motif styled building, the Board of Architects shall also determine if the appropriate exterior restoration is based upon documentary evidence of the original design features, where such evidence is available. The applicant shall be responsible for providing the documentation, if available.

4. In reviewing an existing building being converted to Arabian Motif architectural style, the Board of Architects shall also determine that such building is deemed not to have a significant non-Arabian Motif architectural character of its own which may qualify it for designation as an historic landmark pursuant to the Code of the City of Opa-locka. The Board of Architects may refer the plans to the Historic Preservation Board for comment prior to making its determination.

5. If the Board of Architects finds that the submitted plans represent appropriate Arabian Motif architectural construction, preliminary approval shall be given.

b) Compliance with Zoning: All plans receiving preliminary approval from the Board of Architects shall be reviewed by the Community Development Department for compliance with the provisions of the Zoning Code and to certify that the plans submitted do not exceed the limits of development bonuses and/or special allowances earned in accordance with the provisions of this section.

1. In the event plans for Arabian Motif Architectural construction or improvements exceed the development bonuses or special allowances earned or specified limits in Section 30-8 (whichever is less), or do not otherwise meet the full requirements of this Code, such plans may not be presented to the Board of Architects for final approval until such time as compliance is met or necessary variances are approved by the Board of Appeals, in accordance with the provisions of this Code.

c) Special Locational Approval: Prior to submission of plans for final approval by the Board of Architects, all proposed projects which are located in an area eligible to use the Arabian Motif Architectural Regulations and are also located abutting or across a street, waterway, or alley from a single-family or duplex zone district shall obtain special location approval from the City Commission, after a public hearing before the Planning Council. The Planning Council and the City Commission in reviewing a proposed Arabian Motif Architectural project shall consider the following factors:

1. The impact of the additional height, density, floor area bonuses, parking reduction allowance, traffic and traffic patterns upon the adjacent properties and immediately surrounding the neighborhood.

2. The visual and aesthetic impact of the architectural style on abutting building and the surrounding area.

3. The provision of buffers, screening, landscaping or other site improvements which would reduce the potential impact of the project on abutting properties and surrounding areas.

Special locational approval shall be initiated by the submission of an application in the Planning Council for public hearing after receiving the Board of Architects Preliminary approval, as specified in this Section and after having received a preliminary zoning compliance review by the Building and Zoning Department, as specified in Section 30-10(b).

d) Board of Architects Final Approval: Final approval of plans and specifications shall be considered by the Board of Architects after certification by the Zoning Department that the submitted plans are in compliance with the provisions of the Zoning Code.

SECTION K - EFFECT ON CURRENT CONSTRUCTION.

a) All restoration, renovation or new building construction projects in progress as of the effective date of this section, are eligible to re-submit plans for consideration under the provisions of this section.

SECTION 2- REPEALER.

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

SECTION 3 - SEVERABILITY.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 4 - INCLUSION.

It is the intention of this City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of the City of Opa-locka, Florida.

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

SECTION 5 - EFFECTIVE DATE.

This ordinance upon passage shall become effective in the manner provided by law.

PASSED AND ADOPTED on this 13th day of February, 1991.

ATTEST:

Ronetta Taylor
CITY CLERK

[Signature]
MAYOR

COMMISSION VOTE: 5-0

Vice Mayor Allen: Yes
Commissioner Barrett: Yes
Commissioner Kelley: Yes
Commissioner Miller: Yes
Mayor Ingram: Yes

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY

FACADEO

SECTION F - DEVELOPMENT BONUSES FOR EXISTING BUILDINGS

TABLE II

DEVELOPMENT CATEGORY

1. ARCHITECTURAL STYLE

QUALIFICATIONS

Conversion and/or renovation of existing building not designed in Arabian Motif Architectural style to Arabian Motif Architectural style pursuant to the provisions of Section D herein, and approved by the Board of Architects. Restoration of an existing building designed in the Arabian Motif Architectural style; restoration must be pursuant to the provisions of Section D herein, and approved by the Board of Architects. All facades facing public street, alley or waterway must be converted or renovated in accordance with this section.

BONUS CREDIT

For each six (6) square feet of gross floor area within the existing building: one (1) square foot of bonus area.

SECTION E - DEVELOPMENT BONUSES AND SPECIAL ALLOWANCES FOR NEW BUILDING CONSTRUCTION

TABLE I

DEVELOPMENT CATEGORY

1. ARCHITECTURAL STYLE

QUALIFICATIONS

All new buildings designed in Arabian Motif Architectural style in accordance with Design Elements contained in Section C and approved by the Board of Architects.

BONUS CREDIT/SPECIAL ALLOWANCES

An increase in floor area equivalent to .20 x the area of the building site.

(ADDITIONAL AMENITIES)

DEVELOPMENT CATEGORY

2. RETAIL ON GROUND FLOOR

QUALIFICATIONS

Location of pedestrian oriented retail stores and shops (including restaurants, cafes, etc.) at ground floor where otherwise permitted by the Code; establishments must have direct opening onto an exterior public sidewalk, public pedestrian plaza or thru an open courtyard where the public has unrestricted access.

BONUS CREDIT/SPECIAL ALLOWANCES

For each ten (10) square feet of retail establishments; three (3) square feet of bonus floor area.

DEVELOPMENT CATEGORY

3. MIXED USE

QUALIFICATIONS

Residential and/or hotel units combined with commercial and/or industrial uses where otherwise permitted, and in the amounts specified, by Code.

BONUS CREDIT/SPECIAL ALLOWANCES

5% reduction of off-street parking spaces required for the commercial and/or industrial uses.

DEVELOPMENT CATEGORY

4. PEDESTRIAN COURTYARD

QUALIFICATIONS

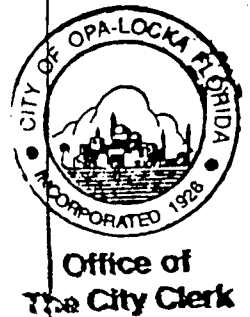
Pedestrian courtyard defined as an open area partially or fully enclosed by buildings or walls where the public has unrestricted access. The courtyard space must be open space above minimum required at ground level. The courtyard must connect to a public sidewalk and provide elements such as seating, landscaping, shade and water features. Minimum size 400 square feet.

BONUS CREDIT/SPECIAL ALLOWANCES

For each one (1) square foot of pedestrian plaza one (1) square foot of bonus floor space.

FACADEO

Korilla Taylor City Clerk of the City of Opa-locka, Florida
do hereby certify this to be a true and correct copy of Resolution 91-1
adopted 7/22/91 by the Historic Preservation Bd.
as shown in the official records of the City of Opa-locka, Florida.
Witness my hand and seal, this 10 day of August, 1992
Korilla Taylor City Clerk



OPA-LOCKA HISTORIC PRESERVATION BOARD

RESOLUTION NO. 91-1

RESOLUTION DESIGNATING PUBLIC AND PRIVATE
PROPERTIES AS HISTORIC SITES PURSUANT TO
OPA-LOCKA CITY ORDINANCE 81-13 AS
AMENDED. THIS RESOLUTION RECINDS
RESOLUTION 90-1 DUE TO FORMAT AND CONTENT

WHEREAS, the following properties are outstanding examples of
Moorish architecture in Opa-locka and Dade County; and

WHEREAS, those properties were built, based on the original
plans as designed by its founder, Glenn Curtiss; and

WHEREAS, the preservation of historic sites is in the best in-
terest of Opa-locka and its citizens; and

WHEREAS, the below listed properties meet the requirements, being
of historical, cultural, architectural and archeological significance:

| <u>Address</u> | <u>Owner</u> |
|----------------|---------------------------------|
| *1110 Peri | Santiago Morales |
| 1145 Peri | Mrs. Wm. Adams |
| *1156 Peri | Manuel Rey |
| 1211 Peri | A. A. Deer |
| 806 Jann | Francisco Rodriguez |
| 910 Jann | Vivian & James Bobbitt |
| 916 Jann | Andrew Cook |
| *1141 Jann | Fabio Pavon |
| *613 Sharar | James F. Peterson |
| *721 Sharar | Charles Rose |
| *915 Sharar | Adel Raad |
| 1006 Sharar | Ermine V. Billingsley |
| 1010 Sharar | Edward Scott |
| *1011 Sharar | Irementer Howard |
| 1145 Sharar | Joseph Piverger |
| 1301 Sharar | Mr. & Mrs. Robert L. Causey, Sr |
| *401 Dunad | |

| <u>Address</u> | <u>Owner</u> |
|---|-------------------------------|
| 1111 Sesame | Patricio Jimenez |
| *1210-1212 Sesame (Duplex) | Thornton B. Smith |
| *1214-1216 Seame (Du;oex) | William E. Brown |
| *826 W. Superior | Francisco O. Alfonso |
| *951 W. Superior | Clinton F. O'Dell |
| *1217 Sharazad | Richard C. Weit |
| 103 Perviz | Ram Investment Co. |
| *117 Perviz (E. E. Root Bldg.) | Juan B. Rondon |
| 124 Perviz (Fire/Police Station) | City of Opa-locka |
| *480 Ali Baba (Train Station) | Seacost R. R. |
| 940 Caliph (Bank Bldg.) | Trustees First Baptist Church |
| *432 Opa-locka Blvd. (Hurt Bldg.) | Community Development Corp. |
| *777 Sharazad (City Hall) | City of Opa-locka |
| * Listed on National Register of Historical Sites | |

NOW, THEREFORE, THE HISTORIC PRESERVATION BOARD OF THE CITY OF
OPA-LOCKA HEREBY RESOLVES:

Section 1. That the above listed thirty-four (34) properties are hereby designated historic sites pursuant to the Opa-locka Historic Preservation Ordinance 81-13, as amended, and that the said thirty-four (34) properties are subject to all rights, privileges, and requirements of that ordinance.

PASSED and ADOPTED this 22nd day of April 1991.

Winifred Amdor
Winifred Amdor, Chairman

Ceola Walker, Member

Roy P. Cookston, Member

James Bobbitt, Jr.
James Bobbitt, Jr., Member

STATE OF FLORIDA)

COUNTY OF DADE)

WITNESS my hand and official
seal this of 1991