

RM-2 ACCESSORY OFFICE USES FOR BAYFRONT APARTMENTS IN THE WEST AVENUE OVERLAY

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS" ARTICLE II "DISTRICT REGULATIONS", DIVISION 3 "RESIDENTIAL MULTIFAMILY DISTRICTS", SUBDIVISION IV "RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," SECTION 142-213, "CONDITIONAL USES," TO EXPAND THE CONDITIONAL USES IN THE RM-2 DISTRICT TO INCLUDE CERTAIN TYPES OF NON-MEDICAL OFFICE USES FOR BAY FRONT APARTMENT BUILDINGS IN THE WEST AVENUE OVERLAY; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

WHEREAS, the City Code contains provisions for accessory office uses in the RM-2 District; and

WHEREAS, the City of Miami Beach seeks to provide a method for allowing certain types of non-medical offices as accessory uses within bay front apartment buildings ; and

WHEREAS, the City of Miami Beach desires to amend existing conditional use requirements for bay front apartments located in the RM-2 district; and

WHEREAS, the amendment set forth below is necessary to accomplish all of the above objectives.

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

SECTION 1. That Chapter 142, Article II entitled "District Regulations", Division 3 entitled "Residential Multifamily Districts", Subdivision IV entitled "Residential Multifamily, Medium Intensity", Section 142-212, "Main Permitted Uses," of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

Sec. 142-213. - Conditional uses.

Conditional uses in the RM-2 residential multifamily, medium intensity district are adult congregate living facility; day care facility; nursing home; religious institutions; private and public institutions; schools; commercial or noncommercial parking lots and garages; accessory neighborhood impact establishment, as set forth in article V, division 6 of this chapter; and medical offices, offices, and personal service uses, which are located on the lobby level of bay front apartment buildings located within the West Avenue Overlay District.

SECTION 2. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby 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 ten days following adoption.

PASSED and ADOPTED this _____ day of _____ 2019.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

City Attorney Date

First Reading: _____, 2019
Second Reading: _____, 2019

Verified By: _____
Thomas R. Mooney, AICP
Planning Director

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