

**Development Regulations for Hotels in the RM-1 District on Properties  
Abutting Lincoln Lane South – Comprehensive Plan Amendments**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENT LAND USE AND DEVELOPMENT ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING GOAL RLU 1, ENTITLED “LAND USE,” BY AMENDING OBJECTIVE RLU 1.1, “ESTABLISHMENT OF FUTURE LAND USE CATEGORIES,” BY AMENDING POLICY RLU 1.1.5, ENTITLED “LOW DENSITY MULTI FAMILY RESIDENTIAL (RM-1),” TO MODIFY THE ALLOWABLE USES FOR PROPERTIES ABUTTING LINCOLN LANE SOUTH BETWEEN DREXEL AVENUE AND LENOX AVENUE; AND PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY, TRANSMITTAL, AND AN EFFECTIVE DATE.**

**WHEREAS**, the Mayor and City Commission of the City of Miami Beach (the “City”) desire to amend the City’s Comprehensive Plan and Land Development Regulations to incentivize the development of properties abutting Lincoln Lane South; and

**WHEREAS**, the pedestrian-friendly and vibrant character of Lincoln Road promotes a guest experience that would be complemented by new hotels; and

**WHEREAS**, the development of new hotels would encourage the activation of Lincoln Lane South.

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

**SECTION 1.** The Resilient Land Use and Development Element of the Comprehensive Plan of the City of Miami Beach, Florida is hereby amended as follows:

***Policy RLU 1.1.5 Low Density Multi Family Residential (RM-1)***

*Purpose:* To provide development opportunities for and to enhance the desirability and quality of existing and/or new medium density multi-family residential areas.

*Uses which may be permitted:* Single family detached dwellings; single family attached dwellings, townhouse dwellings and multiple family dwellings, and hotels for properties fronting Harding Avenue or Collins Avenue from the City Line on the north to 73<sup>rd</sup> Street on the south.

Non-conforming buildings containing non-conforming hotel uses, located on the north side of Belle Isle, and not within a local historic district, may be reconstructed to a maximum of 50% of the floor area of the existing building, provided that the uses contained within the hotel are not expanded in any way, including but not limited to, the number of hotel units and accessory food and beverage uses, the non-conformity of the building is lessened, and required parking for the surrounding neighborhoods with a minimum reduction of 50% of the daily trips on adjacent, two lane, arterial roadways, and improving the resiliency of the building.

Bed and breakfast inns are permitted in RM-1 only in the Flamingo Park Historic District and the West Avenue Bay Front Overlay District, both of which are described in the Land Development Regulations. Within the RM-1 future land use category, and only in the Flamingo Park Historic District, apartment hotels, hotels, and suite hotels are permitted for properties abutting Lincoln Lane South, between Drexel Avenue and Lenox Avenue. Residential office and suite hotel uses are permitted in the West Avenue Bay Front Overlay District only.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

*Density Limits:* 60 dwellings units per acre.

*Intensity Limits:* Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio of 1.25, except for the following:

- the west side of Collins Avenue between 76th and 79th Streets shall not exceed a floor area ratio of 1.4; and
- Public and private institutions on a lot area equal to or less than 15,000 sq. ft shall not exceed a floor area ratio of 1.25, or for a lot area greater than 15,000 sq. ft. the floor area ratio shall not exceed 1.4.

## **SECTION 2. Repealer.**

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

## **SECTION 3. 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, as amended. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section" or other appropriate word.

## **SECTION 4. 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 5. TRANSMITTAL.**

The Planning Director is hereby directed to transmit this Ordinance to the appropriate state, regional and county agencies as required by applicable law.

**SECTION 6. EFFECTIVE DATE.**

If no challenge is timely filed, this Ordinance shall take effect 31 days after the state land planning agency notifies the City that the plan amendment package is complete pursuant to Section 163.3184(3), Florida Statutes. If challenged within 30 days after adoption, the amendment will not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted amendment is in compliance.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**ATTEST:**

\_\_\_\_\_  
Rafael E. Granado, City Clerk

\_\_\_\_\_  
Dan Gelber  
Mayor

APPROVED AS TO FORM AND LANGUAGE AND FOR EXECUTION

*Rafael E. Granado* 7/13/20  
\_\_\_\_\_  
City Attorney NK Date

First Reading: July 29, 2020  
Second Reading: September 16, 2020

Verified By: \_\_\_\_\_  
Thomas R. Mooney, AICP  
Planning Director