

4000 Alton Road – LDR Amendments

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

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, AT SUBPART B, ENTITLED, "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 3, ENTITLED "RESIDENTIAL MULTIFAMILY DISTRICTS," SUB-DIVISION IV, ENTITLED "RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY," CREATING SECTION 142-220, ENTITLED "ADDITIONAL REGULATIONS FOR PROPERTIES THAT FRONT THE WEST SIDE OF ALTON ROAD AND THE JULIA TUTTLE CAUSEWAY," TO CREATE ZONING REGULATIONS FOR PROPERTIES LOCATED WITHIN SUCH AREA; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Miami Beach has the authority to enact laws which promote the public health, safety and general welfare of its citizens; and

**WHEREAS**, on or about March 7, 2018, the Mayor's 41st Street Blue Ribbon Committee (the "Committee") was formed; and

**WHEREAS**, on March 23, 2018, the Committee discussed and recommended goals and objectives for the 41st Street corridor, including improving the quality of life through multi-modal transportation design, community engagement, an overall vision for 41<sup>st</sup> Street as the main entrance/gateway to Mid-Beach, storefront revitalization and façade incentives, assessment of current public works, infrastructure improvements, and a focus on key opportunities and challenges; and

**WHEREAS**, on July 31, 2018, the Committee discussed and recommended in favor of the 41st Street Urban Design Vision Plan, with proposed recommendations guided by core principles/strategies based upon resident feedback and the design team's analysis of the street; and

**WHEREAS**, the 41st Street Urban Design Vision Plan prioritizes the importance of 41st Street as a primary gateway to Mid-Beach and Miami Beach, as a whole; and

**WHEREAS**, the area of the City subject to this Ordinance is uniquely situated as an "island" of land, at the crossroads of three major roadways (I-195/Julia Tuttle Causeway, 41st Street, and Alton Road), and at the entrance to Miami Beach; and

**WHEREAS**, the proposed zoning regulations include modified setback regulations to reflect the unique nature of the subject area; and

**WHEREAS**, the proposed zoning regulations will incentivize development that is set back from neighboring residents, and located more closely towards the Interstate 195/Julia Tuttle Causeway entrance to Miami Beach; and

**WHEREAS**, the amendments set forth below are 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.** Chapter 142, "Zoning Districts and Regulations," at Article II, entitled "District Regulations," at Division 3, entitled "Residential Multifamily Districts," of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

**CHAPTER 142  
ZONING DISTRICTS AND REGULATIONS**

\* \* \*

**ARTICLE II  
DISTRICT REGULATIONS**

\* \* \*

**DIVISION 3  
RESIDENTIAL MULTIFAMILY DISTRICTS**

\* \* \*

**SUBDIVISION IV  
RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY**

\* \* \*

**Sec. 142-220- Additional regulations for properties that front the West Side of Alton Road and the Julia Tuttle Causeway.**

The following regulations shall apply to properties that front the west side of Alton Road and that front 41<sup>st</sup> Street/Interstate 195. In the event of a conflict within this division, the following regulations shall control:

- (1) The setback requirements shall be as follows:

<u>Rear</u>	<u>Pedestal: 10 feet*</u> <u>Tower: 15 feet*</u>
<u>Side</u>	<u>Pedestal: 10 feet*</u> <u>Tower: 15 feet*</u>
<u>*Notwithstanding the allowable projection regulations in Section 142-1132, exterior unenclosed private balconies and ornamental features may project 50% into a required yard.</u>	

- (2) The regulations for new construction provided in Section 142-219(1) shall only apply to the eastern frontage of a building, along Alton Road. However, the requirement provided in Section 142-219(1) for the eastern frontage along Alton Road shall not apply to a structure that is set back 50 feet or more from Alton Road.

(3) The regulations set forth in this section shall only apply to those properties that are larger than 60,000 square feet in size as of the effective date of this Ordinance.

**SECTION 2. REPEALER.**

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

**SECTION 3. CODIFICATION.**

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 Code of the City of Miami Beach 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 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 \_\_\_\_\_, 2020.

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

ATTEST:

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

APPROVED AS TO FORM  
AND LANGUAGE  
AND FOR EXECUTION

Raul C. Gil 10-6-20  
City Attorney NK Date

First Reading: October 14, 2020  
Second Reading: November 18, 2020

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