

Apartment Hotel Revised Definition

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, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 114 OF THE CITY CODE ENTITLED "GENERAL PROVISIONS," TO MODIFY THE DEFINITION OF APARTMENT HOTEL; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

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

WHEREAS, the City Commission desires to amend the definition for apartment hotel to be consistent with long standing practice; and

WHEREAS, the amendments set forth below are necessary to accomplish the above objectives.

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

SECTION 1. Chapter 114, "General Provisions," of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

Sec. 114-1. Definitions.

~~*Apartment hotel* means a building containing a combination of suite hotel unit, apartment units and hotel units, under resident supervision, and having an inner lobby through which all tenants must pass to gain access. An apartment hotel must contain at least one unit apartment.~~

Apartment hotel means a building containing a combination of apartment units and hotel units and/or suite hotel units. For purposes of this definition, the following shall apply to an apartment hotel:

- (1) At least 20% of the units within a property (20% plus one unit) shall consist of apartment units.
- (2) All hotel and/or suite hotel units shall be under resident supervision. For purposes of this definition, the resident supervisor shall be required to live on the property and shall be available at all times to address any operational issues at the property.
- (3) The property shall contain at least one guest lobby, which shall be a minimum of 250 square feet.
- (4) For existing buildings constructed prior to 1965, access to all hotel and/or suite hotel units may or may not be through a common lobby. For new construction and existing buildings constructed after 1965, access to all hotel and/or suite hotel units shall be through a common lobby.

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4. 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 Miami Beach City Code. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____ 2022.

PASSED and **ADOPTED** this _____ day of _____, 2022.

Dan Gelber
Mayor

ATTEST:

Rafael E. Granado
City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

City Attorney Date

First Reading: _____, 2022
Second Reading: _____, 2022

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