

**North Beach Oceanside FAR Overlay – Comprehensive Plan Amendment
(Planning Board Version)**

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH 2040 COMPREHENSIVE PLAN POLICY RLU 1.1.7, ENTITLED “HIGH DENSITY MULTIFAMILY RESIDENTIAL (RM-3),” TO MODIFY THE FLOOR AREA RATIO (FAR) LIMITS FOR PROPERTIES WITHIN THE “NORTH BEACH OCEANSIDE FAR OVERLAY”; AND DESIGNATING THE “NORTH BEACH OCEANSIDE FAR OVERLAY” ON THE FUTURE LAND USE MAP FOR THE PARCELS FRONTING THE EAST SIDE OF COLLINS AVENUE BETWEEN 66TH STREET AND 68TH STREET; PURSUANT TO THE PROCEDURES IN SECTION 163.3184, FLORIDA STATUTES; AND PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Collins Avenue corridor and area surrounding the Deauville property has deteriorated and seen limited improvement over the years, that have diminished the general condition of the neighborhood; and

WHEREAS, the City of Miami Beach seeks to encourage and incentivize new development within the Deauville Property and this portion of the Collins Avenue corridor; and

WHEREAS, the City of Miami Beach desires to create an overlay zoning district for the two-block area located to the east of Collins Avenue in-between 66th and 68th Streets; 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. The following amendments to the City’s 2040 Comprehensive Plan Resilient Land Use & Development Element are hereby adopted:

RESILIENT LAND USE & DEVELOPMENT ELEMENT

* * *

GOAL RLU 1: LAND USE

* * *

POLICY RLU 1.1.7 HIGH DENSITY MULTI FAMILY RESIDENTIAL (RM-3)

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

Uses which may be permitted: Single family detached dwellings, single family attached

dwelling, townhouse dwellings, multiple family dwellings, apartment hotels and hotels.

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: 150 dwelling 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 the following:

- a floor area ratio of 2.25 on lot area equal to or less than 45,000 sq. ft.;
- a floor area ratio of 2.75 on lot area greater than 45,000 sq. ft.;
- a floor area ratio 3.0 on oceanfront lots with lot area greater than 45,000 sq. ft.;
- a floor area ratio of 2.0 on oceanfront lots in architectural district;
- a floor area ratio of 3.0 for lots which, as of November 14, 1998, are oceanfront lots with a lot area greater than 100,000 sq. ft. with an existing building, however, the lesser of an additional floor area ratio of 0.15 or 20,000 sq. ft. for the purpose of providing hotel amenities.

Notwithstanding the foregoing FAR limitations, the base FAR for the North Beach Oceanside FAR Overlay shall be 3.0 FAR, except as follows:

For a unified development site that includes all or part of Lots ~~40, 41, 42,~~ 43, 44, 45, and the south 25 feet of Lot 46, in Block 1, AMENDED PLAT OF SECOND OCEAN FRONT SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 28, at Page 28 of the Public Records of Miami-Dade County, Florida, the base FAR shall be 4.5 if ~~the lot area of the unified development site is at least 150,000 square feet,~~ the development project includes a new or existing hotel of at least 150 rooms, the residential density is limited to 75 dwelling units an acre, and the developer enters into a development agreement with the city, pursuant to Chapter 163, Florida Statutes.

SECTION 2.

The North Beach Oceanside Resort Overlay shall be designated on the City's Future Land Use Map for the properties identified in the attached map, as Exhibit A, incorporated by reference herein.

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. CODIFICATION

It is the intention of the City Commission that this Ordinance be entered into the Comprehensive Plan, and it is hereby ordained that the section of the Ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word. The Exhibits to this Ordinance shall not be codified, but shall be kept on file with this Ordinance in the City Clerk's Office.

SECTION 6. 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 7. EFFECTIVE DATE.

This Ordinance shall take effect 31 days after adoption pursuant to Section 163.3184(3), Florida Statutes.

PASSED and ADOPTED this _____ day of _____, 2022.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

City Attorney

Date

First Reading: July 20, 2022
Second Reading: December 7, 2022

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

~~BOLD DOUBLE STRIKE-THRU AND DOUBLE UNDERSCORE~~ Denotes Recommendations of the Planning Board on June 21, 2022