

Alton Road Gateway Regulations – Comprehensive Plan Amendment

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 1.1.6, ENTITLED “MEDIUM DENSITY MULTIFAMILY RESIDENTIAL (RM-2),” AND POLICY RLU 1.1.9, ENTITLED “MEDIUM INTENSITY COMMERCIAL (CD-2),” TO MODIFY THE FLOOR AREA RATIO (FAR) LIMITS FOR PROPERTIES WITHIN THE “ALTON ROAD GATEWAY AREA”; AND DESIGNATING THE “ALTON ROAD GATEWAY AREA” ON THE FUTURE LAND USE MAP FOR THE PARCELS LOCATED BETWEEN ALTON ROAD ON THE EAST, FIFTH STREET ON THE SOUTH, WEST AVENUE ON THE WEST, AND 8TH STREET ON THE NORTH; 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 entrance to the South Beach neighborhood of the City of Miami Beach via the MacArthur Causeway provides an important first impression to residents, guests, and workers; and

WHEREAS, on December 12, 2018, the City Commission adopted Ordinance 2018-4228, which created the Alton Road Gateway Area Development Regulations; and

WHEREAS, the Alton Road Gateway Area Development Regulations establish a set of standards governing development for an assemblage of land on the west side of Alton Road and east side of West Avenue, including several properties between Fifth Street and Eighth Street (the “Alton Road Gateway Area”); and

WHEREAS, on December 12, 2018, the City Commission adopted Resolution No. 2018-30647, following Second Reading and a public hearing, approving a Development Agreement between the City and South Beach Heights I, LLC, 500 Alton Road Ventures, LLC, 1220 Sixth, LLC, and KGM Equities, LLC; and

WHEREAS, the Development Agreement contemplated the development of land located within the Alton Road Gateway Area with mixed-used residential and commercial development, including a public park and other public and private amenities; and

WHEREAS, the City desires to expand the boundaries of the Alton Road Gateway Area for purposes of providing expanded park area, facilitating the relocation of an existing community health center, and promoting compatible development; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives; and

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the City of Miami Beach Commission has an adopted Comprehensive Plan; and

WHEREAS, Chapter 118, Article III of the City's Land Development Regulations establishes a procedure to amend the Comprehensive Plan; and

WHEREAS, the City's procedures reflect and comply with the procedures for adopting or amending local comprehensive plans as set forth in Chapter 163, Part II, Florida Statutes, including the process for adoption comprehensive plan amendments set forth in section 163.3184, Florida Statutes; and

WHEREAS, the City of Miami Beach Planning Board, which serves as local planning agency, transmitted the text amendment to the City Commission with a favorable recommendation; and

WHEREAS, the City Commission held a duly noticed public hearing, at which time it voted to transmit the text amendment for review by state, regional, and local agencies, as required by law; and

WHEREAS, the City Commission hereby finds that the adoption of this text amendment is in the best interest and welfare of the residents of the City.

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

SECTION 1. Comprehensive Plan Policy RLU 1.1.6, Entitled "Medium Density Multi Family Residential (RM-2)" is hereby amended as follows:

POLICY RLU 1.1.6 MEDIUM DENSITY MULTI FAMILY RESIDENTIAL (RM-2)

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, multiple family dwellings, apartment hotels and hotels. Residential office uses are permitted in RM-2 only in the West Avenue Bay Front Overlay District, as described in the Land Development Regulations. Places of assembly, restaurant, retail, and general office uses are main permitted uses in the Faena District Overlay as set forth in the Land Development Regulations.

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: 100 dwelling units per acre.

Intensity Limits: Intensity may be limited by such setback, 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 2.0, or 2.6 in the Alton Road Gateway Area.

SECTION 2. Comprehensive Plan Policy RLU 1.1.9, Entitled "Policy RLU 1.1.9 Medium Intensity Commercial (CD-2)" is hereby amended as follows:

POLICY RLU 1.1.9 MEDIUM INTENSITY COMMERCIAL (CD-2)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new medium intensity commercial areas which serve the entire City.

Uses which may be Permitted: Various types of commercial uses including business and professional offices, retail sales and service establishments, eating and drinking establishments; apartment residential uses; 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: 100 dwelling units per acre.

Intensity Limits: Intensity may be limited by such setback, 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 1.5 for commercial; 2.0 for residential or mixed use; 3.25 in the Wolfsonian Arts District; and 2.6 in the Alton Road Gateway Area.

SECTION 3. DESIGNATION ON THE FUTURE LAND USE MAP.

The "Alton Road Gateway Area" shall be designated on the 2040 Comprehensive Plan Future Land Use Map for the properties located between 5th Street on the south, Alton Road on the west, 8th Street on the north, and West Avenue on the west, as depicted in "Exhibit A."

SECTION 4. REPEALER.

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

SECTION 5. 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 re-numbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 6. SEVERABILITY.

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

SECTION 7. 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 8. EFFECTIVE DATE.

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.

PASSED and ADOPTED this _____ day of _____, 2022.

Dan Gelber
Mayor

ATTEST:

Rafael E. Granado
City Clerk

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

for Nick Kallegis 5/16/22
City Attorney NK Date

First Reading: May 25, 2022
Second Reading: September 14, 2022

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

"Exhibit A"

