

Ocean Terrace Overlay - LDR Amendment

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING

; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; APPLICABILITY; AND AN EFFECTIVE DATE.

WHEREAS,; and

WHEREAS,; and

WHEREAS,; and

WHEREAS,; 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," Article III, "Overlay Districts," Division 11 "Ocean Terrace Overlay," is hereby amended as follows:

Sec. 142-870.1. Compliance with regulations.

The following overlay regulations shall apply to the Ocean Terrace Overlay. All development regulations in the underlying regulations shall apply, except as follows:

* * *

- (g) *Prohibited uses.*
 - (1) Package alcohol store.
 - (2) Hostels.
 - (3) Outdoor Entertainment Establishments and Open-Air Entertainment Establishments.
- (h) *Additional development regulations.* Buildings with frontage on Collins Avenue shall have either retail or restaurant uses (which may include neighborhood impact establishment uses) on the front 50 feet of depth of the ground floor with an entrance that opens onto Collins Avenue. Buildings with frontage on Ocean Terrace shall have active uses on the ground floor with an entrance that opens onto Ocean Terrace.
- (i) For properties located within the Ocean Terrace Overlay, any alcoholic beverage establishment with more than 100 seats and/or an occupancy content in excess of 125 persons (as determined by the fire marshal), shall require conditional use approval.

SECTION 2. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.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 re-numbered or re-lettered 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 _____.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

First Reading:
Second Reading:

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