

## **RM-PRD ALCOHOL REGULATIONS**

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

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 3, "RESIDENTIAL MULTIFAMILY DISTRICTS," SUBDIVISION III, "RM-PRD MULTIFAMILY, PLANNED RESIDENTIAL DEVELOPMENT DISTRICT," TO AMEND THE MAIN PERMITTED, PROHIBITED, AND ACCESSORY USES, IN ORDER TO AUTHORIZE THE LIMITED SALE OF ALCOHOLIC BEVERAGES AS AN ACCESSORY USE TO DINING FACILITIES WITHIN MULTIFAMILY RESIDENTIAL BUILDINGS, SUBJECT TO CERTAIN CONDITIONS; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, residential apartment buildings that are located within the City of Miami Beach's RM-PRD (Residential Multifamily Planned Residential Development) District are authorized to provide limited dining facilities open only to residents and their invited guests; and

**WHEREAS**, several of the existing residential apartment buildings within the RM-PRD have taken advantage of the dining facility provision contained in the land development regulations; and

**WHEREAS**, such residential apartment buildings also desire to be able to serve alcoholic beverages within such dining facilities; and

**WHEREAS**, the proposed amendment would allow apartment buildings within the RM-PRD District a similar ability to serve alcoholic beverages within residential multifamily buildings; and

**WHEREAS**, the City seeks to modify Chapter 142 entitled "Zoning Districts", Article II, "District Regulations," Division 3, "Residential Multifamily Districts," Subdivision III, "RM-PRD Multifamily, Planned Residential Development District" at section 142-182, "Main permitted" to identify main permitted uses, prohibited uses, and accessory uses; and

**WHEREAS**, to authorize the sale of alcohol within the residential multifamily buildings, within the dining facility authorized under the land development code, the City desires to amend the land development regulations, to allow the sale of alcohol as an accessory use; 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.** That Chapter 142, entitled "Zoning District Regulations," at Article II, "District Regulations," of the Code of the City of Miami Beach, Florida is hereby amended as follows:

## DIVISION 3 - RESIDENTIAL MULTIFAMILY DISTRICTS

\* \* \*

### Subdivision III. - RM-PRD Multifamily, Planned Residential Development District

#### Sec. 142-182. - Main permitted, prohibited, and accessory uses.

- (a) The main permitted uses in the RM-PRD multifamily, planned residential development district are single-family detached dwelling; townhomes; and apartments.
- (b) The sale of alcoholic beverages as an accessory use to a dining facility within apartment buildings within this District shall be permitted.
- (c) All Alcoholic beverage establishments pursuant to the regulations set forth in chapter 6, of the City Code, are prohibited uses.
- (d) Moreover, all uses not listed as a main permitted or accessory use ~~conditional use~~ are also prohibited.

**Commented [BE1]:** Are there any conditional uses in this district? I think this term was meant to be accessory use. Please confirm

#### SECTION 2. 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 Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and, the word "ordinance" may be changed to "section", "article", or other appropriate word.

#### 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. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mayor

**ATTEST:**

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

Underscore indicates new text proposed under a companion ordinance  
Double Underscore indicates new text

First Reading: December 13, 2017  
Second Reading: January \_\_\_\_, 2018

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

F:\PLAN\PLB\2017\11-21-17\RM-PRD Alcohol - ORD November 21 2017 PB.docx