

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

**AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, BY AMENDING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT;" "OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS," AT POLICY 1.2 CREATING THE ALTON BEACH BAYFRONT OVERLAY AND "LOW DENSITY MULTI FAMILY RESIDENTIAL CATEGORY (RM-1)," TO MODIFY THE ALLOWABLE USES WITHIN THE ALTON BEACH BAYFRONT OVERLAY; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS**, over the years the City of Miami Beach (the "City") has been negatively impacted by sea level rise; and

**WHEREAS**, sea level rise and flooding concerns may be proactively improved through the employment of new and innovative design and construction methods;

**WHEREAS**, the goal of the overlay district is to enable design and have developments undertake solutions that will minimize the impacts of sea level rise and flooding on their properties; and

**WHEREAS**, the City seeks to encourage new mixed-use properties that will harmoniously co-exist with existing developments and be managed in a cohesive manner; and

**WHEREAS**, the City is desirous of improving the vehicular traffic in the and the surrounding neighborhoods and improve the pedestrian environment of the neighborhoods; and

**WHEREAS**, the City desires to encourage and incentivize area property owners to reduce vehicular trips and alleviate traffic congestion through the redevelopment of properties to include uses that are an integral part to a community, which result a cultivation of pedestrianism in an area, increase bicycle use, and reduce vehicular trips; and

**WHEREAS**, the City is encouraging small-businesses, such as retail, restaurants, and offices that will serve the local residences within walking distance; and

**WHEREAS**, small-business uses are economic drivers which help improve the community aesthetic, property values, and community presence; and

**WHEREAS**, a revision to the Comprehensive Plan would allow for the renovation and activation of this portion of the City; 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.** The following amendments to the City's 2025 Comprehensive Plan Future Land Use Element are hereby adopted:

\* \* \*

## CHAPTER 1

### FUTURE LAND USE ELEMENT

#### OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS

\* \* \*

##### Policy 1.2

The land development regulations which implement this Comprehensive Plan shall, at a minimum, be based on and be consistent with s. 163.3202, F.S., and shall further be based on the following standards for land use category, land use intensity and land use:

\* \* \*

##### *Alton Beach Bayfront District*

Purpose: To provide support for residential projects with active retail uses on the ground floor, and parking where needed for the neighborhood.

Uses which are Permitted: In addition to the residential uses permitted under the RM-1 Residential Multifamily Low Intensity zoning district regulations, various types of commercial uses are permitted, including: restaurants, retail uses, personal service establishments, commercial or noncommercial parking lots and garages; and professional offices.

Other uses which may permitted are accessory uses that are incidental and customarily associated with the main permitted uses are sidewalk cafes, off-street parking and loading, and other similar accessory uses.

Conditional uses permitted are restaurants in excess of sixty (60) seats, with a maximum of one-hundred (100) seats.

Density limits shall be consistent with the Land Development Regulations for the RM-1 Residential Multifamily Low Intensity zoning district. The maximum allowable floor area ratio of 1.25 shall be consistent with the maximum allowable floor area ratio in the RM-1 Residential Multifamily Low Intensity zoning district.

AND

\* \* \*

***Low Density Multi Family Residential Category (RM-1)***

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

Uses which may be permitted: Single family detached dwellings; single family attached dwellings, townhouse dwellings and multiple family dwellings, and hotels for properties fronting Harding Avenue or Collins Avenue from the City Line on the north to 73<sup>rd</sup> Street on the south. For properties located within the Alton Beach Bayfront District, bounded by 13<sup>th</sup> Street on the south, east of the centerline of West Avenue until 14<sup>th</sup> Street, north of 14<sup>th</sup> Street, west of the centerline of Bay Road on the west, 15<sup>th</sup> Street on the north, and west of the centerline of Alton Court on the east, the following uses are permitted: restaurants, outdoor cafes, retail uses, personal service establishments, commercial or noncommercial parking lots and garages, and professional offices.

Non-conforming buildings containing nonconforming hotel uses, located on the north side of Belle Isle, and not within a local historic district, may be reconstructed to a maximum of 50% of the floor area of the existing building, provided that the uses contained within the hotel are not expanded in any way, including but not limited to, the number of hotel units and accessory food and beverage uses, the nonconformity of the building is lessened, and required parking for the reconstruction is satisfied within the property, resulting in an improved traffic circulation in the surrounding neighborhoods with a minimum reduction of 50% of the daily trips on adjacent, two-lane, arterial roadways, and improving the resiliency of the building.

Bed and breakfast inns are permitted in RM-1 only in the Flamingo Park Historic District and the West Avenue Bay Front Overlay District, both of which are described in the Land Development Regulations. Residential office and suite hotel uses are permitted in the West Avenue Bay Front Overlay District only. However, bed and breakfast inns and suite hotels are prohibited in the Alton Beach Bay Front Overlay.

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: 60 dwellings 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 a floor area ratio of 1.25, except for the following:

- the west side of Collins Avenue between 76th and 79th Streets shall not exceed a floor area ratio of 1.4; and
- Public and private institutions on a lot area equal to or less than 15,000 sq. ft shall not exceed a floor area ratio of 1.25, or for a lot area greater than 15,000 sq. ft. the floor area ratio shall not exceed 1.4

## **SECTION 2. ALTON BEACH BAYFRONT OVERLAY**

The “Alton Beach Bayfront Overlay” shall be designated on the City’s Future Land Use Map for the properties located in the areas bounded by 13<sup>th</sup> Street on the south, east of the centerline of West Avenue until 14<sup>th</sup> Street, north of 14<sup>th</sup> Street, east of the centerline of Bay Road on the west, 15<sup>th</sup> Street on the north, and west of the centerline of Alton Court on the east, as identified in the map attached hereto as Exhibit “A,” and incorporated herein by reference.

## **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 4. 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 sections of this Ordinance may be renumbered or re-lettered 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 5. 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 6. EFFECTIVE DATE.**

This ordinance shall take effect thirty-one (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 \_\_\_\_\_ 2018.

\_\_\_\_\_  
Mayor Dan Gelber

ATTEST:

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

APPROVED AS TO FORM  
AND LANGUAGE  
AND FOR EXECUTION

\_\_\_\_\_  
Raul Aguila, City Attorney

Date: \_\_\_\_\_

First Reading/Transmittal: \_\_\_\_\_, 2018

Second Reading/Adoption: \_\_\_\_\_, 2018

Verified By: \_\_\_\_\_  
Thomas R. Mooney, AICP  
Planning Director

Underline = new language

~~Strikethrough~~ = deleted language