

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 are also prohibited.

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.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

First Reading: December 13, 2017

Second Reading: January ____, 2018

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

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