

BELLE ISLE OVERLAY - LDR AMENDMENTS

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE III "OVERLAY DISTRICTS," CREATING DIVISION 11 "BELLE ISLE OVERLAY", TO MODIFY THE ALLOWABLE MAIN, CONDITIONAL, ACCESSORY AND PROHIBITED USES; PROVIDING FOR REPEALER; SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE.

WHEREAS, Belle Isle has an energetic residential and commercial atmosphere, which provides residents and visitors scenic views and a tranquil living environment; and

WHEREAS, Belle Isle has experienced increased traffic over the years, and has faced traffic congestion and decreased pedestrianism as a result of the area traffic, and vehicular traffic entering and leaving the City through the Venetian Causeway; and

WHEREAS, the traffic conditions have impacted the residents' quality of life and have resulted in the diminished general conditions of the neighborhood; and

WHEREAS, sea level rise and flooding are concerns for the City, including for those properties located on Belle Isle; 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 City desires to encourage and incentivize area property owners to reduce vehicular trips and alleviate traffic congestion through the redevelopment of properties to integrate internal parking garages, which will service the property's parking needs and have developments undertake solutions that will minimize the impacts of sea level rise and flooding on their properties; and

WHEREAS, the City of Miami Beach desires to create an overlay zoning district for the north western corner of Belle Isle, which overlay may assist in improving the quality of life in the neighborhood through the reduction of vehicular trips through the congested rights-of-way and improve existing flooding conditions; and

WHEREAS, the purpose of the Belle Isle Overlay district is to improve vehicular traffic on Belle Isle, to reduce vehicular trips, alleviate traffic congestion within the area, and improve the pedestrian environment of the neighborhood; and

WHEREAS, the Planning Department believes that the hotel use contemplated as part of the Belle Isle Overlay is a compatible use for the district and that it should not be a nonconforming use; and

WHEREAS, hotel uses are economic drivers which help improve the community aesthetic, property values and community presence; and

WHEREAS, area hotels facilitate lodging resources for out of town guests of community members; and

WHEREAS, the amendment set forth below is 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. That Chapter 142, Article III entitled "Overlay Districts", Division 11 "Belle Isle Overlay" is hereby created as follows:

* * *

ARTICLE III. - OVERLAY DISTRICTS

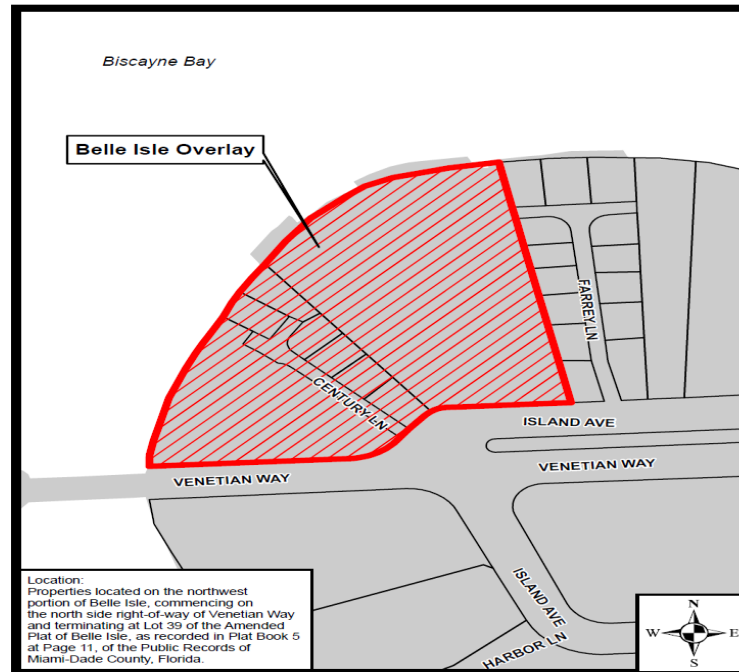
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DIVISION 11.- BELLE ISLE OVERLAY

Sec. 142-868. - Location and purpose.

(a) The regulations of this division shall apply to properties within the following boundaries, which shall be known as the Belle Isle Overlay:

The overlay regulations of this division shall apply to the properties, as they are configured as of June 1, 2016, located on the northwest portion of Belle Isle, commencing on the north side right-of-way of Venetian Way and terminating at Lot 39 of the Amended Plat of Belle Isle, as recorded in Plat Book 5 at Page 11, of the Public Records of Miami-Dade County, Florida, as noted on the following illustration: and consisting of a minimum of 2.3 acres in size.



- (b) The purpose of this overlay district is to improve vehicular traffic on Belle Isle by permitting hotels as a main permitted uses, with accessory uses, so long as all required parking, with regard to new construction, is provided on-site, which will alleviate traffic congestion within the area. Expansion of the district shall only be permitted by amendment to these regulations.
- (c) These overlay district regulations are intended to achieve a more compatible relationship between existing hotels and the adjoining residential neighborhood, to promote parking development on existing commercial sites, and to minimize the effects of traffic congestion in the neighborhood.
- (d) Nothing in this overlay district should be interpreted to allow for an increase in FAR. The maximum allowable FAR shall be consistent with the maximum allowable FAR in the RM-1 zoning district: 1.25.

Sec. 142-869. - Development regulations and area requirements.

- (a) The following overlay regulations shall apply within the Belle Isle Overlay District. All development regulations in the underlying zoning district shall apply, except as follows:
 - 1. Hotels shall be permitted as main permitted uses in this overlay district on building sites with a minimum lot size of 2.3 acres.
 - 2. Notwithstanding the requirements of Article IV, Division 2, herein, hotel accessory uses may include restaurants, cafes, spas, retail stores, gyms,

dining rooms and other accessory uses customarily associated with the operation of an apartment building, as referenced in Subsection 142-902(2).

3. Accessory uses of hotels including, but not limited to, spa, gym, pool, restaurants and cafes may be open to the public.

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 _____, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

City Attorney

Date

First Reading: _____

Second Reading: _____

Verified by: _____

Thomas R. Mooney, AICP
Planning Director

Underscore denotes new language

~~Strikethrough~~ denotes removed language

[Sponsor: Commissioner _____; co-sponsors: Commissioner _____,
_____, Commissioner _____ and Commissioner _____]