

**CHAPTER 6 DISTANCE SEPARATION REGULATIONS FOR HOTEL USES
AT THE INTERNATIONAL INN SITE**

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 6, "ALCOHOLIC BEVERAGES", ARTICLE I, "IN GENERAL", BY MODIFYING THE DISTANCE SEPARATION REQUIREMENTS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS THAT ARE ACCESSORY TO A HOTEL USE AND LOCATED WITHIN A DESIGNATED HISTORIC SITE IN NORTH BEACH; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the City's land development regulations include regulations for hotel uses in the RM-1 district; and

WHEREAS, provisions for additional flexibility for alcoholic beverage establishments that are accessory to a hotel use within historic sites in the RM-1 district in North Beach is necessary and desirable; and

WHEREAS, the proposed changes are necessary in order to promote good hotel development and the preservation of contributing structures in the RM-1 district in North Beach.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

SECTION 1. That chapter 6, "Alcoholic Beverages", Article I, "In General", is hereby amended as follows:

Sec. 6-4. - Location and use restrictions.

(a) *Generally.* The following location and use restrictions are applicable for facilities selling or offering alcohol beverages for consumption:

- (1) *Educational facilities.* No alcohol beverage shall be sold or offered for consumption in a commercial use within 300 feet of any property used as a public or private school operated for the instruction of minors in the common branches of learning. Except for uses in the civic and convention center (CCC) district, hospital (HD) district, accessory uses to a hotel within a designated historic site located north of 63rd Street or within 300 feet of a marina.

SECTION 2. Repealer.

All ordinances or parts of ordinances and all sections and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 3. 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, as amended. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. Severability.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 5. Effective Date.

This Ordinance shall take effect the ____ day of _____, 2019.

PASSED AND ADOPTED this ____ day of _____, 2019.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

City Attorney

Date

First Reading: _____, 2019

Second Reading: _____, 2020

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