

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

TO: Chairperson and Members
Planning Board

DATE: February 28, 2017

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **PB 16-0085. Terminal Island – Comp Plan Amendments**
PB 16-0087. Terminal Island - LDR Amendments

REQUESTS

PB 16-0085. TERMINAL ISLAND – COMP PLAN AMENDMENTS. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING GOALS, OBJECTIVES AND POLICIES OF THE CITY OF MIAMI BEACH COMPREHENSIVE PLAN, CHAPTER 1 LAND USE ELEMENT, POLICY 1.2 OF OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS OF THE FUTURE LAND USE ELEMENT BY AMENDING THE URBAN LIGHT INDUSTRIAL USE CATEGORY TO PERMIT MULTIFAMILY RESIDENTIAL USES ON WATERFRONT PARCELS AND ACCOMPANYING STANDARDS FOR LAND DEVELOPMENT REGULATIONS; AMENDING CHAPTER 2 TRANSPORTATION ELEMENT, POLICY 6.19 OF OBJECTIVE 6: MULTI-MODAL TRANSPORTATION TO UPDATE REFERENCED USES ON TERMINAL ISLAND; AMENDING CHAPTER 6 CONSERVATION/COASTAL ZONE MANAGEMENT, OBJECTIVE 9: DENSITY LIMITS BY CREATING AN EXCEPTION FOR TERMINAL ISLAND; AND AUTHORIZING AND DIRECTING THE CITY ADMINISTRATION TO SUBMIT THE ADOPTED AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND ANY OTHER REQUIRED STATE AND LOCAL AGENCIES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

PB 16-0087. TERMINAL ISLAND - LDR AMENDMENTS. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II "DISTRICT REGULATIONS," DIVISION 11 "LIGHT INDUSTRIAL DISTRICT," BY AMENDING SECTION 142-483, "CONDITIONAL USES," TO PERMIT MULTI-FAMILY RESIDENTIAL USES WHEN LOCATED ON WATERFRONT PARCELS; BY AMENDING SECTION 142-484, "ACCESSORY USES," TO PERMIT RESTAURANTS ASSOCIATED WITH MULTI-FAMILY RESIDENTIAL USES, LIMITED TO RESIDENTS AND GUESTS, AND TO INCLUDE NO MORE THAN 1.25 SEATS PER UNIT; BY AMENDING SECTION 142-486, "DEVELOPMENT REGULATIONS," TO PROVIDE REGULATIONS FOR MULTIFAMILY RESIDENTIAL USES; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

RECOMMENDATION:

Transmit the proposed Ordinance and Comprehensive Plan Amendments, with modifications, to the City Commission with a favorable recommendation.

HISTORY/ BACKGROUND

The applicant, Miami Beach Port, LLC., submitted applications for amendments to the Comprehensive Plan and Land Development Regulations pursuant to Article III of Chapter 118, of the City Code.

APPLICANT'S ZONING / SITE DATA

(See Future Land Use Map and Aerial at the end of the Report)

Applicant's Site Area:	~161,716 SF / 3.71 acres
Applicant's FLUM Category:	Urban Light Industrial (I-1)
Applicant's Zoning Designation:	I-1 Light Industrial District
Surrounding Land Uses (Zoning):	
North:	MacArthur Causeway
East:	US Coast Guard Station and Fisher Island Garage (I-1)
South:	Main Channel Waterway
West:	Miami Beach Fleet Maintenance Yard (GU)

REVIEW CRITERIA

In accordance with Section 118-163 (3), when reviewing a request for an amendment to these land development regulations, the Board shall consider the following where applicable:

- 1. Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

Partially Consistent – See Staff Recommendations. The proposed LDR change is partially consistent with Comprehensive Plan as proposed to be amended. Staff is recommending additional amendments to the Comprehensive Plan that

There is no applicable neighborhood or redevelopment plan.

- 2. Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

Consistent – The proposed amendment does not create an isolated district.

- 3. Whether the change suggested is out of scale with the needs of the neighborhood or the city.**

Not Consistent – See Staff Recommendations. As proposed by the applicant, the amendments may result in a change that is out of scale with the needs of the neighborhood and the City. Modifications are suggested which will address the needs of the city.

4. Whether the proposed change would tax the existing load on public facilities and infrastructure.

Consistent – The proposed amendment will not increase in the intensity of what would otherwise be permitted in the area. Such impacts to adopted levels of service will be determined and mitigated prior to any development obtaining a building permit.

5. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Consistent – The proposal does not modify existing boundaries.

6. Whether changed or changing conditions make the passage of the proposed change necessary.

Partially Consistent – – **See Staff Recommendations.** While there are evolving conditions that the subject amendments could address, as proposed by the applicant, the ordinance does not address those conditions. Modifications are being proposed that would allow the amendment to address changing conditions, including the need for improved government infrastructure and services, and workforce and affordable housing.

7. Whether the proposed change will adversely influence living conditions in the neighborhood.

Consistent – The proposed amendments should not adversely influence living conditions in the surrounding neighborhood.

8. Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.

Consistent – A preliminary concurrency analysis indicates that the proposed changes should not create or excessively increase traffic congestion beyond the levels of service as set forth in the Comprehensive Plan or otherwise affect public safety. However, a concurrency analysis and mitigation shall be required prior to the issuance of a building permit.

9. Whether the proposed change will seriously reduce light and air to adjacent areas.

Partially Consistent – The proposed changes increase the height of development permitted on waterfront light industrial properties; however, there are currently no uses in the surrounding areas which would be negatively affected by this additional height.

10. Whether the proposed change will adversely affect property values in the adjacent area.

Consistent – Property values should not be negatively impacted.

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

Consistent – The proposed change would not be a deterrent to the redevelopment or improvement of any adjacent property.

12. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

Not Consistent – The waterfront light industrial site, and the adjacent parcels, currently contain a functioning marine port facility, a private parking garage, a power substation, a vehicle maintenance facility and a coastguard station.

13. Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.

Partially Consistent – While it is possible to find other sites for residential uses, few other adequate areas are available which would allow for improvement of government operations.

ANALYSIS

The Proposal

The proposal is a private application filed by Miami Beach Port, LLC for the attached amendments to the Land Development Regulations and the Comprehensive Plan, which would allow for the development of residential uses on light industrial waterfront parcels. Currently the only light industrial waterfront parcels within the City are located on Terminal Island and accessible via the MacArthur Causeway. The proposal is for a large-scale amendment to the City's Comprehensive Plan and amendments to the Land Development Regulations.

The proposed Comprehensive Plan and Land Development Regulation Amendments were prepared by the applicant. The following is a summary of the modifications proposed by the applicant:

- Comprehensive Plan:
 - Future Land Use Element:
 - Amend the “Urban Light Industrial (I-1)” future land use category to allow for multi-family residential uses as a conditional use for waterfront parcels at a maximum density of 25 dwelling units per acre.
 - Transportation Element:
 - Amend Policy 6.19, related to MacArthur Causeway to remove a requirement

ent that the cargo terminal be protected from encroachment of incompatible land uses.

- Conservation/Coastal Zone Management Element
 - Amend Objective 9, allow for an exemption to Terminal Island for the requirement that the city direct population concentrations away from city-wide coastal high hazard area by prohibiting residential density increases.
- Land Development Regulations:
 - Amend the I-1 Urban Light Industrial District to allow for multi-family residential uses as a Conditional Use for waterfront parcels at a maximum density of 25 dwelling units per acre.
 - Amend the I-1 Urban Light Industrial District to allow for restaurants associated with residential uses, and limited to residents and guests with no more than 1.25 seats per unit as an Accessory Use.
 - Allow for a maximum height limit of 300 feet / 25 stories for multi-family residential uses.

While not being considered as part of this application, the applicant is proposing to partner with the City by combining their parcel (currently a cargo shipping facility) with the abutting City parcel (existing vehicle maintenance facility) to form a unified development site (See Attached Aerial Map). In this regard, the applicant has proposed to construct a new and expanded vehicle maintenance facility for the City in the same location as the current facility, as well as a new residential tower on the southeastern tip of Terminal Island. Currently, neither the Land Development Regulations of the City Code, nor the Comprehensive Plan, permit residential uses on Terminal Island.

The proposed amendments to the Land Development Regulations and the Comprehensive Plan would allow for the construction of the residential uses, as well as the increased height and proposed accessory uses. Planning Staff has identified some concerns with portions of the proposed text, and modifications are being recommended to address these concerns.

Comprehensive Planning Issues

Staff has concerns with the amendments to the Comprehensive Plan proposed by the applicant. As the Comprehensive Plan is intended to guide the growth and development of the entire City, a more holistic approach should be taken when making modifications. In this regard, although current policies in the Comprehensive Plan restrict residential density increases, the evolving needs of the City may justify increases in density under certain circumstances. These evolving needs include improved infrastructure and government services in light of rising costs of providing such services, climate change and sea level rise, as well as ongoing deficiencies in affordable and workforce housing throughout the City.

In order for the proposed amendments to the Comprehensive plan to be more holistic, it is recommended that the proposed amendment to Objective 9 of the *Conservation/Coastal Zone Management* Element be modified as follows:

OBJECTIVE 9: DENSITY LIMITS

Direct population concentrations away from city-wide coastal high hazard area by prohibiting residential density increases, except for properties on Terminal Island to incentivize workforce or affordable housing, or to provide improved government operations and infrastructure.

Additionally, it is recommended that related Policy 9.2 of the *Conservation/Coastal Zone Management* Element be amended as follows:

Policy 9.2

The City shall approve no future land use plan map amendments that cumulatively increase residential densities, except to incentivize workforce or affordable housing, or to provide improved government operations and infrastructure and risk reduction to the threat of sea level rise. Furthermore, the City shall continue to evaluate ways to further modify the Future Land Use Map to reduce densities and intensities.

Land Development Regulations Issues

It is important to ensure that the addition of residential units on waterfront light industrial properties results in improved government operations or infrastructure. Based on an assessment of the infrastructure within the area affected by the ordinance, in order to ensure that there is improved government operations and infrastructure and allow for the development of residential uses in a combined area, a minimum lot area of 250,000 SF would be necessary. As a result, it is recommended that the following requirement be added to section 142-486:

(4) Multi-family residential uses on waterfront parcels shall only be permitted on lots or unified development sites with a minimum area of 250,000 square feet.

City Charter Issues

The request for modifications to the Comprehensive Plan and Land Development Regulations are consistent with City Charter Section 1.03 (c), related to FAR, which partially states the following:

The floor area ratio of any property or street end within the City of Miami Beach shall not be increased by zoning, transfer, or any other means from its current zone floor area ratio as it exists on the date of adoption of this Charter Amendment (November 7, 2001), including any limitations on floor area ratios which are in effect by virtue of development agreements through the full term of such agreements, unless such increase in zone floor area ratio for any such property shall first be approved by a vote of the electors of the City of Miami Beach.

While the proposed ordinances would increase the allowable density on Terminal Island, increased density does not equate to increased FAR. While FAR results in the amount of square footage that can be constructed, density relates to the number of units per acre that can be constructed. Density, therefore relates to the size of units within the allowable square footage.

Comprehensive Planning Process

This application includes a text amendment to the Policy 1.2 of the Future Land Use element of the Comprehensive Plan. Under Section 163.3184(2), F.S., this amendment shall follow the expedited state review process for adoption of comprehensive plan amendments. This process requires a public hearing by the local planning agency (Planning Board), a public transmittal hearing before the City Commission, after which the amendment must be transmitted to several state agencies for a 30-day review period, and a final adoption public hearing before the City Commission. The amendment is effective 31 days after it is adopted if there are no appeals.

Interlocal Agreement for Public School Facility Planning

The 2005 Florida Legislature adopted laws which are incorporated in the Florida Statutes, requiring each local government to adopt an intergovernmental coordination element as part of their comprehensive plan, as well as a statutory mandate to implement public school concurrency. The overlay district as proposed does increase the maximum residential density, therefore a preliminary school concurrency determination is not necessary.

Final site plan approval of any proposed development on the site is contingent upon meeting Public School Concurrency requirements and the applicant will be required to obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. Such Certificate will state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed prior to the issuance of a Building Permit.

SUMMARY

When looked at from a land use compatibility standpoint, the applicant's proposal raises some concerns as it pertains to introducing residential as an allowable use within an established light industrial zone. In order to mitigate any conflicts that may arise due to land use compatibility issues, it will be critical that any future development agreements for a unified site contain provisions acknowledging the light industrial uses and operational requirements of adjacent parcels.

Additionally, the applicant has proposed a substantial increase in maximum allowable building height for residential structures. In this regard, while increasing the allowable height for residential structures makes sense given the waterfront location and the ability to mass a residential tower in a narrower fashion, the proposed increase from the current 40 feet to 300 feet will have a significant impact on the existing low scale context of Terminal Island. Additionally, a future structure built at 300 feet will be visible from afar and will create a new visual beacon when Miami Beach is viewed from a distance. In order to mitigate the impact of such an increase in height for a future residential project, the role of the Design Review Board

will be critical in ensuring that the overall bulk and mass of the structure does not create a negative impact on the established view corridors.

Notwithstanding the aforementioned issues related to land use compatibility and building height, the applicant has provided a traffic study which concludes that the residential use proposed would have a significantly lesser impact on traffic and circulation than the current industrial shipping facility. This is important as Terminal Island has very limited access from MacArthur Causeway, and reductions in traffic volume from adjacent uses will help address ongoing and increasing congestion on the MacArthur Causeway. The City's Transportation Department is reviewing the findings of the applicant's traffic study for accuracy and staff will update the Board on the Transportation Department's conclusions on the floor of the meeting.

In conclusion, while the compatibility of uses and proposed height increase in this application pose concerns, staff believes that with an appropriate design approach, the building height and land use compatibility issues can be mitigated. Further, the potential positive impacts on traffic circulation and congestion on the MacArthur Causeway would have a citywide benefit.

As a housekeeping matter, the applicant appears to have used a slightly dated version of the City Code when drafting the Land Development Regulations Ordinance. In this regard, the version used by the applicant includes "outdoor entertainment establishment," "neighborhood impact establishment," and "open air entertainment establishment" as allowable conditional uses. However, these uses were removed from allowable conditional uses in the I-1 District in 2016. Staff does not believe that it is the intent of the applicant to introduce these types of uses back into the code and recommends that the ordinance text be modified in a manner consistent with the current, updated code, as part of the transmittal to the City Commission.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed Ordinance and Comprehensive Plan Amendments to the City Commission with a favorable recommendation, with the following modifications:

1. That the proposed amendment to the Comprehensive Plan be transmitted to the City Commission with the following modifications:

- That Objective 9 of the Conservation/Coastal Zone Management Element be modified as follows:

OBJECTIVE 9: DENSITY LIMITS

Direct population concentrations away from city-wide coastal high hazard area by prohibiting residential density increases, except for properties on Terminal Island to incentivize workforce or affordable housing, or to provide improved government operations and infrastructure.

- That Policy 9.2 of the Conservation/Coastal Zone Management Element be modified as follows:

Policy 9.2

The City shall approve no future land use plan map amendments that cumulatively increase residential densities, except to incentivize workforce or affordable housing, or to provide improved government operations and infrastructure. Furthermore, the City shall continue to evaluate ways to further modify the Future Land Use Map to reduce densities and intensities.

2. That the proposed amendment to Chapter 142, "Zoning Districts and Regulations," Article II "District Regulations," Division 11 "Light Industrial Districts," of the Land Development Regulations, be transmitted to the City Commission with the following with the following modifications:
 - A. Section 142-486:
(4) Multi-family residential uses on waterfront parcels shall only be permitted on lots or unified development sites with a minimum area of 250,000 square feet.
 - B. Update and amend Section 142-483 to be consistent with the current version of the Code and by removing "outdoor entertainment establishment," "neighborhood impact establishment," and "open air entertainment establishment" from the list of Conditional Uses.
 - C. Update and amend Section 142-484 to be consistent with the current version of the Code.

TRM/MAB/RAM

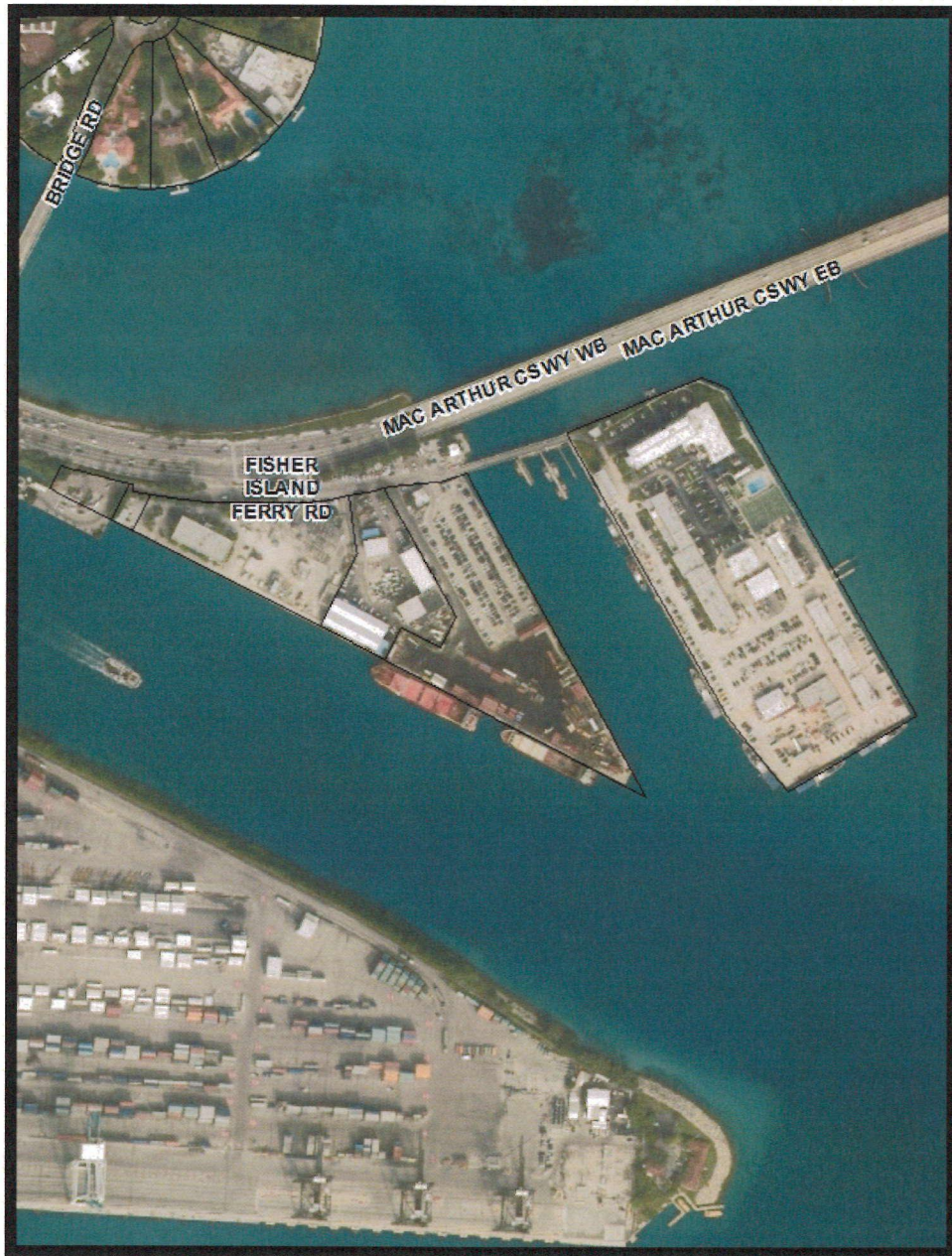
Future Land Use



0 250 500 1,000 Feet



Aerial



0 250 500 1,000 Feet



ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING GOALS, OBJECTIVES AND POLICIES OF THE CITY OF MIAMI BEACH COMPREHENSIVE PLAN, CHAPTER 1 LAND USE ELEMENT, POLICY 1.2 OF OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS OF THE FUTURE LAND USE ELEMENT BY AMENDING THE URBAN LIGHT INDUSTRIAL USE CATEGORY TO PERMIT MULTIFAMILY RESIDENTIAL USES ON WATERFRONT PARCELS AND ACCOMPANYING STANDARDS FOR LAND DEVELOPMENT REGULATIONS; AMENDING CHAPTER 2 TRANSPORTATION ELEMENT, POLICY 6.19 OF OBJECTIVE 6: MULTI-MODAL TRANSPORTATION TO UPDATE REFERENCED USES ON TERMINAL ISLAND; AMENDING CHAPTER 6 CONSERVATION/COASTAL ZONE MANAGEMENT, OBJECTIVE 9: DENSITY LIMITS BY CREATING AN EXCEPTION FOR TERMINAL ISLAND; AND AUTHORIZING AND DIRECTING THE CITY ADMINISTRATION TO SUBMIT THE ADOPTED AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND ANY OTHER REQUIRED STATE AND LOCAL AGENCIES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

WHEREAS, The Light Industrial Use Category is comprised of a mix of transportation, light industrial, office, and military base (including residential units) uses; and

WHEREAS, amending the text of the Land Use Element of the City of Miami Beach Comprehensive Plan, as provided herein, will encourage appropriate and compatible development on waterfront lands within the Light Industrial Use Category; and

WHEREAS, amending the text of the Transportation Element of the City of Miami Beach Comprehensive Plan, as provided herein, will reflect the current character of Terminal Island and how its land uses may impact the MacArthur Causeway; and

WHEREAS, amending the text of the Conservation/Coastal Zone Management Element of the City of Miami Beach Comprehensive Plan, as provided herein, will allow for the implementation of industrial mixed-use on Terminal Island; and

WHEREAS, said text amendments are necessary to ensure that the future development of waterfront lands is in the best interest and welfare of the residents of

the City; and

WHEREAS, the City of Miami Beach Planning Board, which serves as local planning agency, transmitted the text amendment to the City Commission with a favorable recommendation; and

WHEREAS, the City Commission held a duly noticed public hearing, at which time it voted to transmit the text amendment for review by state, regional, and local agencies, as required by law; and

WHEREAS, the City Commission hereby finds that the adoption of this text amendment is in the best interest and welfare of the residents of the City.

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

SECTION 1. AMENDMENT TO THE LAND USE ELEMENT OF THE CITY'S COMPREHENSIVE PLAN.

That Policy 1.2 of Objective 1, Land Development Regulations of the Future Land Use Element of the City of Miami Beach Comprehensive Plan is hereby modified as follows:

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:

* * *

Urban Light Industrial (I-1)

Purpose: To provide development opportunities for existing and new light industrial facilities.

Uses which may be permitted: Light industrial and compatible retail and service facilities, and multi-family residential uses as a conditional use for waterfront parcels.

Density Limits: 25 dwelling units per acre.

* * *

SECTION 2. AMENDMENT TO THE TRANSPORTATION ELEMENT OF THE CITY'S COMPREHENSIVE PLAN.

That Policy 6.19 of Objective 6, Transportation Element of the City of Miami Beach Comprehensive Plan is hereby modified as follows:

* * *

Policy 6.19: Mac Arthur Causeway

There shall be a full facility impact review of any request for a development permit to be issued by the City for the expansion of ~~the existing cargo port facility~~ **any additional proposed uses on the I-1-designated parcels on Terminal Island** in order to preserve the limited traffic capacity of the MacArthur Causeway and the ferry service to Fisher Island and ensure consistency with the Conservation/Coastal Management Element. ~~Conversely, the existing MacArthur Causeway cargo terminal shall continue to be designated Light Industrial on the Future Land Use Map as to protect the facility from the encroachment of incompatible land uses.~~

* * *

SECTION 3. AMENDMENT TO THE CONSERVATION/COASTAL MANAGEMENT ZONE ELEMENT OF THE CITY'S COMPREHENSIVE PLAN.

That Objective 9, Land Development Regulations of the Conservation/Coastal Management Zone Element of the City of Miami Beach Comprehensive Plan is hereby modified as follows:

OBJECTIVE 9: DENSITY LIMITS

Direct population concentrations away from city-wide coastal high hazard area by prohibiting residential density increases, **except for properties on Terminal Island.**

* * *

SECTION 4. REPEALER.

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

SECTION 5. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 6. INCLUSION IN COMPREHENSIVE PLAN.

It is the intention of the City Commission, and it is hereby ordained that the amendment provided for in Section I is made part of the of the City of Miami Beach Comprehensive Plan, as amended; that the sections of this Ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect on the _____ day of _____, 20____; however, the effective date of any plan amendment shall be in accordance with Section 163.3184, Florida Statutes.

PASSED and ADOPTED this _____ day of _____, 20____.

MAYOR

ATTEST:

CITY CLERK

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II "DISTRICT REGULATIONS," DIVISION 11 "LIGHT INDUSTRIAL DISTRICT," BY AMENDING SECTION 142-483, "CONDITIONAL USES," TO PERMIT MULTI-FAMILY RESIDENTIAL USES WHEN LOCATED ON WATERFRONT PARCELS; BY AMENDING SECTION 142-484, "ACCESSORY USES," TO PERMIT RESTAURANTS ASSOCIATED WITH MULTI-FAMILY RESIDENTIAL USES, LIMITED TO RESIDENTS AND GUESTS, AND TO INCLUDE NO MORE THAN 1.25 SEATS PER UNIT; BY AMENDING SECTION 142-486, "DEVELOPMENT REGULATIONS," TO PROVIDE REGULATIONS FOR MULTIFAMILY RESIDENTIAL USES; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the primary purpose of the "I-1 Urban Light Industrial District" is to permit light industrial uses and similar uses that are generally compatible with one another and with adjoining residential or commercial districts; and

WHEREAS, amending the "I-1 Urban Light Industrial District" would be consistent with the Comprehensive Plan; and

WHEREAS, amending the conditional uses to include multi-family residential uses when located on waterfront parcels and to allow for said uses in appropriate areas and ensure compatibility with adjacent uses; and

WHEREAS, amending the accessory uses to include restaurant use when associated with multi-family residential uses would promote a mixed-use environment that would be consistent with the permitted, conditional, and accessory uses in the "I-1 Urban Light Industrial District"; and

WHEREAS, the amendment set forth below is necessary to accomplish the objectives identified above.

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

SECTION 1. Chapter 142, "Zoning Districts and Regulations," Article II "District

Regulations,” Division 11 “Light Industrial District”, is amended, as follows:

Sec. 142-483. - Conditional uses.

The conditional uses in the I-1 urban light industrial district are any use that includes the retail sale of gasoline; new construction of structures, as defined in section 114-1, of 50,000 square feet and over, which review shall be the first step in the process before the review by any of the other land development boards; recycling receiving stations; outdoor entertainment establishment; neighborhood impact establishment; open air entertainment establishment; religious institutions with an occupancy greater than 199 persons; **and multi-family residential uses at a maximum density of 25 dwelling units per acre may be allowed when located on a waterfront parcel to promote the appropriate mix of uses within that portion of the City.**

Sec. 142-484. - Accessory uses.

The accessory uses in the I-1 urban light industrial district are as follows:

- (1) Those uses customarily associated with the district purpose. (See article IV, division 2 of this chapter); **and**
- (2) **Restaurants associated with multi-family residential uses, limited to residents and guests, and to include no more than 1.25 seats per unit.**

Sec. 142-486. - Development regulations.

There are no lot area, lot width or unit area or unit size requirements in the I-1 light industrial district. The maximum floor area ratio, building height and story requirements are as follows:

- (1) Maximum floor area ratio is 1.0.
- (2) Maximum building height is 40 feet, **except for multi-family residential uses on waterfront parcels the maximum building height is 300 feet.**
- (3) Maximum number of stories is four **(4) except for multi-family residential uses on waterfront parcels maximum number of stories is twenty-five (25).**

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.

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

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 on the _____ day of __, 20__ ; however, the effective date of any plan amendment shall be in accordance with Section 163.3184, Florida Statutes.

PASSED and ADOPTED this _____ day of _____, 20__.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

City Attorney

Date

First Reading:
Second Reading:

Verified by: _____
Thomas Mooney, AICP, LEED
Planning Director

Date