

**NORTH BEACH OCEANFRONT OVERLAY DISTRICT
COMPREHENSIVE PLAN AMENDMENT**

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2040 COMPREHENSIVE PLAN, BY AMENDING GOAL RLU 1: LAND USE; OBJECTIVE RLU 1.1: ESTABLISHMENT OF FUTURE LAND USE CATEGORIES; POLICY 1.1.7: HIGH DENSITY MULTI FAMILY RESIDENTIAL (RM-3), ESTABLISHING THE NORTH BEACH OCEANFRONT OVERLAY LAND USE CATEGORY, PROVIDING AUTHORITY TO CREATE A FLOOR AREA EXEMPTION FOR DEVELOPMENT THAT PROVIDES CERTAIN PUBLIC BENEFITS AND MEETS CERTAIN DENSITY AND INTENSITY REDUCTION THRESHOLDS; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the "City") has the authority to enact laws which promote the public health, safety, and general welfare of its citizens; and

WHEREAS, lot 44, block 1 of the Amended Second Oceanfront Subdivision is one of the largest single ocean front lots in the City;

WHEREAS, the City seeks to create regulations for the development of lot 44, block 1 of the Amended Second Oceanfront Subdivision that promote the public health, safety, and general welfare of the public; and

WHEREAS, lot 44, block 1 of the Amended Second Oceanfront Subdivision was previously developed with a hotel known as the Deauville Hotel that was classified by the City as a contributing building within the North Beach Resort Historic District; and

WHEREAS, the City seeks to encourage the substantial reconstruction of the Deauville Hotel's architecturally significant design elements in accordance with the City's Certificate of Appropriateness Criteria, while balancing the need for resilient design and pedestrian friendly streetscapes; and

WHEREAS, the City seeks to appropriately limit residential density and hotel unit counts; and

WHEREAS, the City seeks to encourage development of cohesive residential and mixed-use communities with low density long-term residential uses;

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives; and

WHEREAS, these regulations will ensure that the public health, safety and welfare will be preserved.

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 2040 Comprehensive Plan Future Land Use Element are hereby adopted:

RESILIENT LAND USE AND DEVELOPMENT ELEMENT

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GOAL RLU 1: LAND USE

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POLICY RLU 1.1.7 HIGH INTENSITY MULTI-FAMILY (RM-3)

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Density Limits: 150 dwelling 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 the following:

- a floor area ratio of 2.25 on lot area equal to or less than 45,000 sq. ft.;
- a floor area ratio of 2.75 on lot area greater than 45,000 sq. ft.;
- a floor area ratio 3.0 on oceanfront lots with lot area greater than 45,000 sq. ft.;
- a floor area ratio of 2.0 on oceanfront lots in architectural district;
- a floor area ratio of 3.0 for lots which, as of November 14, 1998, are oceanfront lots with a lot area greater than 100,000 sq. ft. with an existing building, however, the lesser of an additional floor area ratio of 0.15 or 20,000 sq. ft. for the purpose of providing hotel amenities;

- Notwithstanding the foregoing, the City Commission acting in a legislative capacity may adopt land development regulations that exempt square footage from the calculation of floor area ratio for the substantial reconstruction of a contributing historic structure within the North Beach Oceanfront Overlay, as approved by the Historic Preservation Board, up to a maximum of 400,000 square feet of floor area, provided that density and intensity of development at the property where the reconstruction occurs is limited as provided below:
 - Density: 75 dwelling units per acre.
 - Hotel Unit Count Maximum: 280 units.
 - Accessory Uses: the enclosed portions of accessory uses shall not exceed 35% of the square footage of the reconstructed contributing building square footage of the historic structure.

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MAPS SERIES

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2040 FUTURE LAND USE MAP

The 2040 Future Land Use Map shall be amended to include the “Alton Beach North Beach Oceanfront Overlay District.” The overlay regulations of this section shall apply to the following property, further identified and outlined in the excerpt of the 2040 Future Land Use Map below:

Lot 44 in Block 1 of the Amended Plat of the Second Oceanfront Subdivision, according the plat thereof recorded in Plat Book 28, Page 28 of the Public Records of Miami-Dade County, and adjacent lands to the east, west of the Erosion Control Line, as shown in the plat of the Erosion Control Line recorded in Plat Book 105, Page 62 (Sheet 9) of the Public Records of Miami-Dade County



SECTION 2. REPEALER.

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

SECTION 3. CODIFICATION.

It is the intention of the City Commission, 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 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 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 _____, 2024.

ATTEST:

Rafael E. Granado, City Clerk

First Reading:
Second Reading:

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