

**ALTON BEACH BAYFRONT 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), CREATING THE ALTON BEACH BAYFRONT OVERLAY LAND USE OVERLAY CATEGORY, PROVIDING FLOOR AREA BONUSES FOR DEVELOPMENTS THAT INCLUDES CERTAIN PUBLIC BENEFITS; 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 3, block 80 of the Bay Garden Manor Condo Plat, according to the plat thereof, recorded in Plat Book 6, Page 12 of the Public Records of Miami-Dade County is a large bayfront lot in the City;

WHEREAS, the City seeks to create regulations for the development of lot 3, block 80 of the Bay Garden Manor Condo that promote the public health, safety, and general welfare of the public; and

WHEREAS, lot 3, block 80 of the Bay Garden Manor Condo is currently developed with a 239-unit condominium building; and

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

WHEREAS, the City seeks to encourage redevelopment of existing legal nonconforming transient uses that are incompatible with the character of the West Avenue neighborhood and private investment into capital improvements along the West Avenue Corridor; and

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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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 provide intensity bonuses in the following RM-3 land use category overlays:

A. Alton Beach Bayfront Overlay: Lot 3, block 80 of the Bay Garden Manor Condo, according to the plat thereof, recorded in Plat Book 6, Page 12, of the Public Records of Miami-Dade County shall be eligible for the following intensity bonuses:

- The base floor area in the Alton Beach Bayfront Overlay shall be 2.75.

- ii. New construction limiting density to a maximum of 75 units per acre shall receive a floor area ratio bonus of 0.25; and
- iii. A property owner who elects, at the owner's sole discretion, to voluntarily execute a restrictive covenant running with the land, in a form approved by the city attorney, affirming that, in perpetuity, that no residential unit on the property shall be leased or rented for a period of less than six months and one day, shall receive a floor area bonus of 0.25; and
- iv. A property owner who enters into a development agreement for capital improvements along the West Avenue corridor, defined as the area bounded by 5th street on the south, 17th Street on the north, Alton Court on the east, and Biscayne Bay on the west, and other public benefits that could be applied on a City-wide basis, shall receive a floor area ratio bonus of up to 2.75, based on the following improvements or public benefits:
 - 1. Acquisition of property containing a transient use within the West Avenue corridor, construction of public park on that property, and conveyance of the public park to City:1.25.
 - 2. Design, permit, and construct the portions of the Bay Walk located at 800 West Avenue 1228 West Avenue, and 1450 Lincoln Road, or, in the event the requisite easements from upland owners cannot be obtained, contribute funds to the City for construction of the Bay Walk or any other lawful public purpose: 0.50.
 - 3. Development of housing units acceptable to the City Commission and conveyance of the housing units to the City, or development of public parking within the West Avenue corridor, or funding for resiliency and adaptation improvements within the West Avenue corridor, or funding for creation of a mooring field within Biscayne Bay adjacent to the West Avenue corridor, or any combination of the above, at a value not less than \$9,000,000.00: 1.0.

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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 Bayfront 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 3, block 80 of the Bay Garden Manor Condo, according to the plat thereof, recorded in Plat Book 6, Page 12, 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