

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: January 16, 2025

TITLE: AMENDMENT TO COMPREHENSIVE PLAN AND RESILIENCY CODE NONCONFORMING BUILDING PROVISIONS AND RM-1 DISTRICT REGULATIONS TO ALLOW INTRODUCTION OF ON-SITE PARKING AND RESIDENTIAL USES WITHIN NONCONFORMING HOTEL USE ON THE NORTH SIDE OF BELLE ISLE (DUAL REFERRAL TO THE PLANNING BOARD).

**RECOMMENDATION**

The Administration recommends that the Land Use and Sustainability Committee (LUSC) endorse the proposed ordinance amendments and provide a favorable recommendation to the Planning Board.

**BACKGROUND/HISTORY**

On September 11, 2024, at the request of Commissioner Laura Dominguez, the Mayor and City Commission (City Commission) referred the item (C4 W) to the LUSC and the Planning Board. On October 14, 2024, the LUSC discussed and continued the item to the November 25, 2024, meeting. On November 25, 2024, the item was deferred to the January 16, 2025 LUSC meeting, with no discussion.

**ANALYSIS**

As noted in the attached referral memorandum, the item sponsor has requested that the LUSC discuss and consider amending the RM-1 district regulations and the non-conforming use provisions applicable to hotels on the north side of Belle Isle. The purpose of the proposal is to permit a non-conforming hotel to develop new long-term residential units and to allow aggregation of three lots for the sole purpose of improving vehicular circulation and loading.

Currently, hotels are prohibited in the RM-1 district on Belle Isle, and the Standard Hotel at 40 Island Avenue, which is a legal non-conforming hotel, is proposing certain improvements to its property. Specifically, the property owner seeks to construct additions on the site to accommodate non-transient residential units, as well as additional onsite parking.

To accomplish these objectives, the attached draft ordinances, amending the Land Development Regulations of the City Code (LDRs) and the Comprehensive Plan, are proposed. The following is a summary of the proposed amendments:

1. The non-conforming use provisions in Chapter 2 are amended to allow for the expansion of a non-conforming hotel use on the north side of Belle Isle. This would expand upon the current non-conforming use provision specific to Belle Isle.
2. The maximum lot aggregation requirements for the RM-1 district in Chapter 7 have been amended to allow for a 3-lot aggregation on the north side of Belle Isle. Currently the maximum aggregation is 2 lots.

3. Chapter 7 has been amended to allow for a property on the north side of Belle Isle, and containing a non-conforming hotel, to introduce residential uses, notwithstanding the prohibition of 'apartment-hotel' in the RM-1 district.

The Administration is supportive of the attached ordinances as they would allow for a conforming use (residential apartments) to be introduced on the subject site. Additionally, the increased lot aggregation is expected to improve vehicular circulation within the property, potentially resulting in vehicular and pedestrian circulation improvements at an adjacent intersection that is very challenged.

Following review by LUSC the proposed ordinances will be presented to the Planning Board.

### **FISCAL IMPACT STATEMENT**

No Fiscal Impact Expected

### **Does this Ordinance require a Business Impact Estimate?** (FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on .

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

### **FINANCIAL INFORMATION**

Not Applicable

### **CONCLUSION**

The Administration recommends that the LUSC endorse the proposed ordinance amendments and provide a favorable recommendation to the Planning Board.

### **Applicable Area**

South Beach

### **Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?**

Yes

### **Is this item related to a G.O. Bond Project?**

No

### **Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying?** Yes

If so, specify the name of lobbyist(s) and principal(s): Michael Larkin

### **Department**

Planning

### **Sponsor(s)**

Commissioner Laura Dominguez

**Co-sponsor(s)**

**Condensed Title**

Amendment To Comprehensive Plan And Resiliency Code Nonconforming Building Provisions And RM-1 District Regulations To Allow Introduction Of On-Site Parking And Residential Uses Within Nonconforming Hotel Use On The North Side Of Belle Isle (Dual Referral To The Planning Board).