

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 PURSUANT TO THE SMALL SCALE PROCEDURES IN SECTION 163.3187, FLORIDA STATUTES, 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)," TO CREATE THE ALTON BEACH BAYFRONT OVERLAY LAND USE CATEGORY, PROVIDING FLOOR AREA RATIO BONUSES FOR DEVELOPMENTS THAT INCLUDE CERTAIN PUBLIC BENEFITS; AND 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; and

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; and

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 investment into capital improvements along the West Avenue Corridor; and

WHEREAS, the proposed Alton Beach Bayfront Overlay District is approximately 1.94 acres and qualifies as a small scale amendment; and

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

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

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;;
- Alton Beach Bayfront Overlay - The City Commission acting in a legislative capacity may adopt land development regulations that provide for the following intensity bonuses within the Alton Beach Bayfront Overlay:
 - i. 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 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. The covenant shall expressly provide that an affirmative vote of six-sevenths of all members of the City Commission shall be required in order to release the covenant or to modify the covenant in such a manner as to impose a less stringent restriction after it is executed; 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 2.5, based on the following improvements or public benefits:
1. Acquisition of property containing a transient use within the West Avenue corridor and conveyance of the property to the City: up to 2.0.
 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.

SECTION 2. COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

The following amendment to the City of Miami Beach 2040 Comprehensive Plan, Future Land Use Map designation for the property described herein is hereby approved and adopted and the Planning Director is hereby directed to make the appropriate change to the City of Miami Beach 2040 Comprehensive Plan, Future Land Use Map:

MAPS SERIES

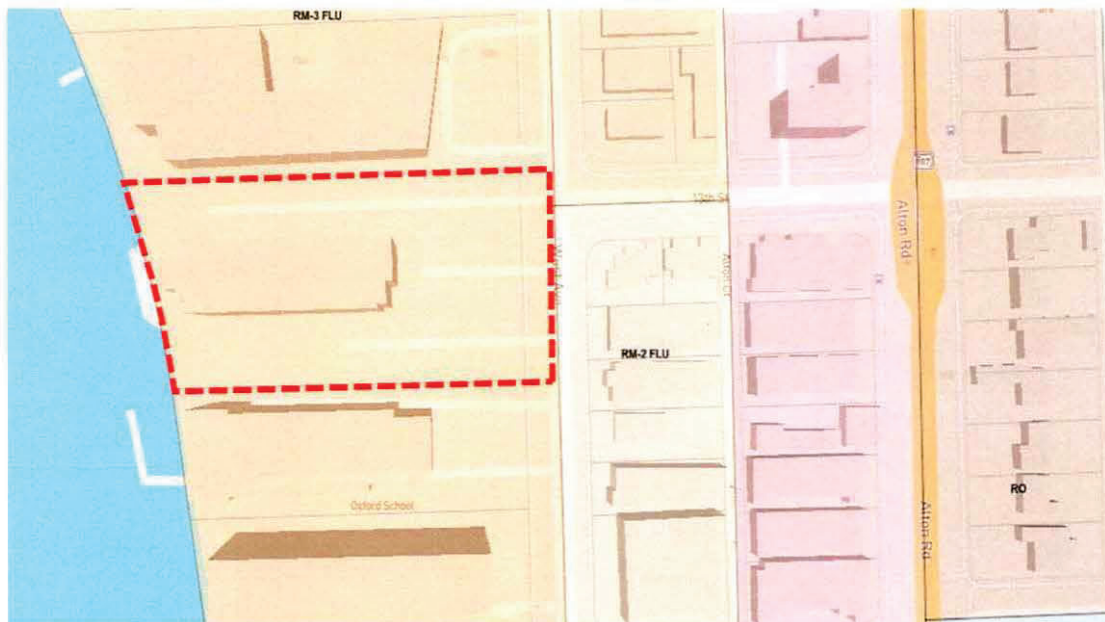
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2040 FUTURE LAND USE MAP

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 property located at 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, further identified and outlined in the excerpt of the 2040 Future Land Use Map below:



SECTION 3. TRANSMITTAL.

The Planning Director is hereby directed to transmit this ordinance to the appropriate state, regional, and county agencies as required by applicable law.

SECTION 4. REPEALER.

All Ordinances or parts of Ordinances 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. EFFECTIVE DATE.

The ordinance shall take effect 31 days after adoption if no challenge is filed, pursuant to Section 163.3187(1), Florida Statutes.

PASSED and **ADOPTED** this ____ day of _____, 2025.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

First Reading: April 23, 2025

Second Reading: May 21, 2025

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

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION



City Attorney NK

4/15/2025

Date