

FAR Increases and Impact on Infrastructure - LDR Amendment

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE I, ENTITLED "GENERAL TO ALL ZONING DISTRICTS," BY CREATING SECTION 142-5 TO ESTABLISHMENT REQUIREMENTS FOR AN IMPACT ANALYSIS WHEN AN FAR INCREASE IS PROPOSED; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS,
; and

WHEREAS, the amendments set forth below are necessary to accomplish the objectives 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 I, "General To All Zoning Districts," is hereby amended as follows:

Sec. 142-5. Requirements for proposed increases in allowable floor area ratio (FAR).

The following shall apply to any proposal to increase the maximum allowable FAR within any zoning district:

(1) Prior to approval of a ballot question, if required pursuant to the City Charter, or in advance of First Reading of the applicable Amendment to the Land Development Regulations, whichever comes first, a land use impact analysis, as more specifically defined by the City Commission, shall be required. Such analysis shall consider, as applicable, the potential impact of the proposed increase in FAR on existing infrastructure, levels of service related to traffic, transit, mobility, water, sewer, parks and schools, as well as any other issue or concern as determined by the City Commission.

(2) The requirements herein may be waived by a 5/7th vote of the City Commission, for any reason.

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 Miami Beach City Code. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

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All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.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 10 days after passage

PASSED AND ADOPTED this _____ day of 2023

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk.

APPROVED AS TO FORM AND
LANGUAGE AND FOR EXECUTION

City Attorney

Date

First Reading: _____, 2023

Second Reading: _____, 2023

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