



MIAMI BEACH

OFFICE OF THE CITY ATTORNEY
RAUL J. AGUILA, CITY ATTORNEY

COMMISSION
MEMORANDUM

TO: MAYOR PHILIP LEVINE
MEMBERS OF THE CITY COMMISSION
CITY MANAGER JIMMY MORALES

FROM: RAUL J. AGUILA
CITY ATTORNEY *[Signature]*

DATE: July 26, 2017

SUBJECT: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, CALLING FOR A NOVEMBER 7, 2017 SPECIAL ELECTION, FOR THE PURPOSE OF SUBMITTING TO THE ELECTORATE OF THE CITY OF MIAMI BEACH, FLORIDA, A QUESTION ASKING WHETHER THE CITY COMMISSION SHOULD ADOPT AN ORDINANCE INCREASING FAR IN THE TOWN CENTER (TC) ZONING DISTRICTS [COLLINS AND DICKENS AVENUES TO INDIAN CREEK DRIVE BETWEEN 69 AND 72 STREETS] TO 3.5 FAR FROM CURRENT FAR OF 2.25 TO 2.75 FOR THE TC-1 DISTRICT; FROM 2.0 FOR THE TC-2 DISTRICT; AND FROM 1.25 FOR THE TC-3 DISTRICT.

Pursuant to the request of City Commissioner Ricky Arriola, the attached Resolution has been prepared calling for a City of Miami Beach Special Election to be held on November 7, 2017 for the purpose of submitting to the City's voters the following question:

FAR Increase For TC-1, TC-2 and TC-3 to 3.5 FAR

Floor area ratio (FAR) is the measure the City utilizes to regulate the overall size of a building. Should the City adopt an ordinance increasing FAR in the Town Center (TC) zoning districts [Collins and Dickens Avenues to Indian Creek Drive between 69 and 72 Streets] to 3.5 FAR from current FAR of 2.25 to 2.75 for the TC-1 district; from 2.0 for the TC-2 district; and from 1.25 for the TC-3 district?

_____ YES
_____ NO

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Pursuant to the City Charter Section 1.03(c), the City is required to hold an election and obtain a majority vote of the electorate in order to authorize any increase in the Floor Area Ratio (FAR) of any property.

Based on the foregoing, the City would like to schedule a vote of the electorate for Tuesday, November 7, 2017, in order for the residents of Miami Beach to vote on, in compliance with City Charter Section 1.03(c), whether the City Commission should adopt an ordinance increasing floor area ratio (FAR), which is the measure the city utilizes to regulate the overall size of a building, be increased for the Town Center (TC) zoning districts [Collins and Dickens Avenues to Indian Creek Drive between 69 and 72 Streets] to 3.5 FAR from current FAR of 2.25 to 2.75 for the TC-1 district; from 2.0 for the TC-2 district; and from 1.25 for the TC-3 district?

Finally, pursuant to directive of the Miami-Dade County Elections Department, the final date by which the City may adopt its Resolution placing a ballot measure on the November 7, 2017 ballot is September 7, 2017. Accordingly, this matter is timely presented to the City Commission and adoption of the attached Resolution may take place at today's meeting.

Recommendation: Approve the attached resolution scheduling a special election and placing the question on the ballot.