

# MIAMI BEACH

## PLANNING DEPARTMENT

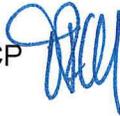
Staff Report & Recommendation

Planning Board

TO: Chairperson and Members  
Planning Board

DATE: February 27, 2018

FROM: Thomas R. Mooney, AICP  
Planning Director



SUBJECT: **PB 18-0186. North Beach Town Center FAR Increase. Comprehensive Plan Amendment.**  
**PB 18-0185. North Beach Town Center FAR Increase.**

### REQUEST

**PB 18-0186. NORTH BEACH TOWN CENTER FAR INCREASE. COMPREHENSIVE PLAN AMENDMENT. AN ORDINANCE** AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, BY AMENDING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT;" "OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS," AT POLICY 1.2, TO INCREASE THE MAXIMUM FLOOR AREA RATIO (FAR) FOR THE PROPERTIES LOCATED IN THE NORTH BEACH TOWN CENTER REVITALIZATION OVERLAY, TO AN FAR OF 3.5 FROM THE CURRENT FAR OF 2.25 TO 2.75 FOR TOWN CENTER CORE CATEGORY (TC-1), FROM 2.0 FOR THE TOWN CENTER COMMERCIAL CATEGORY (TC-2), FROM 1.25 FOR THE TOWN CENTER RESIDENTIAL OFFICE (TC-3), AND FROM 2.0 FOR THE PUBLIC FACILITY: GOVERNMENTAL USES (PF) FUTURE LAND USE DESIGNATIONS; AND DESIGNATING THE NORTH BEACH TOWN CENTER REVITALIZATION OVERLAY FOR THE PROPERTIES GENERALLY LOCATED BETWEEN 72ND STREET TO THE NORTH, COLLINS AVENUE TO THE EAST, 69TH STREET TO THE SOUTH, AND INDIAN CREEK DRIVE/DICKENS AVENUE TO THE WEST ON THE FUTURE LAND USE MAP; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**PB 18-0185. NORTH BEACH TOWN CENTER FAR INCREASE. AN ORDINANCE** OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," DIVISION 20, "TC NORTH BEACH TOWN CENTER DISTRICTS," AT SECTION 142-737, TO INCREASE THE MAXIMUM FLOOR AREA RATIO (FAR) FOR THE PROPERTIES BOUNDED BY 69TH STREET ON THE SOUTH, COLLINS AVENUE ON THE EAST, 72ND STREET ON THE NORTH AND INDIAN CREEK DRIVE/DICKENS AVENUE ON THE WEST, TO AN FAR OF 3.5 FROM THE CURRENT FAR OF 2.25 TO 2.75 FOR TC-1 DISTRICT, FROM 2.0 FOR THE TC-2 DISTRICT, AND FROM 1.25 FOR THE TC-3 DISTRICT, AS REQUIRED BY THE REFERENDUM APPROVED BY THE CITY'S VOTERS ON NOVEMBER 7, 2017; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

**RECOMMENDATION:**

Transmit the proposed amendments to the Comprehensive Plan and Land Development Regulations to the City Commission with a favorable recommendation.

**HISTORY/ BACKGROUND**

On September 2015, at the recommendation of the Mayor's Blue Ribbon Panel on North Beach and after an appropriate Request for Qualifications had been issued, the City Commission entered into an agreement with Dover, Kohl and Partners, Inc. to prepare a master plan for the North Beach district of the City.

On October 19, 2016 and pursuant to City Resolution No. 2016-29608, the Mayor and City Commission adopted the North Beach Master Plan developed by Dover, Kohl and Partners Inc. The North Beach Master Plan recommended increasing the FAR to 3.5 for the Town Center zoning districts (TC-1, TC-2, and TC-3).

Pursuant to Resolution No. 2016-29608, the following ballot question was submitted to the City's voters:

*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?.*

On November 7, 2017, the ballot question was approved by 58.64 percent of the City's voters.

On January 17, 2018, at the request of Vice-Mayor John Aleman, the City Commission referred the proposed ordinances to the Planning Board (Item C4 F).

**REVIEW CRITERIA**

Pursuant to Section 118-163 of the City Code, in reviewing a request for an amendment to these land development regulations, the board shall consider the following when applicable:

- 1. Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

**Partially Consistent** – The proposed Land Development Regulations (LDR) amendment is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan as proposed to be amended.

The proposed amendment is also consistent with the recommendations of the North Beach Master Plan.

- 2. Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

**Consistent** – The proposed amendment does not modify district boundaries.

**3. Whether the change suggested is out of scale with the needs of the neighborhood or the city.**

**Consistent** – The proposed change will allow for an increased scale of development. However, the area is well buffered from most surrounding low scale areas. The proposed change will also allow for development that is compatible with the higher density and intensity areas to the east of Collins Avenue. Additionally, the proposed ordinance does not increase the allowable height of buildings. Therefore, the proposed ordinance is not out of scale with the needs of the neighborhood.

**4. Whether the proposed change would tax the existing load on public facilities and infrastructure.**

**Partially Consistent** – The proposed change could potentially tax the existing load on public facilities and infrastructure as future projects are developed at the proposed maximum FAR (See Concurrency Analysis at the end of this report). However, a concurrency review will take place as part of the building permit process for each new development.

The area is already served by five (5) Metrobus and Bicycle facilities (See the Metrobus Routes and Bicycle Infrastructure maps at the end of the report). Additionally, the area is served by the North Beach Loop and Collins Express Miami Beach Trolley Routes (See Miami Beach Trolley Routes maps at the end of this report). The adopted North Beach Master Plan, Transportation Master Plan, Bicycle Master Plan, and Street Design Guide call for additional improvements that would increasing the use of public transportation and alternative modes of travel, which the City is looking to implement.

**5. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

**Not applicable** – The proposed change does not modify existing district boundaries.

**6. Whether changed or changing conditions make the passage of the proposed change necessary.**

**Consistent** – The increase in demand for better quality residential, hotel, commercial, office spaces and the creation of a more significant town center makes passage of the proposed change necessary.

**7. Whether the proposed change will adversely influence living conditions in the neighborhood.**

**Consistent** – The proposed change should not adversely affect living conditions in neighborhoods. However, in an abundance of caution, additional regulations are currently being discussed by the Land Use and Development Committee (LUDC) for the affected area.

8. **Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.**

**Partially Consistent** – The proposed change will allow for an increase in the intensity of development. As larger developments are built, traffic congestion beyond the levels of service set forth in the comprehensive plan could be created if not properly controlled. However, such reviews will occur as part of the land use board review and building permit process.

9. **Whether the proposed change will seriously reduce light and air to adjacent areas.**

**Partially Consistent** – The proposed ordinance does not increase the allowable height of buildings or reduce setbacks. It should therefore not reduce light and air to adjacent areas. However, it may allow for bulkier tower sections of buildings, which have the potential to reduce light and air. However, this will be taken into account as part of the Design Review process for new construction. This will also be considered in the ordinance being discussed by the LUDC.

10. **Whether the proposed change will adversely affect property values in the adjacent area.**

**Consistent** – The proposed change should not adversely affect property values in the adjacent areas.

11. **Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.**

**Consistent** – The proposed change should not be a deterrent to the improvement or development of adjacent properties in the City.

12. **Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.**

**Not applicable.**

13. **Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.**

**Not applicable.**

#### **COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA**

Section 133-50(b) of the Land Development Regulations establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

- (1) **Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.**

**Partially Consistent** – The proposal does affect an area that is vulnerable to the impacts of sea level rise pursuant to the Unified Sea Level Rise Projection for Southeast

Florida in the near and long term (See the "LIDAR Ground Elevations" Map at the end of this report). Additionally, the area is located outside of the adopted Coastal High Hazard Area (See the Coastal High Hazard Area map at the end of this report). For reference, the Sea Level Rise Projection is below:

<b>Sea Level Rise Projections (NAVD)</b>				
	Low Prj.	High Prj.	Low Prj.	High Prj.
	Mean Sea Level		Mean High Water	
1992	-0.96	-0.96	0.25	0.25
2030	-0.46	-0.13	0.75	1.08
2060	0.21	1.21	1.42	2.42
2100	1.62	4.12	2.83	5.33

**(2) Whether the proposal will increase the resiliency of the City with respect to sea level rise.**

**Consistent** – The proposal will encourage the redevelopment of the Town Center area. New developments will have to comply with recently adopted sea level rise mitigation criteria and green building requirements. New developments will be required to raise habitable spaces to the base flood elevation plus City of Miami Beach Freeboard, or provide sufficient space to allow for the raising of floors consistent with future plans to raise roadways.

**(3) Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.**

**Consistent** – The proposal will encourage the redevelopment of the Town Center area and is compatible with the City's sea level rise mitigation and resiliency efforts.

**ANALYSIS**

While much of the City of Miami Beach has experienced redevelopment and revitalization, the North Beach area has seen little investment over the last several decades. In order to encourage the revitalization of the North Beach area, the City Commission hired Dover, Kohl, and Partners, Inc. to prepare a master plan for the North Beach area. Based on significant public input, the Master Plan identified the North Beach Town Center area as being in need of redevelopment and revitalization. Additionally, it's well buffered location from lower scale neighborhoods to the north and proximity to high density areas to the east make the area able to accommodate higher intensity development.

As a result of this, the North Beach Master Plan recommended increasing the FAR to 3.5 for the Town Center zoning districts (TC-1, TC-2, and TC-3). The goal of the recommendation is to enable the design and construction of larger buildings within the Town Center, and to encourage the development of 71<sup>st</sup> Street as a "main street" for the North Beach area. It is the expectation that the higher FAR will allow for development that will create a critical mass of people, enabling a mix of residential and commercial uses that better service the North Beach community as a whole.

In order to accomplish the above stated goals, the proposed Comprehensive Plan amendment designates the North Beach Town Center Revitalization Overlay on the Future Land Use Map. The boundaries of the Overlay are consistent with the boundaries identified in the referendum (See the Aerial map at the end of this report). The ordinance then provides that the FAR in the TC-1, TC-2, and TC-3 future land use categories located within the boundary have a consistent FAR of 3.5.

The amendment to the Land Development Regulations modifies Section 142-737 which establishes development regulations for the TC districts. The ordinance proposes the following modification which affects all of the TC districts located within the boundaries identified in the referendum as follows:

Notwithstanding the foregoing, for the area of the town center district bounded by 69<sup>th</sup> Street on the south, Collins Avenue on the east, 72<sup>nd</sup> Street on the north and Indian Creek Drive/Dickens Avenue on the west, the maximum FAR shall be 3.5.

The changes will greatly incentivize new development in the North Beach Town Center area. As can be seen in the Unified Land Ownership map at the end of the report, significant properties have been consolidated, making it apparent that new development will follow upon adoption of the new FAR. It is expected that new development will be of a mixed-use nature that will allow for increased pedestrian activity in the area and the ability for residents to live, play, and work in the same area.

Additionally, On December 13, 2017, at the request of Commissioner Ricky Arriola, a related discussion pertaining to the FAR increase for the Town Center district was referred to the Land Use and Development Committee (LUDC) (Item C4AA). The referral is to develop a comprehensive planning strategy for the Town Center area approved for an FAR increase. Options for this strategy are currently being discussed by the LUDC to better regulate the area to minimize any potential impacts and better allow properties to benefit from the increased FAR.

### **City Charter Issues**

The request for increasing the FAR for the North Beach Town Center Area is affected by the following City Charter provision: Sections 1.03 (c), which partially states:

*The floor area ratio of any property or street end within the City of Miami Beach shall not be increased by zoning, transfer, or any other means from its current zone floor area ratio as it exists on the date of adoption of this Charter Amendment (November 7, 2001), including any limitations on floor area ratios which are in effect by virtue of development agreements through the full term of such agreements, unless such increase in zone floor area ratio for any such property shall first be approved by a vote of the electors of the City of Miami Beach.*

The proposed ordinance would increase the zoned floor area ratio to 3.5 for all areas in the district and as a result required a general referendum. The following question was submitted to the electors of the City of Miami Beach:

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?*

On November 7, 2017, the referendum was approved by 58.64 percent of the voters. Therefore the ordinance can be considered for adoption by the City Commission.

### **Comprehensive Plan Issues**

This application includes a text amendment to Policy 1.2 of the Future Land Use element of the Comprehensive Plan. Under Section 163.3184(2), F.S., this amendment shall follow the expedited state review process for adoption of comprehensive plan amendments. This process requires a public hearing by the local planning agency (Planning Board), a public transmittal hearing before the City Commission, after which the amendment must be transmitted to several state agencies for a 30-day review period, and a final adoption public hearing before the City Commission. The amendment is effective 31 days after it is adopted if there are no appeals.

### **Interlocal Agreement for Public School Facility Planning**

The 2005 Florida Legislature adopted laws which are incorporated in the Florida Statutes, requiring each local government to adopt an intergovernmental coordination element as part of their comprehensive plan, as well as a statutory mandate to implement public school concurrency. The proposed amendment will not increase the maximum residential density within the affected area.

For any increase in established residential units, final site plan approval is contingent upon meeting Public School Concurrency requirements and any applicant will be required to obtain a valid School Concurrency Determination Certificate (Certificate) issued by the Miami-Dade County Public Schools. Such Certificate will state the number of seats reserved at each school level. In the event sufficient seats are not available, a proportionate share mitigation plan shall be incorporated into a tri-party development agreement and duly executed prior to the issuance of a Building Permit.

### **RECOMMENDATION**

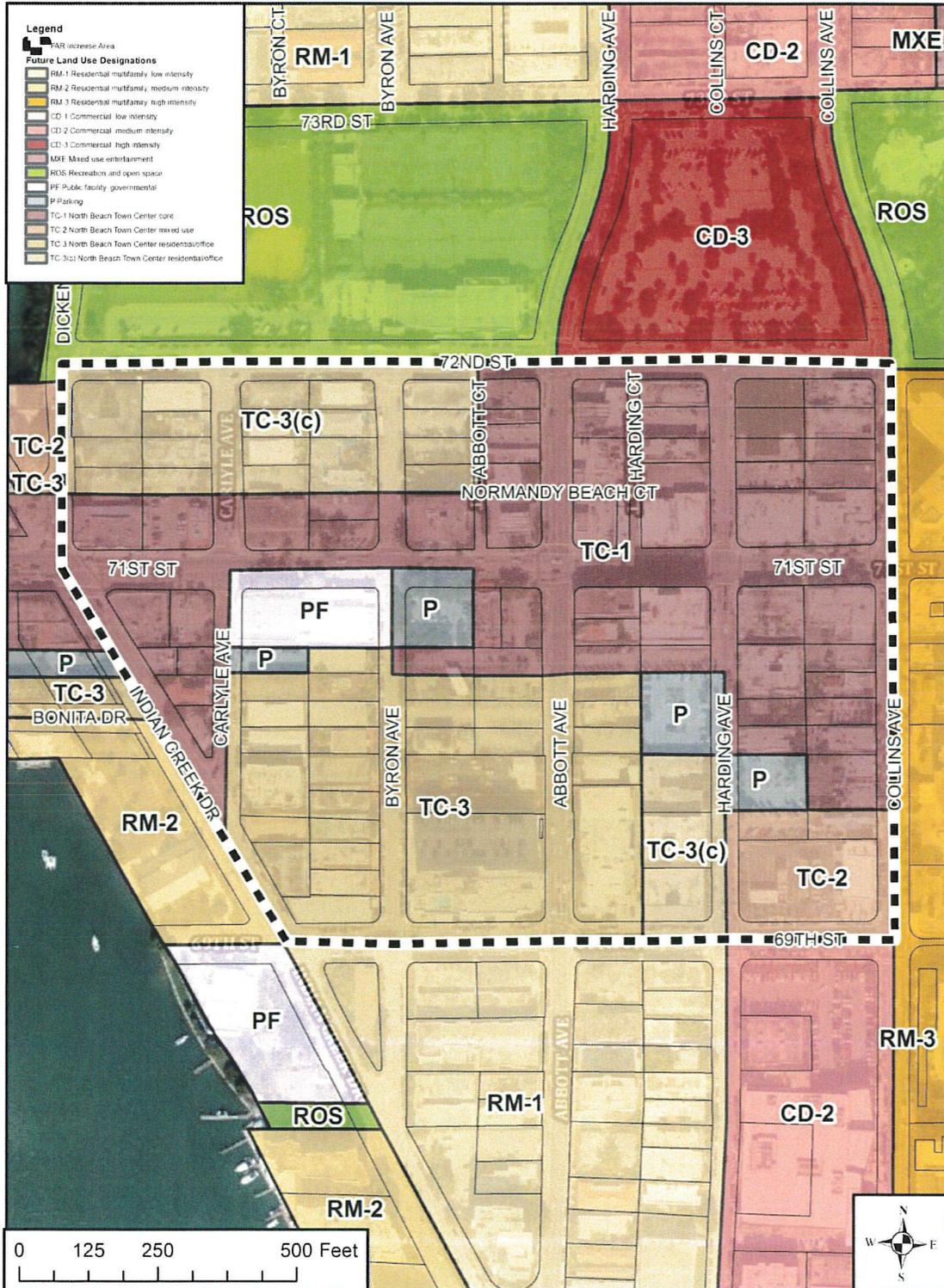
In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed amendments to the Comprehensive Plan and Land Development Regulations to the City Commission with a favorable recommendation.

TRM/MAB/RAM

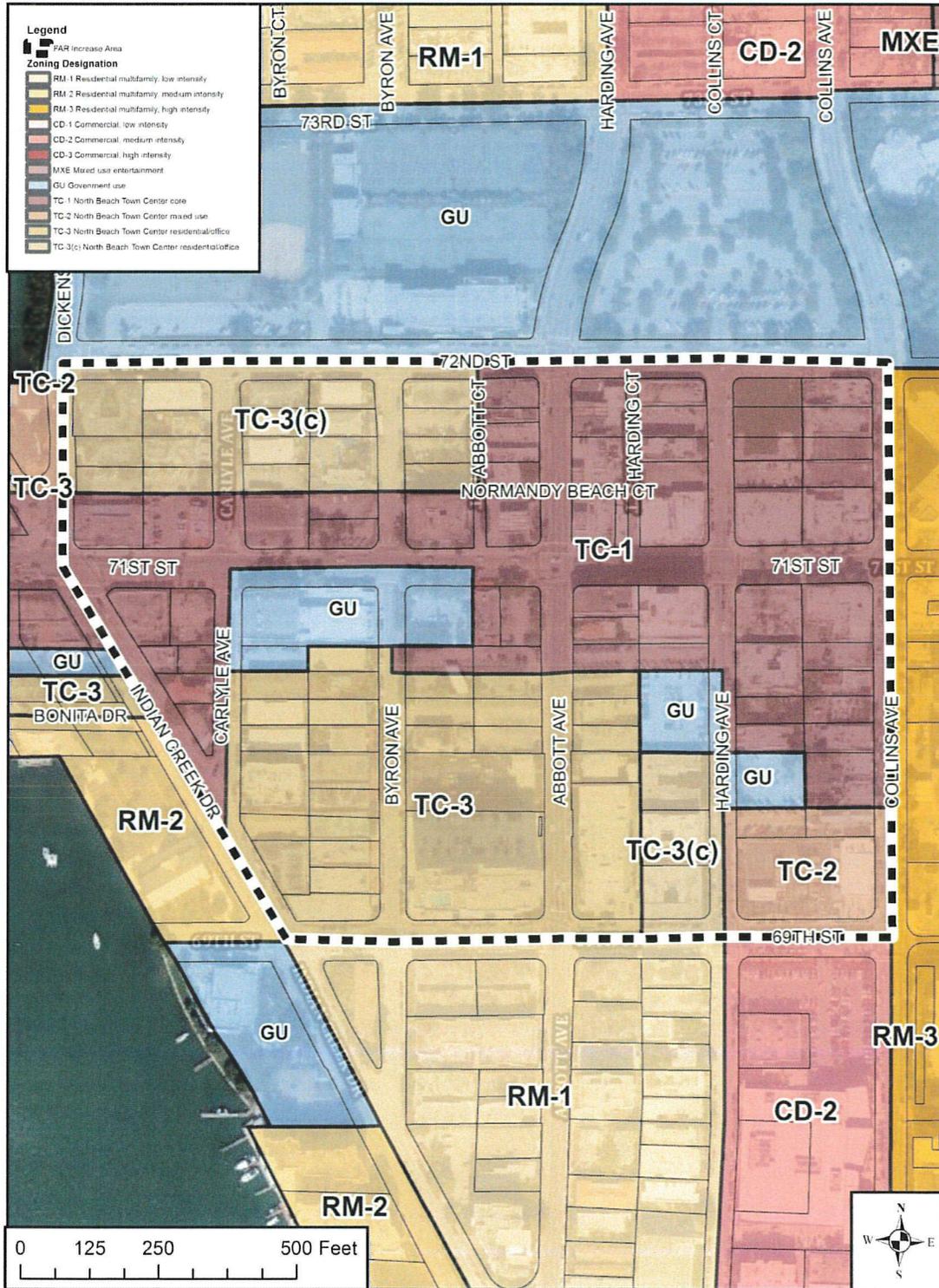
### Aerial



### Future Land Use Map



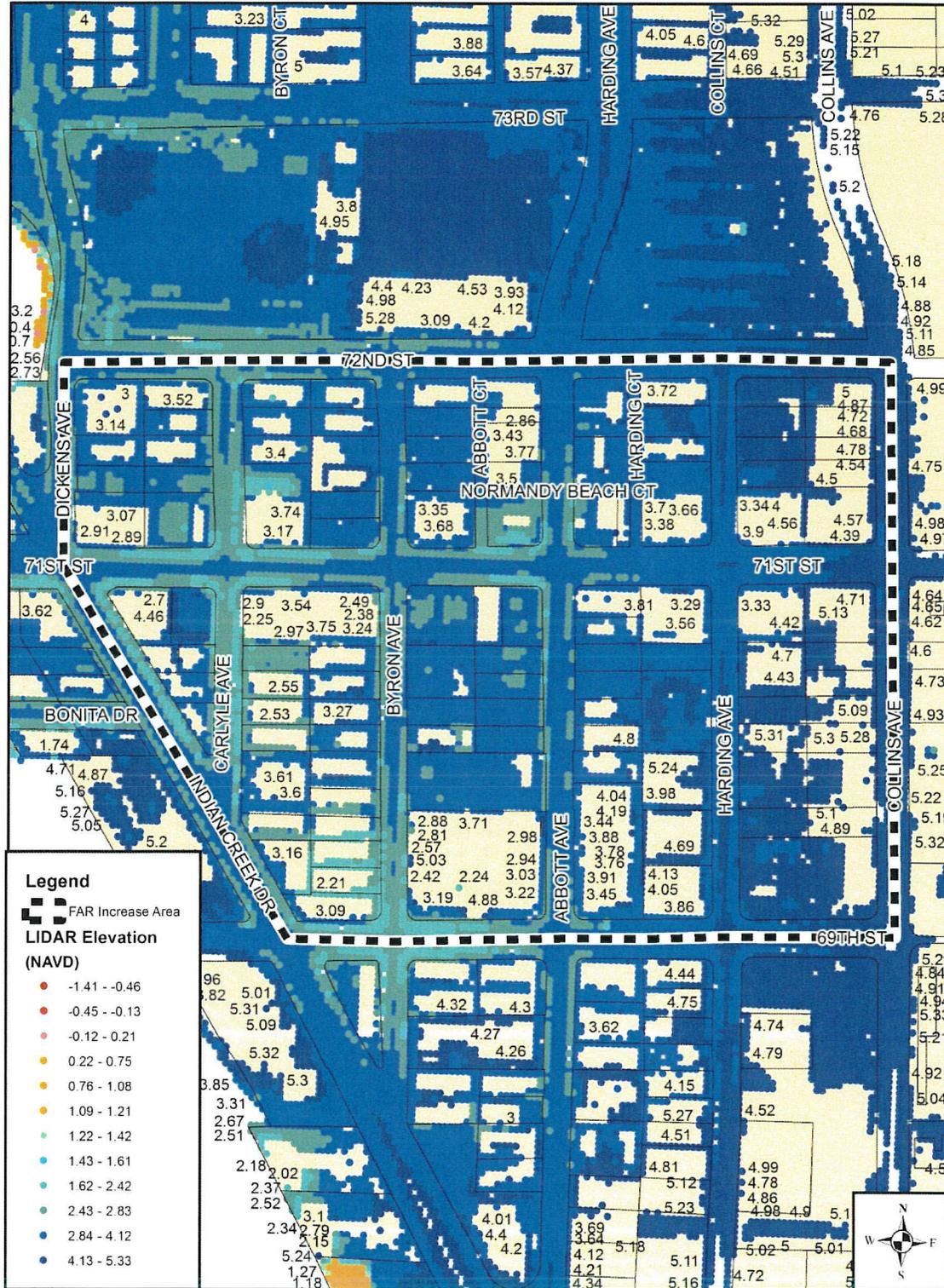
### Zoning Map



### Coastal High Hazard Area



### LIDAR Ground Elevations





**CITY OF NORTH BEACH**

PLANNING DEPARTMENT

**Comprehensive Plan and Zoning Amendment Concurrency Analysis**

Date Prepared: 2/13/2018  
 Name of Project: North Beach Town Center FAR Increase  
 Address of Site: Area between 69th St, Collins Av, 72nd Street, & Indian Creek Dr/Dickens Av

Concurrency Management Area: North Beach  
 Square Feet in the Amendment: 983,838  
 Acreage in the Amendment: 22.59

**Proposed FLUM Designation**

**Designation:**

TC-1/TC-2/TC-3 with North Beach Town Center Revitalization Overlay

Maximum Density	Maximum FAR
150/100/60	3.5

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Proposed Total
	2,162	2,455	234,545	404,196	0	
Peak Hour Trips Generated*	1,686.36	1,816.70	1,177.42	602.25	N/A	5,282.73
Residential Demand	5,405.0	1,227.5				6,632.5

\*Peak Hour Trips Calculated with ITE 9th Edition Trip Generation Manual Weekday PM Peak Hour Factors

Note: Estimate assumes maximum allowable density for Residential Units at 800 SF per Unit, 50% of Lot Area for Retail, 1/3 of remaining floor area for Office, and 2/3 of remaining floor area for Hotel at minimum possible unit size per LDRs.

**Existing FLUM Designation**

**Designation:**

TC-1/TC-2/TC-3

Maximum Density	Maximum FAR
150/100/60	2.75/2.25/ 2.0/1.25

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Existing Total
	1,662	131	234,545	21,642	0	
Peak Hour Trips Generated*	1,296.36	96.94	1,177.42	32.25	N/A	2,602.96
Residential Demand	4,155.0	65.5				4,220.5

\*Peak Hour Trips Calculated with ITE 9th Edition Trip Generation Manual Weekday PM Peak Hour Factors

**Transportation Concurrency**

New Trips Generated	Trip Allowances	Transit	15%
2,679.77 Trips		Pass-by	30%
		Mixed-use	10%
		<b>Total</b>	<b>55%</b>

**71st Street/Normandy Dr./63rd Street Sub-Area**

Capacity:	6,300 Trips
Existing Trips:	6,165 Trips
Net New Trips Generated:	1,206 Trips
<b>Concurrent:</b>	<b>NO</b>

**Parks and Recreation Concurrency**

Net New Residential Demand: 2,412.0 People

Parks Facility Type	Concurrent
Recreation and Open Space Acreage	YES
Recreational Facilities Acreage	YES
Swimming Pool	YES
Golf Course	YES
Basketball Court	YES
Tennis Court	YES
Multiple-Use Courts	NO
Designated Field Area	NO
Tot Lots	YES
Vita Course	YES
Boat Ramp	YES
Outdoor Amphitheater	YES
Activity Building for Multiple Uses	NO

Required Mitigation to be determined at Building Permit Application

**Potable Water Transmission Capacity**

Proposed Demand:	1,114,260 Gallons Per Day
Existing Demand:	42,218 Gallons Per Day
New Demand:	1,072,042 Gallons

Concurrency to be determined at Building Permit Application

**Sanitary Sewer Transmission Capacity**

Proposed Demand:	928,550 Gallons Per Day
Existing Demand:	590,870 Gallons Per Day
New Demand:	337,680 Gallons

Concurrency to be determined at Building Permit Application

**Solid Waste Collection Capacity**

Proposed Demand:	8,456 Tons Per Year
Existing Demand:	5,381 Tons Per Year
New Demand:	3,075 Tons

Concurrency to be determined at Building Permit Application

**Storm Sewer capacity**

Required LOS: One-in-five-year storm event

Concurrency to be determined at Building Permit Application

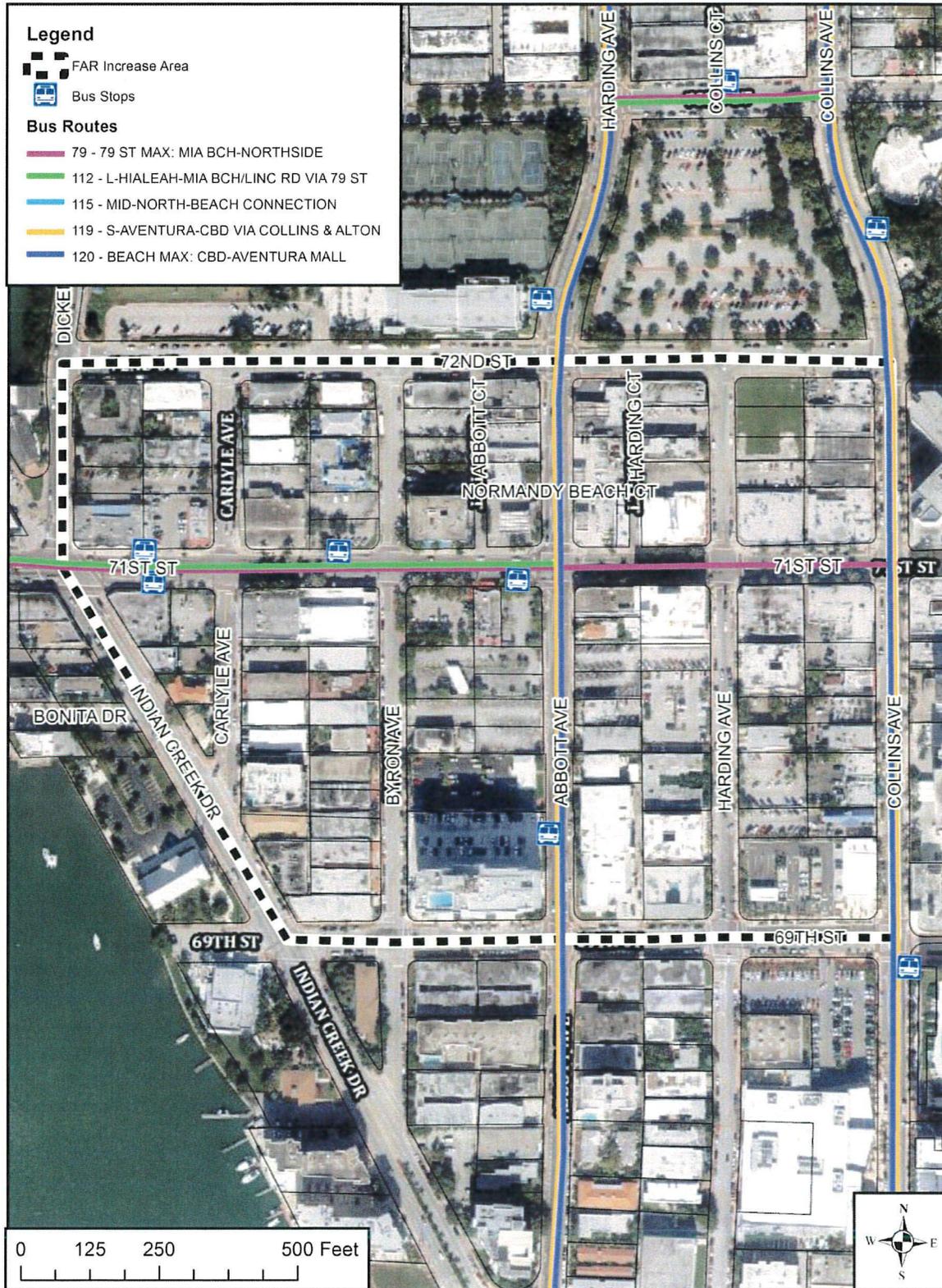
**Note:**

This represents a comparative analysis of concurrency with maximum development potential of the site between the existing and proposed Future Land Use designations. Actual concurrency demands, required mitigation, and required capacity reservation will be determined at the time of Building Permit Application.

### Bicycle Infrastructure



### Metrobus Routes

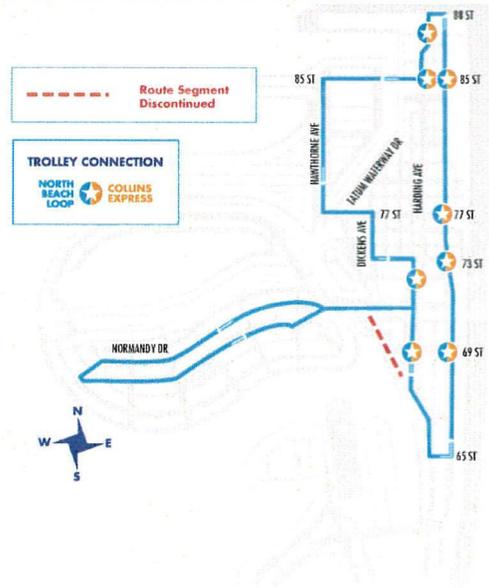


### Miami Beach Trolley Routes

#### COLLINS EXPRESS



#### NORTH BEACH LOOP



**North Beach Town Center Revitalization Overlay  
Land Development Regulations**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, "OVERLAY DISTRICTS," TO ESTABLISH DIVISION 13, TO BE ENTITLED "NORTH BEACH TOWN CENTER REVITALIZATION OVERLAY" TO INCREASE THE MAXIMUM FLOOR AREA RATIO (FAR) FOR THE PROPERTIES LOCATED BETWEEN 72<sup>ND</sup> STREET TO THE NORTH, COLLINS AVENUE TO THE EAST, 69<sup>TH</sup> STREET TO THE SOUTH, AND INDIAN CREEK DRIVE/DICKENS AVENUE TO THE WEST, TO AN FAR OF 3.5 FROM THE CURRENT FAR OF 2.25 TO 2.75 FOR TC-1 DISTRICT, FROM 2.0 FOR THE TC-2 DISTRICT, AND FROM 1.25 FOR THE TC-3 DISTRICT, AS REQUIRED BY THE REFERENDUM APPROVED BY THE CITY'S VOTERS ON NOVEMBER 7, 2017; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS**, In September 2015, at the recommendation of the Mayor's Blue Ribbon Panel on North Beach and after an appropriate Request for Qualifications had been issued, the City Commission entered into an agreement with Dover, Kohl and Partners, Inc. to prepare a master plan for the North Beach district of the City; and

**WHEREAS**, On October 19, 2016 and pursuant to City Resolution No. 2016-29608, the Mayor and City Commission adopted the North Beach Master Plan developed by Dover, Kohl and Partners Inc. and received significant public input; and

**WHEREAS**, the North Beach Master Plan identifies the Town Center area as being in need of redevelopment and revitalization; and

**WHEREAS**, the North Beach Master Plan recommended increasing the FAR to 3.5 for the Town Center zoning districts (TC-1, TC-2, and TC-3); and

**WHEREAS**, the goal of the recommendation is to enable the design and construction of larger buildings within the Town Center, and to encourage the development of 71<sup>ST</sup> Street as a "main street" for the North Beach area; and

**WHEREAS**, City Charter Section 1.03(c), which was approved by the City's voters in 2001, requires that any increase in zoned FAR for any property in the City must be approved by a majority vote of the electors of the City of Miami Beach; and

**WHEREAS**, On November 7, 2017, and pursuant to Resolution No. 2016-29608, the following ballot question was submitted to the City's voters: *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?;* and

**WHEREAS**, the ballot question was approved by 58.64 percent of the City's voters; and

**WHEREAS**, the City of Miami Beach has the authority to enact laws which promote the public health, safety, and general welfare of its citizens; and

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

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

**SECTION 1.** Chapter 142, entitled “Zoning Districts and Regulations,” Article III, entitled “Overlay Districts”, of the Code of the City of Miami Beach, Florida is hereby amended as follows:

**CHAPTER 142  
ZONING DISTRICTS AND REGULATIONS**

\* \* \*

**ARTICLE III  
OVERLAY DISTRICTS**

\* \* \*

**DIVISION 13. – NORTH BEACH TOWN CENTER REVITALIZATION OVERLAY**

**Sec. 142-870.20. – Location and purpose.**

There is hereby created the North Beach Town Center Revitalization Overlay (the “Overlay District”). The Overlay District includes the properties bounded by 72<sup>nd</sup> Street to the north, Collins Avenue to the east, 69<sup>th</sup> Street to the south, and Dickens Avenue/Indian Creek Drive to the west, as identified in the map below:



The purpose of this Overlay District is to encourage the revitalization of the North Beach Town Center area and to encourage the development of 71<sup>st</sup> Street as a “main street” for North Beach.

**Sec. 142-870.21. – Compliance with regulations.**

The following regulations shall apply to the Overlay District. All development regulations in the underlying zoning district and any other applicable overlay regulations shall apply, except as follows:

- (a) The maximum allowable floor area ratio (FAR) is 3.5.

**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 Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or re-lettered 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 ten days following adoption.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2018.

**ATTEST:**

\_\_\_\_\_  
Dan Gelber, Mayor

\_\_\_\_\_  
Rafael E. Granado City Clerk

First Reading: \_\_\_\_\_, 2018  
Second Reading: \_\_\_\_\_, 2018

Verified By: \_\_\_\_\_  
Thomas R. Mooney, AICP  
Planning Director