

**North Beach Town Center FAR 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 II, "DISTRICT REGULATIONS," DIVISION
20, "TC NORTH BEACH TOWN CENTER DISTRICTS,"**

**PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN
EFFECTIVE DATE.**

WHEREAS,; and

WHEREAS,; and

WHEREAS,; and

WHEREAS,; 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, "Zoning Districts and Regulations," Article II, "District Regulations," Division 20, "TC North Beach Town Center Districts," at Section 142-737 is hereby amended as follows:

**CHAPTER 142
ZONING DISTRICTS AND REGULATIONS**

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**ARTICLE II
ZONING DISTRICTS AND REGULATIONS**

* * *

**DIVISION 20
TC NORTH BEACH TOWN CENTER DISTRICTS**

* * *

Sec. 142-736. - Main permitted uses, conditional uses, accessory uses, and prohibited uses.

~~(a) Land uses in the TC-1 town center core district shall be regulated as follows:~~

~~(1) The main permitted uses in the TC-1 district are commercial uses; alcoholic beverage establishments pursuant to the regulations set forth in chapter 6; apartments; apartment hotels, hotels, hostels, and suite hotels (pursuant to section 142-1105 of this chapter). The ground~~

~~story frontage along 71st Street and Collins Avenue shall be governed by subsection 142-737(c). The provisions of chapter 6 concerning distance separation for consumption of alcoholic beverages on premises in restaurants shall not apply to this district.~~

- ~~(2) The conditional uses in the TC-1 district are adult living congregate facilities; new construction of structures 50,000 square feet and over (even when divided by a district boundary line), which review shall be the first step in the process before the review by any of the other land development boards; outdoor entertainment establishment, neighborhood impact establishment, open air establishment, nursing homes; religious institution; video game arcades; public and private institutions; and schools and major cultural dormitory facilities as specified in section 142-1332.~~
- ~~(3) The accessory uses in the TC-1 district are those uses permitted in article IV, division 2 of this chapter; alcoholic beverage establishments and accessory outdoor bar counters pursuant to the regulations set forth in chapter 6; provided that the accessory outdoor bar counter is not operated or utilized between midnight and 8:00 a.m.; however, accessory outdoor bar counters located within 100 feet of an apartment unit may not be operated or utilized between 8:00 p.m. and 8:00 a.m.~~
- ~~(4) The prohibited uses in the TC-1 district are pawnshops, and alcoholic beverage establishments located in any open area above the ground floor (any area that is not included in the FAR calculations), except as provided in this division. However, outdoor restaurant seating, not exceeding 40 seats, associated with indoor venues may be permitted in any open area above the ground floor until 8:00 p.m. with no background music (amplified or nonamplified).~~
- ~~(b) Land uses in the TC-2 town center mixed-use district shall be regulated the same as for uses in the TC-1 town center core district.~~
- ~~(c) Land uses in the TC-3 town center residential office district shall be regulated as follows:~~
 - ~~(1) The main permitted uses in the TC-3 district are single-family detached dwelling, townhomes, apartments and offices.~~
 - ~~(2) The conditional uses in the TC-3 district are apartment hotel, hotel, and suite hotel (pursuant to section 142-1105 of this chapter); adult congregate living facility; day care facility; nursing home; religious institutions; private and public institutions; schools; and commercial or noncommercial parking lots and garages (with accessory commercial uses) in accord with subsection 130-68(9).~~
 - ~~a. In areas designated TC-3(c) on the zoning map, the following uses may be permitted as conditional uses in addition to the uses in paragraph (2) above: neighborhood-oriented retail and services uses, limited to 2,500 square feet or less per establishment, located on the ground floor of buildings. Such neighborhood-oriented retail and service uses shall be limited to antique stores; art/craft galleries; artist studios; bakery or specialty food stores; barber shops and beauty salons; coffee shop or juice bar; dry cleaner or laundry with off-site processing (dry cleaning receiving station); newspapers, magazines and books; photo studio; shoe repair; tailor or dressmaker; and food service establishments with 30 seats or less (including outdoor cafe seating) pursuant to the regulations set forth in chapter 6, with alcohol limited to beer and wine and closing no later than 12 midnight subject to limitations established in the conditional use process. In addition, full service restaurants serving alcoholic beverages pursuant to the regulations set forth in chapter 6, and with 30 seats or more may be permitted only on waterfront properties with a publicly accessible waterfront walkway in the area located south of 71st Street.~~
 - ~~(3) The accessory uses in the TC-3 district are those uses customarily associated with the district purpose, as set forth in article IV, division 2 of this chapter, except that apartment hotels, hotels, and suite hotels may have accessory uses based upon the criteria below:~~
 - ~~a. Hotels, apartment hotels, and suite hotels in the TC-3 district may include a dining room operated solely for registered hotel visitors and their guests, located inside the building and~~

~~not visible from the street, with no exterior signs, entrances or exits except as required by the Florida Building Code.~~

- ~~b. Hotels, apartment hotels, and suite hotels in the TC-3(c) district may include accessory restaurants or alcoholic beverage establishments pursuant to the regulations set forth in chapter 6 when approved as part of the conditional use. Such accessory restaurants or bars that serve alcohol shall be limited to a maximum of 1.25 seats per hotel or apartment unit for the entire site. The patron occupant load, as determined by the planning director or designee, for all accessory restaurants and alcoholic beverage establishments on the entire site shall not exceed 1.5 persons per hotel and/or apartment unit. For a hotel or apartment property of less than 32 units, the restaurant or bar may have a maximum of 40 seats in the aggregate on the site. The number of units shall be those that result after any renovation. Accessory restaurants and bars shall be permitted to sell alcoholic beverages for consumption only on the premises and shall be limited to closing no later than 12 midnight subject to limitations established in the conditional use process.~~
- ~~c. Hotels and suite hotels located in the TC-3 or TC-3(c) districts may have other accessory uses customarily associated with the operation of an apartment building, as referenced in subsection 142-902(2), for the use of registered hotel visitors and their guests only.~~
- ~~(4) The prohibited uses in the TC-3 district are hostels, accessory dance halls, accessory entertainment establishments, accessory neighborhood impact establishments, accessory outdoor entertainment establishment; accessory open air or outdoor entertainment establishment as set forth in article V, division 6 of this chapter, accessory outdoor bar counter and alcoholic beverage establishments located in any open area above the ground floor (any area that is not included in the FAR calculations). However, outdoor restaurant seating, not exceeding 40 seats, associated with indoor venues may be permitted in any open area above the ground floor until 8:00 p.m. with no background music (amplified or nonamplified).~~
- ~~(5) There shall be no variances to these provisions.~~
- ~~(d) (a) Ordinances elsewhere in these land development regulations that refer to the zoning districts that existed prior to this amendment, i.e., RM-1, CD-2, and CD-3, shall remain applicable to the properties lying within these TC-1, -2 and -3 districts, as if each such reference was amended to correspond to the new TC districts (RM-1 as to TC-3; CD-2 as to TC-2; and CD-3 as to TC-1(c) and TC-1), unless a provision in the TC districts expressly addresses the matter, in which case the TC regulation shall control.~~

(b) Land use in the TC districts shall be regulated as follows:

<u>General Use Category</u>	<u>TC-1 (c)& TC-1 *****</u>	<u>TC-2</u>	<u>TC-3*</u>	<u>TC-3 (c)*</u>
<u>Single Family Detached Dwelling</u>	-	-	<u>P</u>	<u>P</u>
<u>Offices</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Commercial Uses</u>	<u>P</u>	<u>P</u>	-	<u>C</u> ****
<u>Alcoholic Beverage Establishments</u>	<u>P</u>	<u>P</u>	<u>C</u> ***	<u>C</u> ***
<u>Apartments & Townhomes</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Apartment Hotel</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>
<u>Hotel</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>
<u>Suite Hotel</u>	<u>P</u>	<u>P</u>	<u>C</u>	<u>C</u>
<u>Hostel (pursuant to section 142-1105)</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>
<u>Adult Congregate Living Facility</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>New Construction of Structures 50,000 square feet and over, which review shall be the first step in the process before the review by any of the other land development boards</u>	<u>C</u>	<u>C</u>	-	-
<u>Outdoor Entertainment Establishment</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>
<u>Neighborhood Impact Establishment</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>
<u>Open Air Entertainment Establishment</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>
<u>Nursing Home</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Religious Institution</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Video Game Arcade</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>
<u>Public and Private Institutions</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Schools</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Major Cultural Dormitory Facilities (as specified in section 142-1332)</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>
<u>Accessory Outdoor Bar Counter</u>	<u>A</u>	<u>A</u>	<u>N</u>	<u>N</u>
<u>Pawnshops</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Alcoholic Beverage Establishments located in any open area above the ground floor</u>	**	**	**	**
<u>Day Care Facility</u>	-	-	<u>C</u>	<u>C</u>
<u>Accessory Dance halls</u>	-	-	<u>N</u>	-

P = Main Permitted Use, C = Conditional Use, N = Not Permitted, A = Accessory only

- *(1) There shall be no variances to these provisions. Hotels and suite hotels located in the TC-3 or TC-3(c) districts may have other accessory uses customarily associated with the operation of an apartment building, as referenced in subsection 142-902(2), for the use of registered hotel visitors and their guests only.
- ** (2) Outdoor restaurant seating, not exceeding 40 seats, associated with indoor venues may be permitted in any open area above the ground floor until 8:00 p.m. with no background music (amplified or nonamplified).
- *** (3) Limited to a maximum of 1.25 seats per hotel or apartment unit for the entire site. The patron occupant load, as determined by the planning director or designee, for all accessory restaurants and alcoholic beverage establishments on the entire site shall not exceed 1.5 persons per hotel and/or apartment unit. For a hotel or apartment property of less than 32 units, the restaurant or bar may have a maximum of 40 seats in the aggregate on the site. The number of units shall be those that result after any renovation. Accessory restaurants and bars shall be permitted to sell alcoholic beverages for consumption only on the premises and shall be limited to closing no later than 12 midnight subject to limitations established in the conditional use process.
- **** (4) In areas designated TC-3(c) on the zoning map, the following uses may be permitted as conditional uses in addition to the uses in paragraph (2) above: neighborhood-oriented retail and services uses, limited to 2,500 square feet or less per establishment, located on the ground floor of buildings. Such neighborhood-oriented retail and service uses shall be limited to antique stores; art/craft galleries; artist studios; bakery or specialty food stores; barber shops and beauty salons; coffee shop or juice bar; dry cleaner or laundry with off-site processing (dry cleaning receiving station); newspapers, magazines and books; photo studio; shoe repair; tailor or dressmaker; and food service establishments with 30 seats or less (including outdoor cafe seating) pursuant to the regulations set forth in chapter 6, with alcohol limited to beer and wine and closing no later than 12 midnight subject to limitations established in the conditional use process. In addition, full service restaurants serving alcoholic beverages pursuant to the regulations set forth in chapter 6, and with 30 seats or more may be permitted only on waterfront properties with a publicly accessible waterfront walkway in the area located south of 71st Street.
- ***** (5) The primary means of pedestrian ingress and egress for any use identified as a conditional use in the TC-1(c) district shall not be permitted within 200 feet of an RM-1 district boundary. This shall not apply to emergency egress.

Sec. 142-737. - Development regulations.

- (a) The development regulations in the TC-1, TC-2 and TC-3 town center districts are as follows:

District	Maximum Floor Area Ratio (FAR)	Maximum Building Height	Maximum Number of Stories
<u>TC-1 (c) Town Center Core</u>	<u>3.5</u>	<u>150 feet</u>	
TC-1 Town Center Core	For lots equal to or less than 45,000 sq. ft.—2.25	125 <u>135</u> feet. Buildings fronting on 71st Street shall be subject to the additional setbacks as follows: stories 1—4 shall be setback 10 feet and above the forth story the building shall be setback 25 feet.	12 stories
	For lots greater than 45,000 sq. ft.—2.75		
TC-2 Town Center Mixed-use	1.5; except for mixed-use buildings where more than 25 percent of the total area of a building is used for residential or hotel units, the maximum FAR shall be 2.0.	50 <u>55</u> feet	5 stories
TC-3 Town Center Residential Office	1.25	45 <u>50</u> feet	4 stories
		Waterfront lots—50 feet	Waterfront lots—5 stories

		<p>Parking garages as a main use—See subsection 130-68(9).</p>	<p>Notwithstanding the above, the design review board or historic preservation board, in accordance with the applicable review criteria, may allow up to an additional five feet of height, as measured from the base flood elevation plus maximum freeboard, to the top of the second floor slab. This provision shall not apply to existing historic districts or existing overlay districts (existing as of 7/26/2017), or commercial buildings immediately adjacent to residential district not separated by a street. However, an applicant may seek approval from the historic preservation board or design review board, as may be applicable, to increase height in accordance with the foregoing within any historic district or overlay district created after 7/26/2017</p>
		<p>The facade of buildings facing the lot front adjacent to streets shall not exceed 23 feet in height to the top of the roof deck. Any portion of the building above 23 feet shall be set back an additional 1 foot for every 1 foot in height</p>	

		above 23 feet. The rear facade of buildings shall be set back an additional 1 foot for every 1 foot in height above 33 feet.	
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District	Minimum Lot Area	Minimum Lot Width	Minimum Apartment Unit Size (square feet)	Average Apartment Unit Size (square feet)
<u>TC-1(c) and</u> TC-1 Town Center Core	Commercial— None	Commercial— None	New construction—550 Workforce housing—400	New construction—550 Workforce housing—400
TC-2 Town Center Mixed-use	Residential— 6,250 sq. ft.	Residential— 50 feet	New construction—550 Workforce housing—400	New Construction—800 Workforce housing—400
TC-3 Town Center Residential Office			Rehabilitated building— 400	Rehabilitated building— No minimum
			Non-elderly and elderly low and moderate income housing—400 Workforce housing—400	Non-elderly and elderly low and moderate income housing—400 Workforce housing—400
			Hotel units 15%: 300—335 85%: 335+	Hotel units—N/A

- (b) *Setback requirements:* The minimum setback requirements for the ~~TC-1, TC-2 and TC-3~~ TC districts are as follows. This includes all buildings, regardless of use, and subterranean parking structures. The minimum setbacks define the buildable area of the lot.

District	Front	Side Facing a Street	Interior Side	Rear
TC-1 Town Center Core	Frontages along 71st Street shall have a setback of 10 feet for the first 4 stories and a setback of 25 feet above the 4th story; other frontages shall have a setback of 5 feet	5 feet	10 feet when abutting a TC-3 district or a future alley designated on the infill regulating plan; otherwise it shall be 0 feet.	0 feet* abutting an alley or where there is a side lot line abutting 71st Street; otherwise 10 feet. *Properties between Collins Avenue and Harding Avenue must provide access to the interior of the block for service vehicles as determined by the design review process.
TC-2 Town Center Mixed use	5 feet	5 feet	10 feet when abutting a TC-3 district or a future alley designated on the infill regulating plan; otherwise it shall be 0 feet.	0 feet* abutting an alley or where there is a side lot line abutting 71st Street; otherwise 10 feet. *Properties between Collins Avenue and Harding Avenue must provide access to the interior of the block for service vehicles as determined by the design review process.
TC-3 Town Center Residential Office	15 feet	7.5 feet for lots 50 feet wide or less 10 feet for lots greater than 50 feet in width	7.5 feet for buildings up to 33 feet in height; 10 feet for buildings 33 feet or more in height; 10 feet for lots abutting a TC-1 district	10 feet

<u>District</u>	<u>Property line abutting</u>	<u>Building Height</u>	<u>Setback Requirements</u>
<u>TC-1 (c) and TC-1 Town Center Core</u>	<u>72nd Street</u>	<u>0 to 75 feet</u>	<u>20 feet</u>
		<u>above 75 feet</u>	<u>45 feet</u>
	<u>71st Street</u>	<u>0 to 55 feet</u>	<u>10 feet</u>
		<u>above 55 feet</u>	<u>35 feet</u>
	<u>69th Street</u>	<u>0 to 35 feet</u>	<u>10 feet</u>
		<u>above 35 feet</u>	<u>50 feet</u>
	<u>Collins Avenue</u>	<u>0 to 45 feet</u>	<u>20 feet</u>
		<u>above 45 feet</u>	<u>50 feet</u>
	<u>Harding Avenue</u>	<u>0 to 150 feet</u>	<u>10 feet</u>
	<u>Abbott Avenue</u>	<u>0 to 150 feet</u>	<u>10 feet</u>
	<u>Byron Avenue</u>	<u>0 to 150 feet</u>	<u>10 feet</u>
	<u>Carlyle Avenue</u>	<u>0 to 150 feet</u>	<u>10 feet</u>
	<u>Dickens Avenue</u>	<u>0 to 150 feet</u>	<u>10 feet</u>
	<u>Indian Creek Drive</u>	<u>0 to 150 feet</u>	<u>15 Feet</u>
	<u>Bonita Drive</u>	<u>0 to 135 feet</u>	<u>10 feet</u>
	-	-	-
	<u>Interior Side</u>	<u>0 to 45 feet</u>	<u>0 feet</u>
		<u>above 45 feet</u>	<u>15 feet</u>
	<u>Rear</u>	<u>0 to 150 feet</u>	<u>0 feet abutting an alley, otherwise 10 feet. Properties between Collins Avenue and Dickens Avenue must provide access to the interior</u>

			<u>of the block for service vehicles as determined by the design review process</u>
<u>TC-2 Town Center Mixed-Use</u>	<u>Street</u>	<u>0 to 55 feet</u>	<u>5 feet</u>
	<u>Interior Side</u>	<u>0 to 55 feet</u>	<u>5 feet</u>
	<u>Waterfront</u>	<u>0 to 55 feet</u>	<u>30 feet *</u>
<u>TC-3 (c) and TC-3 Town Center Residential Office</u>	<u>Bonita Drive (running north-south)</u>	<u>0 to 50 feet</u>	<u>15 feet</u>
	<u>Bonita Drive (running east-west)</u>	<u>0 to 50 feet</u>	<u>7.5 feet</u>
	<u>Indian Creek Drive</u>	<u>0 to 50 feet</u>	<u>15 feet</u>
	<u>Byron Avenue</u>	<u>0 to 50 feet</u>	<u>10 feet</u>
	<u>Interior Side</u>	<u>0 to 50 feet</u>	<u>7.5 feet</u>
	<u>Rear</u>	<u>0 to 50 feet</u>	<u>10 feet</u>
	<u>Waterfront</u>	<u>0 to 50 feet</u>	<u>30 feet *</u>

- *(1) *Waterfront setbacks.* Notwithstanding the above, ~~for waterfront properties the minimum setback shall be 30 feet from the bulkhead. However,~~ if public waterfront walkways are provided, along with covenants and provisions to ensure public use and maintenance of these walkways in perpetuity, then the design review board may allow the waterfront setback to be decreased to not less than 15 feet. Design and use of waterfront walkways shall be in conformance with the NBTC design standards referenced in section 142-738.
- (2) *Surface parking lots.* In the ~~TC-1(c),~~ TC-1 and TC-2 districts, the minimum setback for surface parking lots shall be the same as for buildings plus an additional five feet for landscaping adjacent to all streets. In the TC-3 district the minimum setback for surface parking lots shall be five feet adjacent to interior side lot lines, zero feet abutting an alley and the same as for building setbacks on all other sides.
- (3) *~~Rooftop features.~~* ~~In the TC-3 district, stairwell and elevator bulkheads and other rooftop features permissible in section 142-1161 extending above the roofline of a building shall be required to be set back from the main building one foot for every one foot in height above the top of the roof deck of each level, with the exception of parapet walls which shall not exceed 3.5 feet in height.~~

(4) Maximum tower floorplate. The maximum floor plate size for the tower portion of a building (above 75 feet in height) shall be 10,000 square feet, including balconies, per floor.

- (c) *Required storefront frontage.* The ground story frontage of a building along 71st Street and Collins Avenue shall house active uses that contribute to a daily vibrant street life, including retail uses, eating and drinking establishments or cultural uses, for a minimum depth of 25 feet from the street facade along a minimum of 75 percent of the building frontage, which shall have glass storefronts. The remaining frontage may be used for lobby and access for upper story uses. Offices and residential uses are prohibited on the ground story street frontage of these streets unless the use is located on a mezzanine or at least 25 feet back from the street facade.
- (1) *Retail kiosks.* Notwithstanding sections 70-5, 70-41 and 142-874, open air kiosks for retail sales or food service may be placed in or on the edge of surface parking lots or approved urban plazas in the TC-1 district. Such kiosks shall be permanent structures, designed and located to enhance and enliven the pedestrian environment and must receive design review approval. Self-service kiosks and vending machines are prohibited. No storage shall be allowed outside of the kiosks.
- (d) *Open space.* For lots in the TC-1(c), TC-1 and TC-2 district, lot area over 20,000 square feet shall have ground level open space which shall comprise a minimum of five percent of the lot area. Such open space shall be located adjoining the front or side street of the site, or within a central courtyard area that is fully accessible to the public from the front or street side of the property; and shall be designed and maintained according to the urban plaza design standards in the NBTC design standards referenced in section 142-738.
- (e) *[Reserved.]*
- (f) *[Alleys.]* Alleys shall be provided to benefit property owners and the general public by providing parking, service and delivery access to the rear of all lots, thereby improving traffic flow and eliminating driveways that create vehicle/pedestrian conflicts on public sidewalks. Motor vehicle parking, service and delivery access shall be from an alley wherever one exists, or where a new alley or service corridor can be created by dedication or easement. The location of new alleys shall be determined by the design review process with the intent to ensure that all properties within a block will have existing or future service access from the rear. Generally, the alley will be located in the required setback area along the rear or interior side lot line; however, this may be adjusted to optimize vehicular and pedestrian access to the subject property as well as to the surrounding properties. Where an alley does not exist, the property owner shall dedicate sufficient width (the area within the required setback) to provide the alley abutting his property. Where it is not feasible to construct an alley at the time of redevelopment of any property, as determined by the planning director, the developer shall execute and record a covenant effecting such dedication upon certification by the planning director that the construction of an alley has become feasible. The planning director may accept a perpetual access easement for an alley in lieu of dedication of an alley if he determines such would be appropriate under the circumstances of any particular property. The developer shall maintain the area until the city builds the alley.
- (g) *Encroachments.* No encroachments shall be allowed in the required setback areas except as follows; otherwise, encroachments shall be governed by section 142-1142:
- (1) In the TC-1(c), TC-1 and TC-2 districts, no encroachments shall be allowed in the first 7.5 feet above ground level adjacent to all streets.
- (2) In the TC-3 district, no encroachment shall be allowed in the first five feet of setback area measured from the property line adjacent to all streets.
- (3) In all districts, no encroachment shall be allowed in the first 18 feet above ~~grade~~ the minimum base flood elevation abutting an existing or future alley.
- (h) *[Signs.]* Signs shall be regulated by chapter 138 and as permitted by section 138-174 and by the NBTC design standards referenced in section 142-738.

- (i) *Streetscape improvements.* In all TC districts, the developer/property owner is required to construct all streetscape improvements substantially in accord with the NBTC design standards referenced in section 142-738 as part of any development or redevelopment project.

Sec. 142-738. - Design review standards.

All development shall substantially conform to the "Design Review Standards for the North Beach Town Center TC Zoning Districts", also known as the "NBTC design standards", as adopted and amended periodically by the design review board. The NBTC design standards are available from the planning department or on the web at miamibeachfl.gov/planning, by clicking on "Design Review".

Sec. 142-739. - Parking.

- (a) *Off-street parking for motorized vehicles.*

- (1) *Purpose.* Parking regulations in the North Beach Town Center are intended to: provide centralized public parking garages to serve the town center and minimize the amount of on-site parking required for individual lots, thereby reducing building bulk and maximizing ground floor space available for retail and restaurant uses; enable people to park once at a convenient location and to access a variety of commercial enterprises in pedestrian friendly environments by encouraging shared parking; reduce diffused, inefficient, single-purpose reserved parking; encourage ground floor retail uses and public facilities; promote walking, bicycling and transit ridership to help reduce the demand for parking within the district; avoid public facilities; promote walking, bicycling and transit ridership to help reduce the demand for parking within the district; avoid adverse parking impacts on neighborhoods adjacent to the town center; maximize on-street parking where possible; increase visibility and accessibility of parking; provide flexibility for redevelopment of small sites; and for the preservation of historic buildings; promote early prototype mixed-use projects using flexible and creative incentives.

- (2) *[Governing provisions.]* Required parking in the North Beach Town Center is governed by chapter 130, off-street parking, except as modified herein:

- a. Minimum parking requirements for the TC-1(c), and TC-1 town center core district are set forth in parking district no. 4 in section 130-33, except that apartment buildings shall provide: 1.0 space per unit for units between 550 and 799 square feet; 1.25 spaces per unit for units between 800 and 999 square feet; 1.5 spaces per unit for units between 1,000 and 1,200 square feet; 2.0 spaces per unit for units above 1,200 square feet.
- b. Minimum parking requirements for the TC-2 town center mixed-use district are set forth in parking district no. 1 in section 130-32, except that apartment buildings shall provide: 1.0 space per unit for units between 550 and 799 square feet; 1.25 spaces per unit for units between 800 and 999 square feet; 1.5 spaces per unit for units between 1,000 and 1,200 square feet; 2.0 spaces per unit for units above 1,200 square feet.
- c. Minimum parking requirements for the TC-3 town center residential office district are set forth in parking district no. 1 in section 130-32, except that apartment buildings shall provide: 1.0 space per unit for units between 550 and 799 square feet; 1.25 spaces per unit for units between 800 and 999 square feet; 1.5 spaces per unit for units between 1,000 and 1,200 square feet; 2.0 spaces per unit for units above 1,200 square feet.
- d. Parking requirements may be met either on-site or off-site within a distance of 800 feet from the subject lot, subject to subsection 130-36(b).
- e. Mixed-use development is encouraged to utilize the shared parking calculations in section 130-221. Parking for residential uses may be included in the shared parking calculation at a rate of 50 percent for daytime weekdays, 70 percent for daytime weekends, and 100 percent for all other times. Shared parking shall be designated by appropriate signage and markings. The shared parking facility may be located off-site within 800 feet of the uses served, subject to subsection 130-36(b).

f. Developments that provide a significant public amenity such as an urban plaza (minimum 3,000 square feet) in accord with the NBTC design standards referenced in section 142-738, or floor area for a public library (minimum 6,000 square feet and maximum 15,000 square feet) may be exempted from parking requirements for all uses on the site at a rate of one parking space for every 500 square feet of urban plaza space or one parking space for every 250 square feet of library space.

g. New construction of "live-work" projects shall meet the parking requirements for either residential or commercial uses, whichever is greater, but shall not be required to meet the parking requirement for both uses. For purposes of this section, a "live-work" unit is defined as a unit containing both a residential and commercial component within the same unit.

(b) *Bicycle parking.* Short-term and long-term bicycle parking shall be provided for new construction or substantial rehabilitation over 1,000 square feet according to the minimum standards in the table below.

- (1) Short-term bicycle parking (bicycle racks) serves people who leave their bicycles for relatively short periods of time, typically for shopping, recreation, eating or errands. Bicycle racks should be located in a highly visible location near the main entrance to the use.
- (2) Long-term bicycle parking includes facilities that provide a high level of security such as bicycle lockers, bicycle cages and bicycle stations. These facilities serve people who frequently leave their bicycles at the same location for the day or overnight.

Land Use	Minimum Short-term Bicycle Parking Spaces (whichever is greater)	Minimum Long-term Bicycle Parking Spaces (whichever is greater)
Commercial nonretail	4 per project or 1 per 10,000 square feet	1 per 10% of employees; 2 for 5,000 square feet and under; 3 for 5,001—20,000 square feet; 6 for 20,001—50,000 square feet; 10 for 50,000 square feet and over
Retail	1 per business, 4 per project or 1 per 5,000 square feet	1 per 10% of employees; 2 for 5,000 square feet and under; 3 for 5,001—20,000 square feet; 6 for 20,001—50,000 square feet; 10 for 50,000 square feet and over
Restaurants, bars, nightclubs	1 per 10 seats or occupants	1 per 10% of employees
Hotel	2 per hotel or 1 per 10 rooms	1 per 10% of employees
Multifamily residential	4 per project or 1 per 10 units	1 per unit

- (c) *[More than minimum requirement encouraged.]* Developers are encouraged to provide more than the minimum requirement as appropriate for the particular uses in a building. The minimum required vehicular parking may be reduced by: One space for every five long-term bicycle parking spaces, and/or one space for every ten short-term bicycle parking spaces, not to exceed a total of 15 percent of the required vehicle parking spaces.
- (d) *[Exemption from vehicle parking requirements.]* Nonresidential uses that provide showers and changing facilities for bicyclists shall be exempted from vehicle parking requirements at a rate of two vehicle parking spaces for each separate shower up to a maximum of eight parking spaces.
- (e) *[TC-1 and TC-2 districts.]* In the TC-1(c), TC-1 and TC-2 districts, short-term bicycle parking spaces may be provided in the public right-of-way, subject to design review, in situations where suitable space near the entrance to the building or storefront is not available on private property. Bicycle parking in the public right-of-way shall be approved by the public works department and shall not encroach on the pedestrian throughway zone.

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

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