

MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jimmy L. Morales, City Manager

DATE: June 13, 2018

SUBJECT: **DISCUSSION:**
NORTH BEACH TOWN CENTER (TC) ZONING DISTRICTS.

HISTORY

On December 13, 2017, at the request of Commissioner Ricky Arriola, a discussion pertaining to the recent voter approval of an increase in FAR (to 3.5) for the Town Center district was referred to the Land Use and Development Committee (Item C4AA). A similar discussion pertaining to the North Beach Master Plan recommendations for the Town Center (TC) zoning districts, which was previously pending before the Land Use Committee, was continued at the June 14, 2017 LUDC meeting to the January 2018 LUDC.

On February 7, 2018, the Land Use Committee discussed the general parameters of a proposed FAR overlay for the first time and continued the item to a date certain of March 14, 2018, with direction to staff to prepare a draft overlay Ordinance. Additionally, as both of these items are similar in content, they have been combined for purposes of discussion before the Land Use and Development Committee.

Subsequent to the February 7, 2018 Land Use Committee meeting, Commissioner John Elizabeth Aleman requested to be a co-sponsor of the item. Attached, for informational purposes, is a summary of the legislative and master plan discussion history for this item.

On March 14, 2018 the Land Use and Development Committee continued the item to the May 23, 2018 meeting at the request of the sponsor. On May 23, 2018 the Administration made a PowerPoint presentation on the broad points of the proposed overlay. The Land Use and Development Committee discussed the item and continued it to the June 13, 2018 meeting.

BACKGROUND

On November 7, 2017 the voters of the City of Miami Beach approved an increase in FAR to 3.5 for the area of the TC district 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. Attached is a copy of Resolution 2017-29961, which approved and authorized the ballot question, and a copy of the approved Voters Guide for reference and background.

The boundaries approved for an FAR increase, as noted on the attached aerial map, include properties with the following zoning districts:

- TC-1 (previous maximum FAR of 2.25 – 2.75);
- TC-2 (previous maximum FAR of 1.50 – 2.00);
- TC-3 (previous maximum FAR of 1.25).

Pursuant to the approved ballot question, the maximum FAR for all zoning districts within the specified boundaries has been permitted by the voters to be increased to 3.5. In order to effectuate the proposed FAR increase, a separate enabling ordinance was referred to the Planning Board by the City Commission on January 17, 2018. On February 27, 2018, the Planning Board transmitted the ordinance to the City Commission with a favorable recommendation. This enabling legislation was adopted by the City Commission on May 16, 2018.

The initial December 13, 2017 City Commission referral was to develop a comprehensive planning strategy for the Town Center area approved for the 3.5 FAR increase. On February 7, 2018, the Land Use and Development Committee discussed the referral for the first time, and recommended that the following be considered for inclusion in a draft ordinance:

1. The creation of special regulations for the boundaries approved for a 3.5 FAR (FAR overlay).
2. Strategic increases in maximum allowable building height in order to better accommodate the new 3.5 FAR. At a minimum, maximum building height will need to be increased in TC-2 (current maximum height of 50') and TC-3 (current maximum height of 45') districts.
3. In conjunction with increases in height, modified setback regulations should be explored, as follows:
 - For properties along 69th street, which have adjoining RM-1(max height: 50') and CD-2 (max height: 50') districts to the south.
 - For the properties along Indian Creek Drive, which have adjoining RM-1(max height: 50'), RM-2(max height: 60') and TC-3(max height: 45') districts to the west.
 - Additional tower side setbacks and /or tower separation requirements for development sites along 72nd Street, in order to prevent a continuous wall and potential shading of what could be a park north of 72nd Street.
4. The location of certain, more intense allowable uses within the overlay, in order to address existing, lower scale / less intense uses to the south (along 69th Street) and west (along Indian Creek Drive).

5. All existing zoning district categories (TC-1, 2, 3 & 3c) should be looked at holistically throughout the entire overlay, with particular emphasis on existing properties that cross zoning district boundaries (e.g. abutting parcels that currently have TC-1 and TC-3 classifications).
6. Lot aggregation requirements, in addition to potential increases in maximum building heights, in order to ensure that the increased FAR, particularly within existing TC-2 and TC-3 areas, is appropriately distributed.
7. A review of off-street parking requirements for all uses within the overlay should be conducted, including the impact of transit, ride share and non-vehicular modes of transportation, as well as a revised mix of uses, on off-street parking storage.
8. Standards and requirements for street trees and sidewalk canopy that would be applicable to the entire overlay.

Additionally, the LUDC discussed the issues in the North Beach Master Plan: walkability, safe streets, partnerships, mobility, affordable housing and, generally, quality of life.

Pursuant to the direction of the Land Use Committee on February 7, 2018, a first draft of the Ordinance was prepared for discussion at the March 14, 2018 LUDC. Subsequent to the item being continued on March 14, 2018, staff has further developed the proposed overlay ordinance.

PLANNING ANALYSIS

This draft ordinance incorporates the elements of design in the North Beach Master Plan and in the FAR Voter Guide from the last election. It is a balanced approach intended to ignite sustainable development to revitalize North Beach. Staff has listened to public comment and Commission direction over the last few months/years in order to produce this draft. Given the rather small size of the area and the different important goals for North Beach this is our professional urban planning recommendation for your consideration and further public input.

The revised draft ordinance proposes to establish a **TC-C, Town Center – Central Core** zoning district with an FAR of 3.5, and would replace the TC-1, TC-2, TC-3, and TC-3(c) districts within the boundaries of the area established by the FAR referendum. The administration believes that this will provide for a more uniform and cohesive Town Center area, allowing for a seamless distribution of allowable FAR, height, setbacks and uses. The remainder of TC districts outside the boundaries of the overlay area will not be affected by these regulations.

The regulations proposed in the draft ordinance are consistent with the recommendations of the North Beach Master Plan and the referenced guidelines in the Intensity Increase Study prepared by Shulman + Associates in 2014. The Shulman Study analyzed the impact of allowing buildings with increased height and FAR and made recommendations as to setbacks to ensure that views were protected, sidewalks are sufficiently wide, and that air and light corridors are accommodated between towers.

The relevant sections of the Shulman massing studies are attached, and provide a visual representation of how the proposed FAR and height can be distributed.

The following is a summary of the proposed development regulations within the revised draft ordinance:

Building Height

The maximum building height proposed in the draft ordinance is 125 feet for the entire TC-C district, with the ability to increase the height up to 200 feet with participation in a Public Benefits program explained below. For reference the current maximum allowable height regulations are as follows (See attached map titled "Current Zoning and Height Limits"):

- TC-1: 125 feet
- TC-2: 50 feet
- TC-3: 45 feet.

Also attached to this memorandum are various massing studies, which provide examples of how this massing could be achieved and how it would appear from surrounding areas. Please note for reference neighboring tall building heights

Public Benefits

Participation in a public benefits program (to be created by separate Commission action) would be required for building height beyond 125 feet. The draft ordinance establishes several options which may be utilized to achieve the additional height; however, it is proposed that the height not exceed 200 feet. The initial draft options include the following:

- **Contribution to the Public Benefit Fund** per square foot located above 125 feet.
- **Providing On-Site Workforce or Affordable Housing** at a rate of two square feet above 125 feet for each square foot of workforce or affordable housing provided.
- **Providing Off-Site Workforce or Affordable Housing in the City** at a rate of 1.5 square feet above 125 feet for each square foot of workforce or affordable housing provided.
- **Achieving LEED Platinum Certification** for an additional 75 feet above 125 feet.
- **Provide a fully Sustainable Structure and Surplus Stormwater Retention and Reuse** for an additional 75 feet above 125 feet.

A market study is currently being undertaken in order to determine the appropriate value for contributions to the Public Benefit Fund. The Administration expects this study to be complete in advance of the next LUDC meeting.

The draft ordinance provides that the City Commission would have discretion to allocate the revenue from the Public Benefit Fund in North Beach for the following purposes:

- Sustainability and resiliency grants for properties in North Beach Historic Districts
- Uses permitted for the Sustainability and Resiliency Fund
- Improvements to existing parks
- Enhancements to public transportation and alternative modes of travel, including

rights of ways and roadways

- Acquisition of new parkland and environmental and adaption areas
- Initiatives that improve the quality of life for residents.

Setbacks

Increased setbacks at the first level allow for expanded pedestrian movement and for outdoor cafes that do not interfere with pedestrian flow. Since the rights-of-ways in the proposed overlay area are limited and vary greatly in terms of width and public facilities and function, the recommended setbacks are specific to each street. As part of the requirement for ground level setbacks, there is a proposal to maintain a “Clear Pedestrian Path” of ten feet that is free from obstructions in order to improve pedestrian safety and comfort, and to encourage pedestrian activity.

In this regard, the proposed ordinance incorporates street-level and tower setbacks that are generally consistent with those recommended by the October 2014 Shulman Study for the FAR of 3.5. Additional considerations have been taken into account to ensure that lower-scale neighborhoods to the south are not impacted by the additional height and FAR through the use of upper level setbacks.

The proposed setbacks along the street frontages are as follows:

Property line abutting	Building Height at which Setback occurs	Minimum Setback from property line	Allowable Habitable Encroachments into setback
69th Street Between Collins Avenue and Harding Avenue	Grade to 135 feet	10 feet	5 feet
	135 feet to max height	35 feet	5 feet
69th Street Between Harding Avenue and Indian Creek Drive	Grade to 55 feet	10 feet	5 feet
	55 feet to 135 feet	50 feet	0 feet
	135 feet to max height	85 feet	0 feet
70th Street Alley Line	Grade to max height	10 feet	3 feet
71st Street	Grade to 55 feet	10 feet	0 feet
	55 feet to max height	25 feet	5 feet
72nd Street	Grade to max height	20 feet from back of curb line; curb line location shall be at the time of permitting; however, it shall be no less than 5 feet from the property line	5 feet
Collins Avenue	Grade to 55 feet	10 feet	5 feet

	55 feet to 135 feet	20 feet	5 feet
	135 feet to max height	35 feet	5 feet
Indian Creek Drive, Abbott Avenue, Dickens Avenue, Byron Avenue, Carlyle Avenue, and Harding Avenue	Grade to max height	10 feet	5 feet
Interior Side	Grade to 55 feet	0 feet	0 feet
	55 feet to max height	30 feet	10 feet
Rear abutting an alley (Except 70th Street Alley)	Grade to 55 feet	5 feet	0 feet
	55 feet to max height	20 feet	10 feet
Rear abutting a parcel	Grade to 55 feet	0 feet	0 feet
	55 feet to max height	30 feet	10 feet

Of note is the upper-level setback from 69th Street, as staff was sensitive to the existing, established scale of 69th street, particularly the south side, which has a height limit of 50 feet for new construction, but a built context of two story apartments. It is recommended that any portion of a building fronting 69th Street that is above 55 feet in height be setback 50 feet from the 69th Street property line. This is intended to provide an appropriate transition to the lower-intensity RM-1 neighborhood to the south of the Town Center.

Also of note is the recommended 20 foot setback along 72nd Street from the back of curb at the time of permitting. This is intended to encourage sidewalk cafes facing the open space uses on the opposite frontage, while still maintaining ample sidewalks.

Tower Regulations

The proposed ordinance defines towers as the portions of buildings located above 55, except for allowable height exceptions. In addition to upper level setbacks, in order to further minimize the impact of towers adjacent to streets and prevent a canyon effect, the proposed ordinance requires that the furthest wall faces on portions of towers that are within 50 feet of a property line be limited to 160 feet apart. It also requires that individual towers be separated by 60 feet. This will ensure that there are significant block segments that are clear from towers, therefore allowing air and light to make it to the street level, while still allowing for flexibility and creativity in tower design, in particular towards the center of blocks.

Frontage Types

The draft ordinance organizes different streets within the TC-C district into classes for the purposes of providing regulations for the building frontage (see attached map titled "Proposed North Beach Roadway Classes"). The streets are designated as Class A, B, C, and D. Each class has various requirements for habitable space (see attached map titled "Ground Floor Areas with Habitable Space Requirements"). The regulations for

each class vary as follows:

- **Class A** streets are intended to be predominantly commercial in nature. It requires a continuous street wall with a height of 35 feet, which is similar to the height of the 1948 City National Bank Building. It also requires a minimum of three floors along 90 percent of the length of the frontage and that the ground floor is primarily used for commercial uses while providing for access to upper levels. To ensure that the commercial space is viable, it requires that it have a minimum depth of 50 feet. The upper two floors must have a minimum depth of 25 feet. In order to provide a safe pedestrian environment, driveways are generally prohibited unless it is the only means of access to the site. Class A streets include 71st Street, 72nd Street, Collins Avenue, and Indian Creek Drive.
- **Class B** streets are intended to provide additional flexibility at the ground floor, while still providing for an active frontage. It requires a continuous street wall with a height of 35 feet. The frontage is required to have one floor along 90 percent of the length of the frontage. It allows for the ground floor be for commercial uses, residential uses, and to provide access to upper levels. To ensure that these uses are viable, it requires that they have a minimum depth of 20 feet. Ground floor residential uses are required to provide individual entrances in order to provide “eyes on the street” and active street level. This would provide for private gardens or porches similar to 6000 Collins Avenue. In order to provide a safe pedestrian environment, driveways are generally prohibited unless it is the only means of access to the site, or if the only other access is a Class A street. Class B Streets include Abbott Avenue, Dickens Avenue, and 69th Street.
- **Class C** streets provide the most flexibility, while still providing for an active frontage. It requires a continuous street wall with a height of 35 feet. The frontage is required to have one floor along 85 percent of the length of the frontage. It allows for the ground floor be for commercial uses, residential uses, and to provide access to upper levels. To ensure that these uses are viable, it requires that they have a minimum depth of 20 feet. Similar requirements exist for ground floor residential uses as Class B Streets. Driveways and loading are permitted on Class C frontages; however, their width is limited and they must be incorporated into the façade of the building. Additionally, loading must be setback to limit its visibility from the street. Class C Streets include Harding Avenue, Byron Avenue, and Carlyle Avenue.
- **Class D** frontages establish a pedestrian alley. The blocks between 69th Street and 71st Street are over 620 feet in length as a result of a 70th Street never having been platted. This distance is not ideal for pedestrian connectivity. As a result, the proposed ordinance identifies a property line where 70th Street should have been located. This line is treated as a frontage line, and requires a 10 foot setback from the adjacent properties. This will eventually result in a 20 foot wide alley being established that will greatly enhance connectivity and provide for interesting active spaces for the Town Center area. The frontage is required to have one floor along 25 percent of the length of the frontage and is to be for commercial, hotel, or residential use. No loading or driveways are permitted along this alley.

Street Tree and Canopy Requirements

In addition to the requirements of Chapter 126, within the TC-C district, all street trees shall require the installation of an advanced structural soil cells system (Silva Cells or approved equal). Minimum amenity requirements have been proposed, including irrigation, up lighting and porous aggregate tree place finish, for all tree pits. Additionally, street trees must be of a species typically grown in Miami Beach and comply with ADA clearance requirements.

Minimum street tree standards have also been established by street frontage class, which will take into account the anticipated widths of sidewalks, as well as available space underneath the sidewalk for adequate root growth. These minimum street tree standards shall include maximum average spacing, minimum clear trunk dimensions, minimum overall height and minimum caliper at time of planting. Additionally, in the event of an infrastructure or other conflict that would prevent street trees from being planted, the applicant/property owner would be required to contribute double the sum required in Section 126-7(2) into the City's Tree Trust Fund.

Use Regulations

The draft ordinance establishes several regulations to incentivize sustainable economic development, while enhancing surrounding communities with a viable Town Center, while ensuring that potential impacts are mitigated. The list of permitted, conditional, prohibited, and accessory uses has been re-structured into a unified table for all TC districts.

It is important to note that the revised list of uses, and specific limits on the quantity of certain types of uses, has been informed by the mobility study for the area, which is attached for reference.

Viable Commerce

E-commerce has had a great impact on traditional retail. The ability to order goods online has resulted in many traditional retail businesses going bankrupt. As a result, it is important to rethink how commercial regulations must change to ensure that storefronts remain viable and the City remains vibrant. As consumers often seek locally produced goods that cannot be found online, Artisanal Retail for On-Site Sale is listed as a permitted use in the draft ordinance. This will allow for retail uses that produce and repair low-impact goods on-site, including artwork, personal care items, foodstuffs, microbreweries, light repairs, etc. Should the artisan wish to sell goods to other vendors, a conditional use permit with approval from the Planning Board would be required to minimize impacts to surrounding properties.

Additionally, e-commerce retailers are looking to find ways to get goods to consumers faster. As a result, Neighborhood Fulfillment Centers are listed as a permitted use, which allow e-commerce retailers to sell goods online and allow them to be picked up at the center and provide a place where the goods can be distributed throughout the immediate neighborhood by means other than vans, cars, or trucks. The ordinance provides that there be no more than two such facilities and that they be limited to 30,000 square feet.

Additionally, the proposal allows for ground level residential units to be live-work units. This allows for artists or other professionals to have a portion of their home to be used for business purposes, reflecting current trends. It further helps activate the street the

street level.

Use Predictability

In an effort to minimize impacts of certain uses on surrounding properties, the Planning Board places conditions on applications approved for a 'Conditional Use'. Several of the conditions have become very common, as they are effective at mitigating impacts. In order to increase compatibility with surrounding uses, the conditions which are placed on a typical Conditional Use Permit Board Order have been included as a requirement for certain uses in the draft ordinance. This will ensure that the conditions are applied equally to all applicable uses, regardless of whether the uses requires Planning Board review or not. These conditions and criteria include:

- Hours of operation for entertainment;
- Requirements for double door vestibules for entertainment;
- Requirement for entertainment establishments to also be restaurants;
- Loading and trash hours, and standards;
- Other noise reduction criteria.

Having this criteria mandated in the Code will greatly improve predictability for both residents and applicants, as the expectations will be clear from the outset. It will also streamline the process.

The proposal also establishes a requirement that the primary means of pedestrian ingress and egress for uses that may have an impact on low-intensity residential, such as entertainment establishments, commercial establishments over 25,000 square feet, retail establishments over 25,000 square feet, and artisanal retail uses, not be located within 200 feet of an RM-1 district. This proposed distance separation will help ensure that the more intense uses permitted within the proposed TC-C district are adequately buffered from the existing, low intensity RM-1 district south of 69th Street.

Streamlined Review Process

In conjunction with the above-mentioned criteria and standards to mitigate potential impacts to surrounding properties established in the draft ordinance, a more streamlined review process is proposed for certain uses that previously fell under the definition of a Neighborhood Impact Establishment (NIE). Specifically, the proposed ordinance modifies the thresholds for an NIE from occupant content, which requires certification from the Fire Marshal and subject to change based on aspects such as furniture layout, to a square footage criterion, which can be easily determined from floor plans. In this regard, the proposed thresholds for NIE's in the TC-C district are as follows:

- An ***alcoholic beverage establishment or restaurant, not also operating as an entertainment establishment or dance hall*** from an occupant content of 300 or more persons to an **area of 10,000 square feet or greater of areas accessible by patrons**; or
- An ***entertainment establishment or dance hall***, from an occupant content of 200 or more persons to an **area of 5,000 square feet or greater of areas accessible by patrons**.

In order to streamline the process and facilitate the revitalization envisioned in the master plan, the requirement for Planning Board review of development projects in excess of 50,000 square feet has not been included within the proposed TC-C district. This reduces the number of Land Use Boards that a development proposal has to go through. Additionally, the revised thresholds and criteria in the ordinance address issues that are typically reviewed by the Planning Board as part of a 50,000 square foot project application.

Co-Living Residential Units and Micro-Hotel Units

Modern trends in the housing and hotel industries are co-living units and micro-hotels. In order to develop more housing options, these types of units have been introduced into the proposed overlay. A co-living unit provides for smaller units than what has been traditionally seen; however, they provide many amenities and opportunities for social interaction which may be more attractive to some people than a larger living space. Amenities may include community gourmet kitchens, business centers, gyms, community rooms, pools, restaurants, etc. The proposed ordinance requires that a minimum of 20 percent of a building's gross floor area be for amenities that are available to residents. A resident who lives in such a unit would likely be spending more time in the communal amenity spaces with neighbors and in the new vibrant and walkable town center, rather than in a traditional housing unit. Due to the smaller square footages, such units can typically be provided at a lower rate than what can be provided for a larger unit which may not have as many amenities available to residents.

This type of housing also follows current trends towards shared spaces that are seen with office uses. Many small businesses are choosing to locate in shared office spaces such as those seen at WeWork and Büro in various parts of Miami Beach. In these types of environments, private office spaces are limited, while amenities such as conference rooms and work spaces are shared by all tenants. This essentially allows the cost of amenities that may not be needed by each tenant each day to be shared by all tenants. The same would occur with co-living units.

An example of a coliving provider is *Ollie Coliving*, which has co-living units in Manhattan, Queens, and Pittsburgh; with units in Boston, Jersey City, Los Angeles, and Brooklyn under development. Their developments host events for residents and provide amenities such as gyms, lounges, terraces. Additionally, utilities and internet are provided. However, some of the units are as small as 265 square feet. Another example of a coliving provider is *WeLive* in Manhattan and Washington, DC, which provides communal chef's kitchen, yoga studio, and common areas, in addition to including access daily events, utilities, furnishings, unlimited refreshments, concierge services, and housekeeping.

Micro-hotels are similar in concept, where smaller hotel rooms are provide in a hotel that has many amenities. The recently adopted Washington Avenue Zoning Incentives provides for micro-hotel units. As a result of these incentives, several hotel projects are proposed for Washington Avenue that will lead to a great improvement the surrounding areas.

Transportation, Parking and Use Analysis

The proposed ordinance establishes Parking District 8, which incorporates the FAR area of the Town Center (proposed TC-C district). Parking District 8 will replace those areas

currently within Parking District 4, which encompasses the surrounding commercial areas along Collins Avenue, Ocean Terrace, and Normandy Isle. Parking District 8 contains regulations intended to encourage and expand mobility options, including the use of alternative modes of transportation in order to reduce the potential traffic impact of new development and reflect current trends in parking.

The City's Transportation Department has coordinated a comprehensive mobility study specific to the proposed TC-C area. This study, which is attached, has taken into account existing traffic data (both internally and regionally), as well as future projected traffic data and mobility trends. The study projects mobility trends through the year 2040 and takes into account planned mobility improvements for the area. Based upon this analysis, the following are recommendations regarding allowable uses, off-street parking regulations and requirements, alternative modes of transportation, alignments for public rights of way and on-street parking, and public transportation that have been incorporated into the proposed ordinance:

- Limit certain uses in order to create an ideal mix of uses that encourages walking and mass transit use while minimizing single occupancy vehicle use:
 - Limit hotels to 1,800 rooms
 - Limit apartments over 1,000 square feet to 200 units
 - Limit apartments under 1,000 square feet to 300 units
 - Limit co-living, workforce, & affordable housing to 300 units
- Reduce parking requirements and encourage centralized parking areas.
- Require facilities to encourage biking such as bicycle parking.
- Require facilities to encourage walking such as wider and more comfortable sidewalks.
- Require transit oriented development (TOD).

The revised minimum off-street parking requirements are more specifically outlined in the draft ordinance. The proposed ordinance includes limits on residential units that are generally consistent with the recommended land uses. However, instead of differentiating between units by size and the proposed ordinance includes a limit of 500 apartment units in order to simplify review and permitting. Additionally, the draft ordinance includes a limit of 500 units for co-living, workforce, & affordable housing as opposed to the 300 recommended in the report. Since these types of units do not have an impact on parking and maximize the use of alternative modes of transportation, a slightly larger number was utilized in order to more equitably distribute housing throughout the district.

SUMMARY

At the May 23, 2018 meeting, a power point presentation was made to the Land Use and

Development Committee, which provided a broad outline of the more specific draft regulations contained herein. Staff believes that the previous comments of the LUDC have been successfully addressed within the attached draft ordinance. The only outstanding item that will require input is the minimum contribution amount to the Public Benefits fund. The Administration expects the market analysis to be completed by early July, and will provide a more specific set of options at the July LUDC meeting.

One of the previous recommendations of the Committee was to further study the location of the bulk of the massing of buildings, and that the greater height of new buildings be concentrated towards the central portion of the Town Center overlay. In this regard, the proposed setbacks from 69th Street achieve this goal for the southern portion of the district.

The north side of the Town Center district is adjacent to an open park, recreation facility and surface parking lot along 72nd Street, which buffers the proposed TC-C area from the residential areas north of 73rd Street. After a detailed analysis of different massing options, and in consideration of the aforementioned conditions along 72nd Street, staff believes that there is some latitude for allowing more height closer to 72nd Street. In this regard, the proposed setback and tower regulations included in the proposed overlay ordinance will mitigate the impact of taller structures proposed near 72nd Street, by requiring minimum separation and maximum length standards, in addition to minimum setback requirements. Staff believes these standards and requirements will prevent a canyon effect of multiple tall buildings, as well as the walling off of 72nd Street.

Should the Committee conclude that a greater setback for taller buildings is needed along the northern portion of the Town Center district, in order to concentrate the maximum allowable overall height toward 71st Street, the following option for setbacks along 72nd Street may be considered:

Property line abutting	Building Height at which Setback occurs	Minimum Setback from property line	Allowable Habitable Encroachments into setback
72nd Street	Grade to 55 feet	20 feet from back of curb line; curb line location shall be at the time of permitting; however, it shall be no less than 5 feet from the property line	5 feet
	55 feet to 135 feet	50 feet	5 feet
	135 feet to max height	85 feet	5 feet

CONCLUSION

This draft ordinance incorporates the elements of design in the North Beach Master Plan and in the FAR Voter Guide from the last election. It is a balanced approach intended to ignite sustainable development to revitalize North Beach. Staff has listened to public comment and Commission direction over the last few months/years in order to produce

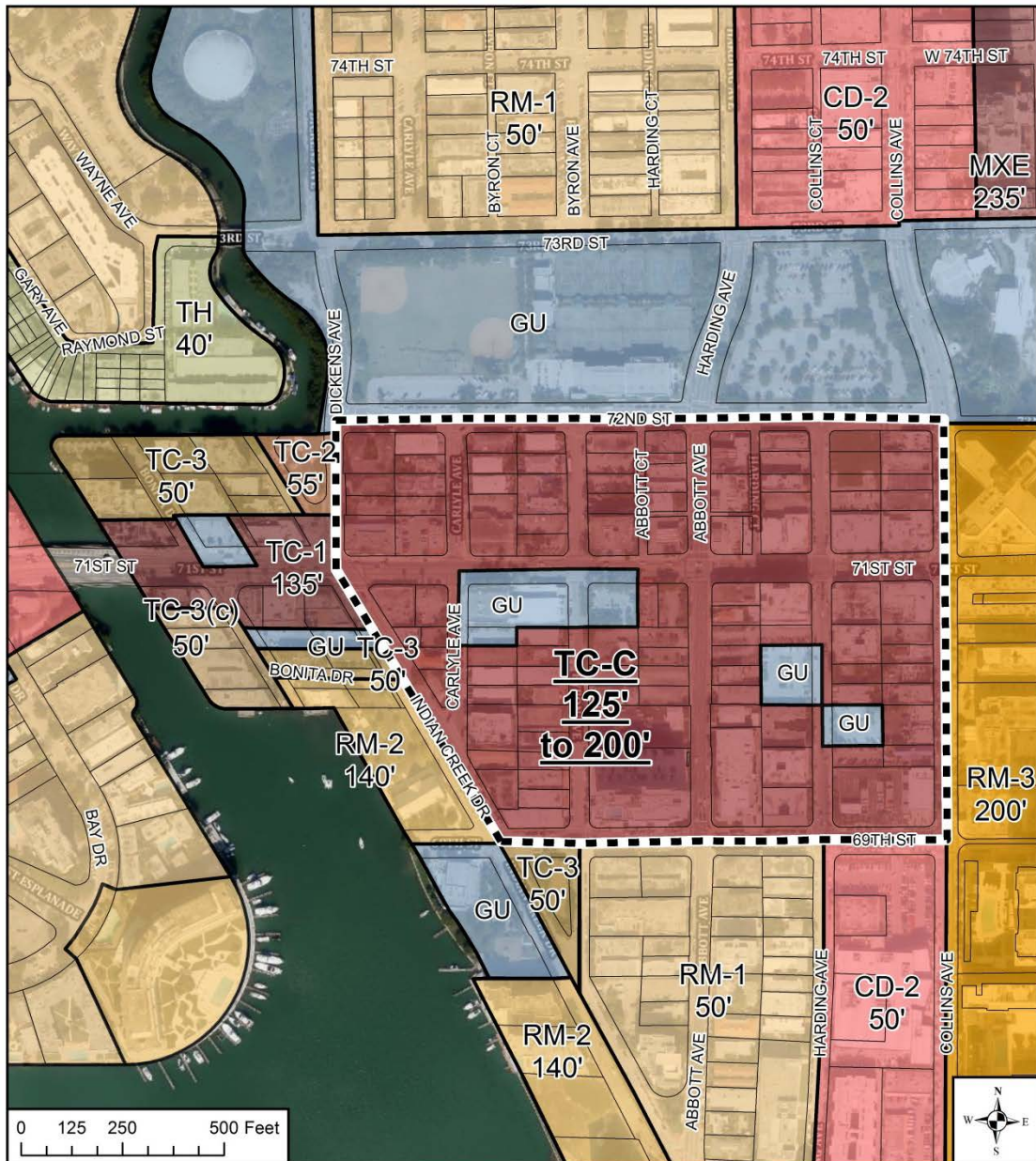
this draft. Given the rather small size of the area and the different important goals for North Beach this is our professional urban planning recommendation for your consideration and further public input.

The Administration recommends that the Land Use and Development Committee discuss the attached draft ordinance and provide additional recommendations and policy direction. It is further recommended that the Land Use and Development Committee continue the item to the July 18, 2018 meeting for the purpose of receiving the market analysis for the proposed public benefit program.

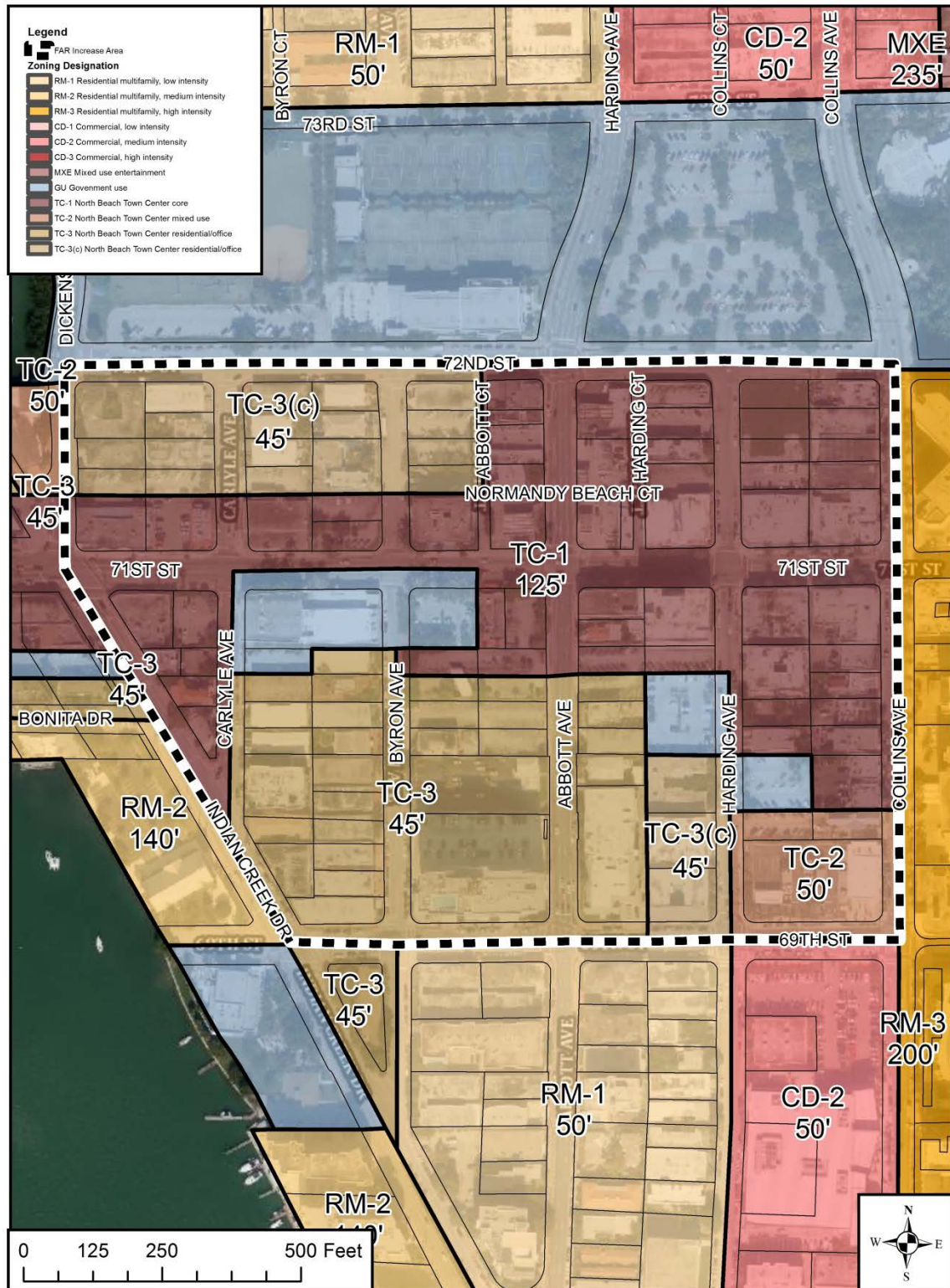
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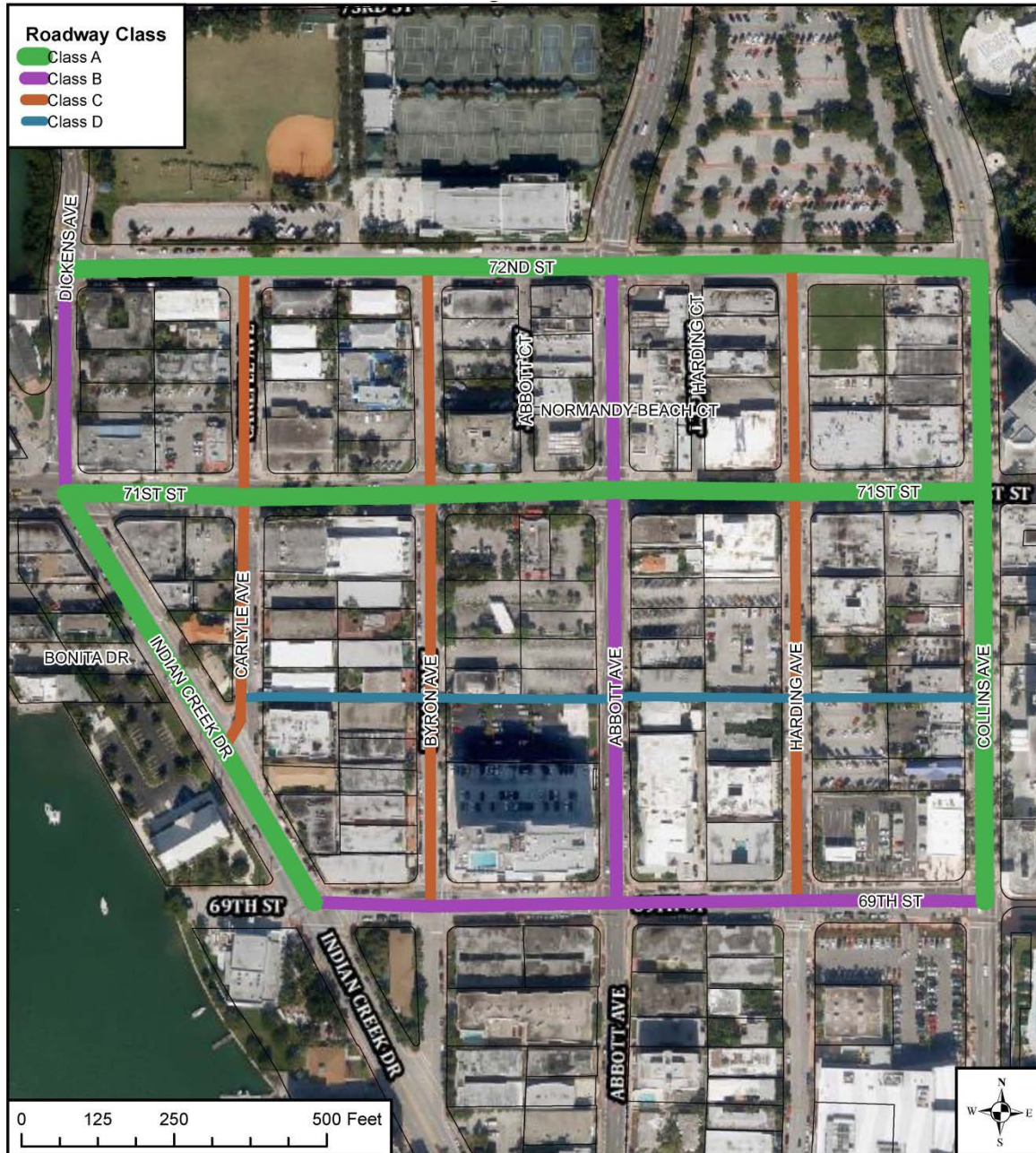
Proposed Zoning and Height Limits



Current Zoning and Height Limits



Proposed North Beach Roadway Classes



Ground Floor Areas with Habitable Space Requirements

