

**North Beach Town Center FAR Increase  
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," AT SECTION 142-737, TO INCREASE THE MAXIMUM FLOOR AREA RATIO (FAR) FOR THE PROPERTIES 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, 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, “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**

\* \* \*

**ARTICLE II  
ZONING DISTRICTS AND REGULATIONS**

\* \* \*

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

\* \* \*

**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
TC-1 Town Center Core	For lots equal to or less than 45,000 sq. ft.—2.25 For lots greater than 45,000 sq. ft.—2.75	125 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 fourth story the building shall be setback 25 feet.	12 stories.
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 feet	5 stories
TC-3 Town Center Residential Office	1.25	45 feet Waterfront lots—50 feet Parking garages as a main use—See subsection 130-68(9). The facade of buildings facing the lot front	4 stories Waterfront lots—5 stories

		<p>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 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.</p>	
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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.

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**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