

**NORTH BEACH TOWN CENTER REVITALIZATION OVERLAY  
COMPREHENSIVE PLAN AMENDMENT**

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

**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 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 ON THE FUTURE LAND USE MAP; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; 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. after 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) for a majority of the Town Center district areas; 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**, 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**, City Charter Section 1.03(c), 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**, 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 all of the above objectives and the vote of the electorate.

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

**SECTION 1.** The following amendments to the City's 2025 Comprehensive Plan Future Land Use Element are hereby adopted:

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## **CHAPTER 1**

### **FUTURE LAND USE ELEMENT**

#### **OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS**

\* \* \*

##### **Policy 1.2**

The land development regulations which implement this Comprehensive Plan shall, at a minimum, be based on and be consistent with s. 163.3202, F.S., and shall further be based on the following standards for land use category, land use intensity and land use:

\* \* \*

##### ***Public Facility: Governmental Uses (PF)***

Purpose: To provide development opportunities for existing and new government uses.

Uses which may be permitted: Government uses.

Intensity Limits: Intensity may be limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a floor area ratio of 2.0. A floor area ratio of 3.5 shall be permitted on lots located within the North Beach Town Center Revitalization Overlay.

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### **Town Center Core Category (TC-1)**

Purpose: To encourage and enhance the high-intensity commercial employment center function of the Town Center's core area, as well as, support the Town Center's role as the hub of community-wide importance for business, office, retail, governmental services, culture and entertainment.

Uses which may be Permitted: Various types of commercial uses including, business and professional offices, retail sales and service establishments, eating and drinking establishments; and apartment residential uses; apartment hotels; and hotels.

Other uses which may be permitted are accessory uses that are incidental to and customarily associated with the main permitted uses such as accessory outdoor bar counter, sidewalk café, storage of supplies normally used in connection with a permitted use, off-street parking and loading, and other similar accessory uses.

The conditional uses which may be permitted are public and private institutions such as adult congregate living facilities, nursing homes, religious uses, schools, day care, museums, theaters, cultural and similar uses; parking lots and garages; commercial uses of an impact or intensity deemed to require additional review such as outdoor entertainment establishment, neighborhood impact establishment, open air entertainment establishment; and video arcades.

Density Limits: **150** dwelling units per acre;

Intensity Limits: a floor area ratio of **2.25** on lot area equal to or less than 45,000 sq. ft. and a floor area ratio of **2.75** on lot area greater than 45,000 sq. ft. A floor area ratio of 3.5 shall be permitted on lots located within the North Beach Town Center Revitalization Overlay.

~~Intensity Limits:~~ Intensity may be further limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed ~~a~~ the floor area ratio of **2.75** identified above.

### **Town Center Commercial Category (TC-2)**

Purpose: To provide support for medium intensity mixed-use (residential/nonresidential) projects with active retail ground floor uses.

Uses which may be Permitted: Various types of commercial uses including, business and professional offices, retail sales and service establishments, eating and drinking establishments, apartment residential uses, hotels, and apartment hotels.

Other uses which may be permitted are accessory uses that are incidental to and customarily associated with the main permitted uses such as accessory outdoor bar counter, sidewalk café, storage of supplies normally used in connection with a permitted use, off-street parking and loading, and other similar accessory uses.

The conditional uses which may be permitted are public and private institutions such as adult congregate living facilities, nursing homes, religious uses, schools, day care, museums, theaters, cultural and similar uses; parking lots and garages; commercial uses of an impact or intensity deemed to require additional review such as outdoor entertainment establishment, neighborhood impact establishment, open air entertainment establishment; and video arcades.

Density Limits: **100** dwelling units per acre

Intensity Limits: a floor area ratio of **1.5** for commercial; **2.0** for residential or mixed use. A floor area ratio of **3.5** shall be permitted on lots located within the North Beach Town Center Revitalization Overlay.

~~Intensity Limits:~~ Intensity may be further limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed ~~a~~ the floor area ratio of ~~2.0~~ identified above.

### **Town Center Residential Office (TC-3)**

Purpose: To provide a transition between the high intensity Town Center Core and the surrounding low intensity residential multi-family districts, by providing for contextually compatible residential and mixed-use development within an established, pedestrian, bicycle and transit oriented residential environment. Office and tourist lodging facilities are intended to provide a variety of employment opportunities to support the local economy and to reduce the need for long distance home to work vehicle trips. Neighborhood oriented retail and service uses are intended to provide opportunities for small business development and to enliven the pedestrian environment.

Uses which may be permitted: Existing single family detached dwellings; single family attached dwellings, townhouse dwellings, multiple family dwellings, offices, hotels, and neighborhood retail and services.

Other uses which may be permitted are accessory uses that are incidental to and customarily associated with the main permitted uses such as a dining room, health club or other services solely for use of the occupants of an apartment building, accessory restaurants, bars and services in a hotel, sidewalk café, storage of supplies normally used in connection with a permitted use, off-street parking and loading, and other similar accessory uses.

The conditional uses which may be permitted are public and private institutions such as adult congregate living facilities, nursing homes, religious uses, schools, day care and similar

institutional uses, hotels, parking lots and garages, and neighborhood-oriented retail and personal service uses.

Density Limits: **60** dwelling units per acre.

Intensity Limits: a floor area ratio of **1.25**. A floor area ratio of **3.5** shall be permitted on lots located within the North Beach Town Center Revitalization Overlay.

~~Intensity Limits:~~ Intensity may be further limited by such set back, height, floor area ratio and/or other restrictions as the City Commission acting in a legislative capacity determines can effectuate the purpose of this land use category and otherwise implement complementary public policy. However, in no case shall the intensity exceed a the floor area ratio of **1.25** identified above.

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**SECTION 2.** The “North Beach Town Center Revitalization Overlay” shall be designated on the City’s Future Land Use Map for the properties identified in the attached map, as Exhibit A, incorporated by reference herein.

**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. CODIFICATION.**

It is the intention of the City Commission that this Ordinance be entered into the Comprehensive Plan, and it is hereby ordained that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word “ordinance” may be changed to “section” or other appropriate word. The Exhibits to this Ordinance shall not be codified, but shall be kept on file with this Ordinance in the City Clerk’s Office.

**SECTION 6. TRANSMITTAL.**

The Planning Director is hereby directed to transmit this ordinance to the appropriate state, regional and county agencies as required by applicable law.

**SECTION 7. EFFECTIVE DATE.**

This ordinance shall take effect 31 days after the state land planning agency notifies the City that the plan amendment package is complete pursuant to Section 163.3184(3), Florida Statutes.

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

**ATTEST:**

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

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

First Reading: March 7, 2018

Second Reading: May 16, 2018

(Sponsor: Commissioner John Elizabeth Aleman)

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