

MIAMI BEACH

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

PLANNING DEPARTMENT
Tel: 305-673-7550, Fax: 305-673-7559

November 20, 2018

South Florida Regional Planning Council
Attn: Isabel Cosio Carballo, Executive Director
3440 Hollywood Blvd, Suite 140
Hollywood, FL 33021
(954) 985-4416

RECEIVED
NOV 26 2018
SRPC

Re: Transmittal of adopted amendment to the 2025 Miami Beach Comprehensive Plan related to the North Beach Town Center – Central Core (Miami Beach 18-2ESR).

Dear Ms. Cosio Carballo:

Please find enclosed a copy of the adopted amendment to the 2025 Miami Beach Comprehensive Plan. The City Commission voted to adopt the amendment at a public hearing on November 14, 2018 (Vote 6 to 1). The City Commission previously voted to transmit the amendment at a public hearing on September 12, 2018 (Vote 6 to 1). The Planning Board, which serves as the City's Local Planning Agency, held a public hearing on July 24, 2018 and transmitted the proposal to the City Commission with a favorable recommendation (Vote 7 to 0).

No changes occurred between the transmittal and adoption of the ordinance. The amendment establishes a new Future Land Use designation, "Town Center – Central Core Category (TC-C)," which replaces the existing "Town Center Core Category (TC-1)," "Town Center Commercial Category (TC-2)," and "Town Center Residential Office (TC-3)" on the City's Future Land Use Map for those properties located within the 20.83 Acre "North Beach Town Center Revitalization Overlay." It allows for an expanded array of uses that will encourage and enhance the high-intensity development required for the redevelopment of the area. In addition to the permitted uses, a uniform density limit of 150 units per acre is established, which is consistent with the maximum density in the previous TC-1 designation. This amendment is a supplement to previously approved amendment *Miami Beach 18-1ESR* which increased the Floor Area Ratio within the "North Beach Town Center Revitalization Overlay." This amendment provides for a greater mix of uses that are consistent with an Urban Center and provides for improved implementation of the goals of the Revitalization Overlay. The proposed amendment does not affect an area located in an area of critical state concern.

Included in this submission are the following documents:

- Legislation authorizing transmittal with the adopted amendment
- Commission Memorandum with Analysis
- Planning Board Staff Report with Concurrency Analysis and Maps
- Newspaper Advertisement for the Adoption Public Hearing

The City respectfully requests a review of these amendments pursuant to the Expedited

State Review Process as defined in Section 163.3184(3), Florida Statutes. If you have any questions, I can be reached at (305) 673-7000, extension 6131 or by email at rmadan@miamibeachfl.gov. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Rogelio Madan', with a long horizontal flourish extending to the right.

Rogelio Madan, AICP, Chief of Community Planning & Sustainability
City of Miami Beach Planning Department

**NORTH BEACH TOWN CENTER – CENTRAL CORE
COMPREHENSIVE PLAN AMENDMENT**

ORDINANCE NO. 2018-4223

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING CHAPTER 1, ENTITLED “FUTURE LAND USE ELEMENT;” “OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS,” POLICY 1.2, TO ESTABLISH THE TOWN CENTER – CENTRAL CORE CATEGORY (TC-C) PROVIDING FOR REGULATIONS ON USES, DENSITY LIMITS, AND INTENSITY LIMITS; BY AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTIES GENERALLY BOUNDED BY 72ND STREET TO THE NORTH, COLLINS AVENUE TO THE EAST, 69TH STREET TO THE SOUTH, AND INDIAN CREEK DRIVE AND DICKENS AVENUE TO THE WEST FROM THE CURRENT “TOWN CENTER CORE CATEGORY (TC-1),” “TOWN CENTER COMMERCIAL CATEGORY (TC-2),” AND “TOWN CENTER RESIDENTIAL OFFICE (TC-3)” TO “TOWN CENTER – CENTRAL CORE CATEGORY (TC-C);” 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 portion 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 a majority of the area encompassing 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 71st 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, on May 16, 2018, the City Commission adopted Comprehensive Plan Amendment "Miami Beach 18-1ESR" as ordinance no. 2018-4189, providing for an FAR of 3.5, for properties with a PF, TC-1, TC-2, and TC-3 future land use designation that are located within the North Beach Town Center Revitalization Overlay; and

WHEREAS, the City seeks to adopt regulations to ensure that the FAR increase results in redevelopment that encourages alternative modes of transportation to single occupancy vehicles; including, but not limited to walking, bicycling, and public transportation; and

WHEREAS, due to the advent of online retailing, economic conditions are changing, and impacting traditional retailers; and

WHEREAS, the City seeks to allow uses that will be viable into the future due to changing economic conditions; and

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

WHEREAS, the City seeks to amend the Comprehensive Plan to update the plan to be consistent with the vote of the residents relating to the Town Center; 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:

* * *

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:

* * *

Phased Bayside Intensive Mixed Use Commercial "Performance Standard" Category (C-PS4)

* * *

Intensity Floor Area Ratio Limits: 2.5.

Town Center – Central Core Category (TC-C)

Purpose: To encourage and enhance the high-intensity commercial employment center function of the North Beach Town Center's Central Core area; support the Town Center's role as the hub of community-wide importance for business, office, retail, governmental services, culture and entertainment; promote development of a compact, pedestrian and transit oriented, mixed-use area; provide opportunities for live-work lifestyles; and create a place that represents a unique, attractive and memorable destination for residents and visitors.

Uses which may be Permitted: Various types of commercial uses including, business and professional offices, retail sales and service establishments, eating and drinking establishments, outdoor cafes, artisanal retail, neighborhood fulfillment centers; residential uses; and hotels.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 150 dwelling units per acre;

Intensity Limits: a floor area ratio of 3.5.

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 the floor area ratio identified above.

* * *

SECTION 2. The properties bounded by 72nd Street to the north, Collins Avenue to the east, 69th Street to the south, and Indian Creek Drive and Dickens Avenue to the west

that are currently designated "Town Center Core Category (TC-1)," "Town Center Commercial Category (TC-2)," and "Town Center Residential Office (TC-3)" shall be designated "Town Center – Central Core Category (TC-C)" on the City's Future Land Use Map, as depicted in Exhibit A.

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 14 day of November, 2018.

ATTEST:

[Signature]
11/19/18
Rafael E. Granado City Clerk



[Signature]
Dan Gelber, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

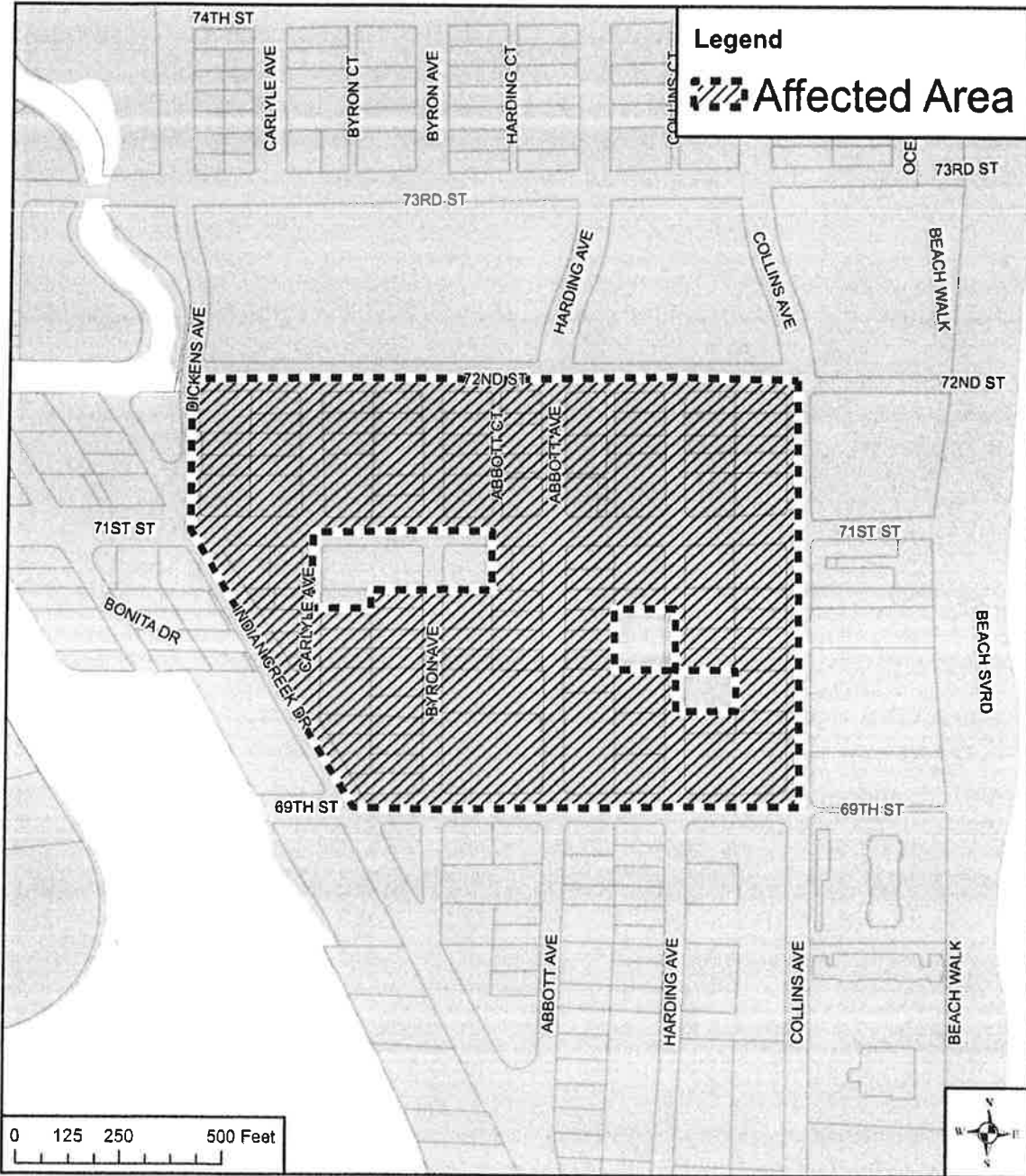
First Reading: September 12, 2018
Second Reading: November 14, 2018

[Signature] 8/27/18
City Attorney Date

(Sponsors: Commissioners John Elizabeth Aleman and Ricky Arriola)

Verified By: [Signature]
Thomas R. Mooney AICP
Planning Director

Exhibit A



Ordinances - R5 I**MIAMI BEACH****COMMISSION MEMORANDUM**

TO: Honorable Mayor and Members of the City Commission
 FROM: Jimmy L. Morales, City Manager
 DATE: November 14, 2018

5:01 p.m. Second Reading Public Hearing

SUBJECT: NORTH BEACH TOWN CENTER - CENTRAL CORE COMPREHENSIVE PLAN AMENDMENT
 AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT;" "OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS," POLICY 1.2, TO ESTABLISH THE TOWN CENTER - CENTRAL CORE CATEGORY (TC-C) PROVIDING FOR REGULATIONS ON USES, DENSITY LIMITS, AND INTENSITY LIMITS; BY AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTIES GENERALLY BOUNDED BY 72ND STREET TO THE NORTH, COLLINS AVENUE TO THE EAST, 69TH STREET TO THE SOUTH, AND INDIAN CREEK DRIVE AND DICKENS AVENUE TO THE WEST FROM THE CURRENT "TOWN CENTER CORE CATEGORY (TC-1)," "TOWN CENTER COMMERCIAL CATEGORY (TC-2)," AND "TOWN CENTER RESIDENTIAL OFFICE (TC-3)" TO "TOWN CENTER - CENTRAL CORE CATEGORY (TC-C);" PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

RECOMMENDATION

The Administration recommends that the City Commission adopt the subject Ordinance.

ANALYSIS**HISTORY**

On July 2, 2018, the City Commission referred the proposed Comprehensive Plan Amendment to the Planning Board. This referral was a companion to the proposed amendments to the Land Development Regulations (LDR's), which will create the proposed Town Center Core (TC-C District).

On July 31, 2018 the Land Use and Development Committee reviewed the proposed Comprehensive Plan Amendment in conjunction with the review of the LDR Ordinance. The Land Use Committee continued the discussion of both items to the September 5, 2018 Land Use Committee meeting. The September 5, 2018 Land Use Committee meeting was moved to September 28, 2018. The Land Use Committee recommended adoption of the Ordinance at 2nd Reading.

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. These boundaries approved for an FAR increase, 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 this ordinance to the City Commission with a favorable recommendation. This enabling legislation was adopted by the City Commission on May 16, 2018.

A separate companion LDR Ordinance is also scheduled for First Reading before the City Commission on September 12, 2018. This LDR Ordinance would 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,

PLANNING ANALYSIS

The proposed comprehensive plan amendment would create a new Future Land Use area entitled: "Town Center – Central Core Category (TC-C)." This new Future Land Use designation would include the properties bounded by 72nd Street to the north, Collins Avenue to the east, 69th Street to the south, and Indian Creek Drive and Dickens Avenue to the west. The properties in this area, which are currently designated "Town Center Core Category (TC-1)," "Town Center Commercial Category (TC-2)," and "Town Center Residential Office (TC-3)", would now be designated "Town Center – Central Core Category (TC-C)" on the City's Future

Land Use Map.

In addition to creating a purpose and permitted uses, a uniform density limit of 150 units per acre would be established for the entire TC-C area. The existing density limit in the area is 150 units per acre for properties with a current Future Land Use Designation of TC-1, and 60 units per acre for properties with a current Future Land Use Designation of TC-2 and TC-3. This represents an increase in density for those properties currently designated TC-2 and TC-3.

Comprehensive Plan Issues

The subject Ordinance 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.

PLANNING BOARD REVIEW

The Planning Board reviewed the subject Ordinance on July 24, 2018 and transmitted it to the City Commission with a favorable recommendation (Vote 6-0).

UPDATE

The subject Ordinance was approved at First Reading on September 12, 2018 and transmitted to the applicable regulatory review agencies for comment. No comments were received from any of the applicable review agencies. As such, the Comprehensive Plan Amendment may move forward for adoption.

CONCLUSION

The Administration recommends that the City Commission adopt the subject Ordinance.

Legislative Tracking

Planning

Sponsor

Commissioners John Elizabeth Aleman and Ricky Arriola

ATTACHMENTS:

Description

- [NB TCC Comp Plan - Form Approved ORD](#)
- [Ad](#)

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

TO: Chairperson and Members
Planning Board

DATE: July 24, 2018

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **PB 18-0213. NORTH BEACH TC-C DISTRICT – COMP PLAN AMENDMENTS.**
PB 18-0214. NORTH BEACH TC-C DISTRICT – LDR AMENDMENTS.

REQUEST

PB 18-0213. NORTH BEACH TC-C DISTRICT – COMP PLAN AMENDMENTS. AN ORDINANCE AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING CHAPTER 1, ENTITLED “FUTURE LAND USE ELEMENT;” “OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS,” POLICY 1.2, TO ESTABLISH THE TOWN CENTER – CENTRAL CORE CATEGORY (TC-C) PROVIDING FOR REGULATIONS ON USES, DENSITY LIMITS, AND INTENSITY LIMITS; BY AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTIES GENERALLY BOUNDED BY 72ND STREET TO THE NORTH, COLLINS AVENUE TO THE EAST, 69TH STREET TO THE SOUTH, AND INDIAN CREEK DRIVE AND DICKENS AVENUE TO THE WEST FROM THE CURRENT “TOWN CENTER CORE CATEGORY (TC-1),” “TOWN CENTER COMMERCIAL CATEGORY (TC-2),” AND “TOWN CENTER RESIDENTIAL OFFICE (TC-3)” TO “TOWN CENTER – CENTRAL CORE CATEGORY (TC-C);” PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

PB 18-0214. NORTH BEACH TC-C DISTRICT – LDR AMENDMENTS. AN ORDINANCE OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING SUBPART B – LAND DEVELOPMENT REGULATIONS OF THE CITY CODE BY AMENDING CHAPTER 114, “DEFINITIONS,” TO DEFINE ARTISANAL RETAIL, CO-LIVING, NEIGHBORHOOD FULFILLMENT CENTER, LIVE-WORK, AND OTHER RELATED USES; CHAPTER 130, “OFF-STREET PARKING” TO ESTABLISH PARKING DISTRICT NO. 8, ESTABLISH PARKING REQUIREMENTS FOR APARTMENT AND TOWNHOME UNITS, CO-LIVING AND LIVE-WORK UNITS, OFFICE, AND OTHER USES WITHIN PARKING DISTRICT NO. 8, AND TO REMOVE PARCELS INCORPORATED INTO PARKING DISTRICT NO. 8 FROM PARKING DISTRICT NO. 4; AMENDING CHAPTER 142, “ZONING DISTRICTS AND REGULATIONS,” ARTICLE II, “DISTRICT REGULATIONS,” TO ESTABLISH DIVISION 21, “TOWN CENTER – CENTRAL CORE (TC-C) DISTRICT,” PROVIDING FOR REGULATIONS ON PERMITTED, ACCESSORY, CONDITIONAL, AND PROHIBITED USES, ESTABLISHING SUPPLEMENTAL USE REGULATIONS, MODIFYING THRESHOLDS FOR NEIGHBORHOOD IMPACT ESTABLISHMENTS, PROVIDING LIMITS FOR FLOOR AREA RATIO, MAXIMUM HEIGHT LIMITS, MINIMUM UNIT SIZES, MINIMUM SETBACKS AND ENCROACHMENTS, TOWER REGULATIONS, REQUIREMENTS FOR CLEAR PEDESTRIAN PATHS AND EASEMENTS,

MINIMUM STANDARDS FOR STREET TREES, BUILDING FRONTAGE REQUIREMENTS, REQUIREMENTS FOR THE DESIGN OF OFF-STREET PARKING FACILITIES, UTILITIES, AND LOADING, ESTABLISHING A 70TH STREET FRONTAGE, DESIGNATING STREET CLASSES, ESTABLISHING REQUIREMENTS FOR FRONTAGES ON STREET CLASS FRONTAGE TYPES, ESTABLISHING REQUIREMENTS FOR NONCONFORMING STRUCTURES; ESTABLISHING A PUBLIC BENEFITS PROGRAM, AND ESTABLISHING THE NORTH BEACH PUBLIC BENEFITS FUND; AMENDING APPENDIX A, "FEE SCHEDULE," TO ESTABLISH FEES FOR PUBLIC BENEFITS; AND MODIFYING THE ZONING DISTRICT CLASSIFICATION FOR THE PROPERTIES GENERALLY BOUNDED BY 72ND STREET TO THE NORTH, COLLINS AVENUE TO THE EAST, 69TH STREET TO THE SOUTH, AND INDIAN CREEK DRIVE AND DICKENS AVENUE TO THE WEST FROM THE CURRENT "TOWN CENTER CORE (TC-1) DISTRICT," "TOWN CENTER MIXED-USE (TC-2) DISTRICT," "TOWN CENTER RESIDENTIAL OFFICE (TC-3) DISTRICT," AND "TOWN CENTER RESIDENTIAL OFFICE (C) (TC-3(C)) DISTRICT" TO "TOWN CENTER – CENTRAL CORE (TC-C) DISTRICT;" 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

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 and Development Committee (LUDC), was continued at the June 14, 2017 LUDC meeting to the January 2018 LUDC.

On February 7, 2018, the LUDC 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. Subsequent to the February 7, 2018 LUDC meeting, Commissioner John Elizabeth Aleman requested to be a co-sponsor of the item.

On March 14, 2018 the LUDC 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.

On June 13, 2018 the LUDC discussed the item and recommended that the Draft Ordinance be referred to the Planning Board and that a Letter to Commission (LTC) be drafted summarizing the discussion of the LUDC. Additionally, the LUDC continued the item to their July 31, 2018 meeting, in order to review the Transmittal Recommendation of the Planning Board and to make a formal recommendation prior to First Reading at the City Commission.

On June 26, 2018, the Planning Board discussed the proposed ordinance.

On July 2, 2018, the City Commission referred the proposed Comprehensive Plan and Land Development Regulations (LDR) amendments to the Planning Board. Additionally, the City

Commission requested that the Planning Board specifically discuss and provide recommendations on the following:

1. Building Height;
2. Parking;
3. Number of Hotel Units;
4. Co-living and Micro Units;
5. Affordable Housing Component; and
6. Public Benefits.

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. These boundaries approved for an FAR increase, 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 this 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 to the Land Use Committee 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 further developed the proposed overlay ordinance, and the current draft was presented to the LUDC on June 13, 2018.

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 generally 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 encompasses approximately 22 acres and would not create an isolated district.

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 includes setback requirements to provide for appropriate transitions to the lower-scale multi-family areas to the south. 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. However, the attached Mobility Study indicates that the proposed changes will encourage a shift in transportation modes from single occupancy vehicles to walking, transit, and biking. It indicates that while congestion may increase over time, the propose change has the potential to reduce the increase that would otherwise occur without the proposed amendment.

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.**

Consistent – Currently, the Town Center is divided into three districts that provide for disjointed development patterns. The proposal is to create a unified district that takes into account area specific conditions to simplify redevelopment and create a cohesive district.

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

Consistent – The need for redevelopment in the Town Center area and the desire 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 as it contains restrictions which limit impacts to surrounding communities.

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. The proposed ordinance contains many strategies to reduce automobile use and encourage alternative modes of transportation such as walking, biking, and transit use. The attached Mobility Study indicates that the proposed changes will encourage a shift in transportation modes from single occupancy vehicles to these alternative modes and indicates that while congestion may increase over time, the proposed change has the potential to reduce the increase that would otherwise occur without the proposed amendment since future growth would not be as autocratic. Additionally, a traffic review will occur as part of the land use board review process to further minimize traffic impacts.

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

Partially Consistent – The proposed ordinance should not seriously reduce light and air to adjacent areas. The proposed ordinance contains several strategies to minimize the impacts of the larger buildings, such as upper level setbacks on certain streets, limitations on tower length within 50 feet of the property line, and a requirement to locate minimum amounts of floor area at the lower levels. Site specific impacts will be taken into account as part of the Design Review process for new construction to provide further safeguards.

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, but rather should have a beneficial effect on property values.

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). However, 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:

Sea Level Rise Projections (NAVD)				
	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, along with additional sustainability requirements within the proposed ordinance. New developments will be required to raise habitable spaces to the base flood elevation plus a five (5) foot City of Miami Beach Freeboard, or provide sufficient space to allow for the raising of floors consistent with future plans to raise roadways. Except in a few circumstances where specifically noted, all heights in the proposed ordinance are measured from the five (5) foot City of Miami Beach freeboard to ensure future resiliency.

- (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

in a manner that is compatible with the City's sea level rise mitigation and resiliency efforts.

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 spur 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.

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. Staff 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 following is a summary of the development regulations within the proposed 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 outlines several potential 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

- Providing On-Site Workforce or Affordable Housing
- Providing Off-Site Workforce or Affordable Housing in the City
- Achieving LEED Platinum Certification
- Provide a fully Sustainable Structure and Surplus Stormwater Retention and Reuse
- Provide Active Publically Accessible Recreation

A market study is currently is 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.

Tower Regulations

The proposed ordinance defines towers as the portions of buildings located above 55 feet, 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 165 feet in length. 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.

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 existing 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 125 feet	10 feet	5 feet
	125 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 125 feet	50 feet	0 feet
	125 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 125 feet	20 feet	5 feet
	125 feet to max height	35 feet	5 feet
Byron Avenue, Carlyle Avenue, and Harding Avenue	Grade to max height	10 feet	7 feet
Abbott Avenue, Dickens Avenue, and Indian Creek Drive	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.

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 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.

Since the intent of the 50,000 square foot Conditional Use requirement was to better regulate big box establishments and their regional impacts, the proposal requires that retail establishments (does not include grocery stores) over 25,000 square feet be required to obtain a Conditional Use Permit. Additionally, there is a proposed limit of two (2) such establishments, in order to ensure that the majority of the retail in the area serves the local community.

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 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 consideration planned mobility improvements for the area. Based upon this analysis, 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 have been incorporated into the proposed ordinance. Specifically limits to increases in certain uses from what is currently permitted, including density and intensity, in order to create an ideal mix of uses that encourages walking and mass transit use while minimizing single occupancy vehicle use, have been proposed.

The proposed ordinance includes limits on the increase in residential units above what is currently permitted under the City's Comprehensive Plan, and that are generally consistent with the recommended land uses. However, instead of differentiating between units by size, the proposed ordinance includes of 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 Mobility 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. Currently, the maximum densities and number of dwelling units are as follows, pursuant to the adopted Comprehensive Plan:

- TC-1: 150 units per acre X 9.62 acres = 1,443 units
- TC-2: 100 units per acre X 1.15 acres = 173 units
- TC-3: 60 units per acre X 10.07 acres = 604 units
- **Total: 20.83 acres = 2,162 units**

If the full **20.83 acres** is changed to allow for 150 units per acre, as is proposed, the maximum density will be **3,125 units**. Therefore, the additional 500 apartments and 500 co-living, workforce and affordable units (1,000 residential units total) will provide for sufficient units to allow for ALL properties within the TC-C district to achieve the proposed maximum allowable density.

As an example, if a property previously had a TC-3 zoning designation its maximum density would have been 60 dwelling units an acre. A one (1) acre TC-3 site would therefore allow for a maximum of 60 units. Since the proposed maximum density is 150 units, if a development wanted to max out its new development capacity, it would be required to consume 90 units from the established pool of units.

The revised minimum off-street parking requirements are more specifically outlined in the draft ordinance. Additional, updates have been made to the section regarding the limit of hotel uses, which are described further in the summary section of the memorandum.

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.

SUMMARY

The proposed ordinance contains some minor updates from the amendments which were discussed at the June 26, 2018 Planning Board meeting. The additional changes are double-underlined or underlined-stricken. The modifications include the non-substantive revisions preferred by property owners at the June 13, 2018 Land Use and Development meeting which the Planning Department found acceptable (These changes do NOT include suggested modifications to increase height or tower length further).

Additionally, the Planning Department has incorporated the following minor changes for consideration:

- Allow for Clear Pedestrian Path to be delineated through the use of ground markers.
- Allow Clear Pedestrian Path for the 70th Street Alley/Class D Streets of one project to utilize 5 feet from the adjacent property into order to facilitate activation of the Alley through outdoor cafes.
- Require that non-conforming buildings that are incorporated into a unified development site for the purposes of shifting FAR be made conforming to the requirements of the new code, unless the building is architecturally significant. For those buildings that have existing long-term leases, the proposal allows for the modifications to that building to be phased-in at a later date.

Modifications and clarifications have also been incorporated into the section of the proposed ordinance regarding the limitations on residential and hotel uses pursuant to the recommendations of the mobility study.

The first modification relates to the number of hotel rooms. Rather than place 1,800 hotel rooms above what would have been permitted prior to the FAR increase, an overall limit of 2,000 hotel rooms is proposed. Under current regulations, if developers decided to forego building residential units, and build out the full FAR of the district with hotel and retail uses only, the area could contain approximately 8,410 hotel rooms. The proposed limit of 2,000 hotel rooms is consistent with the assumptions of the mobility study that estimated that prior to the FAR increase, only approximately 131 hotel rooms could have been built because of the likelihood that most new development would have been primarily residential in nature, for a total

new hotel program maximum of 1,931 hotel rooms. Because of the amount of FAR available in the district, this limit will ensure that sufficient FAR remains for the Town Center to have a full residential component. For reference, the recently approved hotel development on 72nd and Collins will contain approximately 187 hotel rooms.

Additional modifications have been included into this section to clarify how credits for units are issued and how long they are valid. A change has also been incorporated to allow for transfers between the regulated uses as long as the peak hour traffic impact is not increased pursuant to the Peak Hour Traffic Trip Rates as established by the Institute of Transportation Engineers Trip Generation Manual. For reference, using current rates, 10 hotel rooms are approximately equivalent to 11 market rate apartments and 17 co-living, workforce, and affordable units.

At the July 2, 2018 meeting, the City Commission transmitted the proposed amendments to the Comprehensive Plan and LDRs to the Planning Board and further requested that the Planning Board discuss and provide specific recommendations concerning the following aspects of the ordinance:

- Building Height
- Parking
- Number of Hotel Units
- Co-living/Micro Units
- Affordable Housing Component
- Public benefits.

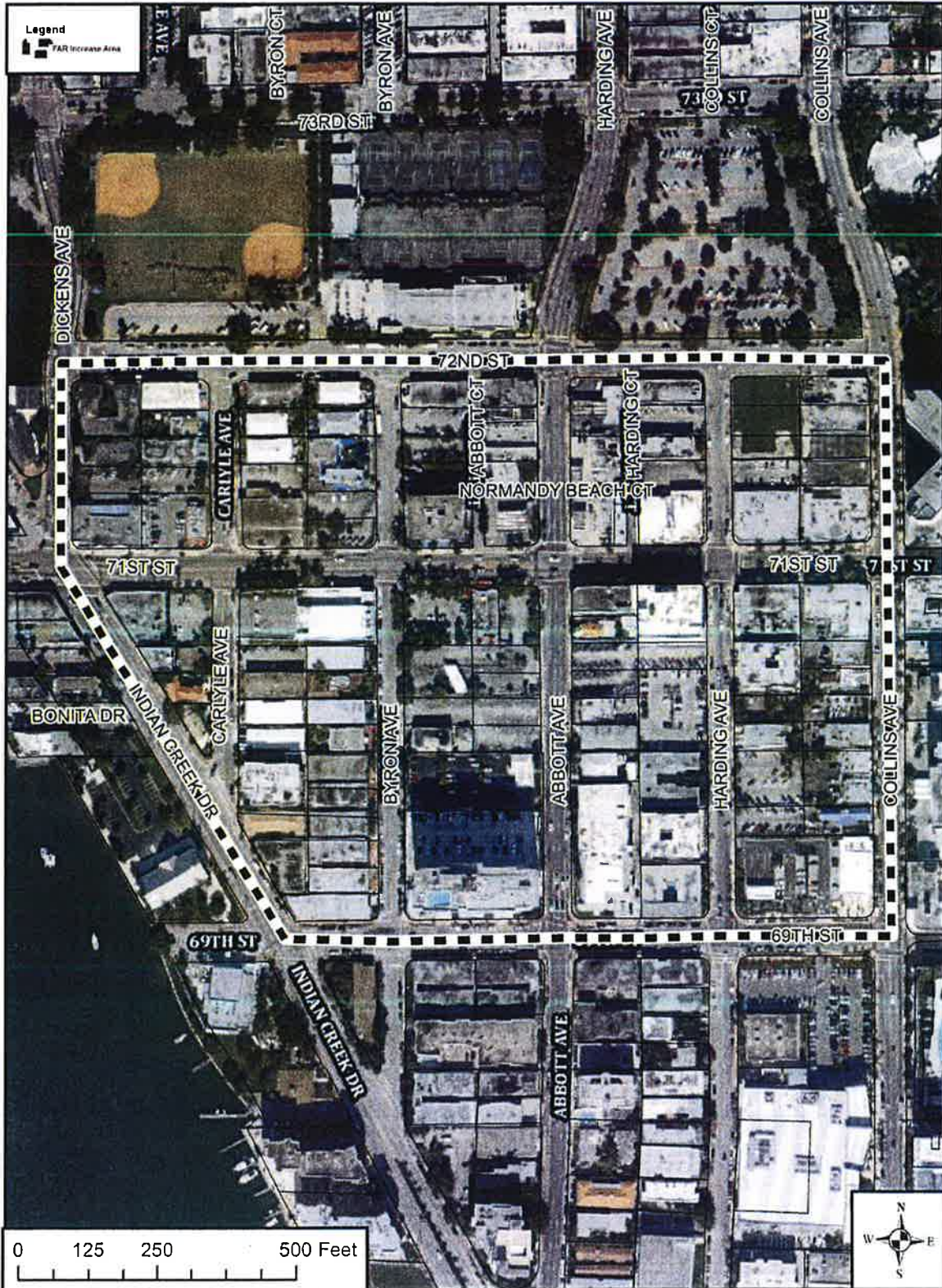
RECOMMENDATION

In view of the foregoing analysis, staff recommends that the Planning Board provide:

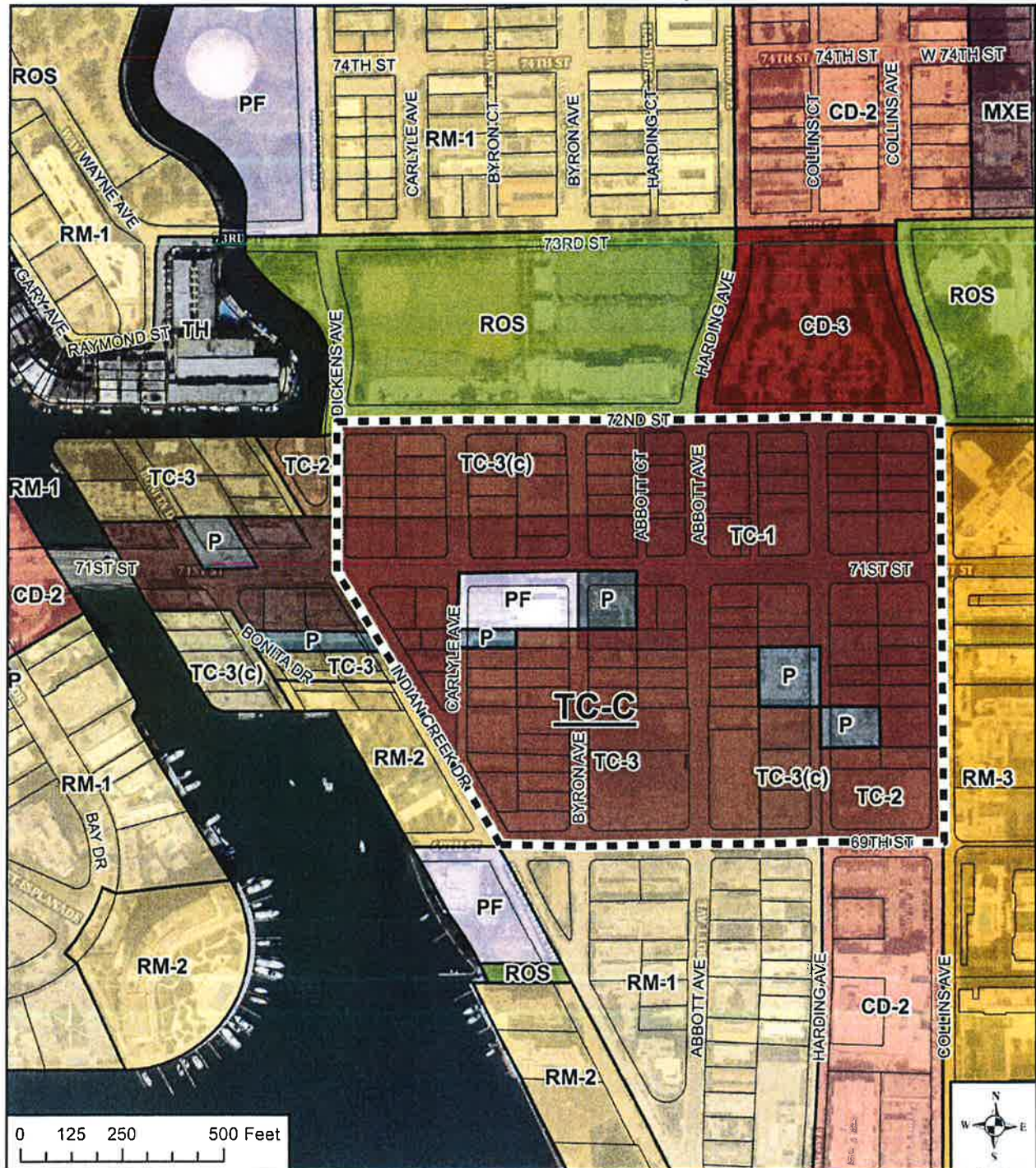
1. Specific recommendations as to Building Height, Parking, Number of Hotel Units, Co-living/Micro Units, Affordable Housing Component, and Public Benefits, per direction of the City Commission; and
2. The Planning Board transmits the proposed amendments to the Comprehensive Plan and Land Development Regulations to the City Commission with a favorable recommendation.

TRM/RAM

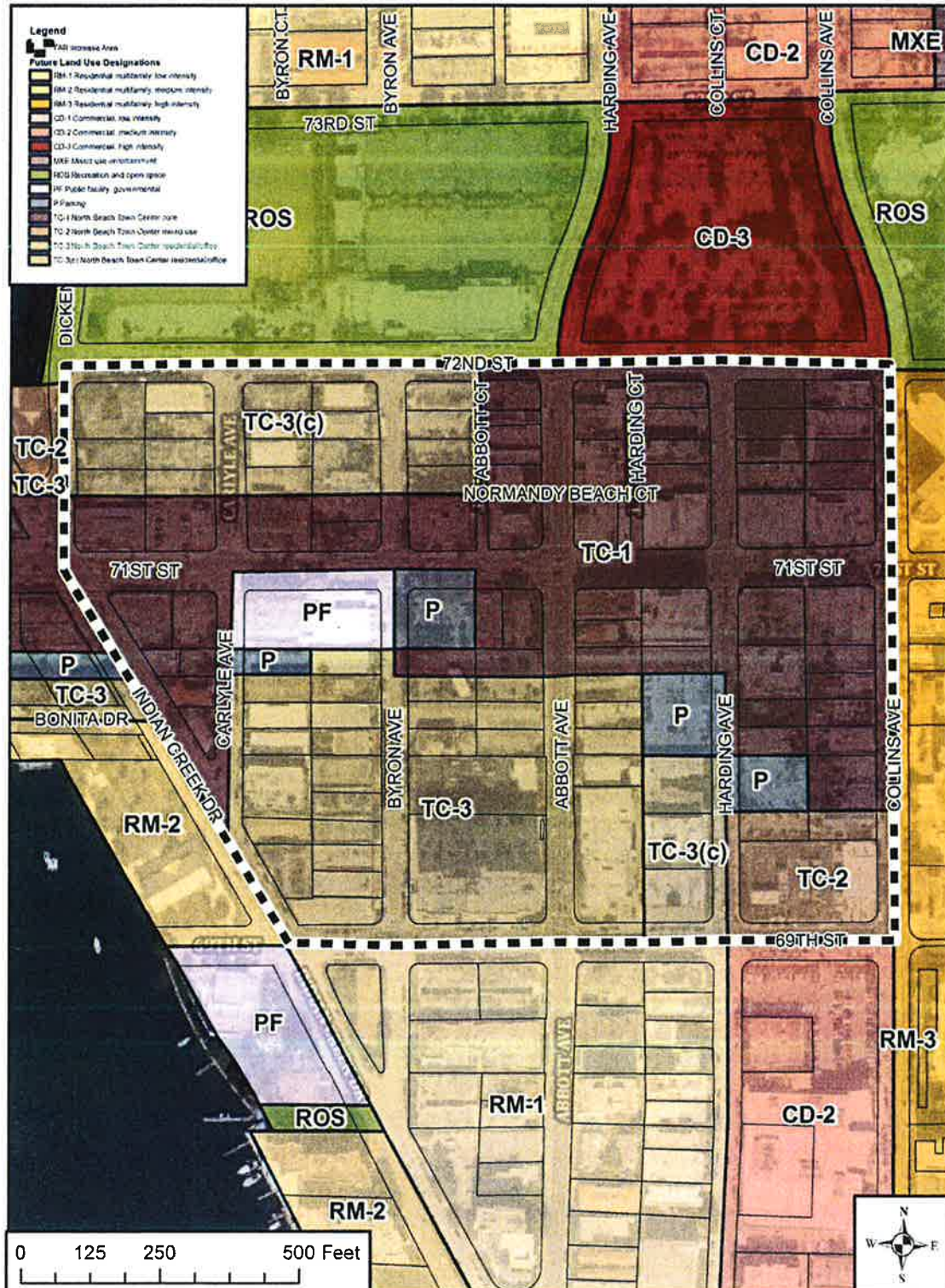
Aerial



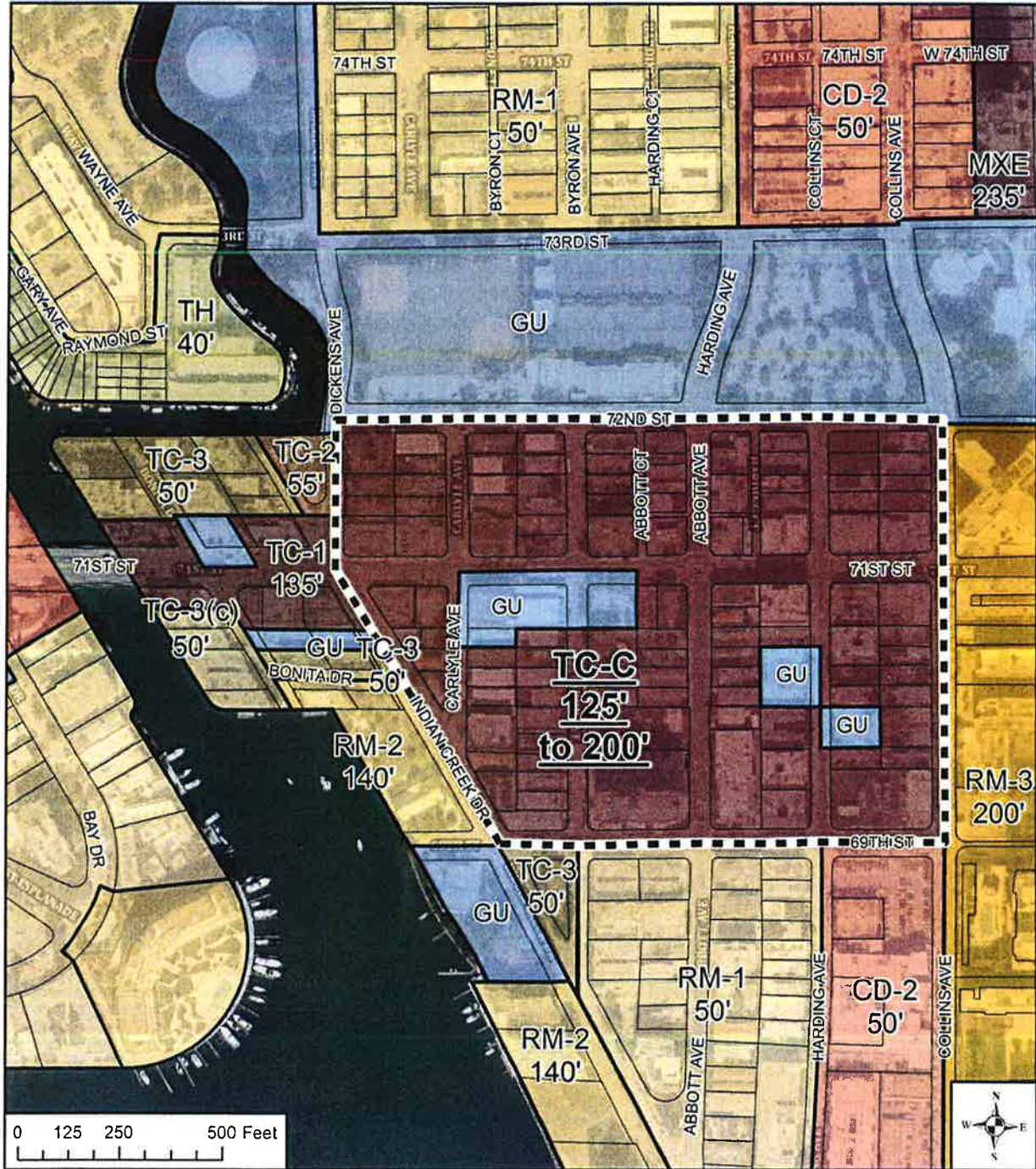
Proposed Future Land Use Map



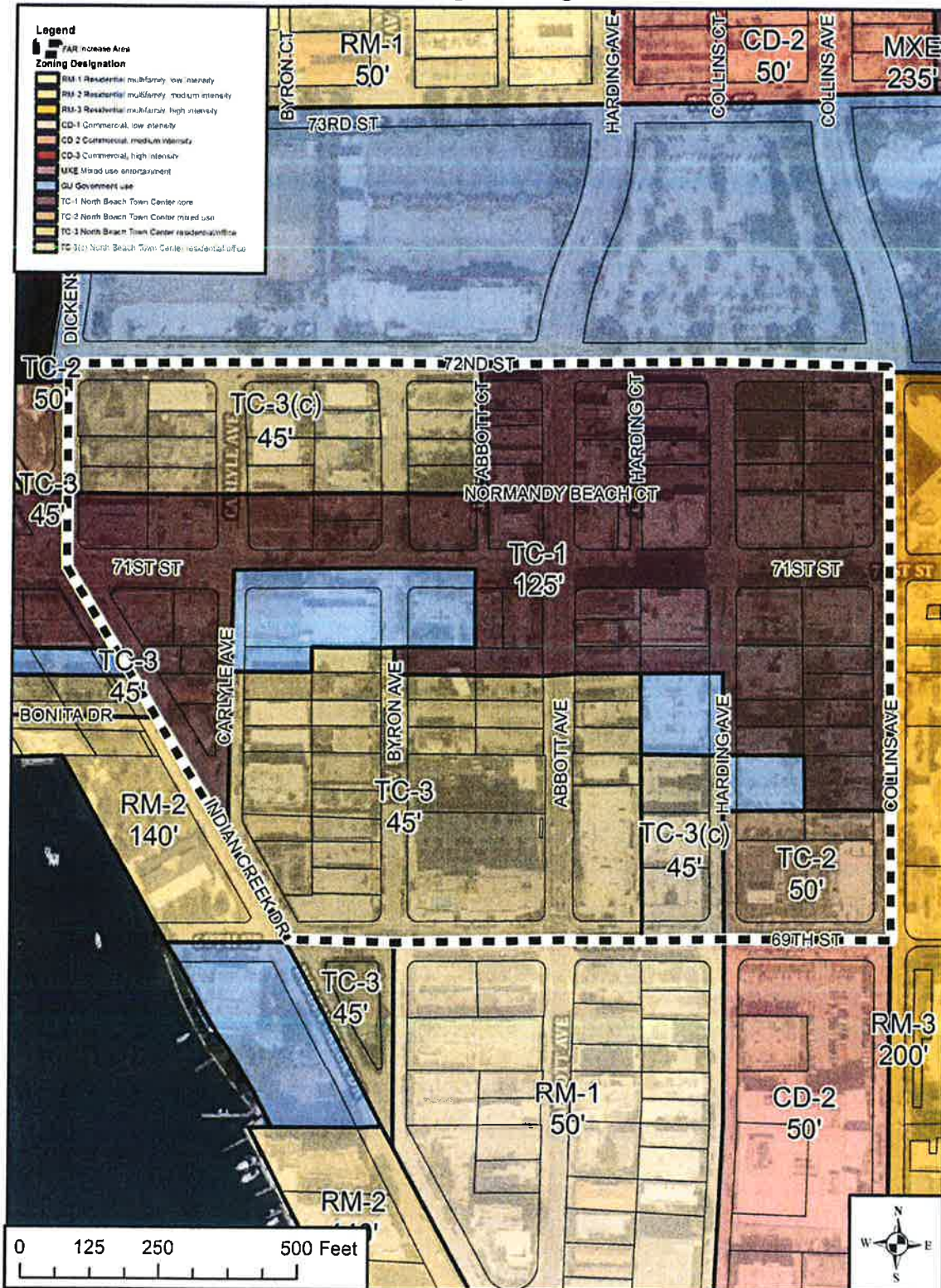
Current Future Land Use Map



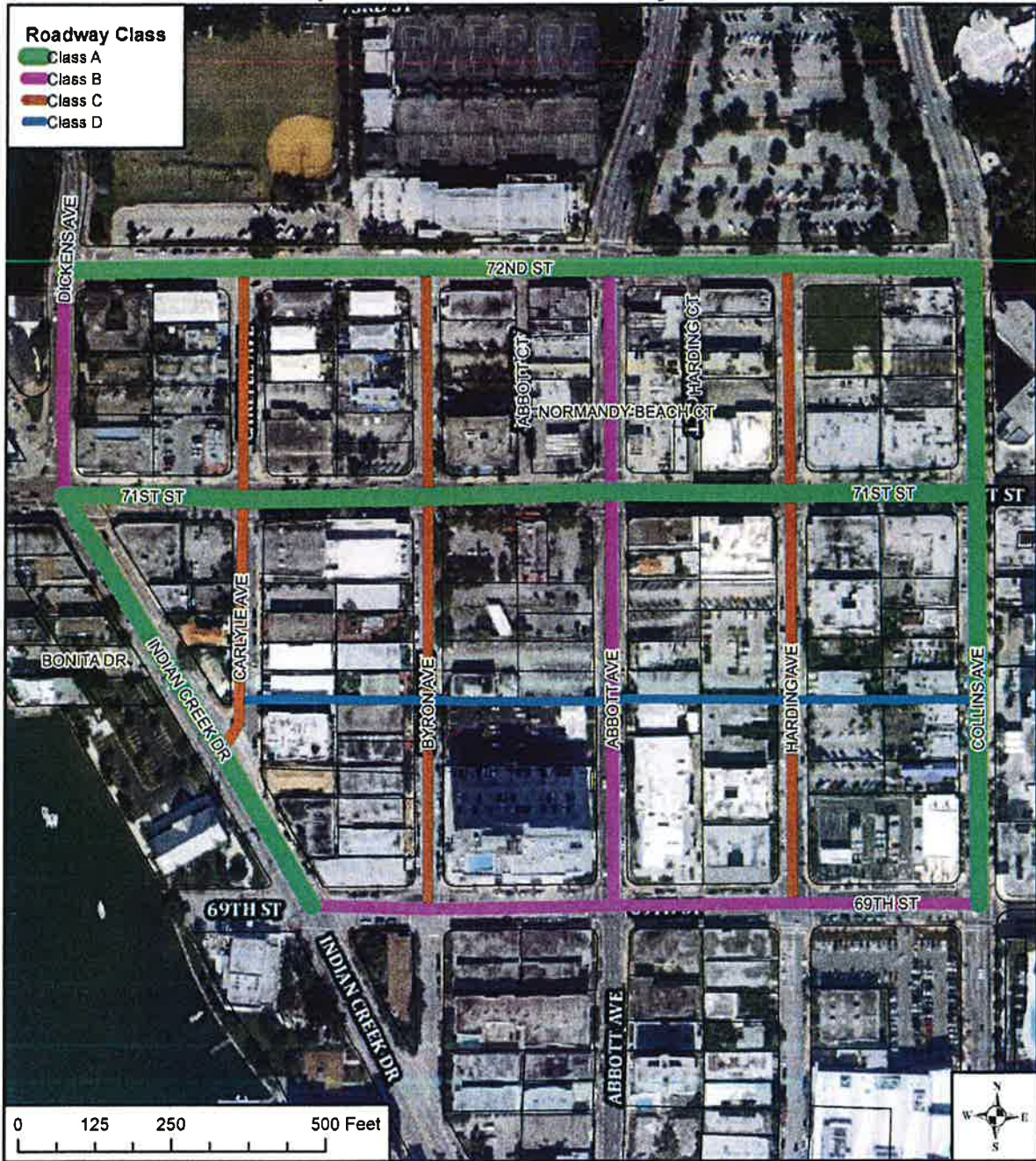
Proposed Zoning and Height Limits



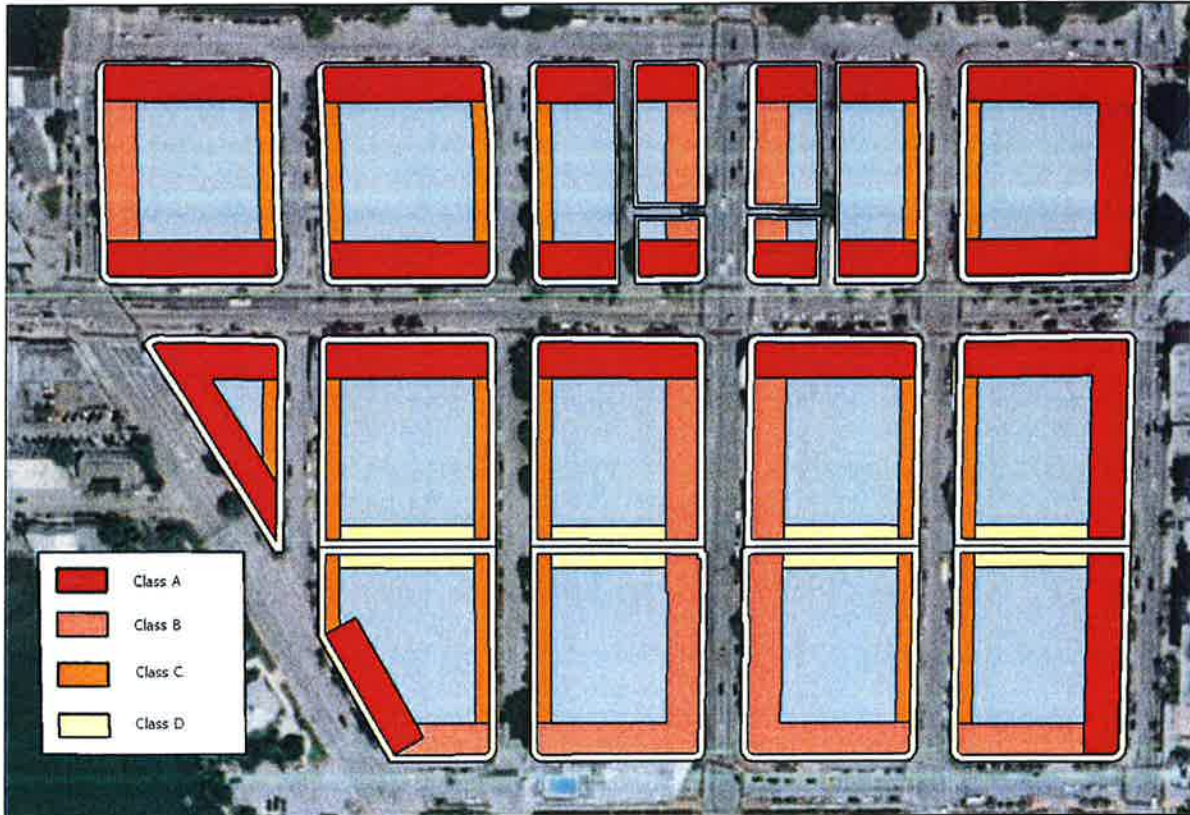
Current Zoning and Height Limits



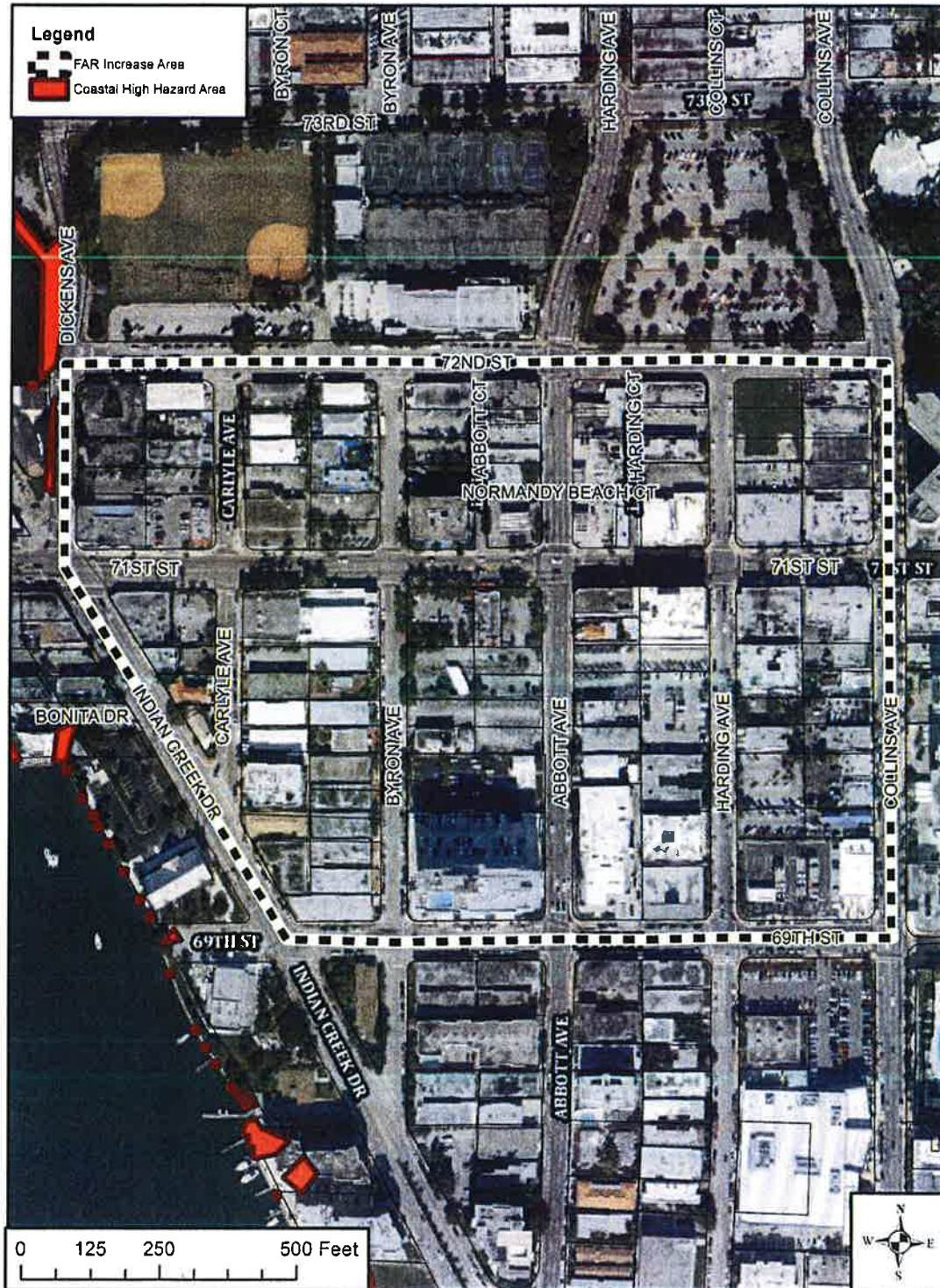
Proposed North Beach Roadway Classes



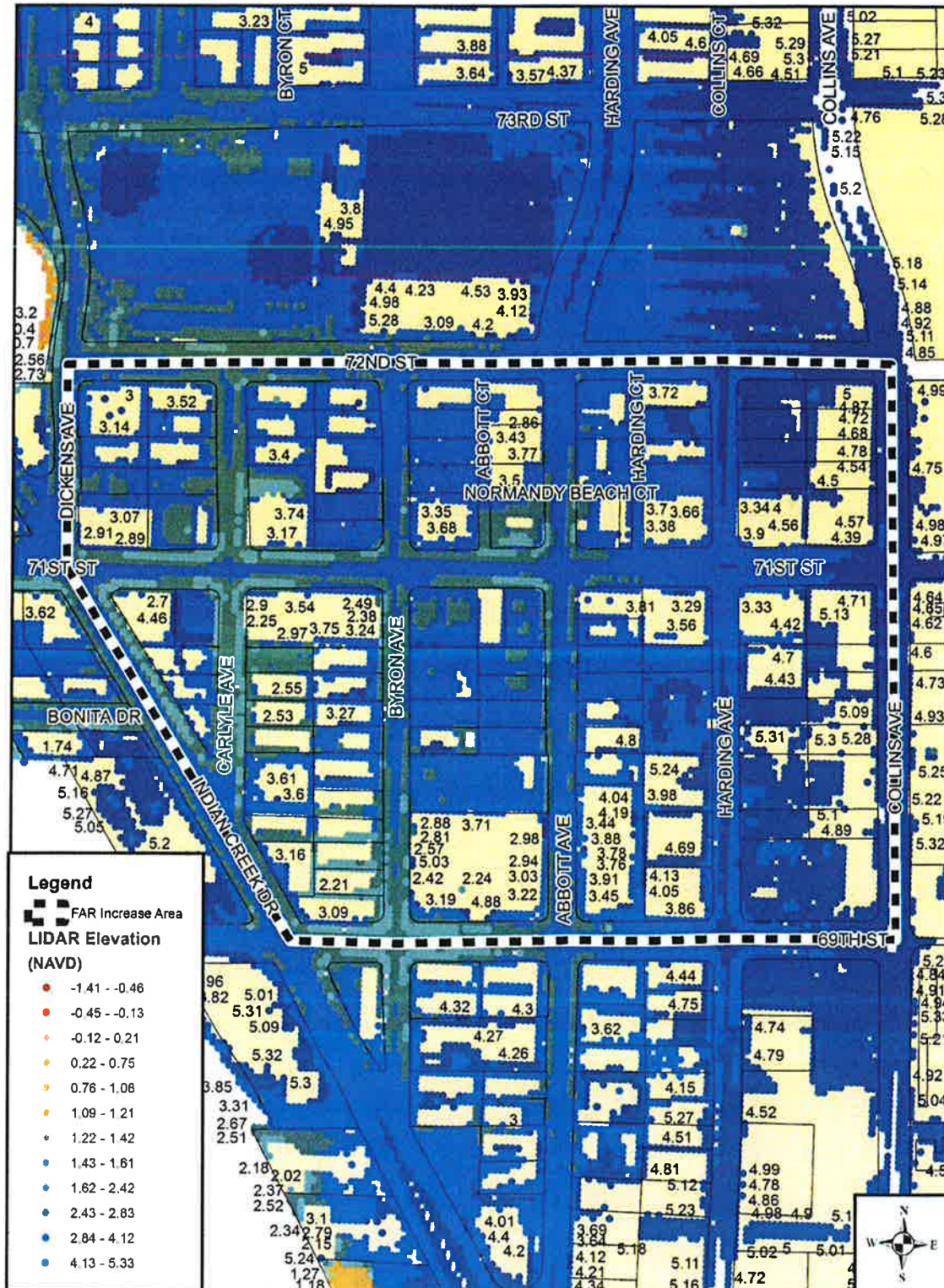
Ground Floor Areas with Habitable Space Requirements



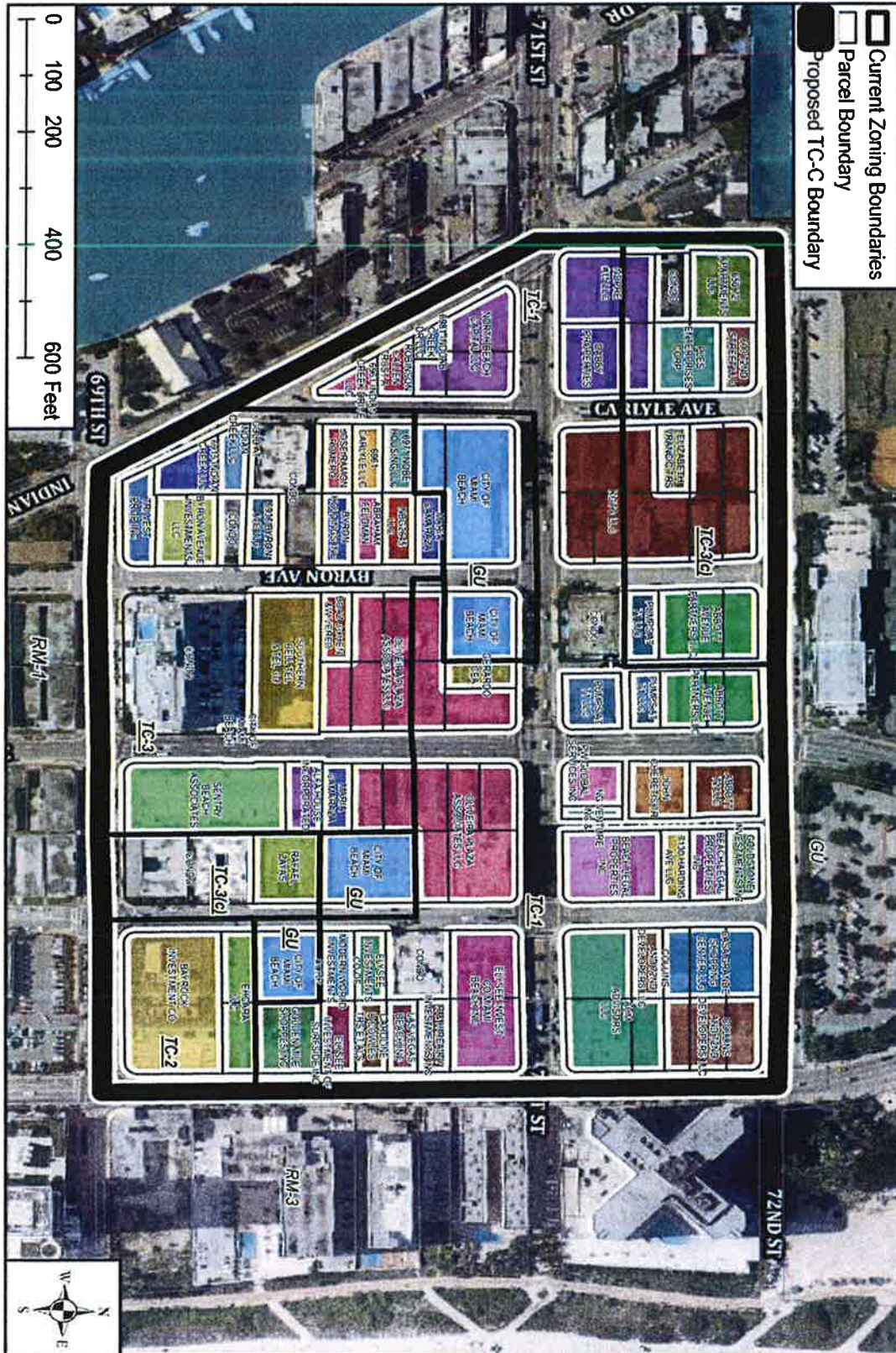
Coastal High Hazard Area



LIDAR Ground Elevations



Unified Land Ownership



MIAMI BEACH

PLANNING DEPARTMENT
 Comprehensive Plan and Zoning Amendment Concurrency Analysis

Date Prepared: 3/5/2014
 Name of Project: North Beach Town Center-Central Core (TC-C)
 Address of Site: Area between 69th St, Collins Av, 72nd St, Indian Creek Dr, & Dickens Av

Concurrency Management Area: North Beach
 Square Feet in the Amendment: 907,571
 Acreage in the Amendment: 20.83

Proposed FLUM Designation

Designation:
 TC-C

Maximum Density	Maximum FAR
150	3.5

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Proposed Total
	3,125	2,000	226,893	470,006		
Peak Hour Trips Generated*	2,438	1,480	1,139	700	N/A	5,757
Residential Demand	7,813	1,000				8,813

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

Note: Estimate assumes Floor Area for Residential Units at 800 SF per Unit at Max Density, 25% of Lot Area for Area Retail, Hotel Rooms at 375 SF per Unit with proposed cap of 2,000, Remainder of available Floor Area for Office

Existing FLUM Designation

Designation:
 TC-1, TC-2, & TC-3

Maximum Density	Maximum FAR
150/100/60	3.5

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Existing Total
	2,162	2,440	226,893	305,001		
Peak Hour Trips Generated*	1,686	1,806	1,139	454	N/A	5,085
Residential Demand	5,405	1,220				6,625

*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%
671.59 Trips		Pass-by	30%
		Mixed-use	10%
		Total	55%

Alton Road/Washington Avenue Sub Area

Capacity:	6,250 Trips
Existing Trips:	5,517 Trips
Net New Trips Generated:	302 Trips
Concurrent:	YES

Parks and Recreation Concurrency

Net New Residential Demand: **2,188.1 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:	755,362 Gallons Per Day
Existing Demand:	612,677 Gallons Per Day
New Demand:	142,685 Gallons
Concurrency to be determined at Building Permit Application	

Sanitary Sewer Transmission Capacity

Proposed Demand:	1,233,836 Gallons Per Day
Existing Demand:	927,500 Gallons Per Day
New Demand:	306,336 Gallons
Concurrency to be determined at Building Permit Application	

Solid Waste Collection Capacity

Proposed Demand:	11,237 Tons Per Year
Existing Demand:	8,447 Tons Per Year
New Demand:	2,790 Gallons
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



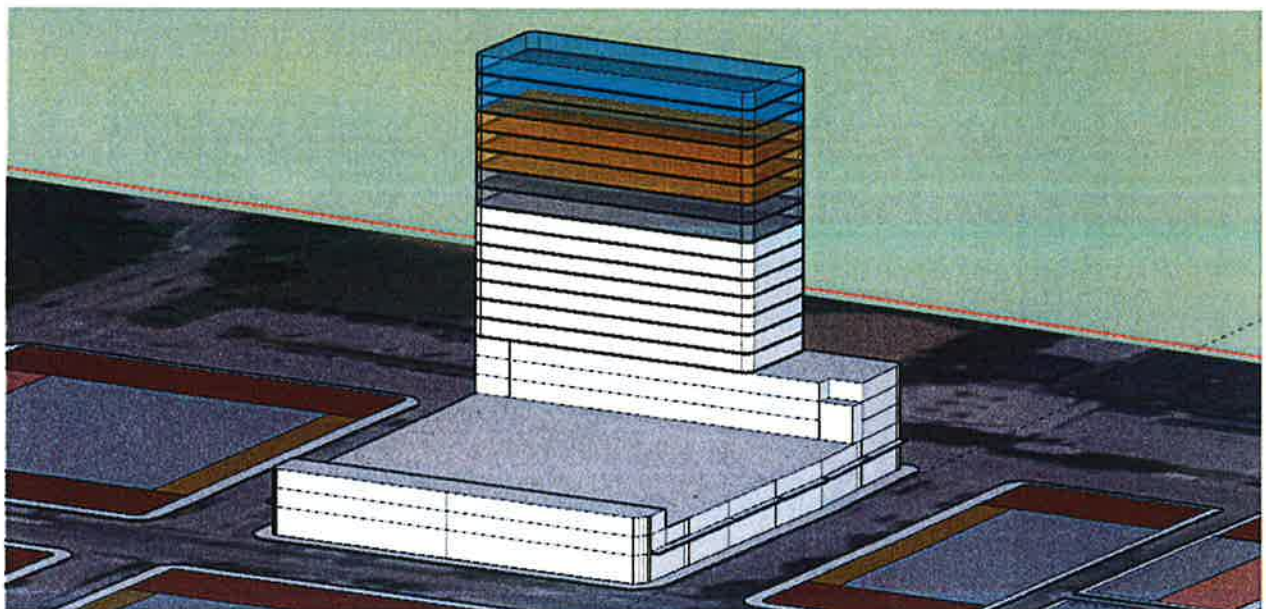
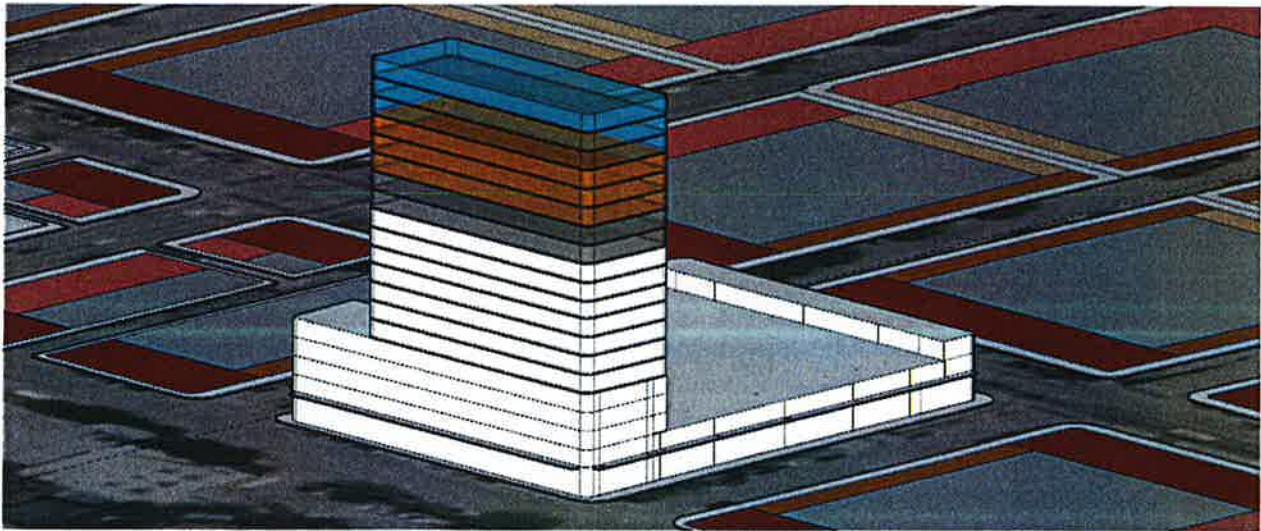
TC-C Massing Study

Legend:

- Up to 125 Feet – Approximately 11 stories (White)
- 125-145 Feet – Approximately 13 stories (Gray)
- 145-175 Feet – Approximately 16 stories (Orange)
- 175-200 Feet – Approximately 19 stories (Turquoise)

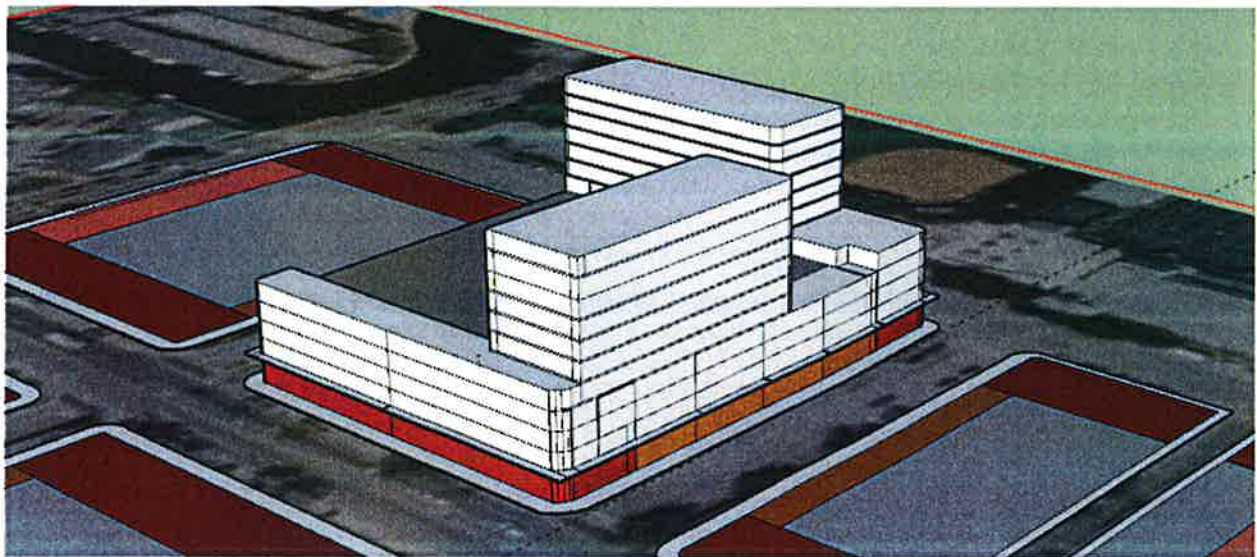
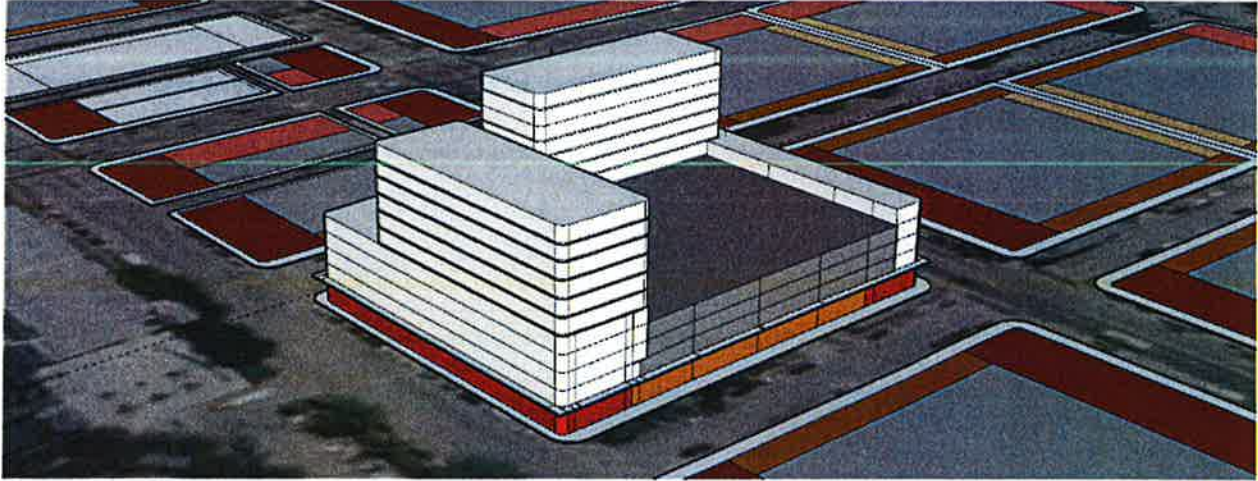
TC-C Massing Study – Option A (Block from 71st Street to 72nd Street)

Option to maximize floor area while providing public benefits.



TC-C Massing Study – Option B
(Block from 71st Street to 72nd Street)

Option to maximize floor area without providing public benefits.



TC-C Massing Study Bird's Eye Renderings

Legend:

- **Approved Hotel Development (Green)**
 - 3.5 FAR at 125 Feet
- **Land Swap Parcels Proposed Development (Yellow)**
- **Massing Study Samples:**
 - Up to 125 Feet – Approximately 11 stories (White)
 - 125-145 Feet – Approximately 13 stories (Gray)
 - 145-175 Feet – Approximately 16 stories (Orange)
 - 175-200 Feet – Approximately 19 stories (Turquoise)













MIAMI BEACH

**CITY OF MIAMI BEACH
PUBLIC HEARING
NOTICE OF NORTH BEACH
TOWN CENTER - CENTRAL CORE
COMPREHENSIVE PLAN AMENDMENT**

NOVEMBER 14, 2018

NOTICE IS HEREBY given that a Public Hearing will be heard by the Mayor and City Commission of the City of Miami Beach, Florida, in the Commission Chamber, 3rd Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **November 14, 2018** at the time listed below, or as soon thereafter as the matter can be heard, to consider the adoption of the following Ordinance:

5:01 p.m. Second Reading Public Hearing
NORTH BEACH TOWN CENTER - CENTRAL CORE COMPREHENSIVE PLAN AMENDMENT
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2025 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING CHAPTER 1, ENTITLED "FUTURE LAND USE ELEMENT;" "OBJECTIVE 1: LAND DEVELOPMENT REGULATIONS;" POLICY 1.2, TO ESTABLISH THE TOWN CENTER - CENTRAL CORE CATEGORY (TC-C) PROVIDING FOR REGULATIONS ON USES, DENSITY LIMITS, AND INTENSITY LIMITS; BY AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTIES GENERALLY BOUNDED BY 72ND STREET TO THE NORTH, COLLINS AVENUE TO THE EAST, 69TH STREET TO THE SOUTH, AND INDIAN CREEK DRIVE AND DICKENS AVENUE TO THE WEST FROM THE CURRENT "TOWN CENTER CORE CATEGORY (TC-1)," "TOWN CENTER COMMERCIAL CATEGORY (TC-2)," AND "TOWN CENTER RESIDENTIAL OFFICE (TC-3)" TO "TOWN CENTER - CENTRAL CORE CATEGORY (TC-C);" PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; TRANSMITTAL; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

This Ordinance is being heard pursuant to Section 118-166 of the City's Land Development Code. Inquiries may be directed to the Planning Department at 305.673.7550.

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This item is available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select option 6; TTY users may call via 711 (Florida Relay Service).

Rafael E. Granado, City Clerk
City of Miami Beach

Ad 111418-05