



**Legislation
11.1.**

City of North Miami Beach
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North Miami Beach, FL 33162
305-947-7581
www.citynmb.com

MEMORANDUM

TO:	Mayor and City Commission
FROM:	Edward Ng, AICP, Interim Community Development Director
VIA:	City Manager Mario Diaz
DATE:	October 15, 2024

RE: Ordinance No. 2024-13 (Second Reading) Text Amendment for Multi-Family Parking Regulations
(Edward Ng, AICP, Interim Community Development Director)

Description

This legislation amends Section 24-58.2, 24-58.3, 24-58.4, 24-58.5, 24-58.6, 24-58.7, 24-58.8, 24-93, and 24-95 of the City's Code of Ordinance to update the parking requirements for developments within the city.

**BACKGROUND
ANALYSIS:**

In November 2022, the City commenced a residential parking utilization study and parking regulations analysis for the City of North Miami Beach. The study and analysis sought both to ascertain the parking utilization levels at several multi-family developments throughout the City, and analyze the current parking regulations for multi-family developments in the City code.

The city's consultant, based on analysis and public workshop feedback in April 2023, which resulted in the need for additional analysis, and along with staff feedback, has prepared recommendations for changes to the code to improve and increase parking requirements for multi-family development moving forward.

RECOMMENDATION:

Staff recommends approval of the revisions to the land use regulations to update multifamily parking requirements.

**FISCAL/ BUDGETARY
IMPACT:** None

ATTACHMENTS:

Description

- ▣ Ordinance 2023-09 Text Amendments for Multifamily Parking
- ▣ Staff Report - Text Amendments for Multifamily Parking

ORDINANCE NO. 2023-09

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING CHAPTER 24 OF THE CITY CODE ENTITLED “ZONING AND LAND DEVELOPMENT” BY SPECIFICALLY AMENDING ARTICLE 5 ENTITLED “ZONING USE DISTRICTS” TO MODIFY THE RESIDENTIAL CATEGORY MINIMUM AND MAXIMUM REQUIREMENTS FROM SECTION 24-58.1 FULFORD MIXED-USE TOWN CENTER DISTRICT “TABLE MU/TC-5 MINIMUM AND MAXIMUM PARKING REQUIREMENTS BY USE”, SECTION 24-58.2 MIXED-USE EMPLOYMENT CENTER DISTRICT “TABLE MU/EC-5 MINIMUM AND MAXIMUM PARKING REQUIREMENTS BY USE”, SECTION 24-58.3 MIXED-USE NEIGHBORHOOD CENTER DISTRICT “TABLE MU/NC-5 MINIMUM AND MAXIMUM PARKING REQUIREMENTS BY USE”, SECTION 24-58.4 ARCH CREEK MIXED-USE CORRIDOR DISTRICT “TABLE MU/C-5 MINIMUM AND MAXIMUM PARKING REQUIREMENTS BY USE”, SECTION 24-58.5 SOUTHERN MIXED-USE WATERFRONT DISTRICT “TABLE MU/SWF-5 MINIMUM AND MAXIMUM PARKING REQUIREMENTS BY USE”, SECTION 24-58.6 NORTHERN MIXED-USE WATERFRONT DISTRICT “TABLE MU/NWF-5 MINIMUM AND MAXIMUM PARKING REQUIREMENTS BY USE”, SECTION 24-58.7 - EASTERN MIXED-USE WATERFRONT DISTRICT “TABLE MU/EWF-5 MINIMUM AND MAXIMUM PARKING REQUIREMENTS BY USE”, SECTION 24-58.8 - INTERNATIONAL BOULEVARD DISTRICT (MU/IB), PART III. URBAN DESIGN STANDARDS, “TABLE MU/IB-7. MINIMUM AND MAXIMUM PARKING REQUIREMENTS BY USE”; AND TO AMEND ARTICLE IX SECTION 24-93 ENTITLED “PARKING LOT DESIGN STANDARDS” TO CREATE SUBSECTION (L) “MULTI-FAMILY TANDEM PARKING” AND SUBSECTION (M) “VALET PARKING” AND SUBSECTION (N) “FEE-BASED PARKING”; AND AMEND ARTICLE IX SECTION 24-95 ENTITLED “MINIMUM SPACE REQUIREMENTS” TO CLARIFY AND INCREASE PARKING SPACE REQUIREMENTS; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the shortage of parking for multi-family developments has been a concern within in the City; and

WHEREAS, the multi-family parking regulations for zoning districts outside the mixed-use zoning districts have not been updated since the incorporation of the Zoning and Land Development Code in 1992; and

WHEREAS, the mixed-use zoning districts’ parking regulations have not been updated since the districts’ creation beginning in 2008; and

WHEREAS, the parking requirements for multi-family development require modification to support the demand for parking spaces in multi-family developments; and

WHEREAS, it is not feasible at this time to maintain reduced parking requirements consistent with Transit Oriented Development (TOD) design standards without adequate multi-modal transportation options in place; and

WHEREAS, the proposed zoning and land development text amendment is consistent with the Policy 1.2.7 of the Transportation Element in the Comprehensive Plan, by requiring all development and redevelopment to provide a sufficient number of parking spaces for motorized vehicles; and

WHEREAS, the City of North Miami Beach has actively engaged in the process of undertaking a review and update of the current Zoning and Land Development Code with respect to increasing the minimum number of required parking spaces for multi-family developments; and

WHEREAS, the City of North Miami Beach is proposing amendments to ZLDC with respect to parking requirements, subject to future modification; and

WHEREAS, the proposed amendments will update the parking lot design standards of section 24-93 to include methods that can help future development meet city-wide multi-family parking requirements, and regulate parking utilization; and

WHEREAS, the proposed amendments will consolidate and increase the minimum parking requirements for all multi-family parking regulations throughout the code into section 24-95 of the Zoning and Land Development Code; and

WHEREAS, the proposed amendments will create regulations for reasonable alternative parking methods which will allow developments to increase the number of parking spaces provided within a defined location; and

WHEREAS, all persons or entities that desire to submit a site plan application adhere to the following multi-family parking regulations; and

WHEREAS, the City Commission believes it is in the best interests of the City to approve this Ordinance to increase the minimum parking requirements and provide for more parking spaces for the city's residents.

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

Section 1. The foregoing recitals are hereby affirmed and ratified.

Section 2. That the recitals and findings contained in the forgoing "whereas" clauses are adopted by reference and incorporated as if fully set forth in this section.

Section 3. That Article V entitled "Zoning Use Districts," Section 24-58 of the Land Development Code is hereby amended to state as follows (underlined is added; ~~stricken through~~

is deleted):

Sec. 24-58.1 - Fulford Mixed-Use Town Center District (MU/TC).

...

(L) *On-site Parking Standards.*

- (1) All parking within the MU/TC shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-Use District.
- (2) On-site parking shall comply with Table MU/TC-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/TC-5. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

Table MU/TC-5 Minimum and Maximum Parking Requirements by Use		
	Min	Max
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1000sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	1 per unit plus 1 per 20 units for guest parking -As required by Section 24-95, "Minimum Space Requirements (A) Multifamily parking space requirements	2 per unit plus 1 per 20 units for guest parking -None
Places of Public Assembly	1 space for each 3 seats in the principal assembly area or 10 spaces for each 1,000 sq. ft. of gfa, whichever is greater	1 space for each 3 seats in the principal assembly area or 10 spaces for each 1,000 sq. ft. of gfa, whichever is greater
Live/work	2 per 1,000 sf	4 per 1,000 sf
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...

Sec. 24-58.2 Mixed-Use Employment Center District (MU/EC).

...

(L) *On-site Parking Standards.*

- (1) All parking within the MU/EC shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-use District.
- (2) On-site parking shall comply with Table MU/EC-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/EC-5. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

Table MU/EC-5 Minimum and Maximum Parking Requirements by Use		
	Min	Max
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1,000 sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	1 per unit plus 1 per 20 units for guest parking -As required by Section 24-95, "Minimum Space Requirements (A)	2 per unit plus 1 per 20 units for guest parking -None

	Residential Uses Table,” under Multifamily parking space requirements	
Live/work	2 per 1,000 sf	4 per 1,000 sf
Self-Storage	1 per 10,000 sf or 8 spaces gfa, whichever is greater	1 per 1,000 sf gfa
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...
 Sec. 24-58.3 Mixed-Use Neighborhood Center District (MU/NC).
 ...

(L) *On-site Parking Standards.*

- (1) All parking within the MU/NC shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-use District.
- (2) On-site parking shall comply with Table MU/NC-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/NC-5. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

Table MU/NC-5. Minimum and Maximum Parking Requirements by Use		
	Minimum	Maximum
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1,000 sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	1 per unit plus 1 per 20 units for guest parking -As required by Section 24-95, “Minimum Space Requirements (A) Residential Uses Table,” under Multifamily parking space requirements	2 per unit plus 1 per 20 units for guest parking -None
Live/Work	2 per 1,000 sf	4 per 1,000 sf
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...
 Sec. 24-58.4 Arch Creek Mixed-Use Corridor District (MU/C).
 ...

(L) *On-site Parking Standards.*

- (1) All parking within the MU/C shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-use District.
- (2) On-site parking shall comply with Table MU/C-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/C-5. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

Table MU/C-5 Minimum and Maximum Parking Requirements by Use		
	Min	Max
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1,000 sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	1 per unit plus 1 per 20 units for guest	2 per unit plus 1 per 20 units for guest

	parking —As required by Section 24-95, “Minimum Space Requirements (A) Residential Uses Table,” under Multifamily parking space requirements	parking —None
Live/work	2 per 1,000 sf	4 per 1,000 sf
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...
 Sec. 24-58.5 Southern Mixed-Use Waterfront District (MU/SWF).
 ...

(K) *On-site Parking Standards.*

- (1) All parking within the SOUTHERN MU/WF shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-use District.
- (2) On-site parking shall comply with Table MU/SWF-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/SWF-5. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

	Min	Max
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1,000 sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	1 per unit plus 1 per 20 units for guest parking —As required by Section 24-95, “Minimum Space Requirements (A) Residential Uses Table,” under Multifamily parking space requirements	2 per unit plus 1 per 20 units for guest parking —None
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...
 Sec. 24-58.6 Northern Mixed-Use Waterfront District (MU/NWF).
 ...

(K) *On-site Parking Standards.*

- (1) All parking within the NORTHERN MU/WF shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-use District.
- (2) On-site parking shall comply with Table MU/NWF-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/NWF-5. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

	Min	Max
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1,000 sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	1 per unit plus 1 per 20 units for guest parking	2 per unit plus 1 per 20 units for guest parking

	parking —As required by Section 24-95, “Minimum Space Requirements (A) Residential Uses Table.” under Multifamily parking space requirements	parking —None
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...
 Sec. 24-58.7 Eastern Mixed-Use Waterfront District (MU/EFW).

...
 (L) *On-site Parking Standards.*

- (1) All parking within the EASTERN MU/WF shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-use District.
- (2) On-site parking shall comply with Table MU/EFW-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/EFW-5. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

	Min	Max
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1,000 sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	1/1BR and 2BR unit; 1.5/3BR unit 1/20 units (guest parking) As required by Section 24-95, “Minimum Space Requirements (A) Residential Uses Table,” under Multifamily parking space requirements	2/1BR and 2 BR unit; 3/3BR unit 1/20 units (guest parking) <u>None</u>
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...
 Sec. 24-58.8 International Boulevard District (MU/IB).

...
 (C) *On-Site Parking Standards.*

- (1) *Vehicular Parking.*
 - a. All parking within the MU/IB shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-Use District.
 - b. On-site parking shall comply with Table MU/IB-7. Uses not listed herein shall comply with the parking requirements specified in Article IX.
 - c. Guest parking shall comply with Table MU/IB-7. Guest parking shall be designated and prominently marked on-site as "Guest Parking" with signage and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

Uses	Parking Spaces (min.)	Parking Spaces (max.)
Retail, Restaurant or Commercial	2/1,000 sf	4/1,000 sf
Office	2.5/1,000 sf	4/1,000 sf
Hotel and Motel; Hotel and Motel Limited	1/4 rooms and; 1/800 sf (restaurant, public meeting areas) and; 1/15 rooms for staff	1/4 rooms and; 1/800 sf (restaurant, public meeting areas) and; 1/15 rooms for staff

Residential (multi-family)	1/1BR and 2 BR unit; 1.5/3BR unit 1/20 units (guest parking) <u>As required by Section 24-95, "Minimum Space Requirements (A) Residential Uses Table," under Multifamily parking space requirements</u>	2/1BR and 2 BR unit; 3/3BR unit 1/20 units (guest parking) None
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...

Section 4. That Article IX, Section 24-93 entitled "Off-Street Parking and Loading, Parking Lot Design Standards," is hereby amended to state as follows (underlined is added; ~~stricken through~~ is deleted):

...

(L) Multi-family Tandem Parking. The storage of up to two (2) vehicles one behind another in one standard-size parking space shall be permitted only if granted concurrent with approval of a site plan. Tandem parking can only be used in a 90-degree configuration. Each tandem parking space shall be self-parking and only serve one designated multi-family unit of two-bedrooms or greater, unless the tandem spaces are used in conjunction solely with valet parking services. Tandem parking designs are subject to traffic circulation review and site plan approval.

1. All tandem parking spaces shall have specific signage designating for residential units only.
2. All tandem parking spaces used to meet residential parking requirements must only be used for storage of vehicles.
3. All tandem spaces shall have at least one required wheel stop.

(M) Valet parking. A parking facility with a valet service or operator which allows for attendants to receive, park and deliver the automobiles of occupants, tenants, customers, invitees, and visitors, including tandem parking may be utilized to fulfill some or all of the requirements of the Code provided the following requirements are complied with:

- (a) Any required valet parking utilized to fulfill the parking requirements set forth in this section shall be governed by an agreement with the city (in such form as may be approved by the City Attorney), and recorded in public record. The agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement with the city must include a legal description of the parcel where parking will be located and state the number of parking spaces which must be provided. If the parcel to be used for valet parking is different than the parcel the parking serves, the provisions for off-street parking must be met. The agreement may be released by the city at such time that approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use.
- (b) The required queue is to be provided on private property as opposed to public rights-of-way.
- (c) There is a parking professional available for vehicle retrieval one hundred percent (100%) of the operating hours of the use (which for a residential use shall constitute at all times).
- (d) The dimensions for permanent single valet parking spaces shall be a minimum of nine (9) feet wide and eighteen (18) feet deep. The dimensions for permanent tandem valet parking spaces with a maximum stacking of two vehicles shall be a minimum of nine (9) feet by thirty-six (36) feet.
- (e) Valet parking may be utilized to conform with the number of handicap accessible parking spaces provided that:
 - i. An adequate number of handicapped accessible spaces, the dimensions of which conform to the standards set forth in this section as determined during site plan approval, shall be provided adjacent to the vehicle queuing area for those vehicles which cannot be operated by the parking professional; and,
 - ii. All other vehicles may be safely operated by aforementioned parking professional.

(f) Valet drop-off/queuing area must be provided with a minimum length of 100 feet. Greater queuing area may be required as a condition of site plan or conditional use approval based upon the intensity of the use.

(g) Mechanical Vehicle Lifts. Any mechanical lift parking utilized to meet parking requirements shall be used solely in conjunction with valet parking services. The use of mechanical lifts shall be governed by an agreement with the city (in such form as may be approved by the City Attorney), and recorded in public record. The agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement with the city must include a legal description of the parcel where parking will be located and state the number of parking spaces which must be provided. The agreement may be released by the city at such time that approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use.

(N) Fee-based parking. Parking facilities which charge a fee may not be utilized to fulfill residential parking requirements. No parking facility, where sufficient on-street parking, or non-fee parking facilities, are present within five hundred (500) feet of said facility, may be permitted to charge a parking fee for spaces allocated to fulfill on-site residential parking requirements, inclusive of any shared parking. Fee-based parking facilities are subject to traffic circulation review and site plan approval.

...

Section 5. That Article IX entitled “Off-Street Parking and Loading, Section 24-95 Minimum Space Requirements,” is hereby amended to state as follows (underlined is added; ~~stricken through~~ is deleted):

All uses shall be subject to the following minimum space requirements unless additional spaces may be required as a condition for securing a permitted conditional use. All fractional space requirements shall be rounded off to the next highest number. For uses not specified, the Director shall determine the space requirements; a parking study may be required. Requirements of this section may be modified in accordance with a traffic circulation review as part of the site plan review process, provided such review demonstrates sufficient parking spaces will be provided on-site.

(A) *Residential Uses.*

Use	Parking Space Requirement
Single-family and two-family	2 spaces for each dwelling unit
Multifamily	1.0 spaces for each efficiency unit, 1.5 spaces 1 bedroom and 2 bedroom unit, and 2 spaces for each 3 bedroom unit or larger except Eastern Shores which shall have 2 spaces per efficiency or 1 bedroom unit and 3 spaces per 2 bedroom unit or larger <u>1 space for each efficiency/studio unit</u> <u>1 space for each one-bedroom unit</u> <u>2 spaces for each two-bedroom unit</u>

	<u>3 spaces for each three-bedroom unit</u> <u>4 spaces for each four-bedroom unit or larger</u> <u>1 per 10 units for guest spaces</u>
<u>Multi-family</u> <u>Eastern Shores</u>	<u>2.0 spaces for each efficiency unit</u> <u>2.0 spaces for each one-bedroom unit</u> <u>3.0 spaces for each two-bedroom and larger units</u>
Mobile home	1 space per unit

...

* * * * *

Section 6. **Repeal.** All ordinances or parts of ordinances in conflict herewith are repealed.

Section 7. **Conflicts.** In the event that the provisions of this Ordinance are in conflict with any other ordinance, rule or regulation, the provisions of this Ordinance shall prevail.

Section 8. **Severability.** The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 9. **Codification.** It is the intention of the City Commission of the City of North Miami Beach and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami Beach, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and the word “ordinance” may be changed to “section,” “article” or any other appropriate word.

Section 10. **Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

APPROVED AND ADOPTED by the City Commission of the City of North Miami Beach, Florida, at regular meeting assembled this **the day of** , **2023.**

[SIGNATURE PAGE TO FOLLOW]

ATTEST:

ANDRISE BERNARD
CITY CLERK

MAYOR

(CITY SEAL)

APPROVED AS TO FORM &
LANGUAGE & FOR EXECUTION

CITY ATTORNEY

SPONSORED BY: Mayor and City Commission

	YES	NO	ABSTAIN	ABSENT
Commissioners				
Mayor				
Commissioner McKenzie Fleurimond				
Commissioner Fortuna Smukler				
Commissioner Jay R. Chernoff				
Commissioner Michael Joseph				
Commissioner Phyllis Smith				
Commissioner Daniela Jean				



City of North Miami Beach, Florida
Community Development Department – Planning & Zoning Division

17050 NE 19TH AVENUE
 1ST FLOOR
 NORTH MIAMI BEACH, FLORIDA 33162
 (305) 354-4456

City Commission Staff Report

Meeting: 10/17/2023

File No: 22-08

Application Name:
 Multi-Family Parking Requirement Text Amendment

General Data:

Ordinance Amending Chapter 24 of the City Code, “Zoning and Land Development,” Specifically:

- A.** Article 5, “Zoning Use Districts,” to modify the residential category minimum and maximum parking requirements of:
 - Section 24-58.1 - Fulford Mixed-Use Town Center District (MU/TC)
 - Section 24-58.2 - Mixed-Use Employment Center District (MU/EC)
 - Section 24-58.3 - Mixed-Use Neighborhood Center District (MU/NC)
 - Section 24-58.4 - Arch Creek Mixed-Use Corridor District (MU/C)
 - Section 24-58.5 - Southern Mixed-Use Waterfront District (MU/SWF)
 - Section 24-58.6 - Northern Mixed-Use Waterfront District (MU/NWF)
 - Section 24-58.7 - Eastern Mixed-Use Waterfront District (MU/EWF)
 - Section 24-58.8 - International Boulevard District (MU/IB)

- B.** Article 9, “Off Street Parking and Loading,” to modify section 24-93 “Parking Lot Design Standards,” to create subsections:
 - Subsection (L) “Multi-Family Tandem Parking”
 - Subsection (M) “Valet Parking”
 - Subsection (N) “Fee-Based Parking”

- C.** Article 9, “Off Street Parking and Loading,” to modify section 24-95 “Minimum Space Requirements” to clarify and increase parking space requirements for multi-family developments.

Optional Board Motions:

1. **Move to continue** with direction.

2. **Move to approve** the Text Amendment request by finding that it is consistent with the purpose and intent of the Zoning and Land Development code.

3. **Move to deny** of the Text Amendment request by finding that the request is inconsistent with the Comprehensive Plan and does not meet the intent and purpose of the Zoning and Land Development Code.

Project Planner:	Review Dates:	Attachments
City of North Miami Beach Community Development Department Planning & Zoning Division Calvin, Giordano & Associates	<u>Planning & Zoning Board:</u> October 16, 2023 <u>City Commission:</u> October 17, 2023	1. Draft Resolution

Background & Analysis:

In November 2022, CGA commenced a residential parking utilization study and parking regulations analysis for the City of North Miami Beach. The study and analysis sought both to ascertain the parking utilization levels at several multi-family developments throughout the City, and analyze the current parking regulations for multi-family developments in the City code.

Using best-practice standards, city staff suggestions, public input, and data collected as part of the parking utilization study, CGA prepared recommendations for changes to the code to improve and increase parking requirements for multi-family development moving forward. Other nearby and representative cities were analyzed for their parking requirements, including Miami, North Miami, Miami Shores, Sunny Isles, and Fort Lauderdale.

Initial Parking Utilization Study:

As part of the original assignment, the parking utilization study began with an analysis of four sites chosen by the city:

1. Lazul apartments (2145 NE 164th St)
2. Floridian Arms apartments (1450 NE 170th St)
3. The Highlands apartments (13780, 13810, 13740 Highland Dr)
4. Miami Sandpiper Condominium (3745 NE 171st St)

The study revealed that the minimum parking requirements of the City code were lower than the actual peak parking demand for multifamily uses. Analysis of the code found that parking requirements in the mixed-use districts were particularly inadequate to meet demand, and that parking lot design requirements failed to regulate or allow for parking options that could help meet future demand.

Multi-Family Parking Assessment, Parking Regulation Workshop:

During the workshop on April 12, 2023, in which a presentation of the parking utilization results and proposed code changes were made, concerns were raised by the public and elected officials regarding the low minimum parking requirements of the mixed-use districts, the inadequate minimum requirements for multi-family structures in general, and the need for further analysis of parking utilization at more sites throughout the city. The Mayor and City Commissioners asked that additional sites be studied, and that CGA analyze the parking utilization at The Harbour and Marina Palms condominiums.

Additional Parking Utilization Study:

CGA worked with city staff to determine appropriate additional sites for parking utilization analysis. The selection was based on the need for varying geographic areas within the city to be represented, a variety of multi-family structures to be included, and for the sites to represent varying ages. The following additional four sites were analyzed in August 2023:

5. Inland Towers (2075 NE 164th St)
6. Tiberius apartments (1985 NE 168th Street)
7. Leeward Point Townhouses (16479 NE 27th Ave)
8. Coral Isle West (3545 NE 166th St)

As requested by the City Commission, and in order to incorporate the unique nature of two more recent and larger residential developments, the following two sites were analyzed in September, 2023:

9. The Harbour condominium (16385 Biscayne Blvd)
10. Marina Palms condominium (17111, 17201, 17301 Biscayne Blvd)

Again, analysis of the additional sites revealed the minimum parking requirements of the City code were lower than the current parking demand for these multifamily developments. Furthermore, separate analysis of The Harbour and Marina Palms developments revealed unique circumstances, as these sites are located in areas without on-street parking, included solely structured parking for residents, valet parking facilities nearing capacity, and concerns about parking raised by building management. Field review also indicated that, as expected, free parking spaces filled up before paid spaces, and thus, where fee parking on private parking exists in proximity to free public, on-street parking, parking is shifted from private to public areas with in vicinity, given the semblance of full on-street parking when in reality, the parking demand has not risen, just shifted geographically.

Parking Utilization Study, Existing Spaces:

Site	Location	Parking Spaces
Lazul apartments	2145 NE 164th St, North Miami Beach, FL 33162	349
Floridian Arms apartments	1450 NE 170th St, North Miami Beach, FL 33162	73
The Highlands apartments	13780, 13810, 13740 Highland Dr, North Miami Beach, FL 33181	60
Miami Sandpiper Condominium	3745 NE 171st St, North Miami Beach, FL 33160	78
Inland Towers	2075 NE 164 th St., North Miami Beach, FL 33162	186
Tiberius apartments	1985 NE 168 th St., North Miami Beach, FL 33162	15
Leeward Point Townhouses	16479 NE 27 th Ave, North Miami Beach, FL 33160	254
Coral Isle West	3545 NE 166 th St., North Miami Beach, FL 33160	112
The Harbour condominium	16385 Biscayne Blvd, North Miami Beach, FL 33160	643
Marina Palms condominium	17111, 17201, 17301 Biscayne Blvd, North Miami Beach, FL 33160	841

Code Change Recommendations:

Through analysis of the City Code parking requirements, knowledge of best practices, incorporation of public and official input, staff recommendations, and findings of the parking utilization study, CGA has *proposed the following changes to the Code*, contained in the Ordinance attached:

A. Amend the subsections of Section 24-58, to remove the separate & lower minimum parking requirements, and remove the maximum parking requirement, of each mixed-use district.

- Current Minimums: “1 per unit plus 1 per 20 units for guest parking”
- Current Maximums: “2 per unit plus 1 per 20 units for guest parking”
- Minimum changed: “As required by Section 24-95, “Minimum Space Requirements (A)” (*Mixed-use districts would now be subject to the same multi-family minimum parking requirements city-wide*)
- Maximum change to: “None”
- Proposed Changes to the code as follows:

“Sec. 24-58.1 - Fulford Mixed-Use Town Center District (MU/TC).

...

(L) *On-site Parking Standards.*

- (1) All parking within the MU/TC shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-Use District.
- (2) On-site parking shall comply with Table MU/TC-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/TC-5. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

Table MU/TC-5 Minimum and Maximum Parking Requirements by Use		
	Min	Max
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1000sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	1 per unit plus 1 per 20 units for guest parking As required by Section 24-95, “Minimum Space Requirements (A) Residential Uses Table,” under Multifamily parking space requirements	2 per unit plus 1 per 20 units for guest parking None
Places of Public Assembly	1 space for each 3 seats in the principal assembly area or 10 spaces for each 1,000 sq. ft. of gfa, whichever is greater	1 space for each 3 seats in the principal assembly area or 10 spaces for each 1,000 sq. ft. of gfa, whichever is greater
Live/work	2 per 1,000 sf	4 per 1,000 sf
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...

Sec. 24-58.2 Mixed-Use Employment Center District (MU/EC).

...

(L) *On-site Parking Standards.*

- (1) All parking within the MU/EC shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-use District.
- (2) On-site parking shall comply with Table MU/EC-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/EC-5. Guest parking shall be designated and prominently marked on-site

as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

Table MU/EC-5 Minimum and Maximum Parking Requirements by Use		
	Min	Max
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1,000 sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	1 per unit plus 1 per 20 units for guest parking As required by Section 24-95, "Minimum Space Requirements (A) Residential Uses Table," under <u>Multifamily parking space requirements</u>	2 per unit plus 1 per 20 units for guest parking <u>None</u>
Live/work	2 per 1,000 sf	4 per 1,000 sf
Self-Storage	1 per 10,000 sf or 8 spaces gfa, whichever is greater	1 per 1,000 sf gfa
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...

Sec. 24-58.3 Mixed-Use Neighborhood Center District (MU/NC).

...

(L) *On-site Parking Standards.*

- (1) All parking within the MU/NC shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-use District.
- (2) On-site parking shall comply with Table MU/NC-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/NC-5. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

Table MU/NC-5. Minimum and Maximum Parking Requirements by Use		
	Minimum	Maximum
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1,000 sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	1 per unit plus 1 per 20 units for guest parking As required by Section 24-95, "Minimum Space Requirements (A) Residential Uses Table," under <u>Multifamily parking space requirements</u>	2 per unit plus 1 per 20 units for guest parking <u>None</u>
Live/Work	2 per 1,000 sf	4 per 1,000 sf
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...

Sec. 24-58.4 Arch Creek Mixed-Use Corridor District (MU/C).

...

(L) *On-site Parking Standards.*

- (1) All parking within the MU/C shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-use District.
- (2) On-site parking shall comply with Table MU/C-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/C-5. Guest parking shall be designated and prominently marked on-site as

"Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

Table MU/C-5 Minimum and Maximum Parking Requirements by Use		
	Min	Max
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1,000 sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	1 per unit plus 1 per 20 units for guest parking As required by Section 24-95, "Minimum Space Requirements (A) Residential Uses Table," under Multifamily parking space requirements	2 per unit plus 1 per 20 units for guest parking None
Live/work	2 per 1,000 sf	4 per 1,000 sf
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...

Sec. 24-58.5 Southern Mixed-Use Waterfront District (MU/SWF).

...

(K) *On-site Parking Standards.*

- (1) All parking within the SOUTHERN MU/WF shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-use District.
- (2) On-site parking shall comply with Table MU/SWF-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/SWF-5. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

Table MU/SWF-5 Minimum and Maximum Parking Requirements by Use		
	Min	Max
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1,000 sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	1 per unit plus 1 per 20 units for guest parking As required by Section 24-95, "Minimum Space Requirements (A) Residential Uses Table," under Multifamily parking space requirements	2 per unit plus 1 per 20 units for guest parking None
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...

Sec. 24-58.6 Northern Mixed-Use Waterfront District (MU/NWF).

...

(K) *On-site Parking Standards.*

- (1) All parking within the NORTHERN MU/WF shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-use District.
- (2) On-site parking shall comply with Table MU/NWF-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/NWF-5. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

Table MU/NWF-5 Minimum and Maximum Parking Requirements by Use

	Min	Max
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1,000 sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	<u>1 per unit plus 1 per 20 units for guest parking</u> <u>As required by Section 24-95, "Minimum Space Requirements (A) Residential Uses Table," under Multifamily parking space requirements</u>	<u>2 per unit plus 1 per 20 units for guest parking</u> <u>None</u>
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...

Sec. 24-58.7 Eastern Mixed-Use Waterfront District (MU/EWF).

...

(L) *On-site Parking Standards.*

- (1) All parking within the EASTERN MU/WF shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-use District.
- (2) On-site parking shall comply with Table MU/EWF-5. Uses not listed herein shall comply with the parking requirements specified in Article IX.
- (3) Guest parking shall comply with Table MU/EWF-5. Guest parking shall be designated and prominently marked on-site as "Guest Parking" and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

Table MU/EWF-5 Minimum and Maximum Parking Requirements by Use

	Min	Max
Retail, restaurant or commercial	2 per 1,000 sf	4 per 1,000 sf
Office	2.5 per 1,000 sf	4 per 1,000 sf
Hotel and motel; hotel and motel, limited	1 per 4 rooms plus 1 per 800 sf for restaurant, public meeting areas; 1 per 15 rooms for staff	1 per 4 rooms plus 1 per 800sf for restaurant, public meeting areas; 1 per 15 rooms for staff
Residential	<u>1/1BR and 2BR unit; 1.5/3BR unit 1/20 units</u> <u>(guest parking) As required by Section 24-95,</u> <u>"Minimum Space Requirements (A) Residential</u> <u>Uses Table," under Multifamily parking space</u> <u>requirements</u>	<u>2/1BR and 2 BR unit; 3/3BR unit 1/20 units</u> <u>(guest parking) None</u>
Microbrewery, winery or distillery	Retail/tasting room: 2 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1 per 1,000 sq. ft. gfa	Retail/tasting room: 4 spaces per 1,000 sq. ft. gfa; Manufacturing/processing: 1.5 per 1,000 sq. ft. gfa

...

Sec. 24-58.8 International Boulevard District (MU/IB).

...

(C) *On-Site Parking Standards.*

- (1) *Vehicular Parking.*
 - a. All parking within the MU/IB shall comply with the Access, Circulation, Parking and Loading Standards specified in Section 24-58 Mixed-Use District.
 - b. On-site parking shall comply with Table MU/IB-7. Uses not listed herein shall comply with the parking requirements specified in Article IX.
 - c. Guest parking shall comply with Table MU/IB-7. Guest parking shall be designated and prominently marked on-site as "Guest Parking" with signage and shall not be restricted in any manner to use by a single tenant, owner, unit, or other user.

Table MU/IB-7. Minimum and Maximum Parking Requirements by Use

Uses	Parking Spaces (min.)	Parking Spaces (max.)
Retail, Restaurant or Commercial	2/1,000 sf	4/1,000 sf

Office	2.5/1,000 sf	4/1,000 sf
Hotel and Motel; Hotel and Motel Limited	1/4 rooms and; 1/800 sf (restaurant, public meeting areas) and; 1/15 rooms for staff	1/4 rooms and; 1/800 sf (restaurant, public meeting areas) and; 1/15 rooms for staff
Residential (multi-family)	1/1BR and 2 BR unit; 1.5/3BR unit 1/20 units (guest parking) As required by Section 24-95, "Minimum Space Requirements (A) Residential Uses Table," under Multifamily parking space requirements	2/1BR and 2 BR unit; 3/3BR unit 1/20 units (guest parking) <u>None</u>

B. Amend Section 24-93, to update “Parking Lot Design Standards” to include methods that can help future development meet the city-wide multi-family parking requirements, and regulate proper parking utilization:

- Multi-family Tandem Parking: *limited to two tandem spaces for each residential unit*
- Valet Parking: *by separate agreement with the city only, and not exempt from minimum space requirements, and any mechanical vehicle lifts must be operated by valet*
- Limiting fee-based parking: *cannot be used to fulfill minimum parking requirements, and not permitted within 500’ of sufficient on-street or free parking*
- Proposed Changes to the code as follows:

Section 24-93 Parking Lot Design Standards

...

“(L) Multi-family Tandem Parking. The storage of up to two (2) vehicles one behind another in one standard-size parking space shall be permitted only if granted concurrent with approval of a site plan. Tandem parking can only be used in a 90-degree configuration. Each tandem parking space shall be self-parking and only serve one designated multi-family unit of two-bedrooms or greater, unless the tandem spaces are used in conjunction solely with valet parking services. Tandem parking designs are subject to traffic circulation review and site plan approval.

1. All tandem parking spaces shall have specific signage designating for residential units only.
2. All tandem parking spaces used to meet residential parking requirements must only be used for storage of vehicles.
3. All tandem spaces shall have at least one required wheel stop.

(M) Valet parking. A parking facility with a valet service or operator which allows for attendants to receive, park and deliver the automobiles of occupants, tenants, customers, invitees, and visitors, including tandem parking may be utilized to fulfill some or all of the requirements of the Code provided the following requirements are complied with:

- (a) Any required valet parking utilized to fulfill the parking requirements set forth in this section shall be governed by an agreement with the city (in such form as may be approved by the City Attorney), and recorded in public record. The agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement with the city must include a legal description of the parcel where parking will be located and state the number of parking spaces which must be provided. If the parcel to be used for valet parking is different than the parcel the parking serves, the provisions for off-street parking must be met. The agreement may be released by the city at such time that approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use.
- (b) The required queue is to be provided on private property as opposed to public rights-of-way.
- (c) There is a parking professional available for vehicle retrieval one hundred percent (100%) of the operating hours of the use (which for a residential use shall constitute at all times).
- (d) The dimensions for permanent single valet parking spaces shall be a minimum of nine (9) feet wide and eighteen (18)

feet deep. The dimensions for permanent tandem valet parking spaces with a maximum stacking of two vehicles shall be a minimum of nine (9) feet by thirty-six (36) feet.

- (e) Valet parking may be utilized to conform with the number of handicap accessible parking spaces provided that:
 - i. An adequate number of handicapped accessible spaces, the dimensions of which conform to the standards set forth in this section as determined during site plan approval, shall be provided adjacent to the vehicle queuing area for those vehicles which cannot be operated by the parking professional; and,
 - ii. All other vehicles may be safely operated by aforementioned parking professional.

- (f) Valet drop-off/queuing area must be provided with a minimum length of 100 feet. Greater queuing area may be required as a condition of site plan or conditional use approval based upon the intensity of the use.

- (g) Mechanical Vehicle Lifts. Any mechanical lift parking utilized to meet parking requirements shall be used solely in conjunction with valet parking services. The use of mechanical lifts shall be governed by an agreement with the city (in such form as may be approved by the City Attorney), and recorded in public record. The agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement with the city must include a legal description of the parcel where parking will be located and state the number of parking spaces which must be provided. The agreement may be released by the city at such time that approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use.

(N) Fee-based parking. Parking facilities which charge a fee may not be utilized to fulfill residential parking requirements. No parking facility, where sufficient on-street parking, or non-fee parking facilities, are present within five hundred (500) feet of said facility, may be permitted to charge a parking fee for spaces allocated to fulfill on-site residential parking requirements, inclusive of any shared parking. Fee-based parking facilities are subject to traffic circulation review and site plan approval.

C. Amend Section 24-95 “Minimum Space Requirements”, to increase the city-wide Multifamily minimum parking requirements for all future residential development.

- Change to: 1 parking space for every dwelling unit bedroom
- Adds a requirement for guest parking (1 for every 10 units)
- Allows for the City to modify these requirements on a case-by-case basis by requiring a developer to submit a traffic circulation study that can demonstrate sufficient parking
- Current:
 - “1.0 spaces for each efficiency unit, 1.5 spaces 1 bedroom and 2 bedroom unit, and 2 spaces for each 3 bedroom unit or larger except Eastern Shores which shall have 2 spaces per efficiency or 1 bedroom unit and 3 spaces per 2 bedroom unit or larger”
- Change to:
 - “1 space for each efficiency/studio unit
 - 1 space for each one-bedroom unit
 - 2 spaces for each two-bedroom unit
 - 3 spaces for each three-bedroom unit
 - 4 spaces for each four-bedroom unit or larger
 - 1 per 10 units for guest spaces”
- Eastern Shores Multi-family requirement language is clarified, but remains the same
- Proposed changes to the Code as follows:

Section 24-95 Minimum Space Requirements

All uses shall be subject to the following minimum space requirements unless additional spaces may be required as a condition for securing a permitted conditional use. All fractional space requirements shall be rounded off to the next highest number. For uses not specified, the Director shall determine the space requirements; a parking study may be required. Requirements of this section may be modified in accordance with a traffic circulation review as part of the site

plan review process, provided such review demonstrates sufficient parking spaces will be provided on-site.

(A) Residential Uses.

Use	Parking Space Requirement
Single-family and two-family	2 spaces for each dwelling unit
Multifamily	<p><u>1.0 spaces for each efficiency unit, 1.5 spaces 1 bedroom and 2 bedroom unit, and 2 spaces for each 3 bedroom unit or larger</u> <u>except Eastern Shores which shall have 2 spaces per efficiency or 1 bedroom unit and 3 spaces per 2 bedroom unit or larger</u></p> <p><u>1 space for each efficiency/studio unit</u> <u>1 space for each one-bedroom unit</u> <u>2 spaces for each two-bedroom unit</u> <u>3 spaces for each three-bedroom unit</u> <u>4 spaces for each four-bedroom unit or larger</u> <u>1 per 10 units for guest spaces</u></p>
<p><u>Multi-family</u> <u>Eastern Shores</u></p>	<p><u>2.0 spaces for each efficiency unit</u> <u>2.0 spaces for each one-bedroom unit</u> <u>3.0 spaces for each two-bedroom and larger units</u></p>
Mobile home	1 space per unit

Analysis:

Compliance with the Zoning and Land Development Regulations (ZLDC):

- .

Figure MU/TC – 10: Street Type S6

Recommendation:

Staff Recommends approval of the Zoning Amendment Text to Section 24-58 “Mixed-Use (MU) District” to amend the existing regulating plan AND DIAGRAM OF the Mixed Use District and Section 24-58.1 “Fulford Mixed-Use Town Center (MU/TC)” District. The recommendation to approve will maintain consistency to the City’s comprehensive plan and Land development regulations.



City of North Miami Beach, Florida
Community Development Department- Planning & Zoning Division

TO: Mario Diaz, City Manager

THROUGH: Edward Ng, AICP, Interim Community Development Director

FROM: Jackie Génard, City Planner

CC: David Scott, Deputy City Manager

DATE: September 20, 2024

SUBJECT: **Biscayne Corridor B2-District Overlay**

Description:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA AMENDING CHAPTER XXIV OF THE CITY'S CODE OF ORDINANCE ENTITLED "ZONING AND LAND DEVELOPMENT" BY AMENDING ARTICLE V ENTITLED "ZONING USE DISTRICTS", CREATING A NEW SECTION TO ESTABLISH THE "BISCAYNE CORRIDOR B2-DISTRICT OVERLAY"; SPECIFICALLY SECTION 24-52.1, ENTITLED "BISCAYNE CORRIDOR B2-DISTRICT OVERLAY", TO INCLUDE REGULATIONS FOR THE OVERLAY DISTRICT; TO ENCOURAGE SUSTAINABLE DEVELOPMENT WITHIN THE DISTRICT; PROVIDING THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES, PROVIDING FOR CONFLICT; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Background:

The County's Rapid Transit Zone (RTZ) Ordinance requires that incorporated areas set minimum standards over all development within the RTZ subzone. This requirement involves adopting a local ordinance with its own zoning district and development standards able to satisfy the minimum Floor Area Ratio (FAR) requirement of the county's ordinance, as well as procedures for review and approval of zoning applications. Consequently, the need to create an overlay district to address the new FAR regulations was important. This overlay will address the change in regulations for developments happening within the B2-District only in the major corridor of Biscayne Boulevard. The request to approve the Ordinance amending Article V entitled "Zoning Use Districts", therefore, creating a new section to establish the "Biscayne Corridor B2-District Overlay" to match the city's amendment to the Comprehensive Plan was submitted by Director of the Community Development department of The City of North Miami Beach.

Staff Analysis:

To address these requirements, a request has been made to create an overlay district specifically targeting the new FAR regulations. This overlay will pertain exclusively to developments within the B2-District of the major corridor.



City of North Miami Beach, Florida
Community Development Department- Planning & Zoning Division

This request to approve amending the city's ordinance, particularly Article V, entitled "Zoning Use Districts," involves creating a new sub-section (Section 24-52.1) that establishes the "Biscayne Corridor B2-District Overlay". This overlay is intended to align with the city's amendments to its Comprehensive Plan as well as matching the RTZ. The proposal was made by the Director of the Community Development Department of the City of North Miami Beach.

A workshop was conducted on July 8, 2024, to present the Planning and Zoning Board with the intent behind the proposed overlay on Biscayne Boulevard and to gather feedback regarding the recommended height, uses and density within the overlay. Feedback and concerns regarding the maximum height were incorporated within this proposed draft. The overlay is designed to reflect the community's needs and the Planning and Zoning Board's recommendations, ensuring that future developments are consistent with the city's long-term planning objectives.

On August 12, 2024, at the Planning and Zoning Board meeting, the item was heard and unanimously voted 7 to 0 to move to approve the text Amendment (File# 24-15), to amend the City of North Miami Beach Code of Ordinances Chapter XXIV, entitled "Zoning and Land Development", Article V "Zoning Use Districts" to include Section 24-52.1 "Biscayne Corridor B2-District Overlay".

The proposed amendments will match the County's Strategic Miami Area Rapid Transit (SMART) plan and consist of bonus density aim to encourage development on the existing B2 district along the corridor in exchange for public benefits, such as affordable and workforce housing, open space and transportation improvement, place making and civic infrastructure. The proposed amendment aligns with North Miami Beach's Comprehensive Plan and meets the purpose and intent of its designated zoning district. By implementing this overlay, the city will be able to uphold the minimum development standards required by the County's RTZ Ordinance while also addressing specific local needs and concerns within the B2-District of the Biscayne Corridor. Approving this recommendation will ensure consistency with the City's comprehensive plan and land development regulations, in addition to promoting sensitive development along the major corridor.

A public hearing was held on July 8, 202, to introduce the Planning and Zoning Board to the intent of the density overlay on Biscayne Boulevard and acquire feedback on recommendation for the proposed height density. Following the recommendations, staff drafted the ordinance to reflect the feedback and address the Board's concerns. On August 12, 2024, the Planning and Zoning Board voted 7 to 0 with recommendation of approval to creating the Biscayne Corridor B2-District Overlay.

The proposed ordinance has no negative impact on businesses.

The proposed amendment is consistent with North Miami Beach's Comprehensive plan and meets the purpose and intent of its designated zoning district.

Contact Person(s):

Edward Ng, AICP, Interim Community Development Director
Jackie D. Génard, City Planner, Community Development Department



City of North Miami Beach, Florida

Community Development Department – Planning & Zoning Division

17050 NE 19TH AVENUE

1ST FLOOR

NORTH MIAMI BEACH, FLORIDA 33162

PLANNING & ZONING DIVISION: (305) 948-2966

CITY COMMISSION		
Meeting Date: 10/15/2024 1 st Reading	File No: 24-15	Application Name: Text Amendment Ordinance for new Business (B2) District Overlay on Biscayne Boulevard Corridor.
STAFF REPORT		
Request: To put forth a set of rules and regulations amending the city code to create an overlay for the Biscayne Corridor, particularly the B2 Business District, to provide for sustainable development within the district and match the County's Rapid Transit Zone (RTZ) provisions.		
Background: In accordance with the County's RTZ Ordinance, which mandates that incorporated areas establish minimum standards for all developments within the RTZ subzone, a local ordinance must be adopted. As per the RTZ study submitted by Kimley Horn, this ordinance should include a unique zoning district and development standards that meet the minimum Floor Area Ratio (FAR) requirements, specified by the county, as well as procedures for the review and approval of zoning applications.		
Staff Analysis: To address these requirements, a request has been made to create an overlay district specifically targeting the new FAR regulations. This overlay will pertain exclusively to developments within the B2-District of the major corridor. This request to approve amending the city's ordinance, particularly Article V, entitled "Zoning Use Districts," involves creating a new sub-section (Section 24-52.1) that establishes the "Biscayne Corridor B2-District Overlay". This overlay is intended to align with the city's amendments to its Comprehensive Plan as well as matching the RTZ. The proposal was made by the Director of the Community Development Department of the City of North Miami Beach. A workshop was conducted on July 8, 2024, to present the Planning and Zoning Board with the intent behind the proposed overlay on Biscayne Boulevard and to gather feedback regarding the recommended height, uses and density within the overlay. Feedback and concerns regarding the maximum height were incorporated within this proposed draft. The overlay is designed to reflect the community's needs and the Planning and Zoning Board's recommendations, ensuring that future developments are consistent with the city's long-term planning objectives.		

Project Planner: Jackie D. Génard City Planner jackie.genard@citynmb.com 305-948-2966 Ext. 3515	Review Dates: <u>Planning & Zoning Board:</u> August 12, 2024 <u>City Commission:</u> October 15, 2024 (1 st Reading) December 17, 2024 (2 nd Reading)	Attachments 1. Draft Ordinance 2. City Manager Memo 3. Business Impact Statement
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On August 12, 2024, at the Planning and Zoning Board meeting, the item was heard and unanimously moved to approve the text Amendment (File# 24-15), to amend the City of North Miami Beach Code of Ordinances Chapter XXIV, entitled “Zoning and Land Development”, Article V “Zoning Use Districts” to include Section 24-52.1 “Biscayne Corridor B2-District Overlay”.

The proposed amendment aligns with North Miami Beach’s Comprehensive Plan and meets the purpose and intent of its designated zoning district. By implementing this overlay, the city will be able to uphold the minimum development standards required by the County’s RTZ Ordinance while also addressing specific local needs and concerns within the B2-District of the Biscayne Corridor. Approving this recommendation will ensure consistency with the City’s comprehensive plan and land development regulations, in addition to promoting sensitive development along the major corridor.

Compliance with the Code of Ordinance:

Staff finds that amending the City of North Miami Beach Code of Ordinances Chapter XXIV, entitled “Zoning and Land Development”, Article V “Zoning Use Districts” to incorporate Section 24-52.1 “Biscayne Corridor B2-District Overlay” is consistent with the existing Code of Ordinances.

Compliance with the Comprehensive Plan:

Staff finds that amending the City of North Miami Beach Code of Ordinances Chapter XXIV, entitled “Zoning and Land Development”, Article V “Zoning Use Districts” to incorporate Section 24-52.1 “Biscayne Corridor B2-District Overlay” is consistent with the City’s Comprehensive Plan.

Board Motion Options for Items:

1. **Move to continue** with direction.
2. **Move to approve** the Text Amendment (File# 24-15), to amend the City of North Miami Beach Code of Ordinances Chapter XXIV, entitled “Zoning and Land Development”, Article V “Zoning Use Districts” to include Section 24-52.1 “Biscayne Corridor B2-District Overlay” by finding that the request is consistent with the City Charter and the Comprehensive Plan, and meets criteria set forth in the Zoning and Land Development Regulations.
3. **Move to deny** the Text Amendment (File# 24-15), to amend the City of North Miami Beach Code of Ordinances Chapter XXIV, entitled “Zoning and Land Development”, Article V “Zoning Use Districts” to include Section 24-52.1 “Biscayne Corridor B2-District Overlay” by finding that the request is inconsistent with the City Charter and the Comprehensive Plan and does not meet the criteria set forth in the Zoning and Land Development Regulations

ORDINANCE NO. 2024-XX

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING THE CITY OF NORTH MIAMI BEACH CODE BY AMENDING CHAPTER XXIV, ENTITLED “ZONING AND LAND DEVELOPMENT”; AMENDING ARTICLE V, ENTITLED “ZONING USE DISTRICTS”; AMENDING SECTION 24-52, ENTITLED “B-2 GENERAL BUSINESS DISTRICT”, TO CREATE SUBSECTION 24-52.1 ENTITLED “B2 GENERAL BUSINESS DISTRICT OVERLAY”, TO PROVIDE SPECIFIC REQUIREMENTS, AND TO PROVIDE UNIFORM DEVELOPMENT STANDARDS FOR PROPERTIES FACING THE BISCAYNE CORRIDOR WITHIN THE B2 GENERAL BUSINESS DISTRICT; PROVIDING FOR CONFLICTS, SCRIVENER ERRORS, SEVERABILITY, AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of North Miami Beach ("City") Zoning and Land Development (ZLD) Code defines and regulates the various uses permitted within each zoning district of the City; and

WHEREAS, amendments to the Comprehensive Plan and Zoning and Land Development Code provide for policies and regulations that address concerns such as aesthetics and compatibility by emphasizing site design, circulation and building form; and

WHEREAS, by focusing zoning regulations on site design, circulation and building form the predictability of development that meets City goals and objectives is increased and the conventional approach to strictly regulating land uses is no longer a practical approach to regulating zoning; and

WHEREAS, the proposed amendment is part of a comprehensive process to modernize and update the Zoning and Land Development Code, the amendment defines land-use categories and removes many of the listed uses that now fall within the defined categories; and

WHEREAS, the proposed amendment is consistent with the County’s Transit Oriented Development (TOD) standards and requirements; and

WHEREAS, the proposed amendment to modify ZLD’s Section 24-52 of Article V of Chapter XXIV to add Section 24-52.1 to the Code to create a district overlay for consistency with the City of North Miami Beach's Comprehensive Plan, and recommended approval by a vote of 7 to 0; and

WHEREAS, the Mayor and City Commission find the proposed amendments to be consistent with the North Miami Beach Comprehensive Plan and in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Commission of the City of North Miami Beach, Florida:

Section 1. The foregoing “Whereas” clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

Section 2. That Chapter XXIV, entitled “Zoning and Land Development,” Article V, entitled “Zoning Use District”, Section 24-52 to add a new subsection “24-52.1 – B2 General Business District Overlay” shall be amended as follows (deletions and additions are identified using a ~~strike through~~ and underline format, respectively):

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CHAPTER XXIV – ZONING AND LAND DEVELOPMENT

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ARTICLE V. – ZONING USE DISTRICT

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SEC.24-52. B2 GENERAL BUSINESS DISTRICT

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Sec. 24-52.1 – B2 General Business District Overlay

(A) Purpose and Intent:

The purpose of this overlay district is to provide suitable developments within the B2 District along the Biscayne Corridor from NE 135th Terrace to NE 174th Street, consisting of mixed-use development with at least one thousand (1,000) square feet of first floor commercial, facing the Biscayne Corridor.

The overlay district is intended to accommodate and encourage suitable sites for well planned, environmentally sound, and architecturally compatible mixed-use residential/commercial development; promote transit-oriented development that would provide for sustainable and resilient communities, ensure new publicly accessible open spaces, as well as encourage placemaking. This overlay district shall comprise of residential, retail and professional services, and commercial uses of a general nature which serve the diverse consumer needs of the entire community, in accordance with the City's Comprehensive Plan Land Use Element.

(B) **Overlay district boundaries:**

The B2 General Business District Overlay extends along the Biscayne Corridor, from NE 135th Terrace to NE 174th Street as depicted in Figure 1 below.

Figure 1



(C) **Definition:**

Affordable housing means rents that do not exceed the maximum monthly rent limits as determined for Miami-Dade County by the United States Department of Housing and Urban Development in its annual income limits and rent limits and as used by Florida Housing Finance Corporation for its multifamily rental programs, established at thirty percent (30%) up to eighty (80%) of the median family income.

Bonus Density means an increase in the density of development that can be carried out on a parcel of land over and above the standard density range permitted by the comprehensive plan for the land use category in which it is located.

Building height is for the purpose of this overlay district, is calculated from the base flood elevation plus free board, not to exceed three (3) feet, to the top of the roof line, not including the parapet.

Civic infrastructure for the purpose of this section refers to any place, program, or practices that would encourage and foster civic engagement within the community.

Density is the permissible number of dwelling units that are allowed per gross lot area.

Developer means any person, firm, corporation, partnership limited liability company, association, joint venture or any entity or combination of entities that apply for development orders or permits.

Flex building type means a building that is designed to respond to changes of function in a flexible way. The flex building type is able to accept different internal configurations and easily adapt to its surroundings.

Floor area is the gross horizontal area of all floors, including but not limited to, enclosed porches, hallways, storage rooms, stairwells, breezeways, elevator shafts and utility rooms, measured from the exterior faces or columns of the exterior walls of a building or from the center line of a party wall separating two (2) adjacent uses or dwellings. Vehicular garages shall not be included in determining gross floor area.

Floor Area Ratio (FAR) is determined by dividing the gross floor area of the building (or buildings) on a lot by the area of that lot.

Height is measured from the base flood elevation plus freeboard, not to exceed three (3) feet.

Height encroachment: Height encroachment cannot be extended more than fifteen (15) feet above the roof line. Any mechanical equipment located on the rooftop shall not be visible from the street or any line of sight.

Market rate dwelling units means all units in a covered development that are not affordable housing or workforce housing units as defined herein.

Mixed use buildings shall be described as a set of buildings containing a mix of residential, commercial and/ or office uses. Residential uses are allowed in this overlay as part of a mixed use of residential and commercial. Residential lobby shall not be counted as commercial use unless a stated commercial use is associated with it.

Open space shall be defined as common open landscaped areas open to the sky. Open vehicular roads shall not be included in calculating the open space within this overlay. For the purposes of this section, the calculation of open space does not include private street, and rights-of-way dedications.

Overlay district refers to a geographic area that provides zoning regulations under a unified purpose that supersedes or supplements an existing zoning regulation in a particular district. The overlay district provides for zoning incentives and waivers to encourage responsible development in areas targeted for redevelopment.

Place Making refers to any public spaces that encourages and improves the city's urban vitality and promotes the urban character of a particular neighborhood or space. It refers to the nature of place identity.

Setback encroachments. For the purpose of this section, not structures can encroach more than seven and half (7.5) feet within the required setbacks.

Transportation Improvement refers to any investment in city street or right of way that is included on site. It may include public transportation, design, construction and operation, preservation, and maintenance of any transportation related facilities.

Workforce housing means rents that do not exceed the maximum monthly rent limits as determined for Miami-Dade County by the United States Department of Housing and Urban Development in its annual income limits and rent limits and as used by Florida Housing Finance Corporation for its multifamily rental programs, established at eighty percent (80%) up to one hundred and twenty percent (120%) of the median family income.

(D) Uses Permitted.

1. Main Permitted Uses

The main permitted uses in the Biscayne (B2) Overlay district are listed below, in addition to public & semi-public facilities, and their required parking. Dancehalls and entertainment establishments are not permitted as main, conditional, or accessory use in this district.

Table D-1	
By Right	Conditional Use
<u>Mixed-Use Residential Development with at least sixty five percent (65%) of the total square footage used for residential purposes.</u>	<u>Art gallery/ Museum</u>
<u>Multifamily residential except on the ground floor</u>	
<u>Office (business/ professional uses), and medical office providing it is for outpatient care services only.</u>	<u>Entertainment Establishment (excluding adult entertainment)</u>
<u>Retail uses (general retail)</u>	<u>Animal Boarding/Animal Hotel</u>
<u>Restaurant including outdoor dining. (Excluding drive thru)</u>	<u>Parking garages as a primary use, provided that parked vehicles shall not be visible from surrounding properties or public street rights-of-way and that any such structure shall be well landscaped.</u>
<u>Bar and Lounge, provided that any such use shall not be located within five hundred (500) feet of certain real property as amended per FL Statute 562.45(2)(a).</u>	<u>Microbrewery/ Winery/ Distillery</u>
<u>Civic Uses</u>	<u>Daycare Centers</u>
<u>Studio Schools: Art, dance, drama, recording, sculpture, and similar instruction.</u>	<u>Waterfront uses - If property is facing independent waterfront.</u>
<u>Personal Service uses</u>	
<u>Public Parks and Playground</u>	
<u>Hotels/ Boutique Hotels</u>	
<u>Pharmacy</u>	
<u>Urban Market & Garden</u>	
<u>Commercial Recreation</u>	
<u>Artisanal Industry</u>	

(E) Site Development Standards.

1. The Minimum lot area

The minimum lot area for this district is six thousand (6,000) square feet. Developers can opt to develop based on building Types and requirements, with a minimum developed square area of one thousand (1,000) square feet of contiguous land.

	B-2 District	Biscayne Overlay
<u>Lot Width (minimum)</u>	<u>100</u>	<u>60</u>
<u>Lot Depth</u>	<u>N/A</u>	<u>N/A</u>
<u>Lot Area (minimum)</u>	<u>3 acres</u>	<u>6000 square feet</u>
<u>Building Height (maximum)</u>	<u>15 stories/ 150 feet</u>	<u>30 stories / 375 feet with Bonuses</u>
<u>Floor Area Ratio (FAR) (minimum)</u>	<u>1.5</u>	<u>2.5with Bonuses</u>
<u>Density (maximum)</u>	<u>36 du/ acre</u>	<u>125 du/ac with mixed- use 175 du/ac with Bonuses</u>
<u>Minimum Pervious Area</u>	<u>20 %</u>	<u>20%</u>

2. Minimum yard setbacks:

The following setbacks shall apply to all structures.

YARD	SETBACKS
<u>Front</u>	<u>15 feet</u>
<u>Rear</u>	<u>20 feet</u>
<u>Side (interior)</u>	<u>0 feet</u>
<u>Side (corner)</u>	<u>20 feet</u>
<u>Adjacent more restrictive district</u>	<u>25 feet</u>

3. Building Typology:

All new buildings shall conform to one (1) of the permitted building typologies as demonstrated in the Building Typology and Placement Regulating Diagrams in Section 24-58 Mixed-use District. The diagrams provide a schematic representation of the various building typologies and demonstrate the required setbacks, lot standards, and profiles of structures. Existing buildings which do not fit a prescribed typology shall follow the standards required for the Flex building typology. Not all building typologies are permitted in each Mixed-use

district. The building typologies permitted in the Biscayne Overlay District are listed below in Table B2-Overlay-1:

Building Typology	Entire District
<u>Tower</u>	<u>Yes</u>
<u>Flex Building</u>	<u>Yes</u>
<u>Courtyard Type A</u>	<u>Yes</u>

Definition of types shall be as defined in section Sec. 24-58-(H) of the Mixed Use (MU) District.

4. **Projections and Encroachments**

Projections and encroachments shall follow Table MU-3 of the City Code.

5. **Building frontage:**

Building frontage means the percentage of a building façade that is generally parallel, facing, or oriented toward a street and that lies within the minimum and maximum setback area allowed and shall include a principal building and active use, as in table B2-Overlay-2.

Street Type	Minimum	Building Frontage	Overlay B2
<u>Front set back facing Biscayne Boulevard (Primary street)</u>	<u>25 feet</u>	<u>At least 70%</u>	<u>15 feet</u>
<u>Side facing a secondary street</u>	<u>20 feet</u>	<u>40 - 90%</u>	<u>10 feet</u>
<u>Side facing interior lot</u>	<u>0 feet</u>	<u>N/A</u>	<u>0 feet</u>
<u>Rear abutting residential homes/ apartment</u>	<u>25 feet</u>	<u>40%</u>	<u>Base: 20 feet Tower 50 feet</u>

Table B2 Overlay (continued)			
Street Type	Minimum	Building Frontage	Overlay B2
<u>Rear abutting a waterfront.</u>	<u>N/A</u>	<u>30% – 70%</u>	<u>45 feet</u>
<u>Abutting adjacent/ more restrictive zoning district</u>	<u>25 feet</u>	<u>40 % - 80 %</u>	<u>15 feet</u>

6. **Variances:**

A variance to the provisions and requirements of the B2 General Business District Overlay is not allowed unless there’s an extreme hardship. If a variance shall be needed due to an extreme hardship; Section 24-176(B), Variance Review Standards for variance procedures, shall prevail. There shall be no use variances permitted with this overlay.

7. **Minimum Unit Size**

The minimum unit size for any dwelling unit shall be 550 sq. ft

8. **Average Unit Size:**

The average unit size for all dwelling units in the development shall be 800 sq. ft.

9. **Street Design Standards:**

The following standards shall apply to all mixed-use developments in the B2 General Business District Overlay:

- a. The periphery of any site fronting on a public right-of-way shall be improved by the provision of sidewalks, landscape buffers, street trees, streetlights/ furniture, and other elements, covering the entire area from face of curb to face of building.
- b. Where a sidewalk, bike lanes or other pedestrian crosswalk/pathways the following standards shall apply:
 - i. The intersection shall be clearly marked and lit for safety.
 - ii. The sidewalk shall be continuous and remain at a constant level at all instances; and
 - iii. A change of tactile surface texture shall be installed at all street crossings.

10. **Parking Regulations:**

Parking regulations for the overlay shall be as follows:

<u>Table B2-Overlay 3</u>		
<u>Use</u>	<u>Parking Space Requirement (B2 By Right)</u>	<u>Parking Space Requirement (B2-Overlay)</u>
<u>Residential with mixed-use</u>	<u>1 space for efficiency</u> <u>1.5 space for 1 & 2 BR</u>	<u>1.5 for up to two (2) bedroom units</u>
<u>General Retail</u>	<u>3 spaces/ 1,000 sq ft</u>	<u>3 spaces/ 1,000 sq. ft.</u>
<u>Restaurant</u>	<u>20 spaces/ 1,000 sq ft</u>	<u>10 spaces/ 1,000 sq. ft.</u>
<u>Personal Services</u>	<u>5 spaces/ 1,000 sq. ft</u>	<u>3 spaces/ 1,000 sq. ft.</u>
<u>School/ Daycare</u>	<u>1 space/ 4 students</u>	<u>1 space per 4 students</u>
<u>Vocational</u>	<u>1 space/ student</u>	
<u>General Office</u>	<u>3 spaces per 1,000sq. ft.</u>	<u>3 spaces/ 1,000 sq ft.</u>
<u>Sport facilities</u>	<u>4 spaces for every court</u> <u>Plus, additional spaces as required for permitted retail or restaurant uses</u>	<u>4 spaces for every court</u>
<u>Museum/ Libraries</u>	<u>2.5 spaces for 1,000 sq ft</u>	<u>1 space/ 1,000 sq ft</u>

At the discretion of the Director, in order to obtain shared parking credit, the applicant may submit a professionally acceptable parking analysis to include internal capture. Parking may be reduced by up to twenty percent (20%) at the city's discretion. All costs associated with the parking accumulation study shall be paid by the applicant.

11. **On site loading requirements**

Off street shared loading spaces may be considered if applicant exceeds the minimum standards set in this overlay by a minimum of fifteen percent (15%). Off street loading cannot occur on Biscayne Boulevard.

12. **Additional regulations for bonus density**

1. Integrated horizontal mixed-use development shall be subject to the following:
 - a. Proposed development shall ensure that all buildings are connected by either pedestrian ways or sidewalks.
 - b. Proposed development shall preserve all environmentally sensitive lands on the site, consistent with the comprehensive plan.
 - c. Proposed development shall be located outside the 100-year floodplain and provide to an extent adequate recreational land on the site to serve the residents of the development.
 - d. Proposed development shall provide access from the site to any adjacent public recreational lands, public trails, or greenway whenever possible.
2. Vertical mixed-use shall comply with all the provisions of this section when the development is facing Biscayne boulevard, in addition to the following:
 - a. The proposed development shall ensure that all off-street parking is located to the rear, and no more than thirty percent (30%) of parking to the side of the building.
 - b. The proposed development shall provide wherever possible on the site, where pedestrian activity on the site is the greatest, sidewalks greater than six (6) feet in width.
 - c. Proposed development shall provide, wherever possible, adequate recreational open spaces, plazas with shaded trees that are consistent with the comprehensive plan.

13. **Special regulations:**

- (a) Enclosed activities: All activities relating to the uses permitted herein shall be conducted entirely within an enclosed and roofed structure except for outdoor dining areas and amenities.
- (b) Lighting: All necessary lighting shall be so oriented as to prevent any direct glare or nuisance of any kind on or to adjacent properties or public right-of-way. For properties adjacent to conservation areas, lighting shall be as such not to disturb the local wildlife habitat, and the City's eco-system, or as required by the South Florida Water Management District (SFLWM) and the Department of Environmental Resources Management (DERM).

14. **Other Regulation**

See also Supplemental and Special Regulations in Articles VIII — XIII.

15. **Special Limited Conditional Use:**

See Section 24-177.

(F) Bonuses and Incentives

To heighten the public welfare and ensuring sound and sustainable development, site development above one and half (1.5) acres providing a mixed type of residential and at least seventy percent (70%) of the ground floor commercial minus any leasing office and lobby space may elect to increase the building height and FAR above the Maximum allowed through a series of bonus options, that would reinforce the purpose and intent of this section by opting into the following Bonus options:

For properties fronting environmentally sensitive areas shall comply with regulations of such agency.....

Applicants may opt for an additional height and stories depending on the number of bonus units, to be approved during site plan review. However, such a height increase shall not render the building above thirty (30) stories, or three hundred and seventy-five (375) feet.

<u>BONUS TYPE A</u>	<u>Applicant Contribution</u>	<u>Density Bonus</u>	<u>Maximum Not to Exceed</u>
<u>WORKFORCE/ AFFORDABLE HOUSING</u>			
<u>Onsite dedication for Affordable Units</u>	<u>For every 1 unit For 30 consecutive years.</u>	<u>2 du</u>	<u>30 du</u>
<u>Onsite dedication for Workforce Units</u>	<u>For every 3 units For 30 consecutive years.</u>	<u>4 du</u>	<u>12 du</u>
<u>Contribution to an Affordable Housing Fund</u>	<u>For every \$250,000</u>	<u>1 du</u>	<u>10 du/ac</u>
<u>Commercial</u>	<u>For every 1,000 sq feet above the First (1st) floor Retail facing Biscayne</u>	<u>2 du/ac</u>	<u>10 du/ac</u>

Any affordable or workforce housing unit offered for rent under this article must not be rented for thirty (30) years after the date of original rental at a rent greater than the rent allowed for workforce housing units under this article and applicable regulations. Rent does not include utilities when they are paid directly by the tenant. Different rents must be identified when utility costs are paid by the owner and included in the rent. During the applicable control period, a workforce housing unit must only be rented to an individual with a household income that does not exceed the limits set under this article.

<u>BONUS TYPE B</u> <u>TRANSPORTATION IMPROVEMENT</u>	<u>Applicant Contribution</u>	<u>Density Bonus</u>	<u>Maximum Not to Exceed</u>
<u>Dedication On and Off-site</u>	<u>1 trolley stop on Biscayne Blvd.</u> <u>Multimodal facility With shaded (landscaped) bike lanes and benches where appropriate</u>	<u>2 du/ ac</u>	<u>Up to 5 du/ acre with significant Public Benefit</u>
<u>Contribution to Transportation Trust Fund</u>	<u>\$150,000.00 above one percent (1%) of the cost of the development.</u>	<u>3 du/ac</u>	<u>Up to 9 du/ acre with significant Public Benefit</u>

<u>BONUS TYPE C</u>			
<u>OPEN SPACE and Recreation</u>	<u>Applicant Contribution</u>	<u>Density Bonus</u>	<u>Maximum Not to Exceed</u>
<u>Onsite dedication of Open Space/Conservation lands</u>	<u>For every 800 sq. ft of Open Space/conservation land in perpetuity above what is required for the development</u>	<u>1/du</u>	<u>10 du</u>
<u>Contribution to Parks and Recreation Fund</u>	<u>For every \$250,000</u>	<u>1/du</u>	<u>10 du</u>
<u>Waterfront Facilities (Walkways)</u>	<u>Waterfront promenade along whole of property, fully funded in construction and agreement for maintenance in perpetuity.</u>	<u>10/du</u>	<u>10 du</u>

<u>BONUS TYPE D</u>			
<u>PLACE MAKING</u>	<u>Applicant Contribution</u>	<u>Height Bonus</u>	<u>Maximum Not to Exceed</u>
<u>Onsite dedication</u>	<u>10-foot sidewalk provided with bike rack and shade trees where appropriate</u> <u>ROW dedicated to the City, wholly designed and</u>	<u>Permitted height may be increased at the rate of 45 feet of height.</u>	<u>360 feet</u>

	<u>fully funded in construction and agreement for maintenance in perpetuity.</u>		
<u>Onsite dedication</u>	<u>For every 2,500 sq. ft of Public Space Wholly designed and fully funded in construction and agreement for maintenance in perpetuity.</u>	<u>60 feet in height</u>	<u>360 feet</u>
<u>Contribution to Public Arts Fund</u>	<u>For every \$150,000 above one percent (1%) of the cost of the development.</u>	<u>70 feet in height</u>	<u>350 feet</u>

<u>BONUS TYPE E</u>			
<u>CIVIC INFRASTRUCTURE</u>	<u>Applicant Contribution</u>	<u>Height Bonus</u>	<u>Maximum Not to Exceed</u>
<u>Streetscape enhancement</u>	<u>Any improvement in the City's streetscape/ Public ROW with additional shading trees,</u>	<u>60 feet in height</u>	<u>360 feet</u>
<u>Participation in Library Fund</u>	<u>\$155,000 above one percent (1%) of the cost of the development</u>		

BONUS TYPE E (continued)			
BONUS TYPE E	Applicant Contribution	Height Bonus	Maximum Not to Exceed
CIVIC INFRASTRUCTURE			
Participation in Public Infrastructure and Streetscape Fund	\$155,000 above the requirements	70 feet in height	350 feet

(G) Waiver.

The Director may waive the ratio of thirty percent (30%) to seventy percent (70%) residential requirement within the overlay, if it is demonstrated that the overall size of the mixed-use development is less than three (3) acres and consequently cannot reasonably support the design standards.

(H) Bonus Incentives Guidelines.

- (a) Any developer or property owner offering a workforce housing unit for rental shall record in the public records a declaration of restrictive covenants in a form approved by the city attorney. Such declaration shall incorporate, at a minimum, the requirements of this article and any other provisions necessary to carry out the purposes of this article. The declaration of restrictive covenants must, at a minimum assure that:
 - i) The restrictions of this article shall run with the land for the entire control period of thirty (30) years;
 - ii) The covenants will bind the applicant, assignee, mortgagee, purchaser, successor, and any other parties that receive title to or hold any interest in the property. These covenants shall be senior to all instruments securing permanent financing.
 - iii) Upon the expiration of the control period the city shall record in the public records of Miami-Dade County an instrument releasing the declaration of restrictive covenants required under this article.
- (b) The declaration of restrictive covenants shall, at a minimum, including the following terms:
 - i. The covenants shall be senior to all instruments securing permanent financing, and shall bind all assignees, mortgagees, purchasers, and other successors in interest.

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- ii. No sale, transfer or foreclosure shall affect the validity of the covenants except as expressly set forth in the provisions of this article.

 - (c) Any affordable or workforce housing unit offered for rent under this article must not be rented for thirty (30) years after the date of original rental, at a rental greater than the rent allowed for workforce housing units under this article and applicable regulations. Rent does not include utilities when they are paid directly by the tenant. Different rents must be identified when utility costs are paid by the owner and included in the rent. During the applicable control period, a workforce housing unit must only be rented to an individual with a household income that does not exceed the limits set under this article.

 - (d) In the event that an affordable, or a low-income housing unit is subsequently converted to a market rate unit in violation of the restrictive covenant required in Section 24-52.1, the owner or developer shall be required to pay all applicable fees and satisfy all requirements under Chapter XXIV, of this Code, as of the date of issuance of the building permit, plus interest at the highest amount authorized by law (with such interest accruing from the date of issuance of the permit until full payment of all amounts due under this section), collection costs, and attorney's fees. This is in addition to the for the penalty and enforcement provisions in this section.

 - (e) In the event that a workforce housing unit is subsequently converted to a market rate unit in violation of the restrictive covenant required under this section, the owner shall be required to pay all applicable fees and satisfy all requirements under Chapter XXIV, of this Code, as of the date of issuance of the building permit, plus interest at the highest amount authorized by law (with such interest accruing from the date of issuance of the permit until full payment of all amounts due under this section), collection costs, and attorney's fees. The foregoing is in addition to the penalty and enforcement provisions in this section.

(I) Affordable and Workforce housing requirements.

- (a) Workforce housing developments or units shall comply with the following requirements:
 - (1) An affordable or workforce housing unit shall only be offered for rental to a qualified household to be used as a primary residence. The city shall establish by resolution a pricing schedule of rental prices for workforce housing units in accordance with this article. In the event where the numbers are not established by the City

Commission, the default shall be the pricing schedule allocated by Miami-Dade County for workforce and affordable housing. The Economic Development division of the Community Development Department will be in charge of monitoring, and verifying the renter's application to the

(2) Any developer or property owner offering a workforce housing unit for rental shall record in the public records a declaration of restrictive covenants in a form approved by the city attorney. Such declaration shall incorporate, at a minimum, the requirements of this article and any other provisions necessary to carry out the purposes of this article. The declaration of restrictive covenants must, at a minimum assure that:

a. The restrictions of this article shall run with the land for the entire control period of thirty (30) years;

b. The covenants will bind the applicant, assignee, purchaser, successor, and any other parties that receive title to or hold any interest in the property. These covenants shall be senior to all instruments securing permanent financing.

(b) Upon the expiration of the control period the city shall record in the public records of Miami-Dade County an instrument releasing the declaration of restrictive covenants required under this article.

(c) The declaration of restrictive covenants shall, at a minimum, including the following terms:

i. The covenants shall be senior to all instruments securing permanent financing, and shall bind all assignees, mortgagees, purchasers, and other successors in interest.

ii. No transfer shall affect the validity of the covenants except as expressly set forth in the provisions of this article.

(d) Any workforce housing unit offered for rent under this article must not be rented for thirty (30) years after the date of original rental at a rent greater than the rent allowed for workforce housing units under this article and applicable regulations. Rent does not include utilities when they are paid directly by the tenant. Different rents must be identified when utility costs are paid by the owner and included in the rent. During the applicable control period, a workforce housing unit must only be rented to an individual with a household income that does not exceed the limits set under this article.

I- Affordability controls.

(a) Initial rental.

(1) Every affordable and workforce housing unit established under this article and pursuant to the land development regulations, shall be offered for rental to an eligible household to be used for his or her own primary residence.

(2) Sixty (60) days prior to offering any new affordable and workforce housing unit for rent, the developer or other property owner shall notify the city of such offering. The notice shall set forth the number, size, price established by applicable implementing order, and location of the workforce housing unit offered and shall provide a description of each workforce housing unit's finishes and availability. The department may request additional information from the developer or other property owner as it deems necessary.

(3) Upon re-rental of an affordable or workforce housing unit, each qualified household must first obtain a valid certificate of qualification from the prospective eligible household.

(b) Rental unit requirements.

(1) All qualified households must be provided with a lease, with a minimum period of twelve (12) months. The lease must comply with all applicable federal and state laws. The lease shall include without limitation provisions that specify the maximum household size allowed in the unit; a prohibition against subleasing; and a requirement that the qualified household shall report any changes in household size or income during the tenancy. Qualified households shall comply with all monitoring requirements established by the Department. Rent shall be consistent with the rental calculation provided by the city as to what qualifies as affordable workforce housing rent.

(2) If a qualified household's income increases above the maximum allowed income levels, the qualified household may choose to remain in the unit for the remainder of the lease term. If the formerly qualified household and the developer or other property owner agree to extend the lease term, the developer or other property owner shall make the next comparable vacant unit at the covered development available to an eligible household at the affordable or workforce housing unit rent.

(3) A tenant that has produced fraudulent income information for the household shall be subject to eviction pursuant to the leasehold. Eviction shall be mandatory if the tenant household income exceeds the thresholds for the unit.

(4) Residential affordable or workforce housing units shall be made available for occupancy either prior to or concurrently with market rate units at the same ratio required for the development. Certificates of occupancy shall not be issued and/or final inspections shall not be passed for the market rate units unless certificates of occupancy are issued and/or final inspections are passed for the residential affordable or workforce housing units concurrently with (or sooner than) the market rate units.

(5) Annually, the developer/property owner shall provide to the city proof of the continued workforce housing eligibility of the proposed tenant. If the department determines that an eligible household qualifies for the rental unit, the department will issue a certificate of qualification. In order to receive a certificate of qualification, an eligible household must provide an affidavit confirming that the affordable or workforce housing unit will be its primary residence.

(c) City responsibilities. The city shall:

- (1) Annually, set the maximum annual rent limit, and rent ranges;
- (2) Annually review leaseholds for compliance and;
- (3) Enforce provisions of article.

II - Enforcement.

(a) Violations of this article by the developer or the renter shall be subject to the following fines. The special magistrate shall not waive or reduce fines set by this article.

(1) If the violation is the first violation of an administrative violation: Warning issued.

(2) If the violation is the second violation: \$2,500.00.

(3) If the violation is the third violation within the preceding 18 months: \$7,500.00.

(4) If the violation is the fourth violation within the preceding 18 months: \$12,500.00.

(5) If the violation is the fifth or greater violation within the preceding 18 months: \$20,000.00.

(6) Fines for repeat violations shall increase regardless of location.

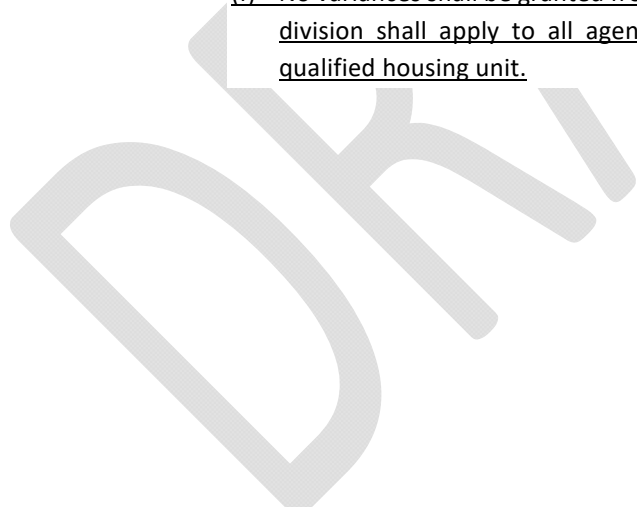
(b) Violations of this article by the tenant shall result in termination of the leasehold, upon 15 days written notice. Landlord shall be entitled to evict the tenant and seek all damages under law from the tenant.

(c) In addition to or in lieu of the foregoing, the city may seek an injunction against activities or uses prohibited under this article. The city may take legal action to stop or cancel any transfer of an affordable or workforce housing unit if any party to the transfer does not comply with all requirements of this article, and or seek enforcement of any covenant signed or order issued under this article. The city may recover any funds improperly obtained from any rental of an affordable or workforce housing unit in violation of this article, plus costs and interest at the rate prescribed by law from the date a violation occurred.

(d) Any city police officer or code compliance officer may issue notices for violations of this article, with alternative enforcement as provided in Chapter IX and Chapter XIV of this Code. Violations shall be issued to the homeowner, and/or to any realtor, real estate agent, real estate broker, tenant or any other individual or entity that facilitates or organizes the prohibited activities. In the event the record owner of the property is not present when the violation occurred, a copy of the violation shall be provided to such owner.

(e) The city manager or designee may adopt administrative rules and procedures to assist in the uniform enforcement of this article.

(f) No variances shall be granted from this article. The provisions of this division shall apply to all agents, successors, and assignees of a qualified housing unit.





City of North Miami Beach, Florida

Community Development Department – Planning & Zoning Division

17050 NE 19TH AVENUE
1ST FLOOR
NORTH MIAMI BEACH, FLORIDA 33162
PLANNING & ZONING DIVISION: (305) 948-2966

Business Impact Estimate

Directions to using/sponsoring department staff: Pursuant to F.S. s. 166.041(4), as amended by Ch. 2023-101, Laws of Florida, the City is required to prepare a Business Impact Statement for ordinances that are NOT exempt from this requirement. A list of ordinance exemptions is provided below. Please check all exemption boxes that apply to the proposed ordinance. If none of the boxes are checked, please complete and sign the Business Impact Statement on the following page.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

Prepared by: Edward Ng./Interim Director/
Community Development

Date: 10/15/2024

Printed Name/Title/Department

Regardless of whether any of the boxes are checked, Include this completed page in the agenda packet.

*If none of the boxes above are checked, complete the attached Business Impact Statement and include the completed Statement as part of the agenda package. **The completed Statement must be posted on the City of North Miami Beach web site not later than the time notice of the proposed ordinance is published.***

BUSINESS IMPACT STATEMENT

ORDINANCE TITLE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA AMENDING CHAPTER XXIV OF THE CITY'S CODE OF ORDINANCE ENTITLED "ZONING AND LAND DEVELOPMENT" BY AMENDING ARTICLE V ENTITLED "ZONING USE DISTRICTS", CREATING A NEW SECTION TO ESTABLISH THE "BISCAYNE CORRIDOR B2-DISTRICT OVERLAY"; SPECIFICALLY SECTION 24-52.1, ENTITLED "BISCAYNE CORRIDOR B2-DISTRICT OVERLAY", TO INCLUDE REGULATIONS FOR THE OVERLAY DISTRICT; TO ENCOURAGE SUSTAINABLE DEVELOPMENT WITHIN THE DISTRICT; PROVIDING THE REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES, PROVIDING FOR CONFLICT; PROVIDING FOR SCRIVENER ERRORS; PROVIDING FOR SEVERABILITY; CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE SUMMARY

(Must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

This overlay will address the change in regulations for developments happening within the B2-District only in the major corridor of Biscayne Boulevard. The request to approve the Ordinance amending Article V entitled "Zoning Use Districts", therefore, creating a new section to establish the "Biscayne Corridor B2-District Overlay" to match the city's amendment to the Comprehensive Plan was submitted by Director of the Community Development department of The City of North Miami Beach.

The City Commission has determined that these amendments would promote the public interest by increasing the economic vitality of the Biscayne Corridor.

ESTIMATE OF THE DIRECT ECONOMIC IMPACT OF THE PROPOSED ORDINANCE ON PRIVATE, FOR-PROFIT BUSINESSES IN THE CITY OF NORTH MIAMI BEACH, IF ANY: **NONE**

ESTIMATE OF DIRECT COMPLIANCE COSTS THAT BUSINESSES MAY REASONABLY INCUR: **NONE**

DESCRIPTION OF NEW CHARGES/FEEES IMPOSED BY THE PROPOSED ORDINANCE OR FOR WHICH BUSINESSES WILL BE FINANCIALLY RESPONSIBLE: **NONE**

ESTIMATE OF THE CITY'S REGULATORY COSTS, INCLUDING ESTIMATED REVENUES FROM ANY NEW CHARGES OR FEES TO COVER SUCH COSTS: **NONE**

GOOD FAITH ESTIMATE OF THE NUMBER OF BUSINESSES LIKELY TO BE IMPACTED BY THE PROPOSED ORDINANCE: **NONE**

ADDITIONAL INFORMATION THE GOVERNING BODY DEEMS USEFUL (IF ANY): **N/A**

SIGNATURE

DATE