

**North Beach Oceanfront Overlay District - Comprehensive Plan Amendment
(Amended for Second Reading)**

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2040 COMPREHENSIVE PLAN PURSUANT TO THE SMALL SCALE PROCEDURES IN SECTION 163.3187, FLORIDA STATUTES, BY AMENDING GOAL RLU 1, "LAND USE," OBJECTIVE RLU 1.1, "ESTABLISHMENT OF FUTURE LAND USE CATEGORIES," POLICY 1.1.7, "HIGH DENSITY MULTI FAMILY RESIDENTIAL (RM-3)," TO CREATE THE NORTH BEACH OCEANFRONT OVERLAY LAND USE CATEGORY, PROVIDING AUTHORITY TO ESTABLISH FLOOR AREA INCENTIVES FOR PARTIAL RECONSTRUCTION OF CONTRIBUTING BUILDINGS; AND DESIGNATING THE NORTH BEACH OCEANFRONT OVERLAY DISTRICT ON THE 2040 FUTURE LAND USE MAP; AND PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN, TRANSMITTAL, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

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

WHEREAS, Lot 44, Block 1 of the Amended Second Oceanfront Subdivision is one of the largest single oceanfront properties in the City (the "Overlay Area"); and

WHEREAS, the City seeks to create regulations for the development of the Overlay Area that promote the public health, safety, and general welfare of the public; and

WHEREAS, due to the unique size and location of the Overlay Area, any future development must be carefully planned to ensure appropriate massing, promote neighborhood character, and ensure compatibility with the surrounding historic district; and

WHEREAS, the Overlay Area was previously developed with a hotel known as the Deauville Beach Resort that was classified by the City as a contributing building within the North Beach Resort Historic District; and

WHEREAS, the City seeks to incentivize the partial reconstruction of the Deauville Beach Resort in accordance with the City's Certificate of Appropriateness Criteria, while balancing the need for resilient design and pedestrian friendly streetscapes; and

WHEREAS, taking into account the size of the Overlay Area, the City seeks to appropriately limit residential density and hotel unit counts; and

WHEREAS, the City seeks to encourage development of cohesive residential and mixed-use communities with low density long-term residential uses; and

WHEREAS, the proposed North Beach Oceanfront Overlay is approximately 3.82 acres and qualifies as a small-scale amendment; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives; and

WHEREAS, these regulations will promote the public health, safety and welfare.

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

SECTION 1. The following amendments to the City's 2040 Comprehensive Plan Future Land Use Element are hereby adopted:

RESILIENT LAND USE AND DEVELOPMENT ELEMENT

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GOAL RLU 1: LAND USE

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POLICY RLU 1.1.7 HIGH INTENSITY MULTI-FAMILY (RM-3)

* * *

Density Limits: 150 dwelling units per acre.

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

- a floor area ratio of 2.25 on lot area equal to or less than 45,000 sq. ft.;
- a floor area ratio of 2.75 on lot area greater than 45,000 sq. ft.;
- a floor area ratio 3.0 on oceanfront lots with lot area greater than 45,000 sq. ft.;
- a floor area ratio of 2.0 on oceanfront lots in architectural district;
- a floor area ratio of 3.0 for lots which, as of November 14, 1998, are oceanfront lots with a lot area greater than 100,000 sq. ft. with an existing building, however, the lesser of an additional floor area ratio of 0.15 or 20,000 sq. ft. for the purpose of providing hotel amenities;
- Notwithstanding the foregoing, the City Commission acting in a legislative capacity may adopt land development regulations that provide intensity bonuses in the following RM-3 land use category overlays:
 - A. North Beach Oceanfront Overlay: Lots within the North Beach Resort Historic District, which, as of January 1, 2025, are oceanfront lots with a lot area greater than 140,000 square feet and a minimum lot width of 450 feet and are proposed to be developed with the partial reconstruction of a previously existing contributing building, as determined by the Historic Preservation Board, are eligible for the intensity bonuses set forth below.

Within this Overlay, partial reconstruction shall mean reconstruction of certain contributing architectural elements of the pedestal of the contributing building, as determined by the Historic Preservation Board, and development of a tower that references, even though it may not precisely reconstruct, elements of the original contributing building such as the tower's orientation, general massing, location within the site, elevations, and other significant exterior architectural features and elements of the original contributing building, as determined by the Historic Preservation Board. For the avoidance of doubt, the term partial reconstruction does not require reconstruction of the original setbacks, height, elevations, floor area, density, or use of the contributing building, and shall be construed liberally to encourage an architecturally and historically appropriate, resilient and high-quality design.

- i. The base maximum floor area in the overlay shall be 3.0.
- ii. New construction limiting density to a maximum of ~~75 units per acre~~ 200 residential units shall receive a floor area ratio bonus of 0.25.
- iii. New construction limiting hotel unit count to a maximum of ~~200~~ 140 hotel units shall receive a floor area ratio bonus of 0.25.
- iv. A property that elects, at the owner's sole discretion, to voluntarily execute a restrictive covenant running with the land, in a form approved by the city attorney, affirming that, throughout the property and at all times, no residential unit on the property shall be leased or rented for a period of less than six months and one day, shall receive a floor area bonus of 0.50.
- v. A property that provides pedestrian pathways from Collins Avenue to the beach walk on the north and south sides of the property for public beach access in perpetuity shall receive a floor area bonus of 0.50.
- vi. The City Commission may adopt land development regulations that allow additional floor area for the sole purpose of partial reconstruction of the pedestal of a contributing structure, with the extent of reconstruction to be approved by the Historic Preservation Board, up to a maximum of 166,500 square feet of additional floor area, provided that density and intensity of development at the property where the reconstruction occurs is limited as provided in this Policy and as further provided in the land development regulations.
- vii. Accessory Uses: the enclosed portions of accessory uses shall not exceed 35% of the square footage of the reconstructed contributing building.

SECTION 2. COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT

The following amendment to the City of Miami Beach 2040 Comprehensive Plan, Future Land Use Map designation for the property described herein is hereby approved and adopted and the Planning Director is hereby directed to make the appropriate change to the City of Miami Beach 2040 Comprehensive Plan, Future Land Use Map:

MAPS SERIES

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2040 FUTURE LAND USE MAP

The 2040 Future Land Use Map shall be amended to include the “North Beach Oceanfront Overlay District.” The overlay regulations of this section shall apply to the following property, further identified and outlined in the excerpt of the 2040 Future Land Use Map below:



SECTION 3. TRANSMITTAL.

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

SECTION 4. REPEALER

All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 5. SEVERABILITY

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 6. EFFECTIVE DATE.

The ordinance shall take effect 31 days after adoption if no challenge is filed, pursuant to Section 163.3187(1), Florida Statutes.

PASSED and ADOPTED this ____ day of _____, 2025.

Steven Meiner, Mayor

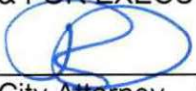
ATTEST:

Rafael E. Granado, City Clerk

First Reading: March 19, 2025
Second Reading: June 25, 2025

Verified By: _____
Thomas R. Mooney, AICP
Planning Director

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

 6/17/2025
City Attorney NK Date