

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: April 23, 2025 9:14 a.m. Second Reading Public Hearing

TITLE: OCEAN TERRACE MXE ZONING DISTRICT CHANGE TO CD-2 - LDR OVERLAY AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 7 OF THE MIAMI BEACH RESILIENCY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, ENTITLED "OVERLAY DISTRICTS," AT SECTION 7.3.6, "OCEAN TERRACE OVERLAY," TO AMEND THE OCEAN TERRACE OVERLAY REGULATIONS TO CLARIFY THAT REGULATIONS APPLICABLE TO PROPERTIES THAT WERE PREVIOUSLY ZONED MXE WILL CONTINUE TO APPLY TO PROPERTIES FRONTING OCEAN TERRACE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission (City Commission) adopt the ordinance.

BACKGROUND/HISTORY

On May 15, 2024, at the request of Commissioner Tanya K. Bhatt, the City Commission referred a proposal to modify the zoning classification of the Ocean Terrace area (C4 AD) to the Land Use and Sustainability Committee (LUSC) and the Planning Board. On September 5, 2024, the LUSC discussed the item and recommended that the Planning Board transmit the proposed ordinances changing the zoning and future land use classifications on Ocean Terrace to the City Commission with favorable recommendations.

These ordinances were subsequently transmitted with a favorable recommendation by the Planning Board and are currently pending before the City Commission. For purposes of consistency, the subject companion ordinance is proposed to clarify the new zoning classification within the Ocean Terrace Overlay regulations for properties fronting Ocean Terrace.

ANALYSIS

The City's zoning map includes two Mixed-Use Entertainment (MXE) zoning districts – one in South Beach, along Collins Avenue and Ocean Drive; and the other in North Beach, along Ocean Terrace. The MXE designation was created, in part, to incentivize redevelopment, especially for hotel and entertainment uses.

The properties to the west of the North Beach MXE district are currently zoned CD-2 (commercial, medium intensity district) and to ensure the consistency and compatibility of future development, separate ordinances are being proposed to re-zone this district from MXE to CD-2 and amend the future land use map designation from MXE to CD-2. This change will not result in more intense development than is currently permitted in the subject area and the redevelopment projects underway along Ocean Terrace would not be impacted by a re-zoning from MXE to CD-2

The Ocean Terrace Overlay contains regulations specific to the underlying CD-2 and MXE

districts. The attached draft ordinance amends the Land Development regulations of the City Code (LDRs) by updating the text of the overlay regulations to reflect the pending zoning district change, which will change the MXE designation to CD-2. No modifications to the development regulations or uses in the overlay are proposed.

PLANNING BOARD REVIEW

On February 4, 2025, the Planning Board held a public hearing and transmitted the proposed ordinance to the City Commission with a favorable recommendation (6-0).

UPDATE

The subject ordinance was approved at First Reading on February 26, 2025 with no changes.

FISCAL IMPACT STATEMENT

No Fiscal Impact

Does this Ordinance require a Business Impact Estimate? Yes
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on: 3/19/2025
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

Not Applicable

CONCLUSION

The Administration recommends that the City Commission adopt the ordinance.

Applicable Area

North Beach

Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Planning

Sponsor(s)

Commissioner Tanya K. Bhatt

Co-sponsor(s)

Condensed Title

9:14 a.m. 2nd Rdg, Ocean Terrace MXE Zoning District Change to CD-2 - LDR Overlay. (Bhatt)
PL 5/7

Previous Action (For City Clerk Use Only)

First Reading Public Hearing on 2/26/2025 - R5 X