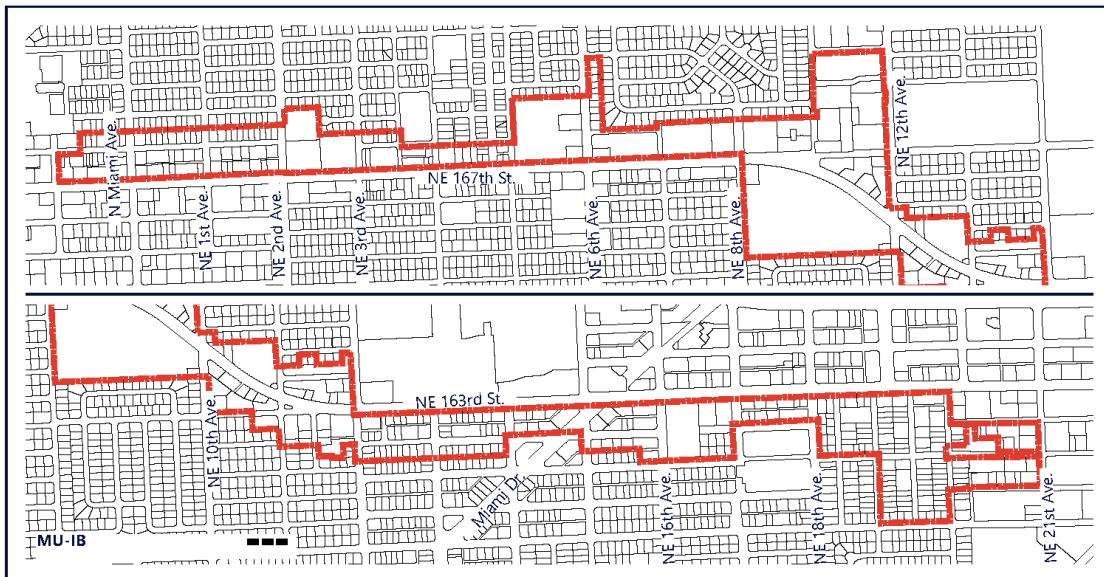


Sec. 24-58.8 - International Boulevard District (MU/IB).

PART I. INTRODUCTION

- (A) *Purpose and Intent.* The purpose of these regulations is to implement the standards and policies that guide the development of the International Boulevard District (MU-IB). The intent of these regulations is to enable a pedestrian scaled, transit accessible pattern of mixed-use development along the NE 167th Street/NE 163rd Street Corridor, between North Miami Avenue east to NE 21st Avenue. Development patterns shall generally reflect planning and design principles such as walkable neighborhoods oriented around the five-minute walk. Additionally, there shall be a primary orientation towards the corridor, with strong consideration taken towards creating an identifiable sense of place that establishes this corridor as an attractive option for development that improves the City and provides additional options for residents to live, work and play. This purpose will be fulfilled by:
- (1) Ensuring high quality, architecturally compatible, consistently landscaped development throughout the District;
 - (2) Ensuring that new development or redevelopment projects enhance the visual character of the NE 167th/163rd Street Corridor in terms of massing and scale;
 - (3) Stimulating neighborhood commercial and retail activities with an emphasis on the development of mixed-use nodes at highly trafficked/accessible locations, which are connected by improved development along the corridor;
 - (4) Encouraging people to reside and work in the district;
 - (5) Encouraging the landscaped beautification and pedestrianization of the thoroughfares;
 - (6) Ensuring new publicly accessible open spaces; and
 - (7) Ensuring the appropriate screening and transition to reduce the impact on any surrounding single-family neighborhoods and low density residential districts.
 - (8) Encouraging the creation of multi-cultural or business districts, such as a "Chinatown."
- (B) *District Boundaries.* The development standards shall be utilized for properties located within the Mixed-Use International Boulevard District (MU-IB), FIGURE MU/IB- 1.

Figure MU/IB-1. Mixed-Use International Boulevard Boundary



- (C) *Administration.* In order to maintain predictability in development, Planned Unit Developments (PUDs) shall be prohibited. Variances from the dimensional requirements or waivers from any other criterion may be approved by the applicable review board for projects, provided that the applicant meets the standards pertaining to such variance or waiver. The applicable board shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Director of the Community Development Department or his/her designee in the enforcement of these development regulations.
- (D) *General Development Standards.*

- (1) In addition to the standards contained herein, [Section 24-58](#) Mixed-Use (MU) district standards development within the Mixed-Use International Boulevard (MU-IB). The applicable regulations IV, VIII, IX, X, XI, XII, XIII, and XIV shall also apply, except as modified herein and may be further modified by the City Manager or his/her designee to meet the purpose and intent of the Mixed-Use International Boulevard (MU-IB) code.
- (2) The provisions of the MU/IB code, when in conflict, shall take precedence over the existing zoning and land development regulations.
- (3) The provisions of the building code, when in conflict, shall take precedence over the provisions of the MU/IB code.
- (4) Existing buildings may be destroyed or removed, however they must be replaced according to the MU/IB regulations. Existing buildings may not be destroyed or removed unless they are to be replaced according to MU/IB regulations and only after a building permit is issued.
- (5) Existing buildings and uses within the MU/IB area, which are legally established but do not conform to provisions of the MU/IB regulations as of the effective date of these regulations shall be considered nonconforming and may not be replaced, restored, or modified, except in conformity with the regulation for nonconformities contained in Article IV of this chapter. When a nonconforming structure is destroyed by windstorm, flood, or nature disaster, it may be replaced by a new structure of the same or lesser size, and reoccupied by the same use, if construction of such structure is commenced within eighteen (18) months of destruction.
 - a. Projects approved in 2019 or later, prior to the adoption of these regulations shall be exempt from the above regulation and shall be permitted to be reconstructed, as permitted in the previous zoning and as approved in the original site plan.
- (6) Proposed development with site plan approved under the previous zoning regulations shall commence construction within the time frame allotted in the development order or site plan approval letter. If commencement of construction does not occur within the allotted time frame, the site plan approval shall automatically expire without further action by the City.

(E) *Assessments.*

- (1) *Public Infrastructure and Streetscape Assessment and Fund.*
 - a. All new development, or renovation or remodeling of existing buildings within the MU/IB, where total vertical construction costs of the development, renovation or remodeling is equal to or greater than five hundred thousand (\$500,000.00) dollars, shall pay a public infrastructure and streetscape assessment per dwelling unit or square foot to receive any allowable tax incentive, which may be available from the North Miami Beach Community Redevelopment Agency, if any. Such public infrastructure and streetscape assessment shall be paid prior to issuance of a building permit for the development, renovation or remodeling. All public infrastructure and streetscape assessments shall be deposited into the public infrastructure and streetscape fund.
 - b. Ordinary property maintenance is exempt from the public infrastructure and streetscape assessment. Repairs and restoration resulting from fire, flood, windstorm or other natural disaster, as determined by the building official, are exempt from the public infrastructure and streetscape assessment.
 - c. The amount of the public infrastructure and streetscape assessment shall be established by resolution of the City Commission and may be adjusted from time to time.
 - d. A separate public infrastructure and streetscape fund shall be established by the City. All public infrastructure and streetscape assessment payments from new development, or renovation or remodeling of existing buildings within the MU/IB shall be deposited into this fund and the funds shall be kept separate from any other City funds. The public infrastructure and streetscape fund shall be used by the City for improvement to and maintenance of the public infrastructure and streets in the MU/IB. Use of such funds shall be determined by the City Commission. Any monies not expended in the fund in any fiscal year shall be carried over in the fund into the following year. Any interest earned on the funds shall be retained in the fund.
- (2) *Public Open Space Assessment and Fund.*
 - a. All new development, or renovation or remodeling of existing buildings within the MU/IB, where total vertical construction costs of the development, renovation or remodeling is equal to or greater than five hundred thousand (\$500,000.00) dollars shall pay a public open space assessment per dwelling unit or square foot to receive any allowable tax incentive, which may be available from the North Miami Beach

Community Redevelopment Agency, if any. Such public open space assessment shall be paid prior to issuance of a building permit for the development, renovation or remodeling. All public open space assessments shall be deposited into the public open space fund.

- b. Ordinary property maintenance is exempt from the public open space assessment. Repairs and restoration resulting from fire, flood, windstorm or other natural disaster, as determined by the building official, are exempt from the public open space assessment.
- c. The amount of the public open space assessment shall be established by resolution of the City Commission and may be adjusted from time to time.
- d. A separate public open space fund shall be established by the City. All public open space assessment payments from new development, or renovation or remodeling of existing buildings within the MU/IB shall be deposited into this fund and the funds shall be kept separate from any other City funds. The public open space fund shall be used by the City for improvement to and maintenance of the Snake Creek Canal Greenway, public parks, public open spaces and recreational areas and facilities in the MU/IB. Use of such funds shall be determined by the City Commission. Any monies not expended in the fund in any fiscal year shall be carried over in the fund into the following year. Any interest earned on the funds shall be retained in the fund.

(3) *Public Art Assessment and Fund.*

- a. All new development, or renovation or remodeling of existing buildings within the MU/IB, where total vertical construction costs of the development, renovation or remodeling is equal to or greater than five hundred thousand (\$500,000.00) dollars shall pay a public art assessment to receive any allowable tax incentive, which may be available from the North Miami Beach Community Redevelopment Agency, if any. Such public art assessment shall be paid prior to issuance of a building permit for the development, renovation or remodeling. All public art assessments shall be deposited into the public art fund.
- b. Ordinary property maintenance is exempt from the public art assessment. Repairs and restoration resulting from fire, flood, windstorm or other natural disaster, as determined by the building official, are exempt from the public art assessment.
- c. The amount of the public art assessment shall be established by resolution of the City Commission and may be adjusted from time to time.
- d. A separate public art fund shall be established by the City. All public art assessment payments from new development, or renovation or remodeling of existing buildings within the MU/IB shall be deposited into this fund and the funds shall be kept separate from any other City funds. The public art fund shall be used by the City for the construction of, improvement to and maintenance of public art. Use of such funds shall be determined by the City Commission. Any monies not expended in the fund in any fiscal year shall be carried over in the fund into the following year. Any interest earned on the funds shall be retained in the fund. Such public art assessment shall be paid prior to issuance of a building permit for the development, renovation or remodeling. All public art assessments shall be deposited into the public art fund.

(F) *Public Benefits Program.* The Public Benefits Program is established in this section to allow bonus Building Height (additional stories) in addition to what is permitted by right in the Core and Transition Sub-District areas within the MU-IB. The additional Building Height shall be provided in exchange for the developer's contribution to specified areas that provide benefits to the public.

- (1) Upon providing a binding commitment for the specified public benefits as provided below, the proposed development project shall be allowed to build additional development (bonus stories no greater than maximum permitted floor plate size) subject to the standards provided in the MU-IB, up to the maximum number of stories with bonus height. The only square footage accommodated above the maximum permitted height is that achieved through the bonus program.

(G) *Public Benefits Fund.* The City of North Miami Beach shall create and operate the City of North Miami Beach Mixed-Use International Boulevard District Public Benefits Fund for contributions that benefit the public. The contributions to this fund shall be distributed to improve the quality, quantity and character of landscape, streetscape and public urban greenway facilities within the MU/IB, as

well as the construction and maintenance of public open spaces. This fund shall also be used to improve the pedestrian mobility experience within the MU/IB, including the installation of street furnishings, uniquely branded transit refuge structures, pedestrian and bicycle facilities.

- (H) *Bonus Opportunities*. The following Bonus Opportunities shall be offered to developers in exchange for contributions that benefit the public in the MU/IB District:
- (1) *Cash Contributions*. For a cash contribution, the development project shall be allowed additional Floor Area up to the bonus height maximum. The cash contribution shall be determined based on a percentage of the market value of the per square foot price being charged for units at projects within the market area, where the proposed project seeking the bonus is located. The calculation assumes a land value per saleable square foot within the market area to equate to between ten (10) to fifteen (15) percent of market area's weighted average sales price per square foot. The cash contributions may be adjusted on an annual basis to reflect market conditions effective October 1 of every year.
 - (2) *Dedication of Public Open Space*. For each square foot of dedicated public park or open space provided on-site, and accessible directly from public right-of-way, the development shall be allowed an equivalent amount of development floor area up to the bonus height maximum. The location and design of the dedicated public open space shall be approved by the Planning Director.
 - (3) *Dedication of Public Schools Space*. For each square foot of dedicated land or building area provided on-site for the use of Public Schools, and accessible directly from public right-of-way, the development shall be allowed an equivalent amount of development floor area up to the bonus height maximum. The location and design of the dedicated area shall be approved by the Planning Director.

PART II. REGULATORY FRAMEWORK

- (A) *Regulating Plans and Diagrams*. The MU/IB is governed by a series of regulating plans and diagrams. The Regulating Plans and Diagrams demonstrate MU/IB development standards in both words and diagrams, and include maps designating the locations where the various standards apply. Unless otherwise noted, all development shall be in compliance with the Regulating Plans and Diagrams contained herein and with the Building Typology and Placement Regulating Diagrams in [Section 24-58](#) Mixed-Use (MU) district. The Regulating Plans and Diagrams for the MU/IB include the following:
- (1) *The Sub-Areas Regulating Plan*. Divides the MU/IB into three (3) Sub-areas: Core, Transition and Edge. The highest density and intensity within the MU/IB shall be allocated to the Core Sub-area, a mixed-use area at the heart of the district. The densities and intensities shall then gradually decrease from the Core to the Transition Sub-area where mixed-uses are still permitted and then further decrease to the Edge Sub-area which is characterized by single uses, including lower density residential adjacent to existing low density residential. The Sub-areas Regulating Plan is shown in FIGURE MU/IB- 2. The maximum density permitted within each of the sub-districts is listed in the table below.

Figure MU/IB-2. Sub-Areas Regulating Plan

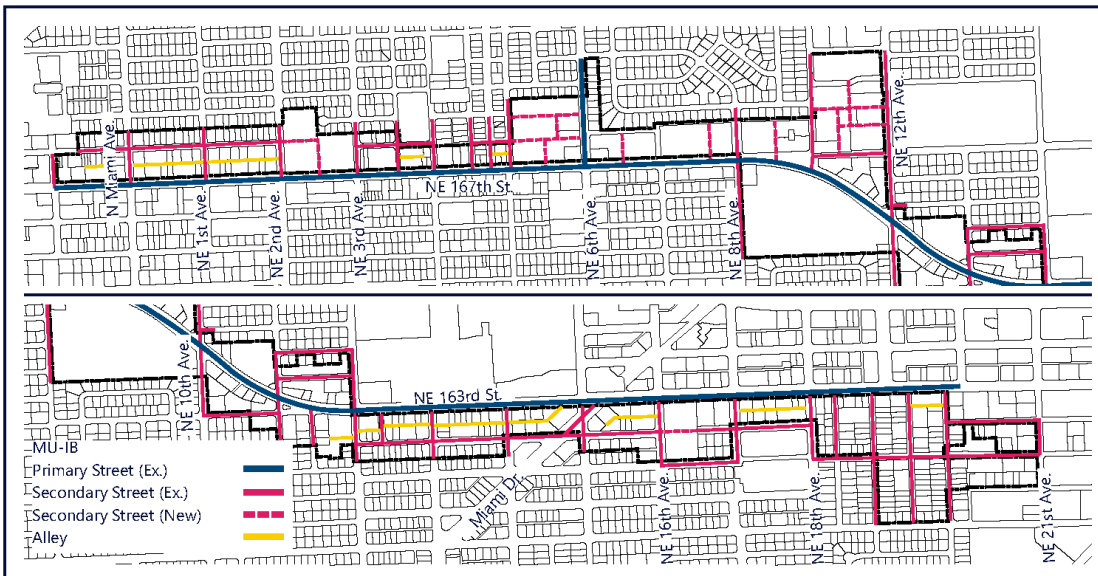


FIGURE MU/IB- 2. Sub-Areas Regulating Plan

MAX. RESIDENTIAL DENSITY BY SUB-DISTRICT	
Sub-District	Maximum Residential Density
Core	125 du/acre
Transition	80 du/acre
Edge	40 du/acre

- (2) *Street Network Connectivity Plan.* Shows the approximate location of existing and required new streets needed to create the prescribed network of streets within the MU/IB. This Plan also establishes the hierarchy of the streets as shown in Figure MU/IB-3. The street standards specified in [Section 24-58](#) (J) Mixed-Use District shall apply except as modified herein. All streets shall be located according to the Street Network Connectivity Plan for the MU/IB.

Figure MU/IB-3. Street Network Connectivity Plan



- All streets shall be located according to the Street Network Connectivity Plan for the MU/IB.
- The design of new streets and modification of existing streets shall comply with [Section 24-58](#)(J) unless otherwise detailed below.
- All Primary and Secondary Streets shall be required in the same general locations as shown on the Street Network Connectivity Plan and may be modified with respect to alignment. No Primary or Secondary Streets shall be deleted or otherwise vacated or removed.

- i. All streets are encouraged to promote connectivity and accessibility between multiple modes of transportation including pedestrians, vehicles and/or mass transit systems.
 - d. Secondary Streets shown on the Street Network Connectivity Plan are required to promote connectivity and establish an improved street network and block system within the MU/IB.
 - i. Certain New Secondary Streets are proposed to break up the potential for super blocks and demonstrate compliance with maximum block length requirements.
 - ii. Secondary Streets, where located in a core/transition sub-area, street section shall include on-street parking, at a minimum.
 - e. Existing Alleys may be vacated only for the purpose of assembling parcels.
- (3) *Designated Publicly Accessible Open Spaces and Urban Greenway Systems Plan.* Designates the approximate location of the required publicly accessible open spaces and urban greenway system as shown in Figure MU/IB-4.

Figure MU/IB-4. Designated Publicly Accessible Open Spaces and Urban Greenways Systems Plan



- a. The Designated Publicly Accessible Open Spaces identified within Figure MU/IB-4 shall be provided with the minimum areas as identified in Table MU/IB- 1.

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Table MU/IB-1. Public Open Space Sizes	
#	Area (min.)
1	4,052 SF
2	3,600 SF
3	3,600 SF
4	12,000 SF

Table MU/IB-1. Public Open Space Sizes

#	Area (min.)
5	4,875 SF
6	2,500 SF
7	2,500 SF
8	20,000 SF
9	11,500 SF
10	2,875 SF
11	2,500 SF
12	5,300 SF
13	3,000 SF
14	3,000 SF
15	1,660 SF
16	1,660 SF

- i. So long as publicly designated open space size and general proportion is provided as indicated in the regulating plan (Figure MU/IB-4), the precise location of the public open space may be shifted/rotated to provide flexibility for specific design concept.
- b. Urban Greenways.
 - i. Type UG-1 shall run parallel to the corridor along the north side of NE 167th Street and be composed as described below and in Figure MU/IB-5.
 - 1. The total width of the urban greenway shall be no less than fourteen (14) feet and be measured from the back of curb (including existing sidewalk), to the facade of the building.
 - 2. A minimum six (6) feet of sidewalk shall be added parallel to the ROW line and abutting the existing sidewalk, to equal a total width of fourteen (14) feet of sidewalk, measured from the back of curb along the corridor.
 - 3. The new sidewalk shall be finished to match and appear as a single sidewalk.

4. Street Trees shall be planted providing minimum distance from the curb, as : grates a minimum of six (6) feet by six (6) feet, within this zone.

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Figure MU/IB-5. UG-1 Dimension

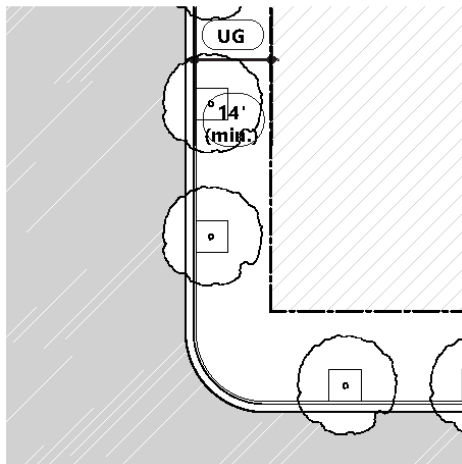
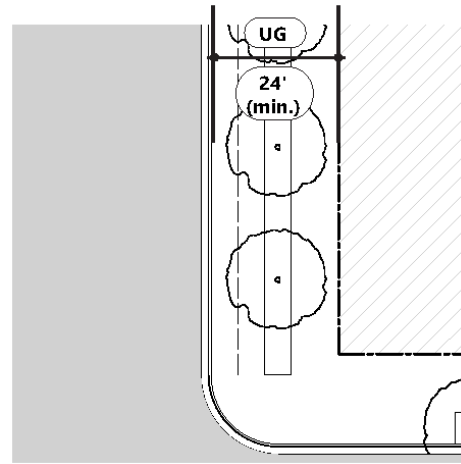


Figure MU/IB-6. UG-2 Dimension



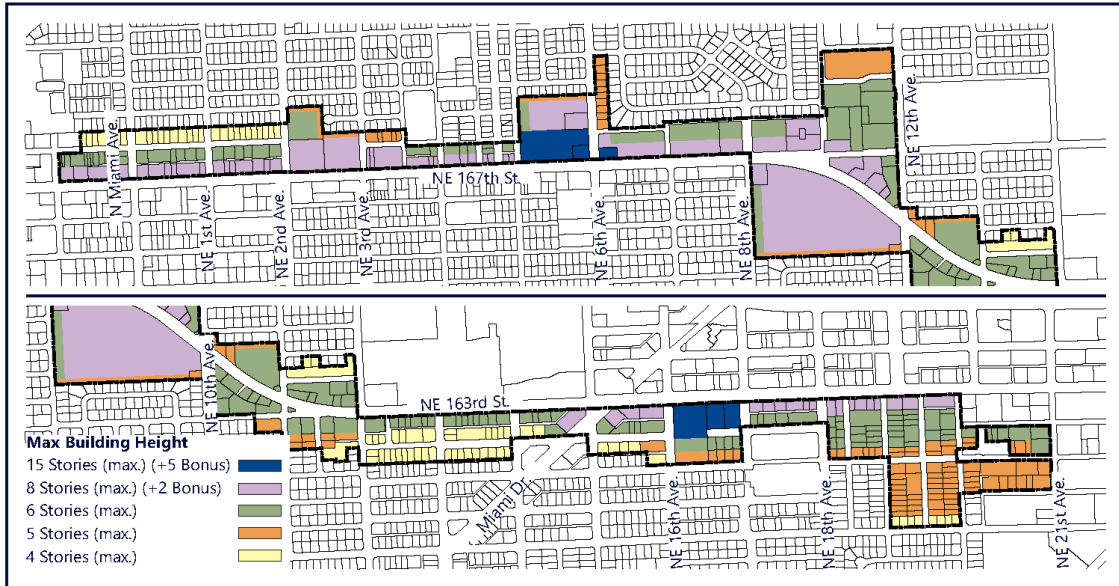
- ii. Type UG-2 (Figure MU/IB-6) may be provided within private properties as indicated in the locations depicted in Figure MU/IB-4. The City of North Miami Beach Transportation Master Plan has identified improvements to both NE 6th and NE 10th Avenue to include bicycle improvements, which include dedicated bicycle lanes.
 1. Should any redevelopment wish to provide these bicycle lanes along the street frontage within their development parcel, for public use, additional bonus' shall be permitted as indicated in Public Benefits Program.
 2. The total width of the UG-2 shall be no less than fourteen (24) feet and be measured from the back of curb (including existing sidewalk), to the facade of the building.
 3. UG-2 shall be composed of the existing sidewalk, a five (5) foot minimum bicycle track, with [a] five (5) foot landscape bicycle buffer and minimum eight (8) foot minimum sidewalk along the building frontage.
- c. The designated public urban greenways system shall be designed to enhance the visual character of specific streets along the urban greenways with the following:
 - i. Street Trees shall provide a continuous canopy coverage over the pedestrian zone, for the length of the greenway's frontage.
 1. Street trees shall not be in conflict with overhead wires. Where overhead wires are present, street trees shall be in compliance with FPL guidelines for street trees.
 2. The maximum spacing of the street trees shall be average thirty (30) feet on center for the length of the property frontage.
 3. All street trees within the ROW shall be planted with Silva Cell, or method of equal intent, from back of curb to face of building to promote root growth and health of trees.
 - ii. Street furnishings such as benches, trash receptacles, bike racks, drinking water fountains, etc. shall be provided.
 1. All details and specifications, with photos/drawings, for selections shall be included in the Site Plan submission for review.
 - iii. A landscape plan illustrating a coherent design with significant tree species along the urban greenways that are distinguishably different from the other streets along the property in terms of color, type and shape shall be provided.
 - iv. No plant material other than trees shall be higher than twenty-four (24) inches

within the urban greenway.

v. Tree specifications shall be as per [Section 24-58\(L\)](#).

(4) **Building Heights Plan.** Establishes the maximum building height with and without bonus' as shown in Figure MU/IB- 7.

Figure MU/IB-7. Building Heights Plan



- a. i. Where maximum height is designated as six (6) stories maximum, development shall be limited to six (6) stories for a minimum of ninety (90) feet, measured from the property line, in order to provide adequate transition of building height from lower adjacent development.
- ii. Where maximum height is designated as six (6) stories maximum, development shall be limited to six (6) stories for a minimum of ninety (90) feet, measured from the property line, in order to provide adequate transition of building height from lower adjacent development.
- iii. Where maximum height is designated as five (5) stories, development shall be limited to five (5) stories for a minimum of fifty (50) feet, measured from the property line, in order to provide adequate transition of building height from lower adjacent development.
- b. All new development shall comply with the standards illustrated within Figure MU/IB-7. A summary of the heights permitted in the MU/IB is provided in Table MU/IB-2. This table is only a summary of maximum heights in the district. Further breakdown of heights shall be prescribed in Figure MU/IB-7.
 - i. Ground level stories shall be permitted a maximum height of twenty (20) feet.
 - ii. Second level stories shall be permitted a maximum height of twenty (20) feet.
 - iii. Each story, above the second story, shall be permitted a maximum height of fourteen (14) feet.
 - iv. Every building shall be permitted a single (1) specialty amenity story above the third story and above the fourteen (14) feet limit, for a maximum of twenty (20) feet.

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Table MU/IB-2. Maximum Permitted Height in the Sub-Districts

Area	# of Stories (1)
------	------------------

MU/IB-2. Maximum Height (not to exceed)	By Right (not to exceed)	Sub-District Floors (not to exceed)
Area	# of Stories (1)	
Core	15 Stories	20 stories
Transition MU/IB	8 Stories By Right (not to exceed)	10 stories with Bonus Floors (not to exceed)
Edge	4 Stories	N/A
Maximum height per story	Floor to Floor Height	
	Ground Story	Second Story
	20 feet (max.)	20 feet (max.)
	Stories 3+	Specialty Amenity Story
	14 feet (max.)	20 feet (max.)

(1) Buildings higher than eight (8) stories shall only be developed per the Tower Building type standards.

(B) *Permitted Uses.*

(1) Land Use Principles.

- a. The MU/IB District shall be developed as an identifiable place and shall act as an important destination for living, working, shopping and entertainment. The mix of uses within the District, the streets and the architectural character of individual buildings shall blend together to contribute to a coherent identity and sense of place. Thematic areas, are permitted to maintain their own unique architectural identity, provided that their massing, orientation and frontage meet the requirements of this code.
- b. Building frontage along NE 167th/163rd Street shall be developed as non-residential at the ground level.
- c. At a minimum, the building facades along NE 167th/163rd street shall contain active use along the first level.
 - i. On all other levels, both non-residential and residential uses shall be permitted. To support transit, residential uses are encouraged and shall be permitted to be vertically or horizontally integrated.
- d. All parking garage structures within the MU/IB are required to be fully screened on all sides with an active use liner building, unless otherwise noted. Where a waiver of an active use liner building is sought, parking structures shall be screened at a minimum on the 2nd Floor and above by a uniquely designed architectural screen. All methods of screening shall meet applicable requirements for ventilation of the parking structure.

- (2) *Permitted Use Table.* Table MU/IB-4 includes the principal uses permitted in the MU/IB along with any required restrictions on such uses, for each of the sub-areas. Principal uses not included in Table MU/IB-4 are not permitted in the MU/IB. The MU/IB shall be subject to the Supplemental Regulations as provided for in Article VIII unless modified herein. Uses which are similar in nature to the uses permitted herein, but not enumerated in higher density use areas, shall be permitted upon a finding by the Community Development Director that the characteristics of, and activities associated with the use are substantially similar to one (1) or

more of the listed uses, and will not involve greater impacts than the uses listed in the district and the use will be consistent with the purposes of the applicable zoning district and use areas.

(3) *Special Limited Conditional Uses.* See [Section 24-177](#).

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Table MU/IB-4. Permitted Uses in the MU/IB District				
P Permitted by Right	C Conditional Uses	NP Not Permitted		
Residential		Core	Transition	Edge
Residential, in multi-family context;		P	P	P
Residential, townhouses (per building typology diagram)		P	P	P
Group Homes		P	P	P
Community Residential Home as defined in Article II and with a review process in conformance with Chapter 89-372 FAS		P	P	P
Community care facilities (as defined in Article II), provided that: (a) There is reasonable proximity to bus lines; (b) There is no existing community care facilities within one thousand (1,000) feet; (c) The facility is licensed by DCF; (d) The clients either meet the requirements of a community residential home or at least sixty (60) years of age.		C	C	C
Eating and Drinking Establishments		Core	Transition	Edge

Table MU/IB-4. Permitted Uses in the MU/IB District

P Permitted by Right	C Conditional Uses	NP Not Permitted		
Barbeque restaurants (open air)	C	C	NP	
Bars and lounges provided that any such use shall not be located within five hundred (500) feet of the real property that comprises a public or private elementary school, middle school or secondary school (Pursuant to Section 562.45(2)(a), Florida Statutes).	P	P	C	
Microbrewery, winery or distillery	P	P	C	
Restaurants including fast food, excluding drive through, including outdoor dining	P	P	C	
Restaurant fast food with drive through provided drive through is inside parking garage	C	C	NP	
General Business	Core	Transition	Edge	
Animal hospitals and kennels; provided that all activities relating to any such uses are conducted entirely within an air conditioned, soundproofed building and that no such use shall be located less than three hundred (300) feet from any residential district.	C	C	P	

Table MU/IB-4. Permitted Uses in the MU/IB District

P Permitted by Right	C Conditional Uses	NP Not Permitted		
Automotive sales and rental uses	C	C	NP	
Banks and financial institutions, excluding drive-through.	P	P	NP	
Daycare Center and nurseries provided that all outdoor activity areas shall be effectively screened from adjacent residential properties.	P	P	C	
Funeral homes	C	C	NP	
Movie theaters	P	P	NP	
Night clubs and discotheques (Ord. No. 2006-1 § 12, 12/21/2006)	C	C	NP	
Parking garages as principal use, provided that parked vehicles shall not be visible from surrounding properties or public street rights-of-way and structure shall be well landscaped.	C	C	NP	
Recording studios and radio stations, provided that any such use shall be located entirely within an air conditioned, soundproofed building	P	P	NP	

Table MU/IB-4. Permitted Uses in the MU/IB District

P Permitted by Right	C Conditional Uses	NP Not Permitted		
Surface parking lot as principal use, CRA or City-owned and operated only	P	P	C	
Veterinary services with no overnight stay.	P	P	C	
Vocational schools and trade: Airline, business, cosmetology, secretarial and similar.	P	P	NP	
Office	Core	Transition	Edge	
Office, business and professional uses	P	P	P	
Retail/Personal Services	Core	Transition	Edge	
Bonding companies (bail)	C	C	NP	
Check cashing/cash advance/money wire; providing such use shall not be located on Biscayne Boulevard, State Road 826, or Northeast 164 Street or within two hundred (200) feet of any residential use or zone;	NP	NP	NP	
Drug/alcohol rehabilitation service, including residential detoxification service	C	C	NP	

Table MU/IB-4. Permitted Uses in the MU/IB District

P Permitted by Right	C Conditional Uses	NP Not Permitted		
Laundries/self-serve coin operated, provided that no such use be located on Biscayne Boulevard, State Road 826 or N.E. 164 Street, or within two hundred (200) feet of residential use or zone;	NP	NP	NP	
Pain management clinic	C	C	NP	
Personal Services uses.	P	P	P	
Studio schools: Art, dance, music, drama, sculpture and similar instruction	P	P	P	
Retail/Retail Services	Core	Transition	Edge	
Medical marijuana dispensaries/medical marijuana treatment centers	C	C	C	
Package liquor store: Provided that any such use shall not be located within five hundred (500) feet of any other bar, lounge or package liquor store	C	C	NP	
Pharmacies	C	C	C	
Retail uses (general retail)	P	P	P	

Table MU/IB-4. Permitted Uses in the MU/IB District

P Permitted by Right	C Conditional Uses	NP Not Permitted		
Social service agencies	C	C	NP	
Lodging Accommodations	Core	Transition	Edge	
Hotels	C	C	NP	
Institutional	Core	Transition	Edge	
Museums and art galleries	P	P	P	
Places of public assembly	P	P	C	
Schools (Public/Private)(K-12)	P	P	P	
Utility facilities, light, public and private	P	P	P	
Recreation and Open Space (Private and Public)	Core	Transition	Edge	
Game rooms, sports and amusement facilities.	P	P	C	
Public parks and playgrounds, plazas, squares	P	P	P	
Urban market gardens	P	P	P	

PART III. URBAN DESIGN STANDARDS

(A) *Lot Dimensions and Building Standards.*

- (1) *Setbacks and Building Frontage.* Front and Side setbacks are determined based on the street that the building fronts. Table MU/IB-5 lists the setbacks and building frontage occupation required for each street type within the MU/IB. The interior and rear setbacks, as well as the

Tower Building Type	•	•	•	150'	300'	200'	N/A
Liner Building Type	•	•	•	125'	300'	170'	N/A
Courtyard A Building Type	•	•	•	150'	200'	160'	N/A
Courtyard B Building Type	•	•	•	150'	200'	160'	N/A
Flex Building Type (3)	•	•	•	75'	200'	100'	N/A
Townhouse 1 Building Type	—	—	•	24'	36'	100'	110'
Townhouse 2 Building Type	•	•	•	24'	36'	70'	85'
Zero Lot Line Courtyard Housing Type	—	—	•	40'	50'	100'	110'
Zero Lot Line Sideyard Housing Type	—	—	•	50'	60'	100'	110'
Single Family Detached Housing Type	— (1)	— (1)	— (1)	50'	60'	100'	110'

Notes:

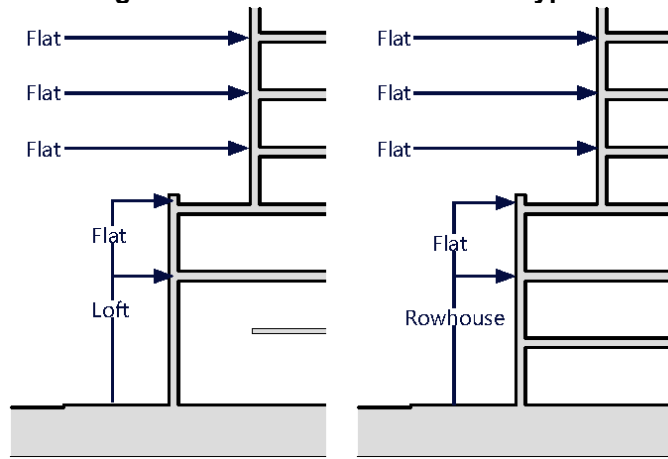
(1) Existing single-family and multi-family dwellings that were legally established on or before the adoption of these regulations shall be considered legal nonconforming.

(2) The Planning Director shall have the authority to waive administratively the requirements for minimum lot coverage, pervious area, lot depth and lot width.

(3) For Flex Building Type, a reduction to twenty (20) feet minimum interior side and rear setback for Schools four (4) stories or less when abutting townhouses, zero-lot lines and/or existing single family residential, and an alley is not existing or proposed.

- a. Residential components of multi-family residential uses shall be any combination of the following dwelling units, and illustrated in Figure MU/IB-8.
 - i. Flat. A single (1) story dwelling unit, occupied by one (1) household.
 - ii. Loft. A double-story height dwelling unit, with or without mezzanine, occupied by one (1) household.
 - iii. Rowhouse. A two (2) or more story dwelling unit, occupied by one (1) household.

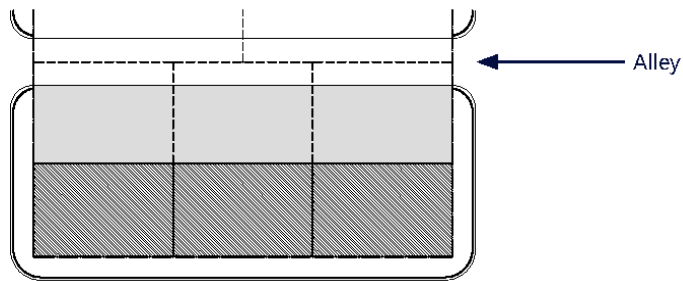
Figure MU/IB-8. Residential Unit Types



(B) Access Standards.

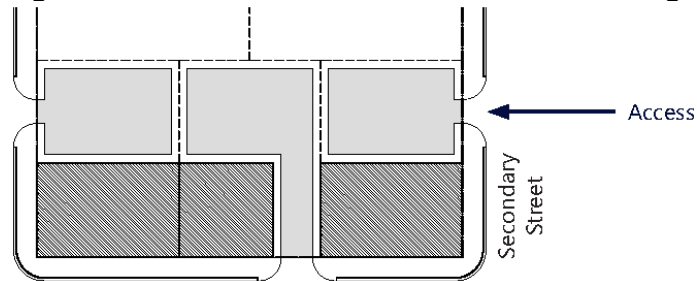
- (1) Where an alley is present, all vehicular access to development shall occur from the alley. Figure MU/IB-9.

Figure MU/IB-9. Access Via Alley



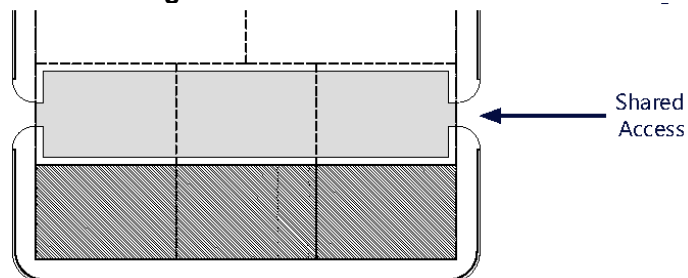
- (2) Where no alley is present, vehicular access shall occur from the secondary street frontage. Figure MU/IB-10.

Figure MU/IB-10. Access Access Via Street Frontage



- (3) Shared access between adjacent properties via a cross-access agreement is encouraged to reduce curb cuts along the street frontage and provide consolidated parking areas. Figure MU/IB-11.

Figure MU/IB-11. Shared Access



- (4) The main pedestrian access to the building shall occur from the parcel's primary frontage.

- (5) For all mixed-use/multi-family development, the main access to the units on floors two (2)+ shall ground level lobby/courtyard accessed from the parcel's primary frontage.
 - (6) For Schools, queuing and drop-off/pick-up lanes may be located within required building setback areas for a maximum of thirty (30%) percent of the overall length of the School property.
- (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.

EXPAND

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)	2/1BR and 2 BR unit; 3/3BR unit 1/20 units (guest parking)

- (2) *Bicycle Racks and Bicycle Storage Standards.* Bicycle racks and storage shall be required as follows:
 - a. For Commercial Uses (except hotel uses).
 - i. Secure bike racks and/or storage at a ratio of one (1) bicycle parking space for every fifteen (15) required parking spaces and;
 - ii. A minimum of one (1) shower and changing facility shall be provided to be available for all tenants and shall be located within the building, or within two hundred (200) feet of the building entrance, for developments greater than fifty thousand (50,000) square feet in gross building area.
 - b. For Residential Uses. One (1) bicycle parking space shall be provided for every fifteen (15) required parking spaces. Required residential bicycle parking spaces shall be

provided in a secured area, covered from the elements.

- c. For Mixed-Use Developments. Mixed-Use developments shall provide secure bicycle parking spaces for both the commercial and residential components of the development as calculated separately pursuant to the requirements of this section.

(D) *Services Standards.*

- (1) All loading and service areas shall be located along the rear of the parcel. Where parcel has frontage on multiple streets, the loading and service area shall be located along the lowest ranking street.
 - a. All loading and service areas shall be prohibited from being placed adjacent to a primary street.
 - b. Where no alley is present, all loading and service areas shall be placed along secondary/tertiary streets, whichever frontage is lowest ranking.

(E) *Signage Standards.* Signage shall comply with the standards in Article XIII except as modified herein.

- (1) Signs affixed to the exterior of a building shall be architecturally compatible with the style, composition, materials, colors, and details of the building, as well as with other signs used on the building or its vicinity.
 - a. All signage shall be prohibited on any facade directly fronting the canal frontage and within view of the residential areas to the north.
- (2) Signs shall fit within the existing facade features, shall be confined to signable areas, and shall not interfere with door and window openings, conceal architectural details or obscure the composition of the facade where they are located.
- (3) Whenever possible, signs located on buildings within the same block-face shall be placed at the same height in order to create a unified sign band.
- (4) Wood and painted metal are the preferred materials for under-awning, hanging signs. Flat signs should be framed with raised edges. Wood signs shall use only high-quality exterior grade wood with suitable grade finishes.
- (5) Sign colors should be compatible with the colors of the building façade. A dull or matte finish is recommended for reduction of glare and enhancement of legibility.
- (6) Signs shall be either spot- or backlit with a diffused light source. Spotlighting shall require complete shielding of all light sources, shall be contained within the sign frame, and shall not significantly spill over to other portions of the building or site. Backlighting shall illuminate the letters, characters, or graphics on the sign, but not its background. Warm fluorescent bulbs may be used to illuminate the interior of display cases. Neon signs placed inside the display case shall insure low intensity colors.
 - a. Signage containing any light source shall be prohibited on any frontage along the canal and visible by existing single-family residential uses outside of the MU/IB.
- (7) Signs shall be mounted so that the method of installation is concealed. Signs applied to masonry surfaces should be mechanically fastened to mortar joints only and not directly into brick or stone. Drilling to provide electrical service should also follow the same rule.
- (8) Billboards are prohibited.
- (9) A Projecting Sign, generally two-sided and mounted with a decorative support or projecting building feature, and perpendicular to the building's facade shall be permitted within the MU/IB, provided it does not exceed a maximum area of one-hundred (100) square feet.

(F) *Development Permit Review Procedures.* The following development permit review procedure will apply to this district:

- (1) The review procedures set out in Article XV and [Section 24-171](#) (Concurrency) will apply within this district.
- (2) Preapplication Conference: For those development permit requests that require a Pre-Application Conference, the Applicant must address with staff:
 - a. The submittal requirements in Article XV and [Section 24-171](#) (Concurrency) and the required plans submitted for review shall demonstrate the Applicant's general approach to comply with the requirements noted above and shown on the MU/NC District's:
 1. Sub-Areas Regulating Plan.
 2. Street Network and Connectivity Regulating Plan.
 3. Designated Publicly Accessible Open Spaces and Urban Greenways Regulating

Plan.

4. Building Heights Regulating Plan.

5. Building Typology.

(3) Applications that include a development agreement shall be subject to the additional notice and hearings set forth in Article XIX.

([Ord. No. 2020-11](#), § 2(Exh. 1), 3-16-21)