

ORDINANCE NO. 2026-_____

AN ORDINANCE OF THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AMENDING CHAPTER 8, "ZONING," SECTION 8.12, "BONUS HEIGHT," AND CHAPTER 15, "FORM BASED CODE," SECTIONS 15.7.B "SUMMARY TABLE AND ILLUSTRATIONS – T6-24 AND T6-24MU (MUNICIPAL USE)" AND 15.7.C "SUMMARY TABLE AND ILLUSTRATIONS – T6-30" TO PROVIDE FOR HEIGHT BONUSES IN T6-24, T6-24MU, AND T6-30 TRANSECT ZONES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, North Bay Village ("Village") has adopted a Unified Land Development Code (the "ULDC") to promote the health, safety, order, convenience, comfort, and general welfare of the public, and to promote and preserve the character and ecological quality of the Village as articulated in the Village's Comprehensive Plan; and

WHEREAS, during its 75th anniversary year, and following an extended public discussion about future growth and development, the Village updated its ULDC as part of a master visioning and planning process known as the "NBV100 Master Plan," which looks at the community's next twenty-five years; and

WHEREAS, the NBV100 Master Plan, guided by principles which originated from the common concerns of North Bay Village residents, is centered on equipping the Village with the tools to become a more livable, resilient, and prosperous community that can adapt to the challenges of a changing climate; and

WHEREAS, the Village seeks to amend the regulations pertaining to, and supplementary to the T6 Transects to improve livability, increase resilience, and preserve and enhance prosperity in the Village, consistent with the principles of the NBV100 Master Plan; and

WHEREAS, the T6 transect, consisting of properties designated (i) T6-24 abutting Kennedy Causeway on the south side within Treasure Island, (ii) T6-30 abutting Kennedy Causeway on the north side within Treasure Island, and (iii) T6-24 MU abutting Kennedy Causeway on the north side within Harbor Island, currently limits maximum height to the lesser of 24 stories or 240 feet, 30 stories or 340 feet, and 24 stories or 240 feet, respectively; and

WHEREAS, the Village Commission has received feedback from property owners, including in the form of applications seeking to amend height restrictions through special area plans and/or variances, that quality development of multifamily housing requires enhanced floor-to-floor heights that is constrained by the existing dimensional height limitations and that a variety of housing types are better provided through flexibility in the maximum number of stories; and

WHEREAS, modern rooftop mechanical infrastructure may require additional height over the maximum height currently permitted; and

WHEREAS, the ULDC does not currently provide for height bonuses in the T6 transect, but does provide for multiple height bonuses in RM-70; and

WHEREAS, in order to provide property owners with enhanced flexibility to develop high quality offerings that are attractive to new residents and aesthetically interesting, the Village Commission desires to provide for height bonuses in the T6 transect; and

WHEREAS, the ULDC and the amendments provided herein are wholly consistent with the NBV100 Master Plan, the Village’s Comprehensive Plan, and the Florida Community Planning Act; and

WHEREAS, on December 3, 2025, the Planning and Zoning Board, sitting in its capacity as the Local Planning Agency, reviewed this Ordinance and recommended approval; and

WHEREAS, this Ordinance was duly noticed and presented to the Village Commission in two readings, with second reading conducted as the required public hearing on _____, 2026; and

WHEREAS, the Mayor and Commission find that this Ordinance is in the best interest of the public health, safety, and welfare of the Village’s residents and visitors.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE MAYOR AND COMMISSION OF NORTH BAY VILLAGE, FLORIDA, AS FOLLOWS:1

Section 1. Recitals. That each of the above recitals are true and correct and incorporated herein by this reference.

Section 2. Amending Chapter 8 of the ULDC. That Chapter 8, “Zoning” of the ULDC of North Bay Village, Florida, is hereby amended to read as set forth in Exhibit “A” attached hereto and incorporated herein.

Section 3. Amending Chapter 15 of the ULDC. That Chapter 15 “Form Based Code” of the ULDC of North Bay Village, Florida, is hereby amended to read as set forth in Exhibit “B” attached hereto and incorporated herein.

Section 4. Severability. That 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, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but

1 Coding: Strikethrough words are deletions to the existing text. Underlined words are additions to the existing text. Changes between first and second reading will be indicated with double strikethrough and double underline.

they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Codification. That it is the intention of the Village Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Village’s Code of Ordinances, and that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions, and that the word Ordinance shall be changed to Section or other appropriate word.

Section 6. Conflicts. That all ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 7. Effective Date. That this Ordinance shall become effective immediately upon final adoption on second reading.

PASSED on first reading on the _____ day of _____, 2025.

PASSED AND ADOPTED on second reading on the ____ day of _____, 2026.

Rachel Streitfeld, Mayor

ATTEST:

Alba L.Chang, CMC
Village Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Weiss Serota Helfman Cole & Bierman, P.L.
Village Attorney

First Reading:
Moved By: _____
Seconded By: _____

Second Reading:
Moved By: _____
Seconded By: _____

Vote on Final Adoption:

Mayor Rachel Streitfeld

Vice Mayor Goran Cuk

Commissioner Doris Acosta

Commissioner Richard Chervony

Commissioner Andy Daro
