

ORDINANCE NO. 2025-14

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING CHAPTER XXIV, “ZONING AND LAND DEVELOPMENT,” OF THE CODE OF ORDINANCES, TO CREATE A NEW ARTICLE XXI ENTITLED “WORKFORCE AND HERO HOUSING DENSITY BONUS PROGRAM”; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR DEFINITIONS, ELIGIBILITY CRITERIA, AND DEVELOPMENT INCENTIVES INCLUDING FRACTIONAL DENSITY CALCULATION FOR QUALIFYING UNITS; PROVIDING FOR ADMINISTRATION AND COMPLIANCE; PROVIDING FOR CODIFICATION, CONFLICTS, SCRIVENER’S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of North Miami Beach (the “City”) recognizes that a shortage of affordable and workforce housing opportunities exists within the City and that this shortage adversely affects the health, safety, and welfare of residents and community-serving professionals; and

WHEREAS, the City seeks to encourage the voluntary inclusion of workforce and hero housing units in private development projects by offering meaningful density incentives while ensuring compatibility with the City’s Comprehensive Plan; and

WHEREAS, the City Commission finds that fractional density equivalency factors are an appropriate and equitable means of recognizing smaller or income-restricted dwelling units within the City’s overall density framework; and

WHEREAS, the provisions of this Ordinance shall apply to all properties in all zoning use districts; and

WHEREAS, the City’s Planning and Zoning Board, as the Local Planning Agency, held a duly noticed public hearing on **November 10, 2025**, and reviewed the proposed ordinance for consistency with the City of North Miami Beach’s Comprehensive Plan, and recommended approval by a vote of **4** to **1**; and

WHEREAS, the Mayor and City Commission find the proposed ordinance to be consistent with the North Miami Beach Comprehensive Plan and in the best interest of the residents, businesses, and visitors of the City.

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

Section 1. **Recitals.** The foregoing whereas clauses are true and correct and adopted as the legislative and administrative findings of the City Commission and made a specific part of this Ordinance; all exhibits attached hereto are made a specific part of this Ordinance.

Section 2. **Findings of Fact.** The North Miami Beach Code of Ordinances is hereby amended, attached as EXHIBIT A, containing provisions necessary for the implementation of the following City Commission priorities:

1. Define Workforce Housing based on a limit of less than or equal to 140% of Area Median Income for the City of North Miami Beach.
2. Ensure consistency with the Florida Hometown Hero Housing as defined in Florida Statute
3. Establish the Workforce and Hero Housing Density Bonus Program

Section 3. **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 4. **Conflicts.** If the provisions of this Ordinance conflict with any other ordinance, rule or regulation, the provisions of this Ordinance shall prevail. All ordinances or parts of ordinances in conflict herewith are repealed.

Section 5. **Scrivner Errors.** Any typographical errors that do not affect the intent of this Ordinance may be corrected with notice to and authorization of the City Attorney and City Manager without further process.

Section 6. **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 7. **Effective Date.** This Ordinance shall become effective immediately upon adoption on second reading.

[SIGNATURE PAGE TO FOLLOW]

APPROVED on the first reading this 16th day of December, 2025.

APPROVED AND ADOPTED on second reading this ____ day of _____ 2026.

ATTEST:

ANDRISE BERNARD, MMC
CITY CLERK

MICHAEL JOSEPH, ESQ.
MAYOR

(CITY SEAL)

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE USE AND
RELIANCE OF THE CITY OF NORTH
MIAMI BEACH:

GREENSPOON MARDER, LLP.

BY: _____
CITY ATTORNEYS

Sponsored by: _____

COMMISSIONERS	YES	NO	ABSTAIN	ABSENT
Mayor Michael Joseph, Esq.				
Vice Mayor Daniela Jean				
Commissioner Jay Chernoff				
Commissioner Phyllis Smith				
Commissioner McKenzie Fleurimond				
Commissioner Fortuna Smukler				
Commissioner Lynn Su				