



North Bay Island Zoning

Summary of Input and Outcomes of February 4, 2021 Village Commission Workshop

One of the recommendations of NBV100 is to update the Unified Land Development Code to align with and meet the goals of the Master Plan. After undertaking the adoption of a new form-based code for the Kennedy Boulevard District, the Village has recently embarked on a review of the zoning provisions that apply to North Bay Island, one of the two single-family residential districts in the community. To this end, a process has been launched to solicit input from the residents of North Bay Island on potential zoning approaches to enhancing their community's livability, resilience, and prosperity. The process started with a workshop of the Village Commission held on February 4th, 2021, during which the Village planner presented a framework of preliminary regulatory concepts related specifically to five topics only, listed below, for review by the Commission.

The following summarizes the evolving thinking on these topics, based on the Commission discussion. It is worth noting, and emphasizing, that these are not final recommendations, but general ideas that will be presented to residents of North Bay Island for their own review and feedback at a Town Hall meeting to be held on March 4th, 2021. The ideas will continue to be adjusted and refined based on this input as well as further direction from the Commission before proposed zoning code amendments are drafted.

- **Elevated homes with understory spaces:** Elevating homes above anticipated water levels is a measure proven to improve residential flood-resilience in coastal communities by helping avoid property damage. During the Commission workshop, Mr. Reinaldo Borges, AIA, a renowned South Florida expert on designing for resilience against sea-level rise, presented several case studies of single-family residential projects he has designed and built in Miami Beach and spoke about best practices in that City as well as other nearby coastal cities. The Village Commission emphasized a preference for an option-based approach, perhaps one that incentivizes –but not requires— elevating new and substantially improved buildings. This would be accompanied by exacting regulation of the understory spaces created by elevating the structures, and requirements for floodproofing the ground floor when the new or substantially improved structure is not raised.
- **Building height:** Regulating building heights has become not just an issue of community character, but a need in the complex challenge of regulating development for flood-hazard reduction in coastal communities such as North Bay Village. It is no longer adequate to measure building height from land grade; instead, coastal communities are measuring height from Base Flood Elevation (BFE), plus freeboard, a relatively new concept introduced to ensure that homes are designed and built to a Flood Protection Elevation (FPE). North Bay Village introduced the concept of freeboard into the ULDC as part of the proposed resilience and sustainability code amendments, but currently it applies only in the new T6 transect zone. This process could expand the applicability of this way of measuring building height to North Bay Island and change the definition of building height and how building height is restricted according to roof typology



(i.e., flat versus sloped roofs) and whether the structure is elevated or not. Height of elevated structures may be limited to two habitable stories.

- **Water-viewing structures:** Rooftop viewing platforms with small, semi-enclosed structures have long been a common feature of coastal houses across the U.S. The Village Commission is supportive of this concept generally as a potential design option to enhance both the functionality and value of new and existing homes (particularly landlocked lots) in North Bay Island. This option would be accompanied by strict limits on use, height, square footage, and placement to ensure privacy. Rooftop terraces could also be better defined and regulated in the code.
- **Front yard setback:** Shifting the front yard setback line forward by a few feet adds flexibility and increases spatial definition of the street envelope, while increasing the usable area of the private back yard. Without voicing strong preferences one way or another, the Commission is open to this change. One potential approach is to introduce a narrow (5-foot max) “flex setback zone” that would require elevated structures (and possibly 2-story structures) to be pushed back up to 5 feet to mitigate the visual perception of building height from the street. This helps maintain compatibility with existing development patterns.
- **Lot coverage:** The purpose of lot coverage limits is to help reduce individual property flood risk by improving stormwater management. Currently, the current zoning provisions for North Bay Island do not limit the amount of impervious area that can be developed on a single-family lot. Establishing a maximum lot coverage limit would correct this deficiency, while helping to ensure that the green, lush character of North Bay Island is both maintained and enhanced. The Village Commission supports this addition to the regulations as part of the broader integration of resilience strategies into the ULDC. This also complements planned and ongoing Village-wide initiatives to improve stormwater management, reduce flood risk and protect water quality.