

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: October 30, 2024 5:02 p.m. Second Reading Public Hearing

TITLE: ELIMINATE 0.5 FAR BONUS FOR HOTELS LOCATED WITHIN CD-2 DISTRICTS IN SOUTH BEACH  
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE RESILIENCY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," SECTION 7.2.11, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," BY AMENDING SECTION 7.2.11.3, ENTITLED "DEVELOPMENT REGULATIONS (CD-2)," TO MODIFY THE FLOOR AREA RATIO BONUS FOR HOTEL USES IN THE CD-2 DISTRICT; 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 December 13, 2023, at the request of Commissioner Alex Fernandez, the City Commission referred a discussion (item C4 N) pertaining to the 0.5 floor area ratio (FAR) bonus available to hotel uses in the CD-2 zoning district to the Land Use and Sustainability Committee (LUSC). Commissioners Tanya K. Bhatt, Joseph Magazine and David Suarez were co-sponsors of the item.

On March 5, 2024, the LUSC discussed the item and recommended that the City Commission refer an ordinance amendment to the Planning Board to repeal the 0.5 FAR bonus for hotels in the CD-2 district along Alton Road, as well as in the CD-2 districts in North Beach. The LUSC continued the discussion pertaining to the 0.5 FAR bonus for hotels located in the CD-2 district along Washington Avenue and Collins Avenue in South Beach, to the June 10, 2024 LUSC meeting.

On April 3, 2024, the City Commission referred the ordinance to repeal the 0.5 FAR bonus for hotels in the CD-2 district along Alton Road, as well as in the CD-2 districts in North Beach, to the Planning Board. On May 28, 2024, the Planning Board transmitted the ordinance to the City Commission with a favorable recommendation. The City Commission approved this ordinance at First Reading on June 26, 2024 and adopted the ordinance at Second Reading on July 24, 2024.

On June 10, 2024, the LUSC recommended that the City Commission refer an ordinance amendment to the Planning Board to repeal the 0.5 FAR bonus for hotels in the CD-2 districts along Washington Avenue and Collins Avenue in South Beach. On June 26, 2024, the City Commission referred this ordinance to the Planning Board. Commissioners Tanya K. Bhatt, Joseph Magazine and David Suarez were co-sponsors.

## **ANALYSIS**

Pursuant to Section 7.2.11.3 of the Land Development Regulations of the City Code (LDRs), the maximum floor area ratio in the CD-2, commercial medium intensity, zoning district is 1.5. However, "when more than 25 percent (25%) of the total area of a building is used for residential or hotel units," the maximum FAR is 2.0.

At the direction of the LUSC on March 5, 2024, the Administration made presentations to the Planning Board and Washington Avenue Business Improvement District (BID), to obtain feedback on the proposed elimination of the 0.5 FAR bonus for hotel uses in the CD-2 districts along Collins and Washington Avenues in South Beach. The following is a summary of the feedback received from these bodies:

### **Planning Board**

On March 26, 2024, city staff presented the proposal to the Planning Board; the Board discussed the proposal and requested additional information, such as input from the Washington Avenue BID. Some members of the Board indicated support for the proposal, and there was no opposition, but the Planning Board concluded more information would be needed before a formal recommendation could be provided.

### **Washington Avenue BID**

On April 11, 2024, city staff presented the proposal to the Washington Avenue BID. The members of the BID were not supportive of a roll back of the 0.5 FAR bonus for hotels in the CD-2 district along Washington Avenue. However, the BID members were all supportive of incentives for increasing and promoting residential development along Washington Avenue.

As noted herein, the City Commission adopted an ordinance at Second Reading on July 24, 2024, which removed the 0.5 FAR bonus for a site containing a hotel unit, suite hotel unit or hostel in the CD-2 districts along Alton Road, as well as in North Beach. This ordinance excluded the CD-2 districts on Washington and Collins Avenues in South Beach.

The attached ordinance proposes to remove the 0.5 FAR bonus for a site containing a hotel unit, suite hotel unit or hostel in all CD-2 districts, including the CD-2 districts on Washington Avenue and Collins Avenue in South Beach. Essentially, the proposed ordinance expands the provisions of the ordinance adopted on July 24, 2024 to all CD-2 districts in the City, as recommended by the LUSC.

## **PLANNING BOARD REVIEW**

On July 24, 2024, the Planning Board held a public hearing and transmitted the proposed ordinance to the City Commission with a favorable recommendation (5-1).

## **UPDATE**

The subject ordinance was approved at First Reading on September 11, 2024, with no changes.

## **FISCAL IMPACT STATEMENT**

No Fiscal Impact Expected

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

**If applicable, the Business Impact Estimate (BIE) was published on: 8/14/2024.**

**See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>**

## **FINANCIAL INFORMATION**

N/A

## **CONCLUSION**

The Administration recommends that the City Commission adopt the ordinance.

## **Applicable Area**

South 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 Alex Fernandez

## **Co-sponsor(s)**

Commissioner Tanya K. Bhatt  
Commissioner Joseph Magazine  
Commissioner David Suarez

## **Condensed Title**

5:02 p.m. 2nd Rdg, Eliminate 0.5 FAR Bonus for Hotels in CD-2 Districts-SB. (AF/TB/JM/DS) PL  
5/7