

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: October 10, 2024

TITLE: ORDINANCE TO CREATE FAR, HEIGHT AND SETBACK INCENTIVES FOR NON-TRANSIENT RESIDENTIAL USES FOR PROPERTIES FRONTING 6TH STREET IN THE C-PS2 ZONING DISTRICT (DUAL REFERRAL TO THE PLANNING BOARD).

RECOMMENDATION

The Administration recommends that the Land Use and Sustainability Committee (LUSC) endorse a modified version of the proposal and provide a favorable recommendation to the Planning Board.

BACKGROUND/HISTORY

On September 5, 2024, at the request of Commissioner David Suarez, the Mayor and City Commission (City Commission) referred the item (C4 X) to the LUSC and the Planning Board.

ANALYSIS

As noted in the attached referral memorandum, the item sponsor has requested that the LUSC discuss development incentives for non-transient, residential uses that would apply to properties fronting 6th Street between Lenox Avenue and Michigan Court within the C-PS2 zoning district. Such incentives may include, but not be limited to, the following:

- An increase in the maximum Floor Area Ratio (FAR) from 2.0 to 4.5.
- An increase in the maximum building height from 75 feet up to 120 feet.
- A reduction or elimination of minimum off-street parking requirements.
- A reduction of minimum pedestal and tower rear setbacks for portions of a property abutting a parking garage or commercial use.

The Administration is supportive of incentives for non-transient, residential use in the C-PS2 district. Regarding the incentives proposed in the referral memorandum, the Administration recommends the following modifications:

1. The FAR incentive be reduced from 4.5 to a maximum of 3.0. This would still represent a substantial increase in FAR, from the current 2.0. An FAR over 3.0 could have impacts on the scale, character, and context of the lower scale RM-1 district to the north.
2. The maximum building height be reduced from 120 feet to 100 feet. This would be commensurate with the proposed reduction in the maximum FAR.
3. The area of applicability be expanded, at a minimum to include the entire block bounded

by Lenox and Michigan Avenues, from 5th to 6th Street. The reason is that applications pertaining to an increase in FAR for a single parcel are required to be filed by the property owner as a private applicant. FAR increases for larger areas may be referred by the City Commission.

The proposal herein is intended to incentivize the conversion of an approved hotel project on the south side of 6th Street at Lenox Avenue to non-transient residential. If there is consensus on the modifications suggested herein, a draft ordinance can be prepared and brought to the Planning Board.

FISCAL IMPACT STATEMENT

No Fiscal Impact

Does this Ordinance require a Business Impact Estimate? No
(FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on .
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

N/A

CONCLUSION

The Administration recommends that the Land Use and Sustainability Committee endorse the proposal, with the modifications recommended herein, and provide a favorable recommendation to the Planning Board.

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 David Suarez

Co-sponsor(s)

Condensed Title

Ordinance To Create FAR, Height And Setback Incentives For Non-Transient Residential Uses For Properties Fronting 6th Street In The C-PS2 Zoning District (Dual Referral To The Planning Board).