

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members  
FROM: Eric Carpenter, City Manager  
DATE: November 5, 2024  
TITLE: LDR AMENDMENT TO INCENTIVIZE RESIDENTIAL USES ON LINCOLN ROAD

**RECOMMENDATION**

The Administration recommends that the Land Use and Sustainability Committee (LUSC) endorse the item and provide a recommendation to the Planning Board.

**BACKGROUND/HISTORY**

On June 26, 2024, at the request of Commissioner David Suarez, the Mayor and City Commission (City Commission) referred the item (C4 AB) to the LUSC and the Planning Board. On September 5, 2024, the LUSC took the following action:

1. Discussed and continued the item to a future LUSC meeting.
2. A special meeting of the LUSC was scheduled for September 24, 2024, to discuss all related legislation involving FAR incentives for non-transient residential uses.
3. Direction was given to amend the applicable FAR incentive ordinances to include a provision for a 6/7 vote to reverse required covenants pertaining to non-transient residential uses.

The September 24, 2024, LUSC meeting was postponed and moved to a special meeting of the LUSC on November 5, 2024.

**ANALYSIS**

As noted in the attached referral memorandum, the item sponsor has requested that the LUSC discuss incentivizing non-transient residential development along Lincoln Road from Alton Road to Collins Avenue. Subsequent to the referral of this item, the sponsor updated the northern boundary of this area to 17<sup>th</sup> Street. Additionally, the sponsor has requested that the LUSC consider whether other zoning incentives (including height and/or floor area ratio (FAR)) may be appropriate to encourage non-transient, residential uses within this study area.

While the extent of Lincoln Road is located entirely within the CD-3 zoning district, the area between Drexel Avenue and Collins Avenue currently allows for a higher FAR on both sides of Lincoln Road, as well as greater height for properties on the south side of Lincoln Road, east of Drexel Avenue. Considering this, the Administration believes that it would be most appropriate to analyze the portion of Lincoln Road east of Drexel Avenue separately for the purposes of creating incentives for non-transient residential development. It is also important to note that there is a separate item pending at the LUSC specific to the 200 and 300 blocks of Lincoln Road.

The attached draft ordinance is specific to properties between Lincoln Lane South and the south side of 17<sup>th</sup> Street, from Alton Road to Drexel Avenue. Three (3) separate areas, as illustrated on the attached map, have been identified in the ordinance, each with different incentive levels.

Regardless of the specific area a property may fall within, all the proposed incentives are predicated on the following:

- All existing transient uses shall be fully vacated and prohibited.
- Only non-transient, residential units would be permitted above the first floor.
- Discontinuance of any nonconforming entertainment establishment.
- No residential unit shall exceed 1,200 square feet in size.
- A minimum micro-mobility component within the interior of the structure, accessible by all residential units.

The following is a summary of the draft incentives proposed for each of the three (3) areas identified:

**Area 1 – 17th Street Properties located between 17th Street and Lincoln Lane North, from Alton Road to Drexel Avenue:**

1. The maximum FAR may be increased from 2.25 to 3.0 for lots less than 45,000 square feet and from 2.75 to 3.5 for lots greater than 45,000 square feet.
2. The maximum building height may be increased up to 150 feet for all lots. Currently, lots fronting 17th Street have a maximum building height of 80 feet and all other lots have a maximum height of 75 feet. The increased height would be subject to the following:
  - Off-street parking shall be prohibited.
  - The micro-mobility station shall constitute not less than 50% of the structure.
  - The project shall exceed minimum micro-mobility requirements, as well as participate in a public micro-mobility network.

**Area 2 – Lincoln Road North Properties with a lot line on the north side of Lincoln Road, from Alton Road to Drexel Avenue:**

1. The maximum FAR may be increased from 2.5 to 3.0.
2. The maximum building height may be increased from 50 feet to 100 feet, subject to the following:
  - Off-street parking shall be prohibited.
  - The micro-mobility station shall be located within the structure.
  - The project shall participate in a public micro-mobility network.
  - Portions of new construction including additions to existing buildings, located above 50 feet in height, shall be setback a minimum of 50 feet from Lincoln Road and 25 feet from any adjacent side street.
3. Multistory rooftop additions above a contributing building may be permitted at the discretion of the Historic Preservation Board.

**Area 3 – Lincoln Road South Properties with a lot line on the south side of Lincoln Road, from Alton Road to Drexel Avenue:**

1. The maximum FAR may be increased from 2.5 to 2.75.
2. The maximum building height may be increased from 50 feet to 75 feet, subject to the following:
  - Off-street parking shall be prohibited.
  - The micro-mobility station shall be located within the structure.
  - The project shall participate in a public micro-mobility network.
  - Portions of new construction including additions to existing buildings, located above 50 feet in height, shall be setback a minimum of 50 feet from Lincoln Road, 20 feet from Lincoln Lane South and 25 feet from any adjacent side street.
3. Multistory rooftop additions may be permitted above a contributing building at the discretion of the Historic Preservation Board.

Additionally, the following would apply to all eligible developments located in Areas 1, 2 & 3 above:

- Parking Tier 3.a would be amended to eliminate the minimum off-street parking requirement for non-transient, residential projects. Additionally, a cap on the number of off-street parking spaces that may be provided within an eligible project should be established.
- The interior portions of a project dedicated to micro-mobility shall be exempt from the definition of floor area.
- Required mobility fees may be waived for projects that have obtained a full building permit by September 1, 2032.

To address the potential scale and height issues associated with structures taller than 50 feet in height, particularly as it may be perceived from Lincoln Road, the ordinance includes a minimum setback of 50 feet from Lincoln Road and a minimum setback of 25 feet from a side street for any portion of a building above 50 feet in height. This would ensure that any future addition to a building above 50 feet in height would not overwhelm the Lincoln Road streetscape.

The ordinance would also allow for multistory rooftop additions to be constructed above a contributing building. Currently, a rooftop addition to a contributing building, whether attached or detached, is limited to one story. This proposal would allow for multiple levels to be over an existing contributing building without the requirement that the building be demolished and reconstructed as a ground up addition, encouraging the retention and restoration of contributing buildings.

Finally, the ordinance removes the current height incentives for hotel projects on Lincoln Road between Pennsylvania Avenue and Lenox Avenue, as well as the FAR incentive for hotels on lots less than 45,000 square feet, located west of Drexel Avenue in the Architectural District. If there is consensus on these incentives, or other options, the LUSC can provide a recommendation to the Planning Board.

**UPDATE - November 5, 2024 LUSC**

The attached draft ordinance has been updated to include additional input from affected property owners on Lincoln Road, as well as a provision for a 6/7 vote to reverse required covenants pertaining to non-transient residential uses. The following additional information is also attached:

1. An updated map of the subject area.
2. 3-D Maps of Lincoln Road from Collins Avenue to Alton Road.
3. Massing illustrations for the Lincoln Road area.
4. An infrastructure analysis for the area.
5. A map illustrating transit routes within the FAR incentive areas.

### **FISCAL IMPACT STATEMENT**

No Fiscal Impact

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

The Business Impact Estimate (BIE) was published on .

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

### **FINANCIAL INFORMATION**

N/A

### **CONCLUSION**

The Administration recommends that the LUSC endorse the item and provide a 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**

LDR Amendment to Incentivize Residential Uses on Lincoln Road