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MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: March 4, 2025

FROM: Thomas R. Mooney, AICP
Planning Director

DS For TRM

SUBJECT: **PB24-0731. Lincoln Road West Residential Use Incentives – LDR Amendment.**

PB25-0737. Lincoln Road West Residential Use Incentives – Comprehensive Plan Amendment.

RECOMMENDATION

Review the proposed ordinances amending the Comprehensive Plan and Land Development Regulations (LDRs) and continue the applications to the May 6, 2025, Planning Board meeting. Transmittal of the applications to the Mayor and City Commission (City Commission) may only occur at a duly noticed second public hearing, after the conclusion of a community outreach meeting.

HISTORY

On June 26, 2024, at the request of Commissioner David Suarez, the City Commission referred the item (C4 AB) to the Land Use and Sustainability Committee (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. On November 5, 2024, the LUSC discussed the item, and recommended that the Planning Board approve the proposed ordinances, including the removal of the maximum unit size requirement. The LUSC also made the following recommendations to the Planning Board:

1. The Planning Board discuss and provide a recommendation regarding the potential of

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including a lesser as of right FAR and the remainder of the allowable FAR to be purchased by private property owners as part of a Transfer of Development Rights (TDR) program.

2. Discuss and provide a recommendation regarding the potential inclusion of an attainable housing requirement for a certain percentage of the increased floor area.

Additionally, Commissioner Alex Fernandez became a co-sponsor of the item.

PLANNING BOARD AND CITY COMMMISSION REVIEW REQUIREMENTS

The application submitted herein is in accordance with Section 7.1.10.2(a) of the LDR's, which requires the following 3-step process, prior to the review by the City Commission:

a. Step One – Planning Board Preliminary Review.

The Planning Board, at a duly noticed public hearing, shall perform an initial review of the proposed ordinance. Notice of the Planning Board preliminary review hearing shall be given in accordance with the applicable provisions in Chapter 2, Article IV of the Land Development Regulations. If the proposed ordinance involves less than ten (10) contiguous acres, the notice requirements for the preliminary Planning Board review shall also include a minimum 30-day mail notice for all properties within 375 feet of the properties subject to the proposed floor area or FAR increase, and a 30-day published notice.

Prior to the Planning Board's preliminary review stage, the Administration, either internally or with the assistance of an outside consultant, will perform an impact analysis of the proposed FAR increase; and such impact analysis shall include, but not be limited to, the following:

1. Calculation of the actual square footage increase for affected properties such as, for example, the maximum allowable square footage for residential, office, retail, hotel or other uses resulting from the FAR increase.

2. An infrastructure analysis regarding potential impacts on traffic/mobility, parking, water, sewer, resiliency, parks and open space, as well as any other area of concern identified by the City Commission or the Administration.

3. Massing studies, which illustrate the volume and location of the area associated with the proposed increase in FAR.

For private applications, the applicant shall be required to provide all data and exhibits related to the above noted impact analysis as part of the application submission. The findings of this impact analysis shall be presented to the Planning Board at the preliminary review stage.

b. Step Two – Community Outreach Meeting:

Subsequent to the Planning Board's preliminary review meeting, the City shall facilitate a public meeting for all affected stakeholders, in order to solicit additional input and feedback, as well as for City staff to address any outstanding issues or questions. A reasonable effort shall be made to ensure that such public meeting is held no later than 45 days from the date of the preliminary review by the Planning Board. Courtesy notice of the meeting shall be given by the applicable City department, in coordination with the Planning Department, in a manner consistent with the City's courtesy notices for other community meetings, workshops, or presentations.

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c. Step Three – Planning Board Transmittal:
At a second duly noticed public hearing, which is separate and apart from the preliminary review hearing, the Planning Board shall consider and transmit the proposed ordinance to the City Commission with a recommendation. Notice of this transmittal hearing shall be given in accordance with the applicable provisions in Chapter 2, Article IV of the Land Development Regulations.

After transmittal to the City Commission, the review requires a similar 3-step process:

a. Step One – First Reading Public Hearing:
After transmittal of the ordinance by the planning board, the City Commission shall hold a first reading public hearing. Notice of the first reading shall be given in accordance with the applicable provisions in Chapter 2, Article IV of the Land Development Regulations. If the proposed ordinance involves less than ten (10) contiguous acres, the notice requirements for first reading shall also include a minimum 30-day mail notice for all properties within 375 feet of the properties subject to the proposed floor area or FAR increase, and a 30-day published notice.

b. Step Two – Community Workshop:
Subsequent to the approval of the ordinance at first reading, and prior to second reading, at least one additional community workshop, which is separate and apart from the first reading public hearing, shall be held. This additional community workshop shall be considered a courtesy meeting, and open to participation by all affected stakeholders, including residents, property owners, or businesses in the surrounding area that may be affected by the proposed floor area or FAR increase, as determined by the City Commission. Such community workshops may be held in a virtual, in-person or hybrid formats, at the discretion of the City Commission, and shall be noticed in a manner to be determined by the City Commission.

c. Step Three – Second Reading / Adoption Public Hearing:
After the community workshop described above, the City Commission shall hold a second reading public hearing to consider final adoption of the proposed ordinance. Notice of the second reading shall be given in accordance with the applicable provisions in Chapter 2, Article IV of the Land Development Regulations.

REVIEW CRITERIA

Pursuant to Section 2.4.2 of the Resiliency Code, in reviewing a request for an amendment to these land development regulations (LDRs), the board shall consider the following when applicable:

1. Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.

Partially Consistent – The proposed LDR amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as proposed to be amended.

2. Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.

Consistent – The proposed amendment does not create isolated districts.

3. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

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Consistent - The proposed ordinance amendment does allow for an increase in the scale of development for residential uses. The benefits to the neighborhood would outweigh the potential modest impacts of the additional height and intensity.

4. Whether the proposed change would tax the existing load on public facilities and infrastructure.

Partially Consistent – The proposed amendment could result in development that increases the load on public facilities and infrastructure due to the proposed change in floor area ratio (FAR). It is expected that the ordinance would result in a reduction in traffic as more people would be able to live and work in the City, as opposed to commuting from suburbs.

5. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Satisfied – The boundaries of the overlay district are not illogically drawn.

6. Whether changed or changing conditions make the passage of the proposed change necessary.

Consistent – The loss of permanent residents and the desire to incentivize residential development makes passage of the proposed change necessary

7. Whether the proposed change will adversely influence living conditions in the neighborhood.

Consistent – The proposed ordinance amendment should not adversely affect living conditions in the neighborhood.

8. Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.

Partially Consistent – The proposed change could allow for development that generates additional traffic from what is currently permitted, as the FAR is being increased. However, given that the City has seen a major increase in traffic due to workers commuting to job centers within the City from suburbs in single occupancy vehicles, the amendment has the potential to reduce traffic by allowing more residents to live in close proximity to their place of employment, as well as utilize alternative modes of transportation.

9. Whether the proposed change will seriously reduce light and air to adjacent areas.

Partially Consistent – The proposed change should not seriously reduce light and air to adjacent areas.

10. Whether the proposed change will adversely affect property values in the adjacent area.

Consistent – The proposed change should not adversely affect property values in the adjacent areas.

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11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

Consistent – The proposed change will not be a deterrent to the improvement or development of properties in the City.

12. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

Partially Consistent – While the property can be used in accordance with existing zoning, the proposed amendments will incentivize more residential units.

13. Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.

Not applicable.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4 of the LDRs establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

(1) Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.

Partially Consistent – The proposal does affect areas that are vulnerable to the impacts of sea level rise in the long term.

(2) Whether the proposal will increase the resiliency of the City with respect to sea level rise.

Consistent – The proposal will increase the resiliency of the City with respect to sea level rise with new development that will comply with the City's resiliency requirements.

(3) Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

Consistent – The proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

ANALYSIS

The proposed amendments to the Land Development Regulations of the City Code (LDRs) and the Comprehensive Plan create tangible incentives for non-transient residential uses for properties between Lincoln Lane South and the south side of 17th Street, from Alton Road to Drexel Avenue. All such incentives would be 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.
- A minimum micro-mobility component within the interior of the structure, accessible by all residential units.

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Note: The previous requirement for a maximum unit size of 1,200 square feet was removed as part of the November 5, 2024 LUSC discussion.

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. [Note: The provision for an HPB waiver of the setback requirements has been included at the request of the item sponsor.]

3. Multistory rooftop additions above a contributing building may be permitted at the discretion of the Historic Preservation Board The following is a summary of the key provisions associated with the proposed incentives:

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.

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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. [Note: The provision for an HPB waiver of the setback requirements has been included at the request of the item sponsor.]

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.

- A provision for a 6/7 vote to reverse required covenants pertaining to non-transient residential uses.

To address the potential scale and height issues associated with taller structures, particularly as it may be perceived from Lincoln Road, the ordinance includes minimum setbacks from Lincoln Road and from side streets 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. To account for unique circumstances where reduced setbacks may be appropriate, the item sponsor has included a provision allowing the Historic Preservation Board to waive up to 50% of the required setback from Lincoln Road.

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

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less than 45,000 square feet, located west of Drexel Avenue in the Architectural District.

INFRASTRUCTURE IMPACTS

Per section 7.1.10.3 of the LDRs, prior to the Planning Board Preliminary Review, the Administration will perform an impact analysis of the proposed FAR increase; and such impact analysis shall include but not be limited to, the following:

1. Calculation of the actual square footage increase for affected properties such as, for example, the maximum allowable square footage for residential, office, retail, hotel or other uses resulting from the FAR increase.

2. An infrastructure analysis regarding potential impacts on traffic/ mobility, parking, water, sewer, resiliency, parks and open space, as well as any other area of concern identified by the City Commission or the Administration.

3. Massing studies, which illustrate the volume and location of the area associated with the proposed increase in FAR.

To this end, the proposed FAR increases are intended to incentivize the replacement of transient uses as well as the development of new residential units to serve permanent residents along Lincoln Road, west of Drexel Avenue and east of Alton Road. The proposed amendment also increases the maximum residential density, from 150 units per acre to 175 units per acre. The analysis is based on not being able to achieve the maximum density given the current FAR limits. The analysis assumes that 0.5 of the allowable FAR will be for ground floor commercial uses, that 15% of the FAR is for back of house uses, and that the number of units is maximized with the remaining FAR up to the allowable density.

Given that this amendment is not being proposed because of specific development proposals, it is difficult to predict the exact impacts of the FAR increase. For the purposes of this analysis, the difference in the maximum number of units that could be achieved for the affected area was compared to the maximum number of units that can be achieved if the proposed amendment is adopted. The impacts to infrastructure due to the potential increase was then quantified with the assumption that there are 2.5 people per residential unit. The attached Concurrency Analysis provides detailed information for each of the affected areas and is summarized hereto:

Summary of Impacts

- Potential increase of 797 residential units;
- Potential population increase of 2,048 people;
- Potential increase of 479 peak hour vehicle trips;
- Potential increase of 319,410 gallons of potable water consumption per day;
- Potential increase of 286,650 gallons of sanitary sewer transmission per day; and
- Potential increase of 2,611 tons of solid waste collection per year.

The traffic impacts are analyzed utilizing data and assumptions from the Florida Department of Transportation (FDOT) Traffic Information tool. While an increase in peak hour vehicle trips is expected, the level of service should not be severely impacted. These impacts could potentially be offset by providing housing for the City's workforce, minimizing the need for long distance commuting and encouraging alternative modes of transportation.

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Additionally, the standard Institute of Traffic Engineers (ITE) rate was used for the analysis, including reductions of 15% for transit use and 10% for mixed-use projects. However, there are no current rate reductions or rate ratios identified by ITE for residential projects that provide reduced off-street parking on site, or no off-street parking. Since these incentives are intended for users that either do not have a vehicle or can store their vehicle remotely and use micromobility for daily commutes, the Administration is researching additional trip reduction formulas that take into consideration reduced off-street parking.

Finally, projects will be required to pay mobility fees, if applicable, which can be used to make improvements to the transportation network.

With regards to parks levels of service, there is a deficiency in *basketball courts* and *tennis/pickleball courts*. As more units are built, there would potentially be a deficiency in *activity buildings for multiple uses*. As a result of these deficiencies, each development will be required to pay a proportionate fair-share mitigation fee to assist the City in providing these facilities, if they are not built prior. Alternatively, a developer could provide the necessary facilities. The level of service for recreation and open space acreage would continue to be met.

With regards to potable water consumption, on January 20, 2022, the City Commission adopted the City of Miami Beach 10-year Water Supply Facilities Work Plan and related amendments to the Comprehensive Plan. This plan was created with coordination with the South Florida Water Management District and Miami-Dade County Water and Sewer Department. The plan projects that water will be available for projected population increases. The population increases projected in the plan and water demand projections are below:

Per the most recent US Census, the City's population is below the projections utilized for the water supply plan. Therefore, it can be estimated that there is sufficient water supply to accommodate the potential increase in residents that may be generated from the proposed amendment.

Regarding the impacts to potable water and sanitary sewer transmission infrastructure, it is likely that upgrades will be needed in proximity to future development sites. The specific upgrades are determined on a case-by-case basis as new developments are proposed due to the significant amount development details that are required to make these determinations. The Public Works Department is currently studying the water and sewer systems throughout the City.

Regarding solid waste collection, as the proposal would result in new multifamily developments, the solid waste collection would be handled by private providers. It would be the responsibility of each development to coordinate with the private provider and to ensure that the project's needs are met.

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Table 3: Population Projections

	2015	2016	2020	2025	2030	2035	2040
Total	92,472	93,490	97,563	102,654	107,745	112,836	117,927

Source: 2015 TAZ Population Projections Update, County draft 2020 WSP

Table 4: City Water Demand Projections

	2020	2025	2030	2035	2040	2045
Projected Population – Total residential + transient	196,486	211,913	224,180	236,636	249,294	262,172
Populations Equivalents Served	158,885	171,760	181,474	191,377	201,483	211,809
Water Demand (MGD) - Total (Annual Average Demand)	**24.7**	**26.7**	**28.2**	**29.8**	**31.4**	**33.0**

Source: CMB 2019 Water Master Plan

Per the most recent US Census, the City's population is below the projections utilized for the water supply plan. Therefore, it can be estimated that there is sufficient water supply to accommodate the potential increase in residents that may be generated from the proposed amendment.

Regarding the impacts to potable water and sanitary sewer transmission infrastructure, it is likely that upgrades will be needed in proximity to future development sites. The specific upgrades are determined on a case-by-case basis as new developments are proposed due to the significant amount development details that are required to make these determinations. The Public Works Department is currently studying the water and sewer systems throughout the City.
Regarding solid waste collection, as the proposal would result in new multifamily developments, the solid waste collection would be handled by private providers. It would be the responsibility of each development to coordinate with the private provider and to ensure that the project's needs are met.

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Lincoln Road West Residential Use Incentive Area Property Calculations

Area	Zoning	Lot Size (SF)	Lot Size (AC)	Current FAR	Current Max Floor Area (SF)	Proposed FAR	Proposed Max Floor Area (SF)	Proposed Floor Area Increase (SF)	Current Density (Units/AC)	Current Max Units per Density	Current Max Units per FAR and Density	Proposed Density (Units/AC)	Proposed Max Units	Proposed Max Units per FAR and Density	Proposed Max Unit Increase per FAR and Density
North - LR	CD-3	15,000	0.34	2.25	33,750	3.00	45,000	11,250	150	51	39	150	51	51	12
North - LR	CD-3	10,500	0.24	2.25	23,625	3.00	31,500	7,875	150	36	27	150	36	36	9
North - LR	CD-3	11,765	0.27	2.25	26,471	3.00	35,295	8,824	150	40	30	150	40	40	10
North - LR	CD-3	5,250	0.12	2.25	11,813	3.00	15,750	3,938	150	18	13	150	18	18	5
North - LR	CD-3	5,250	0.12	2.25	11,813	3.00	15,750	3,938	150	18	13	150	18	18	5
North - LR	CD-3	5,201	0.12	2.25	11,702	3.00	15,603	3,901	150	17	13	150	17	17	4
North - LR	CD-3	15,487	0.36	2.25	34,846	3.00	46,461	11,615	150	53	40	150	53	53	13
North - LR	CD-3	5,250	0.12	2.25	11,813	3.00	15,750	3,938	150	18	13	150	18	18	5
North - LR	CD-3	5,250	0.12	2.25	11,813	3.00	15,750	3,938	150	18	13	150	18	18	5
North - LR	CD-3	5,250	0.12	2.25	11,813	3.00	15,750	3,938	150	18	13	150	18	18	5
North - LR	CD-3	4,987	0.11	2.25	11,221	3.00	14,961	3,740	150	17	13	150	17	17	4
North - LR	CD-3	18,836	0.43	2.25	42,381	3.00	56,508	14,127	150	64	48	150	64	64	16
North - LR	CD-3	11,726	0.27	2.25	26,384	3.00	35,178	8,795	150	40	30	150	40	40	10
North - LR	CD-3	22,500	0.52	2.25	50,625	3.00	67,500	16,875	150	77	58	150	77	77	19
North - LR	CD-3	22,517	0.52	2.25	50,663	3.00	67,551	16,888	150	77	58	150	77	77	19
North - LR	CD-3	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - LR	CD-3	22,500	0.52	2.25	50,625	3.00	67,500	16,875	150	77	58	150	77	77	19
North - LR	CD-3	15,000	0.34	2.25	33,750	3.00	45,000	11,250	150	51	39	150	51	51	12
North - LR	CD-3	15,000	0.34	2.25	33,750	3.00	45,000	11,250	150	51	39	150	51	51	12
North - LR	CD-3	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - LR	CD-3	9,262	0.21	2.25	20,840	3.00	27,786	6,947	150	31	24	150	31	31	7
North - LR	CD-3	16,189	0.37	2.25	36,425	3.00	48,567	12,142	150	55	42	150	55	55	13
North - LR	CD-3	48,000	1.10	2.75	132,000	3.00	144,000	12,000	150	165	160	150	165	165	5
North - LR	CD-3	231	0.01	2.25	519	3.00	692	173	150	-	1	150	-	-	-
North - LR	CD-3	12,162	0.28	2.25	27,365	3.00	36,487	9,122	150	41	31	150	41	41	10
North - LR	CD-3	6,474	0.15	2.25	14,566	3.00	19,422	4,855	150	22	17	150	22	22	5
North - LR	CD-3	170	0.00	2.25	382	3.00	510	127	151	-	0	151	-	-	-
North - 17	GU	7,500	0.17	2.13	15,938	3.00	22,500	6,563	150	25	18	150	25	25	7
North - 17	GU	7,500	0.17	2.13	15,938	3.00	22,500	6,563	150	25	18	150	25	25	7
North - 17	GU	7,500	0.17	2.13	15,938	3.00	22,500	6,563	150	25	18	150	25	25	7
North - 17	GU	7,500	0.17	2.13	15,938	3.00	22,500	6,563	150	25	18	150	25	25	7
North - 17	GU	7,500	0.17	2.13	15,938	3.00	22,500	6,563	150	25	18	150	25	25	7
North - 17	GU	76,500	1.76	2.25	172,125	3.50	267,750	95,625	150	263	196	150	263	263	67
North - 17	GU	1,305	0.03	2.25	2,937	3.00	3,915	979	150	4	3	150	4	4	1
North - 17	GU	4,800	0.11	2.25	10,800	3.00	14,400	3,600	150	16	12	150	16	16	4
North - 17	GU	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	GU	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	CD-3	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	CD-3	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	CD-3	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	CD-3	16,000	0.37	2.25	36,000	3.00	48,000	12,000	150	55	41	150	55	55	14
North - 17	GU	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	GU	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	GU	4,800	0.11	2.25	10,800	3.00	14,400	3,600	150	16	12	150	16	16	4
North - 17	CD-3	10,200	0.23	2.25	22,950	3.00	30,600	7,650	150	35	26	150	35	35	9
North - 17	CD-3	2,063	0.05	2.25	4,642	3.00	6,189	1,547	150	7	5	150	7	7	2
North - 17	CD-3	20,563	0.47	2.25	46,267	3.00	61,689	15,422	150	70	53	150	70	70	17
North - 17	CD-3	49,938	1.15	2.75	137,330	3.50	174,783	37,454	150	171	167	150	171	171	4
North - 17	GU	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	GU	14,250	0.33	2.25	32,063	3.00	42,750	10,688	150	49	37	150	49	49	12
North - 17	CD-3	8,250	0.19	2.25	18,563	3.00	24,750	6,188	150	28	21	150	28	28	7
North - 17	CD-3	11,250	0.26	2.25	25,313	3.00	33,750	8,438	150	38	29	150	38	38	9
North - 17	CD-3	18,750	0.43	2.25	42,188	3.00	56,250	14,063	150	64	48	150	64	64	16
North - 17	CD-3	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	GU	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	GU	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	GU	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	GU	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	GU	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	CD-3	27,551	0.63	2.25	61,989	3.00	82,652	20,663	150	94	71	150	94	94	23
North - 17	CD-3	29,009	0.67	2.25	65,271	3.00	87,028	21,757	150	99	75	150	99	99	24
South	CD-3	16,500	0.38	2.25	37,125	2.75	45,375	8,250	150	56	42	150	56	55	13
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	30,000	0.69	2.25	67,500	2.75	82,500	15,000	150	103	77	150	103	100	23
South	CD-3	29,923	0.69	2.25	67,327	2.75	82,288	14,962	150	103	77	150	103	100	23
South	CD-3	8,477	0.19	2.25	19,073	2.75	23,312	4,239	150	29	22	150	29	28	7
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	16,500	0.38	2.25	37,125	2.75	45,375	8,250	150	56	42	150	56	55	13
South	CD-3	18,740	0.43	2.25	42,166	2.75	51,536	9,370	150	64	48	150	64	63	14
South	CD-3	11,266	0.26	2.25	25,348	2.75	30,980	5,633	150	38	29	150	38	38	9
South	CD-3	70,500	1.62	2.75	193,875	2.75	193,875	-	150	242	236	150	242	236	-
Total		***1,132,892***	***26.01***		***2,628,539***		***3,370,169***	***741,630***		***3,851***	***3,032***		***3,851***	***3,828***	***797***

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MIAMIBEACH
PLANNING DEPARTMENT

Comprehensive Plan and Zoning Amendment Concurrency Analysis

Date Prepared:	10/2/2024	**Concurrency Management Area:**	**South Beach**
Name of Project:	**Lincoln Road West Residential Use Incentives**	**Square Feet in the Amendment:**	**1,132,892**
Address of Site:	**Lincoln Road between Alton Road & Drexel Avenue**	**Acreage in the Amendment:**	**26.01**

Proposed FLUM Designation

Designation:
CD-3 with Residential Incentives

Maximum Density		Maximum FAR
150		2.75/3.0/3.5

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Proposed Total
	3,851					
Peak Hour Trips Generated*	3,004	N/A	N/A	N/A	N/A	3,004
Residential Demand	9,628	0				9,628

*Peak Hour Trips Calculated with ITE 9th Editon Trip Genration Manual Weekday PM Peak Hour factors

Note: See "Lincoln Road East Residential Use Incentive Area Property Calculations" table for assumptions

Existing FLUM Designation

Designation:
CD-3

Maximum Density		Maximum FAR
150		2.25/2.75

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Existing Total
	3,032					
Peak Hour Trips Generated*	2,365	N/A	N/A	N/A	N/A	2,365
Residential Demand	7,580	0				7,580

*Peak Hour Trips Calculated with ITE 9th Editon Trip Genration Manual Weekday PM Peak Hour factors

Transportation Analysis

New Trips Generated	Trip Allowances		
639 Trips		Transit	15%
		Pass-by	
	+	Mixed-use	10%
The City is a Transportation Concurrency Exception Area		Total	25%

Alton Road/Washington Avenue Sub Area

Capacity:	6,250 Trips
Existing Trips:	4,221 Trips
Net New Trips Generated:	479 Trips
Concurrent:	**YES**

Parks and Recreation Concurrency

Net New Residential Demand: 2,048 People

Parks Facility Type	Concurrent
Recreation and Open Space Acreage	YES
Swimming Pool	YES
Golf Course	YES
Basketball Court	NO
Tennis or Pickelball Court	NO
Multiple-Use Facility (park, picnic, sports)	YES
Designated Field Area (baseball, softball, soccer, etc.)	YES
Tot Lots or Playground	YES
Vita course	YES
Boat Ramp	YES
Outdoor Amphitheater	YES
Activity Building for Multiple Uses	NO

Required Mitigation to be determined at Building Permit Application

Potable Water Transmission Capacity

Proposed Max Demand:	1,501,890 Gallons Per Day
Existing Max Demand:	1,182,480 Gallons Per Day
New Max Demand:	319,410 Gallons

Concurrency to be determined at Building Permit Application

Sanitary Sewer Transmission Capacity

Proposed Max Demand:	1,347,850 Gallons Per Day
Existing Max Demand:	1,061,200 Gallons Per Day
New Max Demand:	286,650 Gallons

Concurrency to be determined at Building Permit Application

Solid Waste Collection Capacity

Proposed Max Demand:	12,275 Tons Per Year
Existing Max Demand:	9,665 Tons Per Year
New Max Demand:	2,611 Tons Per Year

Concurrency to be determined at Building Permit Application

Storm Sewer capacity

Required LOS: One-in-five-year storm event

Concurrency to be determined at Building Permit Application

Note:
This represents a comparative analysis of concurrency with maximum development potential of the site between the existing and proposed Future Land Use designations. Actual concurrency demands, required mitigation, and required capacity reservation will be determined at the time of Building Permit Application.

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MASSING STUDIES

In accordance with 7.1.10.3(a)(3) above, massing studies, prepared by the Planning Department, are attached. These studies include views along Lincoln Road on both the north and south sides showing potential development at a maximum height of 100 feet and 75 feet and 100 feet, as well as FAR options up to 3.0 and 2.75, respectively. The following properties were used for this study:

- 825 Lincoln Road (north side)
- 730-734 Lincoln Road (south side)

NOTE: No development projects have been submitted for any of these sites, and they were used solely to illustrate the potential impact of the increase in building height and intensity, as proposed in the draft ordinances.

COMPREHENSIVE PLAN AMENDMENT AND REVIEW PROCESS

The proposal requires an amendment to the Comprehensive Plan for the proposed increase in Density.

Under Section 163.3184(2), Florida Statutes, this amendment shall follow the expedited state review process for adoption of comprehensive plan amendments. This process requires a public hearing by the local planning agency (Planning Board), a public transmittal hearing before the City Commission, after which the amendment must be transmitted to several state agencies for a 30-day review period, and a final adoption public hearing before the City Commission. The amendment is effective 31-days after it is adopted if there are no appeals.

PROPOSAL SUMMARY

Staff is supportive of the proposed amendments to the Comprehensive Plan and the LDRs, as they provide tangible incentives for the development of non-transient residential uses on the Washington Avenue corridor. As shown on the attached massing illustrations, potential future development is not expected to be out of scale with the established context of the neighborhood. Additionally, there are minimum setback requirements set forth in the LDRs, and all new proposals will require a rigorous certificate of appropriateness review from the historic preservation board.

The additional increase in FAR is intended to jump start residential development along Lincoln Road, and the timeframe to utilize the incentives is limited. Although residential use has been permitted on Lincoln Road for decades, there has been little interest among private developers, to date, in pursuing non-transient residential projects. The goal of the proposed incentives is to create opportunities to make residential projects feasible.

The proposed incentives seek to take advantage of the transit network surrounding Lincoln Road, as well as promote and expand opportunities for micro-mobility options by future residents. The reduced parking requirements and defined boundaries of the incentive area is aimed primarily at urban dwellers who either live and work in city, and/or do not rely on a car for everyday mobility purposes. This type of development model has shown success in areas across the country, and Miami Beach is well set up to accommodate it.

In accordance with the direction of the LUSC on November 5, 2024, the Planning Board has been asked to discuss and provide a separate recommendation to the City regarding the following:

1. The incorporation of a Transfer of Development Rights (TDR) program, to require a portion of the maximum allowable FAR come from the transfer or sale of FAR from a sending district.

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The FAR would be increased for contributing buildings in another historic district, such as Flamingo Park, and these properties could then sell their increase to property owners along Lincoln Road. Funds from the sale would be required to improve/restore the historic property in the sending district.

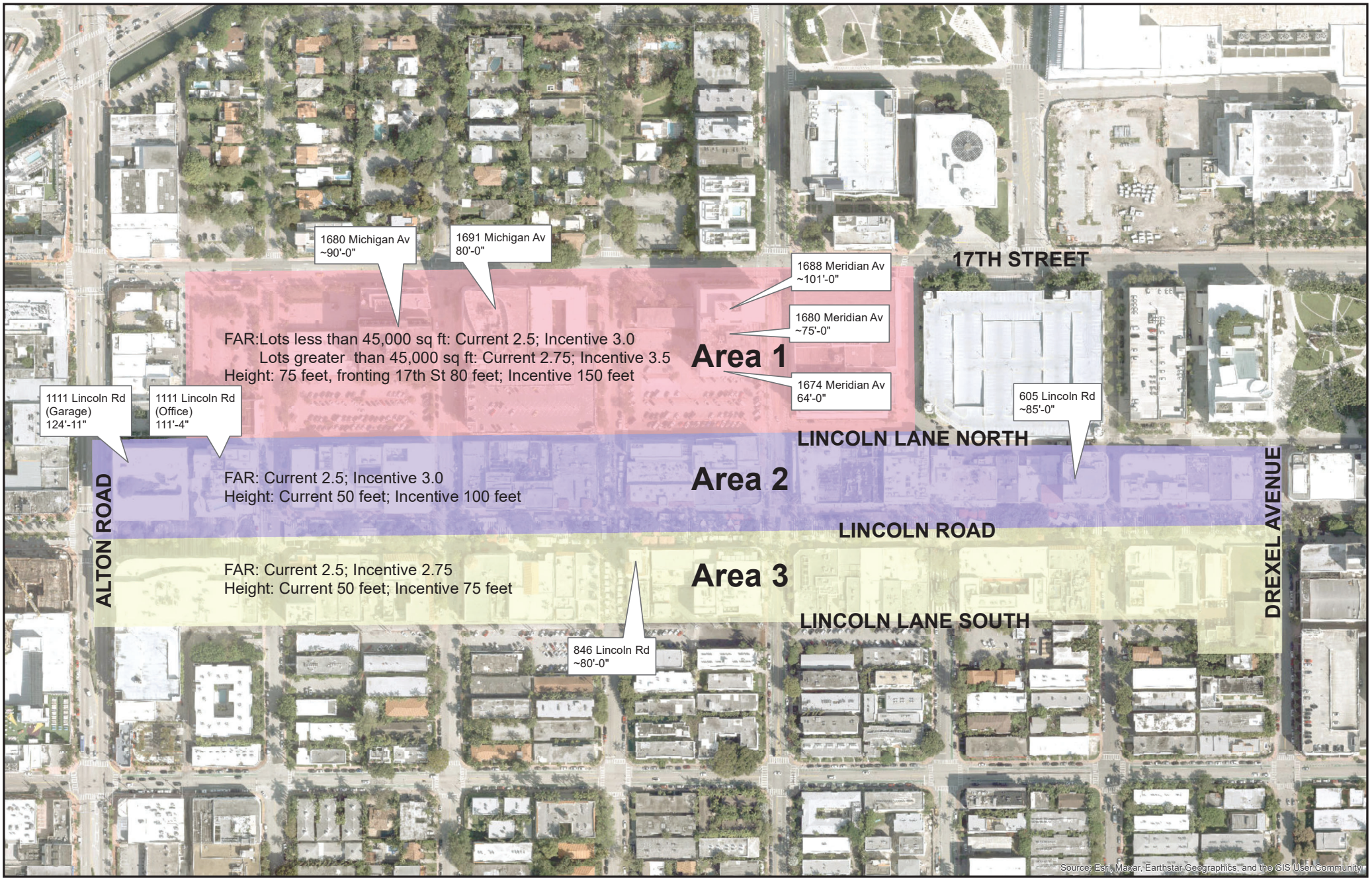
An example of this would be a maximum FAR of 3.5, with up to .5 additional FAR available pursuant to a TDR.

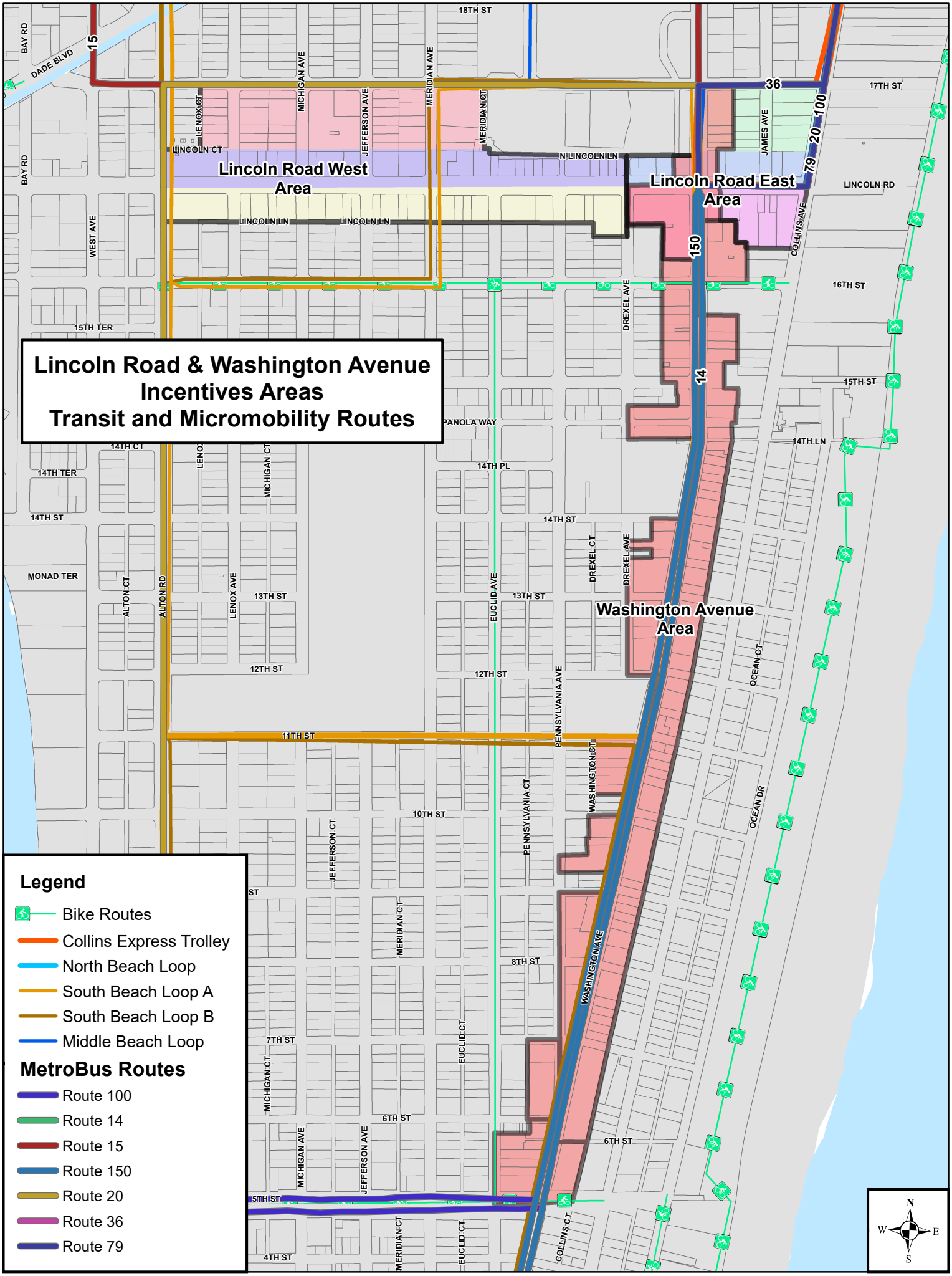
RECOMMENDATION

Staff recommends the following:

1. The Planning Board review the proposed ordinances amending the Comprehensive Plan and LDR's and continue the review of the ordinances to the May 6, 2025, Planning Board meeting. Transmittal of the applications to the City Commission may only occur at a duly noticed second public hearing, after the conclusion of a new community outreach meeting.

2. The Planning Board provide a recommendation to the City Commission regarding the inclusion of a TDR program for a portion of the maximum allowable FAR.


1680 Michigan Av
~90'-0"
1691 Michigan Av
80'-0"
1688 Meridian Av
~101'-0"
1680 Meridian Av
~75'-0"
1674 Meridian Av
64'-0"
17TH STREET
FAR:Lots less than 45,000 sq ft: Current 2.5; Incentive 3.0
Lots greater than 45,000 sq ft: Current 2.75; Incentive 3.5
Height: 75 feet, fronting 17th St 80 feet; Incentive 150 feet
Area 1
1111 Lincoln Rd
(Garage)
124'-11"
1111 Lincoln Rd
(Office)
111'-4"
605 Lincoln Rd
~85'-0"
LINCOLN LANE NORTH
FAR: Current 2.5; Incentive 3.0
Height: Current 50 feet; Incentive 100 feet
Area 2
ALTON ROAD
LINCOLN ROAD
DREXEL AVENUE
FAR: Current 2.5; Incentive 2.75
Height: Current 50 feet; Incentive 75 feet
Area 3
LINCOLN LANE SOUTH
846 Lincoln Rd
~80'-0"
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community


Lincoln Road & Washington Avenue
Incentives Areas
Transit and Micromobility Routes
Lincoln Road West Area
Lincoln Road East Area
Washington Avenue Area
Legend
Bike Routes
Collins Express Trolley
North Beach Loop
South Beach Loop A
South Beach Loop B
Middle Beach Loop
MetroBus Routes
Route 100
Route 14
Route 15
Route 150
Route 20
Route 36
Route 79
18TH ST
17TH ST
16TH ST
15TH ST
14TH LN
14TH ST
14TH PL
14TH CT
14TH TER
13TH ST
12TH ST
11TH ST
10TH ST
8TH ST
7TH ST
6TH ST
5TH ST
4TH ST
15TH TER
LINCOLN RD
LINCOLN LN
N LINCOLN LN
LINCOLN CT
PANOLA WAY
MONAD TER
BAY RD
DADE BLVD
WEST AVE
ALTON CT
ALTON RD
LENOX CT
LENOX AVE
MICHIGAN AVE
MICHIGAN CT
JEFFERSON AVE
JEFFERSON CT
MERIDIAN AVE
MERIDIAN CT
EUCLID AVE
EUCLID CT
DREXEL AVE
DREXEL CT
PENNSYLVANIA AVE
PENNSYLVANIA CT
WASHINGTON AVE
WASHINGTON CT
COLLINS AVE
COLLINS CT
JAMES AVE
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LINCOLN ROAD WEST

INFRASTRUCTURE IMPACTS

Per section 7.1.10.3 of the LDRs, prior to the Planning Board Preliminary Review, the Administration will perform an impact analysis of the proposed FAR increase; and such impact analysis shall include but not be limited to, the following:

1. Calculation of the actual square footage increase for affected properties such as, for example, the maximum allowable square footage for residential, office, retail, hotel or other uses resulting from the FAR increase.

2. An infrastructure analysis regarding potential impacts on traffic/ mobility, parking, water, sewer, resiliency, parks and open space, as well as any other area of concern identified by the City Commission or the Administration.

3. Massing studies, which illustrate the volume and location of the area associated with the proposed increase in FAR.

To this end, the proposed FAR increases are intended to incentivize the replacement of transient uses as well as the development of new residential units to serve permanent residents along Lincoln Road, west of Drexel Avenue and east of Alton Road. The proposed amendment does not impact the maximum residential density, as all districts are zoned CD-3 district, which has a maximum density of 150 units per acre. The analysis is based on not being able to achieve the maximum density given the current FAR limits. The analysis assumes that 0.5 of the allowable FAR will be for ground floor commercial uses, that 15% of the FAR is for back of house uses, and that the number of units is maximized with the remaining FAR up to the allowable density.

Given that this amendment is not being proposed because of specific development proposals, it is difficult to predict the exact impacts of the FAR increase. For the purposes of this analysis, the difference in the maximum number of units that could be achieved for the affected area was compared to the maximum number of units that can be achieved if the proposed amendment is adopted. The impacts to infrastructure due to the potential increase was then quantified with the assumption that there are 2.5 people per residential unit. The attached Concurrency Analysis provides detailed information for each of the affected areas and is summarized hereto:

Summary of Impacts

- Potential increase of 797 residential units;
- Potential population increase of 2,048 people;
- Potential increase of 479 peak hour vehicle trips;
- Potential increase of 319,410 gallons of potable water consumption per day;
- Potential increase of 286,650 gallons of sanitary sewer transmission per day; and
- Potential increase of 2,611 tons of solid waste collection per year.

The traffic impacts are analyzed utilizing data and assumptions from the Florida Department of Transportation (FDOT) Traffic Information tool. While an increase in peak hour vehicle trips is expected, the level of service should not be severely impacted. These impacts could potentially be offset by providing housing for the City's workforce, minimizing the need for long distance commuting and encouraging alternative modes of transportation.

Additionally, the standard Institute of Traffic Engineers (ITE) rate was used for the analysis, including reductions of 15% for transit use and 10% for mixed-use projects. However, there are

no current rate reductions or rate ratios identified by ITE for residential projects that provide reduced off-street parking on site, or no off-street parking. Since these incentives are intended for users that either do not have a vehicle or can store their vehicle remotely and use micromobility for daily commutes, the Administration is researching additional trip reduction formulas that take into consideration reduced off-street parking.

Finally, projects will be required to pay mobility fees, if applicable, which can be used to make improvements to the transportation network.

With regards to parks levels of service, there is a deficiency in *basketball courts* and *tennis/pickleball courts*. As more units are built, there would potentially be a deficiency in *activity buildings for multiple uses*. As a result of these deficiencies, each development will be required to pay a proportionate fair-share mitigation fee to assist the City in providing these facilities, if they are not built prior. Alternatively, a developer could provide the necessary facilities. The level of service for recreation and open space acreage would continue to be met.

With regards to potable water consumption, on January 20, 2022, the City Commission adopted the City of Miami Beach 10-year Water Supply Facilities Work Plan and related amendments to the Comprehensive Plan. This plan was created with coordination with the South Florida Water Management District and Miami-Dade County Water and Sewer Department. The plan projects that water will be available for projected population increases. The population increases projected in the plan and water demand projections are below:

Table 3: Population Projections

	2015	2016	2020	2025	2030	2035	2040
Total	92,472	93,490	97,563	102,654	107,745	112,836	117,927

Source: 2015 TAZ Population Projections Update, County draft 2020 WSP

Table 4: City Water Demand Projections

	2020	2025	2030	2035	2040	2045
Projected Population – Total residential + transient	196,486	211,913	224,180	236,636	249,294	262,172
Populations Equivalents Served	158,885	171,760	181,474	191,377	201,483	211,809
Water Demand (MGD) - Total (Annual Average Demand)	**24.7**	**26.7**	**28.2**	**29.8**	**31.4**	**33.0**

Source: CMB 2019 Water Master Plan

Per the most recent US Census, the City's population is below the projections utilized for the water supply plan. Therefore, it can be estimated that there is sufficient water supply to accommodate the potential increase in residents that may be generated from the proposed amendment.

Regarding the impacts to potable water and sanitary sewer transmission infrastructure, it is likely that upgrades will be needed in proximity to future development sites. The specific upgrades are determined on a case-by-case basis as new developments are proposed due to the significant

amount development details that are required to make these determinations. The Public Works Department is currently studying the water and sewer systems throughout the City.

Regarding solid waste collection, as the proposal would result in new multifamily developments, the solid waste collection would be handled by private providers. It would be the responsibility of each development to coordinate with the private provider and to ensure that the project's needs are met.

Lincoln Road West Residential Use Incentive Area Property Calculations															
Area	Zoning	Lot Size (SF)	Lot Size (AC)	Current FAR	Current Max Floor Area (SF)	Proposed FAR	Proposed Max Floor Area (SF)	Proposed Floor Area Increase (SF)	Current Density (Units/AC)	Current Max Units per Density	Current Max Units per FAR and Density	Proposed Density (Units/AC)	Proposed Max Units	Proposed Max Units per FAR and Density	Proposed Max Unit Increase per FAR and Density
North - LR	CD-3	15,000	0.34	2.25	33,750	3.00	45,000	11,250	150	51	39	150	51	51	12
North - LR	CD-3	10,500	0.24	2.25	23,625	3.00	31,500	7,875	150	36	27	150	36	36	9
North - LR	CD-3	11,765	0.27	2.25	26,471	3.00	35,295	8,824	150	40	30	150	40	40	10
North - LR	CD-3	5,250	0.12	2.25	11,813	3.00	15,750	3,938	150	18	13	150	18	18	5
North - LR	CD-3	5,250	0.12	2.25	11,813	3.00	15,750	3,938	150	18	13	150	18	18	5
North - LR	CD-3	5,201	0.12	2.25	11,702	3.00	15,603	3,901	150	17	13	150	17	17	4
North - LR	CD-3	15,487	0.36	2.25	34,846	3.00	46,461	11,615	150	53	40	150	53	53	13
North - LR	CD-3	5,250	0.12	2.25	11,813	3.00	15,750	3,938	150	18	13	150	18	18	5
North - LR	CD-3	5,250	0.12	2.25	11,813	3.00	15,750	3,938	150	18	13	150	18	18	5
North - LR	CD-3	5,250	0.12	2.25	11,813	3.00	15,750	3,938	150	18	13	150	18	18	5
North - LR	CD-3	4,987	0.11	2.25	11,221	3.00	14,961	3,740	150	17	13	150	17	17	4
North - LR	CD-3	18,836	0.43	2.25	42,381	3.00	56,508	14,127	150	64	48	150	64	64	16
North - LR	CD-3	11,726	0.27	2.25	26,384	3.00	35,178	8,795	150	40	30	150	40	40	10
North - LR	CD-3	22,500	0.52	2.25	50,625	3.00	67,500	16,875	150	77	58	150	77	77	19
North - LR	CD-3	22,517	0.52	2.25	50,663	3.00	67,551	16,888	150	77	58	150	77	77	19
North - LR	CD-3	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - LR	CD-3	22,500	0.52	2.25	50,625	3.00	67,500	16,875	150	77	58	150	77	77	19
North - LR	CD-3	15,000	0.34	2.25	33,750	3.00	45,000	11,250	150	51	39	150	51	51	12
North - LR	CD-3	15,000	0.34	2.25	33,750	3.00	45,000	11,250	150	51	39	150	51	51	12
North - LR	CD-3	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - LR	CD-3	9,262	0.21	2.25	20,840	3.00	27,786	6,947	150	31	24	150	31	31	7
North - LR	CD-3	16,189	0.37	2.25	36,425	3.00	48,567	12,142	150	55	42	150	55	55	13
North - LR	CD-3	48,000	1.10	2.75	132,000	3.00	144,000	12,000	150	165	160	150	165	165	5
North - LR	CD-3	231	0.01	2.25	519	3.00	692	173	150	-	1	150	-	-	-
North - LR	CD-3	12,162	0.28	2.25	27,365	3.00	36,487	9,122	150	41	31	150	41	41	10
North - LR	CD-3	6,474	0.15	2.25	14,566	3.00	19,422	4,855	150	22	17	150	22	22	5
North - LR	CD-3	170	0.00	2.25	382	3.00	510	127	151	-	0	151	-	-	-
North - 17	GU	7,500	0.17	2.13	15,938	3.00	22,500	6,563	150	25	18	150	25	25	7
North - 17	GU	7,500	0.17	2.13	15,938	3.00	22,500	6,563	150	25	18	150	25	25	7
North - 17	GU	7,500	0.17	2.13	15,938	3.00	22,500	6,563	150	25	18	150	25	25	7
North - 17	GU	7,500	0.17	2.13	15,938	3.00	22,500	6,563	150	25	18	150	25	25	7
North - 17	GU	7,500	0.17	2.13	15,938	3.00	22,500	6,563	150	25	18	150	25	25	7
North - 17	GU	76,500	1.76	2.25	172,125	3.50	267,750	95,625	150	263	196	150	263	263	67
North - 17	GU	1,305	0.03	2.25	2,937	3.00	3,915	979	150	4	3	150	4	4	1
North - 17	GU	4,800	0.11	2.25	10,800	3.00	14,400	3,600	150	16	12	150	16	16	4
North - 17	GU	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	GU	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	CD-3	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	CD-3	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	CD-3	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	CD-3	16,000	0.37	2.25	36,000	3.00	48,000	12,000	150	55	41	150	55	55	14
North - 17	GU	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	GU	8,000	0.18	2.25	18,000	3.00	24,000	6,000	150	27	21	150	27	27	6
North - 17	GU	4,800	0.11	2.25	10,800	3.00	14,400	3,600	150	16	12	150	16	16	4
North - 17	CD-3	10,200	0.23	2.25	22,950	3.00	30,600	7,650	150	35	26	150	35	35	9
North - 17	CD-3	2,063	0.05	2.25	4,642	3.00	6,189	1,547	150	7	5	150	7	7	2
North - 17	CD-3	20,563	0.47	2.25	46,267	3.00	61,689	15,422	150	70	53	150	70	70	17
North - 17	CD-3	49,938	1.15	2.75	137,330	3.50	174,783	37,454	150	171	167	150	171	171	4
North - 17	GU	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	GU	14,250	0.33	2.25	32,063	3.00	42,750	10,688	150	49	37	150	49	49	12
North - 17	CD-3	8,250	0.19	2.25	18,563	3.00	24,750	6,188	150	28	21	150	28	28	7
North - 17	CD-3	11,250	0.26	2.25	25,313	3.00	33,750	8,438	150	38	29	150	38	38	9
North - 17	CD-3	18,750	0.43	2.25	42,188	3.00	56,250	14,063	150	64	48	150	64	64	16
North - 17	CD-3	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	GU	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	GU	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	GU	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	GU	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	GU	7,500	0.17	2.25	16,875	3.00	22,500	5,625	150	25	19	150	25	25	6
North - 17	CD-3	27,551	0.63	2.25	61,989	3.00	82,652	20,663	150	94	71	150	94	94	23
North - 17	CD-3	29,009	0.67	2.25	65,271	3.00	87,028	21,757	150	99	75	150	99	99	24
South	CD-3	16,500	0.38	2.25	37,125	2.75	45,375	8,250	150	56	42	150	56	55	13
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	15,000	0.34	2.25	33,750	2.75	41,250	7,500	150	51	39	150	51	50	12
South	CD-3	30,000	0.69	2.25	67,500	2.75	82,500	15,000	150	103	77	150	103	100	23
South	CD-3	29,923	0.69	2.25	67,327	2.75	82,288	14,962	150	103	77	150	103	100	23
South	CD-3	8,477	0.19	2.25	19,073	2.75	23,312	4,239	150	29	22	150	29	28	7
South	CD-3	7,500	0.17	2.25	16,875	2.75	20,625	3,750	150	25	19	150	25	25	6
South	CD-3	16,500	0.38	2.25	37,125	2.75	45,375	8,250	150	56	42	150	56	55	13
South	CD-3	18,740	0.43	2.25	42,166	2.75	51,536	9,370	150	64	48	150	64	63	14
South	CD-3	11,266	0.26	2.25	25,348	2.75	30,980	5,633	150	38	29	150	38	38	9
South	CD-3	70,500	1.62	2.75	193,875	2.75	193,875	-	150	242	236	150	242	236	-
Total		***1,132,892***	***26.01***		***2,628,539***		***3,370,169***	***741,630***		***3,851***	***3,032***		***3,851***	***3,828***	***797***

MIAMIBEACH
PLANNING DEPARTMENT

Comprehensive Plan and Zoning Amendment Concurrency Analysis

Date Prepared:	10/2/2024	**Concurrency Management Area:**	**South Beach**
Name of Project:	**Lincoln Road West Residential Use Incentives**	**Square Feet in the Amendment:**	**1,132,892**
Address of Site:	**Lincoln Road between Alton Road & Drexel Avenue**	**Acreage in the Amendment:**	**26.01**

Proposed FLUM Designation

Designation:
CD-3 with Residential Incentives

Maximum Density		Maximum FAR
150		2.75/3.0/3.5

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Proposed Total
	3,851					
Peak Hour Trips Generated*	3,004	N/A	N/A	N/A	N/A	3,004
Residential Demand	9,628	0				9,628

*Peak Hour Trips Calculated with ITE 9th Editon Trip Genration Manual Weekday PM Peak Hour factors

Note: See "Lincoln Road East Residential Use Incentive Area Property Calculations" table for assumptions

Existing FLUM Designation

Designation:
CD-3

Maximum Density		Maximum FAR
150		2.25/2.75

	Residential (Units)	Hotel (Rooms)	Retail (SF)	Office (SF)	Industrial (SF)	Existing Total
	3,032					
Peak Hour Trips Generated*	2,365	N/A	N/A	N/A	N/A	2,365
Residential Demand	7,580	0				7,580

*Peak Hour Trips Calculated with ITE 9th Editon Trip Genration Manual Weekday PM Peak Hour factors

Transportation Analysis

New Trips Generated: 639 Trips

Trip Allowances		
Transit	15%	
Pass-by		
+ Mixed-use	10%	
Total	25%	

The City is a Transportation Concurrency Exception Area

Alton Road/Washington Avenue Sub Area

Capacity:	6,250	Trips
Existing Trips:	4,221	Trips
Net New Trips Generated:	479	Trips
Concurrent:	**YES**	

Parks and Recreation Concurrency

Net New Residential Demand: 2,048 People

Parks Facility Type	Concurrent
Recreation and Open Space Acreage	YES
Swimming Pool	YES
Golf Course	YES
Basketball Court	NO
Tennis or Pickelball Court	NO
Multiple-Use Facility (park, picnic, sports)	YES
Designated Field Area (baseball, softball, soccer, etc.)	YES
Tot Lots or Playground	YES
Vita course	YES
Boat Ramp	YES
Outdoor Amphitheater	YES
Activity Building for Multiple Uses	NO

Required Mitigation to be determined at Building Permit Application

Potable Water Transmission Capacity

Proposed Max Demand:	1,501,890	Gallons Per Day
Existing Max Demand:	1,182,480	Gallons Per Day
New Max Demand:	319,410	Gallons

Concurrency to be determined at Building Permit Application

Sanitary Sewer Transmission Capacity

Proposed Max Demand:	1,347,850	Gallons Per Day
Existing Max Demand:	1,061,200	Gallons Per Day
New Max Demand:	286,650	Gallons

Concurrency to be determined at Building Permit Application

Solid Waste Collection Capacity

Proposed Max Demand:	12,275	Tons Per Year
Existing Max Demand:	9,665	Tons Per Year
New Max Demand:	2,611	Tons Per Year

Concurrency to be determined at Building Permit Application

Storm Sewer capacity

Required LOS: One-in-five-year storm event

Concurrency to be determined at Building Permit Application

Note:
This represents a comparative analysis of concurrency with maximum development potential of the site between the existing and proposed Future Land Use designations. Actual concurrency demands, required mitigation, and required capacity reservation will be determined at the time of Building Permit Application.

825 & 734/730 Lincoln Road

Lincoln Road West Residential Use Incentives - Comprehensive Plan Amendment

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY OF MIAMI BEACH YEAR 2040 COMPREHENSIVE PLAN, PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS OF SECTION 163.3184(3), FLORIDA STATUTES, BY AMENDING THE "RESILIENT LAND USE & DEVELOPMENT ELEMENT," GOAL RLU 1, ENTITLED "LAND USE," OBJECTIVE RLU 1.1, ENTITLED "ESTABLISHMENT OF FUTURE LAND USE CATEGORIES" AT TABLE RLU 1.1 TO PROVIDE CONSISTENCY WITH FLOOR AREA RATIO (F.A.R.) REGULATIONS; BY AMENDING POLICY RLU 1.1.10, ENTITLED "HIGH INTENSITY COMMERCIAL (CD-3)," TO PROVIDE FAR AND DENSITY INCENTIVES TO ENCOURAGE THE DEVELOPMENT OF NON-TRANSIENT RESIDENTIAL USES AND THE CONVERSION OF EXISTING TRANSIENT USES TO NON-TRANSIENT RESIDENTIAL USES FOR APPLICABLE PROPERTIES FRONTING LINCOLN ROAD FROM ALTON ROAD TO DREXEL AVENUE AND PROPERTIES LOCATED BETWEEN 17TH STREET AND LINCOLN LANE NORTH; BY AMENDING OBJECTIVE 1.2, ENTITLED "LAND USE REGULATION," TO ESTABLISH POLICY 1.2.8, ENTITLED "RESIDENTIAL USE INCENTIVES," TO PROVIDE MINIMUM STANDARDS FOR OBTAINING THE FAR AND DENSITY INCENTIVES SET FORTH IN THIS ORDINANCE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, TRANSMITTAL AND AN EFFECTIVE DATE.

WHEREAS, the 2010 US Census indicated that the City of Miami Beach had a population of 87,779; and

WHEREAS, the 2020 US Census indicated that the City of Miami Beach had a population of 82,890; and

WHEREAS, between 2010 and 2020, the City of Miami Beach lost a net total of 4,889 residents; and

WHEREAS, the July 2022 Census American Community Survey estimates that the City of Miami Beach has a population of 80,017, reflecting a further loss of 2,873 residents since the 2020 Census; and

WHEREAS, the City finds the loss of permanent residents may have had a negative impact on the quality of life of remaining residents, by encouraging more traffic congestion due to the need for employees to commute longer distances to employment centers within the City; and

WHEREAS, the loss of residents is partially due to the conversion of residential units to short-term rentals or other transient units; and

WHEREAS, the introduction of transient units in predominantly residential areas has created nuisances for residents and often prevents the quiet enjoyment of their residences; and

WHEREAS, Section 509.032, Florida Statutes provides that "*A local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of*

vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011"; and

WHEREAS, per Section 509.032, Florida Statutes, the City of Miami Beach cannot prohibit the short-term rental of residential units in areas where they were not prohibited prior to June 1, 2011; and

WHEREAS, the City seeks to establish incentives in order to encourage residential development that will not be used for short-term rentals or other transient uses in order to encourage the growth of the permanent resident population; and

WHEREAS, the City has the authority to enact laws that promote the public health, safety, and general welfare of its citizens; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

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

SECTION 1. The following amendments to the City's 2040 Comprehensive Plan Resilient Land Use & Development Element are hereby adopted:

RESILIENT LAND USE & DEVELOPMENT ELEMENT

* * *

GOAL RLU 1: LAND USE

* * *

OBJECTIVE RLU 1.1 Establishment of Future Land Use Categories

The City hereby adopts future land use map categories to provide for an efficient distribution and compatible pattern of land uses, and to maintain and enhance the character of the community.

* * *

Table RLU 1.1

The following table is a reference guide that depicts the policy number, and maximum densities and intensities for each future land use map (FLUM) category.

(* = Refer to policy for limits)

FLUM Category	Density Limits (Units Per Acre)	Intensity Limits (Floor Area Ratio)	Reference (Policy #)
*	*	*	*
High Intensity Commercial (CD-3)	*~~150~~175 units per acre*	*~~2.0~~ 4.0**	RLU 1.1.10

* * *

POLICY RLU 1.1.10 HIGH INTENSITY COMMERCIAL (CD-3)

Purpose: To provide development opportunities for and to enhance the desirability and quality of existing and/or new medium intensity commercial areas which primarily serve the entire City.

Uses which may be permitted: Various types of commercial uses including business and professional offices, retail sales and service establishments, eating and drinking establishments; apartment residential uses; apartment hotels; and hotels.

Other uses which may be permitted are accessory uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to be subordinate to the main use; and conditional uses specifically authorized in this land use category, as described in the Land Development Regulations, which are required to go through a public hearing process as prescribed in the Land Development Regulations of the Code of the City of Miami Beach.

Density Limits: 150 dwelling units per acre.

Intensity Limits:

- a floor area ratio of 2.25 on lot area equal to or less than 45,000 sq. ft.;
- a floor area ratio of 2.75 on lot area greater than 45,000 sq. ft.;
- a floor area ratio 3.0 on oceanfront lots with lot area greater than 45,000 sq. ft.;
- a floor area ratio of 2.0 on oceanfront lots in architectural district;
- *for developments located on Washington Avenue between 16th Street and 17th street. as described in the land development regulations, that comply with the requirements for residential use incentives in policy RLU 1.2.8, the floor area ratio shall not exceed 4.0.*
- <u>for developments located south of 17th Street to the south side of Lincoln Road, including properties with a lot line on Lincoln Road, between the east side of Drexel Avenue and the west side of Collins Avenue, excluding properties located on Washington Avenue between 16th Street and 17th street. as described in the land development regulations, that comply with the requirements for residential use incentives in policy RLU 1.2.8, the floor area ratio shall not exceed 3.5;</u>
- <u>for developments with a lot line on the north side of Lincoln Road, between the east side of Alton Road and the west side of Drexel Avenue as described in the land development regulations, that comply with the requirements for residential use incentives in policy RLU 1.2.8, the floor area ratio shall not exceed 3.0;</u>
- <u>for developments with a lot line on the south side of Lincoln Road, between the east side of Alton Road and the west side of Drexel Avenue as described in the land development regulations, that comply with the requirements for residential use incentives in policy RLU 1.2.8, the floor area ratio shall not exceed 2.75;</u>
- <u>for developments located between 17th Street and Lincoln Lane North, from the east side of Alton Road to the west side of Drexel Avenue as described in the land development regulations, that comply with the requirements for residential use incentives in policy RLU 1.2.8, the floor area ratio shall not exceed 3.0 for lots less than 45,000 square feet and 3.5 for lots greater than 45,000 square feet;</u>

* * *

OBJECTIVE RLU 1.2: LAND USE REGULATION

Future growth and development, redevelopment and rehabilitation will be managed through the preparation, adoption, implementation, and enforcement of land development regulations (LDR) consistent with the Comprehensive Plan and with s.163.3202, F.S.

* * *

POLICY 1.2.8 RESIDENTIAL USE INCENTIVES

These provisions are hereby adopted to provide voluntary zoning incentives for non-transient residential development. Where authorized in the underlying future land use category, and in accordance with all applicable regulations set forth in the Comprehensive Plan and Land Development Regulations, residential developments consisting solely of non-transient residential units and allowable accessory uses shall be eligible for applicable incentives set forth in such future land use category, subject to the following conditions:

1. ***Lodging Use Conversion and Prohibition.*** *In order to be eligible for the residential use incentives, the property shall be required to fully vacate any and all existing transient uses including, but not limited to, bed & breakfast inn, hostel, hotel, apartment hotel, suite hotel, or rooming house. Such transient uses shall be prohibited throughout the development and at all times, in order to maintain the residential use incentives authorized for the applicable future land use category.*

2. ***Short Term Rental Conversion and Prohibition.*** *In order to be eligible for the voluntary residential use incentives authorized for the applicable future land use category, the property owner(s) shall first be required to vacate any and all existing approvals for the short-term rental of any apartment units on the property.*

3. ***Covenant.*** *As a condition of eligibility for the voluntary residential use incentives authorized for the applicable future land use category, the property owner(s) shall first be required to execute a restrictive covenant running with the land, in a form approved by the City Attorney, affirming that throughout the building and at all times, no residential units on the property shall be leased or rented for a period of less than six months and one day, and that no transient uses including, but not limited to, bed & breakfast inn, hostel, hotel, apartment hotel, suite hotel or rooming house, shall be permitted on the property. The covenant shall expressly provide that an affirmative vote of six-sevenths of all members of the city commission shall be required in order to release the covenant or to modify the covenant in such a manner as to impose a less stringent restriction after it is executed.*

SECTION 2. CODIFICATION.

It is the intention of the City Commission that this Ordinance be entered into the Comprehensive Plan of the City of Miami Beach, FL, and it is hereby ordained that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and that the word “ordinance” may be changed to “section,” “article,” or other appropriate word.

SECTION 3. REPEALER.
All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY.
If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. TRANSMITTAL.
The Planning Director is hereby directed to transmit this ordinance to the appropriate state, regional, and county agencies as required by applicable law.

SECTION 6. EFFECTIVE DATE.
This Ordinance shall take effect until 31 days after the state land planning agency notifies the City that the plan amendment package is complete following adoption, pursuant to Section 163. 3184(3), Florida Statutes.

PASSED AND ADOPTED this _____ day of _____, 2025

_____
Steven Meiner, Mayor

ATTEST:

_____
Rafael E. Granado, City Clerk.

APPROVED AS TO FORM AND
LANGUAGE AND FOR EXECUTION

_____
City Attorney Date

First Reading:
Second Reading:

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

F:\PLAN\$PLB\2025\03-04-2025\PB24-0731 & PB25-0737 - Lincoln Road WEST\PB25-0737 - Lincoln Road West Residential Use Incentives - Alton to Drexel - COMP PLAN AMENDMENT.docx

Lincoln Road West Residential Use Incentives – LDR Amendments

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH RESILIENCY CODE, BY AMENDING CHAPTER 5, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "VEHICLE PARKING, BICYCLE PARKING AND OFF-STREET LOADING REQUIREMENTS," AT SECTION 5.2.4, ENTITLED "VEHICLE OFF-STREET PARKING REQUIREMENTS," BY AMENDING THE PARKING REQUIREMENTS IN PARKING TIER 3; BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICT REGULATIONS," ARTICLE I, ENTITLED "GENERAL TO ALL ZONING DISTRICTS," BY AMENDING SECTION 7.1.11, ENTITLED "RESIDENTIAL USE INCENTIVES," TO ESTABLISH RESIDENTIAL USE INCENTIVES SPECIFIC TO PROPERTIES FROM THE EAST SIDE OF ALTON ROAD TO THE WEST SIDE OF DREXEL AVENUE AND LOCATED BETWEEN THE SOUTH SIDE OF 17TH STREET AND THE NORTH SIDE OF LINCOLN LANE SOUTH; BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," SECTION 7.2.12 ENTITELD "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," TO MODIFY SECTION 7.2.12.3, ENTITLED, "DEVELOPMENT REGULATIONS (CD-3)," TO MODIFY AND CLARIFY DEVELOPMENT REGULATIONS PERTAINING TO HOTEL USES AND TO DELETE SECTION 7.2.12.4, ENTITLED "ADDITIONAL REGULATIONS (CD-3)"; BY AMENDING ARTICLE V, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," BY AMENDING SECTION 7.5.2.1 ENTITLED "HEIGHT REGULATION EXCEPTIONS AND ROOFTOP ADDITIONS," TO ALLOW FOR MULTI-STORY ROOFTOP ADDITIONS FOR PROJECTS THAT QUALIFY FOR THE LINCOLN ROAD RESIDENTIAL USE INCENTIVES; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the proliferation of transient uses may exacerbate housing affordability issues by reducing the availability of traditional rental housing options for families and individuals, as well as the city's workforce; and

WHEREAS, creating incentives for non-transient residential uses along the Lincoln Road corridor would enable the implementation of more equitable and comprehensive housing policies that prioritize the well-being and stability of all residents; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

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

SECTION 1. Chapter 5, entitled "Off Street Parking," Article II, entitled "Vehicle Parking, Bicycle Parking and Off-Street Loading Requirements," is hereby amended as follows:

CHAPTER 5
OFF STREET PARKING

* * *

ARTICLE II. VEHICLE PARKING, BICYCLE PARKING AND OFF-STREET LOADING REQUIREMENTS

* * *

5.2.4 VEHICLE OFF-STREET PARKING REQUIREMENTS

* * *

5.2.4.3 Parking Tier 3

Except as otherwise provided in these land development regulations, when any building or structure is erected or altered in parking Tier 3, accessory off-street parking spaces shall be provided for the building, structure or additional floor area as follows.

Tier 3 a, b and c

a. Off-street parking requirements for Tier 3 areas a, b and c.

* * *

5. Supplemental off-street parking regulations for Tier 3 areas a, b and c

   A. Supplemental off-street parking requirements specific to districts

CD-3	Non-Transient residential units built in accordance with Section 7.1.11	No parking requirement

SECTION 2. Chapter 7, entitled "Zoning District Regulations," Article I, entitled "General to All Zoning Districts," is hereby amended as follows:

CHAPTER 7
ZONING DISTRICTS AND REGULATIONS

ARTICLE I. GENERAL TO ALL ZONING DISTRICTS

* * *

7.1.11 RESIDENTIAL USE INCENTIVES

a. Eligible Development. These provisions are hereby adopted as voluntary zoning incentives for non-transient residential development. Where authorized in the underlying zoning district or overlay district, and in accordance with all applicable regulations set forth in such zoning district or overlay district, residential developments consisting solely of non-transient residential units and allowable accessory uses shall be eligible for applicable incentives set forth in such zoning district or overlay district, subject to the property owner's agreement to be bound by the following conditions:

   1. Lodging Use Conversion and Prohibition. In order to be eligible for the residential use incentives, the property shall be required to fully vacate any and all existing transient uses

including, but not limited to, bed & breakfast inn, hostel, hotel, apartment hotel, suite hotel or rooming house. Such transient uses shall be prohibited throughout the development and at all times, in order to maintain the residential use incentives authorized for the applicable zoning district or overlay district.

2. Short Term Rental Conversion and Prohibition. In order to be eligible for the voluntary residential use incentives authorized for the applicable zoning district or overlay district, the property owner(s) shall first be required to vacate any and all existing approvals for the short-term rental of any apartment units on the property.

3. Covenant. As a condition of eligibility for the voluntary residential use incentives authorized for the applicable zoning district or overlay district, the property owner(s) shall first be required to execute a restrictive covenant running with the land, in a form approved by the City Attorney, affirming that throughout the building and at all times, no residential units on the property shall be leased or rented for a period of less than six months and one day, and that no transient uses including, but not limited to, bed & breakfast inn, hostel, hotel, apartment hotel, suite hotel or rooming house, shall be permitted on the property. The covenant shall expressly provide that an affirmative vote of six-sevenths of all members of the city commission shall be required in order to release the covenant or to modify the covenant in such a manner as to impose a less stringent restriction after it is executed.

4. Certificate of Appropriateness. If the property is located within a local historic district or site, as a condition of eligibility for the voluntary residential use incentives authorized for the applicable zoning district or overlay district, the property owner(s) shall be required to retain, preserve and restore all contributing structures on the site, as may be required by the historic preservation board and subject to certificate of appropriateness approval in accordance with chapter 2, article VIII of the land development regulations of the city code.

~~b. There shall be no variances from the requirements of this section for eligible developments.~~

b. Lincoln Road North between Alton Road and Drexel Avenue. For properties with a lot line on the north side of Lincoln Road, between the east side of Alton Road and the west side of Drexel Avenue, that comply with the requirements in section 7.1.11.a above, the maximum FAR shall not exceed 3.0, regardless of lot size, subject to the following regulations:

1. All portions of the project above the first level shall consist of non-transient residential uses.

2. Multi-story rooftop additions may be permitted subject to the review and approval of the historic preservation board.

3. 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. Notwithstanding the foregoing, the historic preservation board may waive up to 50% of the required 50 foot setback from Lincoln Road for additions located above 50 feet in height, subject to compliance with the applicable certificate of appropriateness criteria in chapter 2, article VIII of the land development regulations of the city code.

4. The minimum unit size shall be 500 square feet.

5. The maximum density may exceed 150 units per acre, up to 175 units per acre.

6. A micro-mobility station that is accessible by all residents of the building shall be required within the interior of the structure. The micro mobility station may be accessed from the Lincoln Lane North.

7. Off-street parking spaces, if provided, shall not exceed 20% of the number of off-street parking spaces required under parking tier 1.

8. Off-street parking for building staff and/or service operations shall be provided at the same ratio as required loading spaces.

9. A maximum building height of up to 100 feet may be permitted, subject to the following:
    a. Off-street parking shall be prohibited.
    b. The property shall be part of a micro mobility network that is accessible to the general public. At a minimum, this shall include a public sharing program for no less than 20 micro-mobility devices located within the confines of the property.

10. The required mobility fee shall be waived for projects that have obtained a full building permit by September 1, 2032.

11. The FAR and height requirements in this subsection above shall only apply to projects that have obtained a full building permit or business tax receipt by September 1, 2032.

12. If there are conflicts between these regulations and those set forth within the underlying zoning district, as well as any other section of the City Code, the provisions in Section 7.1.10 shall control.

c. Lincoln Road South between Alton Road and Drexel Avenue. For properties with a lot line on the south side of Lincoln Road, between the east side of Alton Road and the west side of Drexel Avenue, and that comply with the requirements in section 7.1.11.a above, the maximum FAR shall not exceed 2.75, regardless of lot size, subject to the following regulations:

1. All portions of the project above the first level shall consist of non-transient residential uses.

2. Multi-story rooftop additions may be permitted subject to the review and approval of the historic preservation board.

3. 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. Notwithstanding the foregoing, the historic preservation board may waive up to 50% of the required 50 foot setback from Lincoln Road for additions located above 50 feet in height, subject to compliance with the applicable certificate of appropriateness criteria in chapter 2, article VIII of the land development regulations of the city code.

4. The minimum unit size shall be 500 square feet.

5. The maximum density may exceed 150 units per acre, up to 175 units per acre.

6. A micro-mobility station that is accessible by all residents of the building shall be required within the interior of the structure. The micro mobility station may be accessed from the Lincoln Lane South.

7. Off-street parking spaces, if provided, shall not exceed 20% of the number of off-street parking spaces required under parking tier 1.

8. Off-street parking for building staff and/or service operations shall be provided at the same ratio as required loading spaces.

9. A maximum building height of up to 75 feet may be permitted, subject to the following:
    a. Off-street parking shall be prohibited.
    b. The property shall be part of a micro mobility network which is accessible to the general public. At a minimum, this shall include a public sharing program for no less than 20 micro-mobility devices located within the confines of the property.

10. The required mobility fee shall be waived for projects that have obtained a full building permit by September 1, 2032.

11. The FAR and height requirements in this subsection above shall only apply to projects that have obtained a full building permit or business tax receipt by September 1, 2032.

12. If there are conflicts between these regulations and those set forth within the underlying zoning district, as well as any other section of the City Code, the provisions in Section 7.1.10 shall control.

d. 17th Street between Alton Road and Drexel Avenue. For properties located between 17th Street and Lincoln Lane North, from the east side of Alton Road to the west side of Drexel Avenue, and that comply with the requirements in section 7.1.11.a above, the maximum FAR shall not exceed 3.0 for lots less than 45,000 square feet and 3.5 for lots greater than 45,000 square feet, subject to the following regulations:

1. All portions of the project above the first level shall consist of non-transient residential uses.

2. The minimum unit size shall be 500 square.

3. The maximum density may exceed 150 units per acre, up to 175 units per acre.

4. A micro-mobility station shall be required within the interior of the structure and shall be accessible by all residents of the building. The micro-mobility station shall constitute not less than 30% of the structure.

5. Off-street parking spaces, if provided, shall not exceed 20% of the number of off-street parking spaces required under parking tier 1.

6. Off-street parking for building staff and/or service operations shall be provided at the same ratio as required loading spaces.

7. A maximum building height of up to 150 feet may be permitted, subject to the following:

a. Off-street parking shall be prohibited.
b. The micro-mobility station shall constitute not less than 50% of the structure.
c. The property shall be part of a micro mobility network which is accessible to the general public. At a minimum, this shall include a public sharing program for no less than 20 micro-mobility devices located within the confines of the property.

8. The required mobility fee shall be waived for projects that have obtained a full building permit by September 1, 2032.

9. The FAR and height requirements in this subsection above shall only apply to projects that have obtained a full building permit or business tax receipt by September 1, 2032.

10. If there are conflicts between these regulations and those set forth within the underlying zoning district, as well as any other section of the City Code, the provisions in Section 7.1.11 shall control.

e. There shall be no variances from the requirements of this section for eligible developments.

SECTION 3. Chapter 7, entitled "Zoning District Regulations," Article II, entitled "District Regulations," Section 7.2.12, entitled "CD-3 Commercial, High Intensity District," is hereby amended as follows:

CHAPTER 7
ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE II: DISTRICT REGULATIONS

* * *

7.2.12 CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT

* * *

7.2.12.3 Development Regulations (CD-3)

a. The development regulations for the CD-3 commercial, high intensity district are as follows:

1. The tower setback shall not be less than the pedestal setback.

2. Parking lots and garages: If located on the same lot as the main structure the following setbacks shall apply. If primary use the setbacks are listed in section 7.5.3.2.n.

DEVELOPMENT REGULATIONS TABLE (CD-3)	
Maximum FAR	
Lot area equal to or less than 45,000 SF	2.25

DEVELOPMENT REGULATIONS TABLE (CD-3)	
Lot area greater than 45,000 SF	2.75
Lots located between Drexel Avenue and Collins Avenue and between 16th Street and 17th Street (MAP EXHIBIT-5)	2.75
Residential ~~and hotel~~ development within the architectural district, regardless of lot size.	2.5 (8)
Maximum Density (Dwelling Units per Acre)	150 DUA (80% bonus for workforce or affordable units)

* * *

BUILDING HEIGHT	
Maximum Height Ⓔ	75 feet (3)
~~Lots on the north side of Lincoln Road between Pennsylvania Avenue and Lenox Avenue, with a minimum lot area of 30,000 square feet, and which contain a contributing building and an attached addition providing a minimum of 100 hotel units, where the addition is set back at least 75 feet from the Lincoln Road property line, and has a street side setback of no less than 25 feet~~	~~75 feet (2) (3)~~
Lots within the architectural district. (MAP EXHIBIT-6)	50 feet (3)

* * *

1. Rooftop additions to contributing structures in a historic district and individually designated historic buildings may follow existing nonconforming rear and side interior, pedestal setbacks.
2. Notwithstanding the foregoing requirements for lots within the architectural district, for lots fronting on James Avenue, bounded by 17th Street to the north and Lincoln Road to the south (MAP EXHIBIT-11), the historic preservation board, in accordance with the certificate of appropriateness criteria in chapter 2, article XIII of these Land Development Regulations, shall have discretion to allow up to 75 feet in height for those properties that provide a minimum of five stories of parking, of which a minimum of 250 spaces must be unencumbered by any use at the property and provided further that a minimum setback of 75 feet shall be required from Collins and Washington Avenue for any portion of a building above 50 feet in height.
3. An additional 5 feet of height is allowed if the nonresidential first habitable level is at least 14 feet in height, as measured from DFE, to the top of the second floor slab.

4. For contributing hotel structures, located within an individual historic site, a local historic district or a national register district, which are renovated in accordance with the Secretary of the Interior Standards and Guidelines for the Rehabilitation of Historic Structures as amended, retaining the existing room configuration and sizes of at least 200 square feet shall be permitted. Additionally, the existing room configurations for the above described hotel structures may be modified to address applicable life-safety and accessibility regulations, provided the 200 square feet minimum unit size is maintained, and provided the maximum occupancy per hotel room does not exceed 4 persons.

5. The number of units may not exceed the maximum density set forth in the comprehensive plan.

6. Developments located in zoning districts that do not prohibit the short-term rental of residential apartment units shall be eligible for an exemption from the average unit size requirements established above, subject to the following conditions:

   - Density. The development shall not be permitted to exceed the maximum residential density established in the Comprehensive Plan or Land Development Regulations.
   - Minimum Unit Size. This incentive shall not be construed to permit any unit that is smaller than the minimum allowable unit size for the type of unit being proposed.
   - Covenant. In order to be eligible for this voluntary average unit size incentive, the property owner, at the owner's sole discretion, shall voluntarily execute a restrictive covenant running with the land, in a form approved by the City Attorney, affirming that in perpetuity no residential units on the property shall be leased or rented for a period of less than six months and one day.

7. See section 7.1.5.2 for eligibility for average unit size exception.

8. <u>Hotel development within the architectural district, on properties west of Drexel Avenue, shall have a maximum FAR of 2.5, regardless of lot size.</u>

* * *

~~**7.2.12.4 Additional Regulations (CD-3)**~~

a. ~~**Lincoln Road hotel incentives and public benefits program.**~~

~~In order for a hotel on Lincoln Road to be constructed with a minimum unit size of 200 square feet (as applicable to hotels on the north side of Lincoln Road) or a minimum average unit size of 250 square feet (as applicable to hotels on the south side of Lincoln Road), and in order to construct a hotel on Lincoln Road that is taller than 50 feet, the portion of Lincoln Lane abutting the subject property, as well as the remaining portion of Lincoln Lane from block-end to block-end, shall be fully improved subject to the review and approval of the public works department. Additionally, for a hotel to be eligible for the unit size and height incentives set forth herein, participation in a public benefits program, as further set forth below, shall be required:~~

~~1. *Provide ground-floor public benefit space*. On-site, ground floor space within the building in which the hotel is located shall be provided, with a minimum area of 500 square feet,~~

~~for use by Miami Beach-based not-for-profit entities and/or artisans, as workshops, or for display or demonstration purposes, either of which shall be open to public view ("public benefit space"). Any required land use board approvals associated with a public benefit space approved pursuant to this paragraph shall be the responsibility of the non-profit entity or artisan, respectively.~~

~~2. *Contribution to Art in Public Places fund.* In addition to providing an on-site public benefit space pursuant to section 7.2.12.4.a.1, a hotel shall provide a contribution to the city's Art in Public Places fund, the amount of which shall be equal to 0.5 percent (0.5%) of the total of all construction costs associated with the proposed hotel project, regardless of the number of permits associated with the project or whether the applicant intends to construct the hotel in phases. Full payment of the contribution shall be made prior to the issuance of a certificate of occupancy.~~

~~3. *Final approval.* Prior to the issuance of a final certificate of occupancy for the property, a covenant executed by the property owner shall be submitted to the city, in a form approved by the city attorney and city manager, which covenant shall, at a minimum, identify the location of the public benefit space, and require a hotel owner and/or operator to maintain the public benefit space for so long as the hotel use on the subject property remains active, unless a shorter term is approved by resolution of the city commission.~~

~~4. *Limitation.* There shall be a limit of 500 hotel units constructed between Pennsylvania Avenue and Lenox Avenue, which utilize the unit size and/or height incentives set forth in this section 7.2.12.4.a.~~

SECTION 4. Chapter 7, entitled "Zoning District Regulations," Article V, entitled "Supplementary District Regulations," Section 7.5.2, entitled "Height Regulation Exceptions," is hereby amended as follows:

CHAPTER 7
ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE V: SUPPLEMENTARY DISTRICT REGULATIONS

* * *

7.5.2 HEIGHT REGULATIONS EXCEPTIONS (SUPPLEMENTARY DISTRICT REGULATIONS)

* * *

7.5.2.1 Height regulation exceptions and rooftop additions.

* * *

d. Rooftop additions.

1. *Lincoln Road ~~hotel~~ residential additions.* Notwithstanding the foregoing, For properties that front Lincoln Road between Alton Road and Collins Avenue and that comply with the requirements in section 7.1.11.a, and at the discretion of the historic preservation board, a multistory rooftop addition, for ~~hotel~~ non-transient residential uses only, may be permitted ~~for properties on Lincoln Road, located between Pennsylvania Avenue and Lenox Avenue~~, in accordance with the following provisions:

A. ~~For properties on the north side of Lincoln Road, a~~ Any multistory rooftop addition shall be ~~set back at least 75 feet from Lincoln Road and at least 25 feet from any adjacent side street. Additionally, the multistory addition may be cantilevered over a contributing building~~ consistent with the scale and massing of the existing structure.

B. ~~For properties located on the south side of Lincoln Road, a multistory rooftop addition shall be set back at least 65 feet from Lincoln Road~~ All contributing buildings shall be retained and restored in accordance with the Secretary of Interior's Standards for Rehabilitation, as determined by the historic preservation board.

~~C. The portion of Lincoln Lane abutting the subject property, as well as the remaining portion of Lincoln Lane from block-end to block-end, shall be fully improved subject to the review and approval of the public works department.~~

~~D. Participation in the public benefits program, pursuant to section 7.2.12.4.a, shall be required in order for a hotel project to avail itself of a multistory rooftop addition.~~

~~E. There shall be a limit of 500 hotel units for hotel projects including a multistory rooftop addition that are constructed between Pennsylvania Avenue and Lenox Avenue.~~

SECTION 5. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 6. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 7. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 8. EFFECTIVE DATE,

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this _____ day of _____, 2025

_____
Steven Meiner, Mayor

ATTEST:

_____
Rafael E. Granado, City Clerk.

APPROVED AS TO FORM AND
LANGUAGE AND FOR EXECUTION

_____
City Attorney Date

First Reading:
Second Reading:

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

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