

## Washington Avenue Residential Plan – 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 1, ENTITLED “GENERAL PROVISIONS,” ARTICLE II, ENTITLED “DEFINITIONS,” SECTION 1.2.1, ENTITLED “GENERAL DEFINITIONS,” BY AMENDING THE DEFINITION OF FLOOR AREA AND CREATING A DEFINITION FOR MICRO-MOBILITY STATION; 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 2; BY AMENDING CHAPTER 7, ENTITLED “ZONING DISTRICT REGULATIONS,” ARTICLE I, ENTITLED “GENERAL TO ALL ZONING DISTRICTS,” BY CREATING SECTION 7.1.10, ENTITLED “RESIDENTIAL USE INCENTIVES,” TO ESTABLISH RESIDENTIAL USE INCENTIVES SPECIFIC TO PROPERTIES IN APPLICABLE UNDERLYING ZONING DISTRICTS AND PROPERTIES FRONTING WASHINGTON AVENUE FROM 5<sup>TH</sup> STREET TO 17<sup>TH</sup> STREET; BY AMENDING ARTICLE II, ENTITLED “DISTRICT REGULATIONS,” SECTION 7.2.5 ENTITLED “RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY,” TO CREATE SECTION 7.2.5.5, ENTITLED “MID BEACH RESIDENTIAL USE INCENTIVE AREAS (RM-2),” TO ESTABLISH RESIDENTIAL USE INCENTIVES SPECIFIC TO PROPERTIES IN APPLICABLE RM-2 ZONING DISTRICTS AND PROPERTIES FRONTING WASHINGTON AVENUE FROM 6<sup>TH</sup> STREET TO 7<sup>TH</sup> STREET; BY AMENDING SECTION 7.2.11, ENTITLED “CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT,” AT SUBSECTION 7.2.11.5, ENTITLED “WASHINGTON AVENUE (CD-2),” TO MODIFY EXISTING DEVELOPMENT REGULATIONS SPECIFIC TO PROPERTIES FRONTING WASHINGTON AVENUE AND TO CREATE A RESIDENTIAL INCENTIVE AREA SPECIFIC TO WASHINGTON AVENUE; BY AMENDING SECTION 7.2.12, ENTITLED “CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT,” BY CREATING SECTION 7.2.12.5, ENTITLED “WASHINGTON AVENUE RESIDENTIAL INCENTIVE AREA – CD-3,” TO CREATE A RESIDENTIAL INCENTIVE AREA SPECIFIC TO WASHINGTON AVENUE; BY AMENDING SECTION 7.2.15 ENTITLED “PERFORMANCE STANDARD DISTRICT (PS),” AT SECTION 7.2.15.3, ENTITLED “COMMERCIAL PERFORMANCE STANDARDS DISTRICTS (C-PS),” TO CREATE A RESIDENTIAL INCENTIVE AREA SPECIFIC TO WASHINGTON AVENUE; 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 in the Washington Avenue 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 current mix of late night entertainment and transient uses along Washington Avenue undermine the sense of community and social cohesion within the larger neighborhood by fostering transient and temporary living situations rather than long-term residency and neighborhood investment; 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 1, entitled “General Provisions,” Article II, entitled “Definitions,” Section 1.2.1, entitled “General Definitions,” is hereby amended as follows:

**CHAPTER 1  
GENERAL PROVISIONS**

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**ARTICLE II: DEFINITIONS**

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**1.2.1 GENERAL DEFINITIONS**

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**Floor area** means the sum of the gross horizontal areas of the floors of a building or buildings, measured from the exterior faces of exterior walls or from the exterior face of an architectural projection, from the centerline of walls separating two attached buildings. For the purpose of clarity, floor area includes, but is not limited to, stairwells, stairways, covered steps, elevator shafts at every floor (including mezzanine level elevator shafts), and mechanical chutes and chases at every floor (including mezzanine level).

For the avoidance of doubt, unless otherwise provided for in these land development regulations, floor area excludes only the spaces expressly identified below:

- a. Accessory water tanks or cooling towers.
- b. Uncovered steps.
- c. Attic space, whether or not a floor actually has been laid, providing structural headroom of less than seven feet six inches.
- d. Terraces, breezeways, or open porches.
- e. Floor space used for required accessory off-street parking spaces. However, up to a maximum of two spaces per residential unit may be provided without being included in the calculation of the floor area ratio.
- f. Commercial parking garages and noncommercial parking garages when such structures are the main use on a site.
- g. Mechanical equipment rooms located above main roof deck.

- h. Exterior unenclosed private balconies.
- i. Floor area located below grade when the top of the slab of the ceiling is located at or below grade. However, if any portion of the top of the slab of the ceiling is above grade, the floor area that is below grade shall be included in the floor area ratio calculation. Despite the foregoing, when the top of the slab of an existing ceiling of a partial basement is located above grade, one-half of the floor area of the corresponding floor that is located below grade shall be included in the floor area ratio calculation in the following instances:
  - 1. Existing contributing structures that are located within a local historic district, national register historic district, or local historic site.
  - 2. Structures located within Block 1 Properties as more specifically defined in section 7.2.15.3.f.1.D.
- j. Enclosed garbage rooms, enclosed within the building on the ground floor level.
- k. Stairwells and elevators located above the main roof deck.
- l. Electrical transformer vault rooms.
- m. Fire control rooms and related equipment for life-safety purposes.
- n. Secured bicycle parking.
- o. Floor area used for micro-mobility stations when located below the second floor of a building constructed in accordance with Section 7.2.11.5.b.4

Volumetric buildings, used for storage, where there are no interior floors, the floor area shall be calculated as if there was a floor for every eight feet of height.

When transfer of development rights are involved, see chapter 2 article XIV for additional regulations that address floor area.

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**Micro-Mobility Station** means a defined area of a building or structure used solely for storing lightweight vehicles such as bicycles or scooters, especially electric ones, which may be used by vehicle owners, or as part of a self-service rental program in which people rent vehicles for short-term use.

**SECTION 2.** 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

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

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#### 5.2.4 VEHICLE OFF-STREET PARKING REQUIREMENTS

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### 5.2.4.2 Parking Tier 2

Except as otherwise provided in these land development regulations, when any building or structure is erected or altered in parking Tier 2 accessory off-street parking spaces shall be provided for the building, structure or additional floor area as follows. For uses not listed below, the off-street parking requirement shall be the same as for parking tier 1.

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### Tier 2c

c. Off-street parking requirements for Tier 2 area c.

1. Tier 2 area c includes those properties with a lot line on Washington Avenue from 5th Street to 17th Street, excluding those properties in Tier 3 area a, as depicted in the map below:



2. The following off-street parking requirements apply to properties located within Tier 2 area c.

- 1.

OFF-STREET PARKING REQUIREMENT		
RESIDENTIAL		
<del>Co-living</del> <i>Non-Transient residential units built in accordance with Section 7.1.10</i>		No parking requirement.
LODGING		
<i>Hotel and hostel</i>		No parking requirement. For accessory uses to a hotel or hostel, the minimum parking is as set forth in parking tier. 1.
OFFICE		
<i>Office</i>		No parking requirement
COMMERCIAL		
<i>Café, outdoor</i>		No parking requirement
<i>Retail</i>	Retail existing as of the date of adoption of previous parking district no. 7 (now Tier 2 area c)	No parking requirement.
	New retail construction	One space per 300 square feet of floor area
	Notwithstanding the above, there shall be no parking requirement for retail uses, provided that a parking garage with publicly accessible parking spaces is located within 500 feet.	
<i>Quality restaurants</i>		No parking requirement.
OTHER		
<i>Approved parklets</i>		No parking requirement

2. With the exception of non-transient residential projects, built in accordance with Section 7.1.10, the parking requirements in this subsection above shall only apply to projects that have obtained a full building permit or business tax receipt by September 1, 2027.
3. Any building or structure erected in Tier 2 area c may provide required parking on site as specified in parking tier 1. Such required parking, if provided, shall be exempt from FAR, in accordance with the regulations specified in chapter 1 of these land development regulations.

**SECTION 3.** 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

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#### **7.1.10 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. **An affirmative vote of six-sevenths of all members of the city commission shall be required in order to reverse such covenant 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. Washington Avenue. For properties with frontage on Washington Avenue, located to the south of 17<sup>th</sup> Street and north of Fifth Street, which comply with the requirements in section 7.1.10.a above, the maximum FAR shall not exceed **4.0 for C-PS2, RM-2 and CD-2 zoned properties and 3.25 for CD-3 zoned properties** subject to the following regulations:

1. Any and all existing non-conforming uses on the subject property shall be discontinued and abandoned.
2. All portions of the project above the first level shall consist of non-transient residential uses.
3. **The minimum lot size for an eligible project shall not be less than 13,000 square feet.**

4. No residential unit shall exceed 1,200 square feet in size.
  5. A micro-mobility station shall be required within the interior of the first level of structure and shall be accessible by all residents of the building. The micro-mobility station shall constitute not less than 30% of the first level of the structure. **However, if the project is located within the CD-3 district and provides publicly accessible parking facilities on the same lot, the micro-mobility station shall constitute not less than 5% of the first level of the structure or 1,500 square feet, whichever is less. The micro-mobility station may be located within the second level of the parking structure so long as clear signage directing the public to the micro-mobility station is provided.**
  6. Off-street parking spaces, if provided, shall not exceed 20% of the number of off-street parking spaces required under parking tier 1. **This limitation shall not apply to CD-3 zoned properties that have existing publicly accessible parking facilities on the same lot that were approved prior to January 1, 2024.**
  7. Off-street parking for building staff and/or service operations shall be provided at the same ratio as required loading spaces.
  8. Up to an additional 25 feet in building height may be permitted, not to exceed 100 feet, **for C-PS2, RM-2 and CD-2 zoned properties and up to an additional 75 feet in building height may be permitted, not to exceed 150 feet, for CD-3 zoned properties,** subject to the following:
    - a. Off-street parking shall be prohibited, **except for projects located within the CD-3 district that have existing publicly accessible parking facilities on the same lot that were approved prior to January 1, 2024.**
    - b. The micro-mobility station shall constitute not less than 50% of the first level of the structure. **However, if the project is located within the CD-3 district and provides publicly accessible parking facilities on the same lot, the micro-mobility station shall constitute not less than 5% of the first level of the structure or 1,500 square feet, whichever is less. The micro-mobility station may be located within the second level of the parking structure so long as clear signage directing the public to the micro-mobility station is provided.**
    - 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. The applicant shall submit an operational plan for the public sharing program, which shall be subject to the review and approval of the City.
  9. The required mobility fee shall be waived for projects that have obtained a full building permit by September 1, **2032.**
  10. 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.**
  11. 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. There shall be no variances from the requirements of this section for eligible developments.

**SECTION 4.** Chapter 7, entitled “Zoning District Regulations,” Article II, entitled “District Regulations,” is hereby amended as follows:

**ARTICLE II: DISTRICT REGULATIONS**

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**7.2.5 RM-2 RESIDENTIAL MULTIFAMILY, MEDIUM INTENSITY**

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**7.2.5.5 MID-BEACH RESIDENTIAL USE INCENTIVE AREAS (RM-2)**

**a. Mid Beach Residential Incentive Area – RM-2**

**1. Location and Purpose (Mid Beach Residential Incentive Area – RM-2)**

The following regulations shall apply to properties that front Collins Avenue between 47<sup>th</sup> Street on the south and 63<sup>rd</sup> Street on the north. The purpose of the overlay shall be to incentivize the development of non-transient residential uses.

**2. Development Regulations (Mid Beach Residential Use Incentive Area (RM-2)**

For developments that comply with the applicable requirements for “Residential Use Incentives” in section 7.1.10 of the Resiliency Code, the following regulations shall apply:

<u>DEVELOPMENT REGULATIONS TABLE:</u>	
<u>Maximum FAR</u>	<u>2.3</u>
<u>BUILDING HEIGHT</u>	
<u>Maximum Height</u>	<u>75</u>
<u>Historic District</u>	<u>65</u>
<u>For properties outside a local historic district with a ground level consisting of non-habitable parking and/or amenity uses</u>	<u>80</u>

**b. Washington Avenue Residential Incentive Area – RM-2**

**1. Location and Purpose (Washington Avenue Residential Incentive Area – RM-2)**

The following regulations shall apply to properties that front Washington Avenue between 6<sup>th</sup> Street on the south and 7<sup>th</sup> Street on the north. The purpose of the overlay shall be to incentivize the development of non-transient residential uses.

**2. Development Regulations (Washington Avenue Residential Use Incentive Area (RM-2)**

For developments that comply with the applicable requirements for “Residential Use Incentives” in section 7.1.10 of the Resiliency Code, the following regulations shall apply:

<u>DEVELOPMENT REGULATIONS TABLE:</u>	
<u>Maximum FAR</u>	<u>4.0</u>



<b><u>BUILDING HEIGHT</u></b>	
<b><u>Maximum Height</u></b>	<b><u>75 and 100</u></b>
<b><u>Maximum Density</u></b>	<b><u>175 DUA</u></b>

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## 7.2.11 CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT

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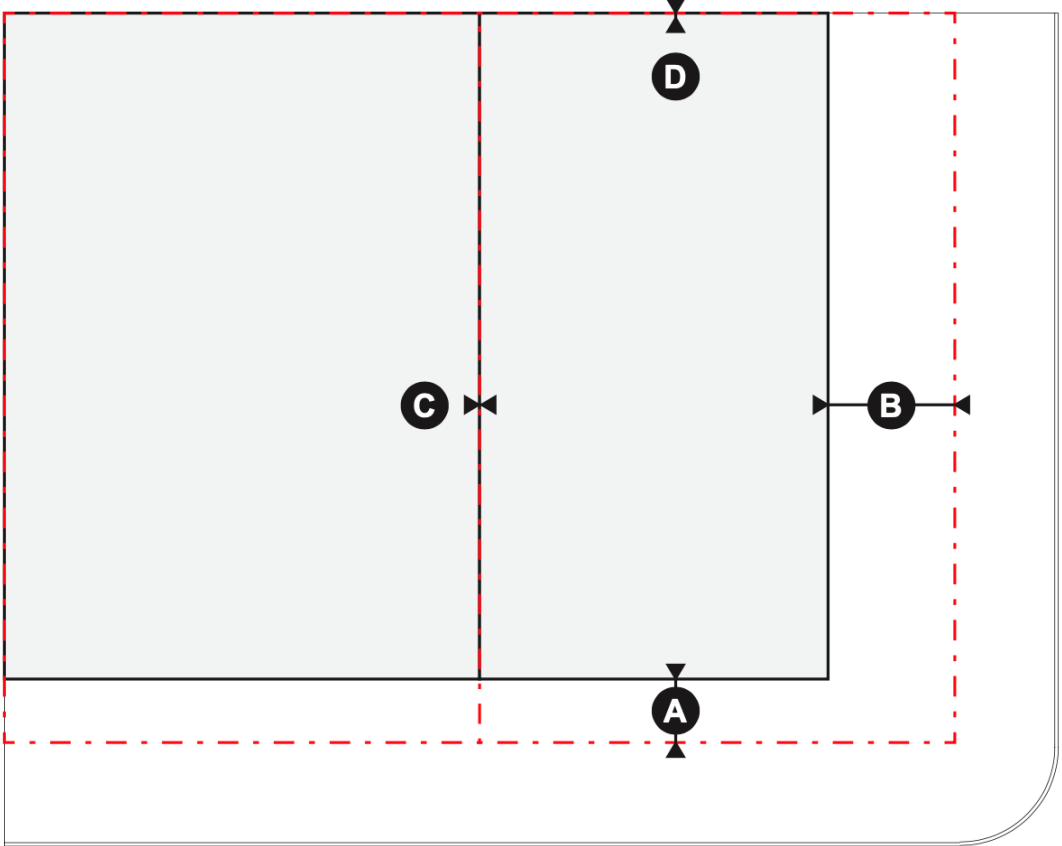
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### 7.2.11.5 WASHINGTON AVENUE (CD-2)

#### a. Development Regulations (Washington Ave – CD-2)

The following regulations shall apply to properties that front Washington Avenue between 6th Street and 16th Street (MAP EXHIBIT-3); in the event of a conflict within this division, the regulations below shall apply:

<b>DEVELOPMENT REGULATIONS TABLE (WASHINGTON AVE - CD-2)</b>	
Maximum FAR	1.5
Maximum FAR for mixed use buildings (when more than 25 percent (25%) of the total area of a building is used for residential or hotel units)	<u>2.0</u>
Maximum FAR for non-transient residential projects	4.0; subject to compliance with section 7.1.10
Maximum Density (Dwelling Units Per Acre)	<del>100</del> <b>175</b> DUA
Minimum and minimum average Unit Size (square feet)	See section 7.2.11.3.a
Supplemental Minimum Unit Size	See section 7.2.11.5.c. below.
<b>LOT OCCUPATION</b>	
Minimum Lot Area (square feet)	None
Minimum Lot Width (feet)	None
Maximum Lot Coverage (% of lot area)	None
<b>BUILDING SETBACKS</b>	Lots with frontage equal or less than 100 feet (Pursuant to section 7.2.11.3.a)
<b>BUILDING SETBACKS</b>	Lots with frontage greater than 100 feet
Front Setback <b>(A)</b>	
Subterranean	0 feet
Ground Level	0 feet (See section 7.1.2.2)
Above the ground level up to 35 feet in height	5 feet min (for parking garages with liners) 10 feet min (for parking garages without liners) 15 feet min (for all other uses)
Above 35 feet in height up to <del>75</del> <u>100</u> feet	5 feet min (for parking garages with liners) 10 feet min (for parking garages without liners) 30 feet min (for all other uses)
Above <del>75</del> <u>100</u> feet in height	110 feet
Side, Facing a Street Setback <b>(B)</b>	
Subterranean	0 feet

DEVELOPMENT REGULATIONS TABLE (WASHINGTON AVE - CD-2)	
Nonresidential Uses	0 feet (See section 7.1.2.2)
Residential and Hotel Uses	7.5 feet (See section 7.1.2.2)
Above 75 feet in height for all uses	45 feet
Side, Interior Setback ©	
Subterranean	0 feet
Nonresidential Uses	0 feet
Residential and Hotel Uses	7.5 feet or 8% of lot width (whichever is greater, up to 10 feet) 7.5 feet (when abutting a nonresidential or non-hotel use)
Above 75 feet for all uses	45 feet
Rear Setback ①	
Subterranean	0 feet
Ground Level	0 feet
Above the Ground Level	10 % of lot depth 0 feet (for parking garage floors above the minimum truck clearance)
 <p>The diagram illustrates a building footprint (light gray rectangle) within a lot boundary (dashed red line). The lot is divided by a vertical dashed line. Four setback points are marked with circles and letters: A (front), B (side facing the street), C (side), and D (rear). The front and side facing the street are labeled. The building footprint is positioned such that it meets the setbacks at points A, B, C, and D.</p>	
BUILDING HEIGHT	

DEVELOPMENT REGULATIONS TABLE (WASHINGTON AVE - CD-2)	
Maximum Height ⑤	55 feet (unless otherwise specified in section 7.2.11.5.c below)
<del>Lots that have frontage equal to or greater than 200 feet</del> Non-Transient Residential Projects	75 feet, subject to compliance with section 7.1.10 100 feet, subject to compliance with section 7.1.10
Main Parking Garages	55 feet (Regardless of frontage)

**b. Additional Regulations (Washington Ave – CD-2)**

1. The maximum frontage for nightclubs and dance halls, located at the ground level shall not exceed 25 feet in width unless such a space has a certificate of use for nightclub or dance hall, or unless a valid license was issued after January 1, 2011, and before the date of adoption of the ordinance codified in this section for the use of such space as a nightclub or dance hall. In the event a nightclub or dance hall becomes non-conforming, such establishment shall be subject to all applicable regulations set forth in chapter 2, article VII of these land development regulations.
2. For new hotel construction or conversion to hotel use, the minimum hotel room unit size may be 175 square feet, provided that:
  - A. A minimum of 20 percent (20%) of the gross floor area of the hotel consists of hotel amenity space that is physically connected to and directly accessed from the hotel. Hotel amenity space includes the following types of uses, whether indoor or outdoor, including roof decks: restaurants; bars; cafes; hotel business center; hotel retail; screening rooms; fitness center; spas; gyms; pools; pool decks; and other similar uses customarily associated with a hotel. Bars and restaurants shall count no more than 50 percent (50%) of the total hotel amenity space requirements.
  - B. Windows shall be required in all hotel rooms and shall be of dimensions that allow adequate natural lighting, as determined by the historic preservation board.
3. For lots that have a frontage that is greater than 100 feet, the following shall apply:
  - A. Maximum building length. Unless otherwise approved by the historic preservation board at its sole discretion, no plane of a building, above the ground floor façade facing Washington Avenue, shall continue for greater than 100 feet without incorporating an offset of a minimum 5 feet in depth

from the setback line. The total offset widths shall total no less than 20 percent (20%) of the entire building frontage.

- B. Physical separation between buildings. Unless otherwise approved by the historic preservation board at its sole discretion, a physical separation must be provided between buildings greater than 200 feet in length and at/or above 35 feet in height from the ground floor. Notwithstanding the foregoing, for building sites with a lot frontage in excess of 500 feet, no physical separation is required if:
  - I. The length of the building at/or above 35 feet in height from the ground floor does not exceed 50 percent (50%) of the length of the frontage of the property; and
  - II. The offsets required in section 7.2.11.5.c.4.A., above, are a minimum of 20 feet in depth from the setback line and the combined offset widths total no less than 30 percent (30%) of the entire building frontage.

#### **4. Washington Avenue Residential Incentive Area – CD-2**

##### **A. Location and Purpose (Washington Avenue Residential Incentive Area – CD-2)**

The following regulations shall apply to properties that front Washington Avenue between 6<sup>th</sup> Street on the south and 16<sup>th</sup> Street on the north. The purpose of the overlay shall be to incentivize the development of non-transient residential uses.

##### **B. Development Regulations (Washington Avenue Residential Use Incentive Area (CD-2))**

For developments that comply with the applicable requirements for “Residential Use Incentives” in section 7.1.10 of the Resiliency Code, the following regulations shall apply:

<u>DEVELOPMENT REGULATIONS TABLE:</u>	
<u>Maximum FAR</u>	<u>4.0</u>
<u>BUILDING HEIGHT</u>	
<u>Maximum Height</u>	<u>75 and 100</u>
<u>Maximum Density</u>	<u>175 DUA</u>

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#### **7.2.12 CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT**

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##### **7.2.12.5 Washington Avenue Residential Incentive Area – CD-3**

##### **1. Location and Purpose (Washington Avenue Residential Incentive Area – CD-3)**

The following regulations shall apply to properties that front Washington Avenue between 16<sup>th</sup> Street on the south and 17<sup>th</sup> Street on the north. The purpose of the overlay shall be to incentivize the development of non-transient residential uses.

2. **Development Regulations (Washington Avenue Residential Use Incentive Area (CD-3))**

For developments that comply with the applicable requirements for “Residential Use Incentives” in section 7.1.10 of the Resiliency Code, the following regulations shall apply:

<u>DEVELOPMENT REGULATIONS TABLE:</u>	
<u>Maximum FAR</u>	<u>3.25</u>
<u>BUILDING HEIGHT</u>	
<u>Maximum Height</u>	<u>150</u>
<u>Maximum Density</u>	<u>150 DUA</u>

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**7.2.15 PERFORMANCE STANDARD DISTRICT (PS)**

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**7.2.15.3 Commercial Performance Standards Districts (C-PS)**

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**h. Washington Avenue Residential Incentive Area – CPS-2**

1. **Location and Purpose (Washington Avenue Residential Incentive Area – CPS-2)**

The following regulations shall apply to properties that front Washington Avenue between 5<sup>th</sup> Street on the south and 6<sup>th</sup> Street on the north. The purpose of the overlay shall be to incentivize the development of non-transient residential uses.

2. **Development Regulations (Washington Avenue Residential Use Incentive Area (CPS-2))**

For developments that comply with the applicable requirements for “Residential Use Incentives” in section 7.1.10 of the Resiliency Code, the following regulations shall apply:

<u>DEVELOPMENT REGULATIONS TABLE:</u>	
<u>Maximum FAR</u>	<u>4.0</u>
<u>BUILDING HEIGHT</u>	
<u>Maximum Height</u>	<u>75 and 100</u>
<u>Maximum Density</u>	<u>175 DUA</u>

**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. APPLICABILITY**

The Ordinance shall not apply to properties fronting Washington Avenue that have an active land use board application, with a hearing file number, and where a notice to proceed to public hearing has been issued by the City no later than July 1, 2024.

**SECTION 9. 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: \_\_\_\_\_, 2025

Second Reading: \_\_\_\_\_, 2025

Verified by: \_\_\_\_\_  
Thomas R. Mooney, AICP  
Planning Director